

PUNJAB STATE INFORMATION COMMISSION

**Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.**

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Sh. Gurpreet Singh (8528849663)

s/o Sh. Harbans Singh,
W.No.201, Village Nehian Wala,
Bathinda.

Appellant

Versus

Public Information Officer

O/o D.C.Bathinda

First Appellate Authority

O/o D.C.,Bathinda

Respondent

Appeal Case No.: 1660 of 2022

Hearing through CISCO Webex

Present: Appellant- Sh. Gurpreet Singh
Respondent: Sh. Gurpreet Singh (DSP)

ORDER

1. The received online RTI application No.7765 dated 13.12.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 2.2.2022 and second appeal was filed in the Commission on 5.4.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 15.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are present.
3. The appellant states that he has received the information in the present case. He further states that he has no objection to close this case.
4. As the information stands supplied, no further cause of action is required in this case. Therefore, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties

Dated: 15.09.2022

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**

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Sh. Rajneesh Jindal(9779059255)
s/o late Sh. Om Parkash Jindal,
Flat No.419-A, Block 6, City Heights,
Peer Muchhalla, SAS Nagar 140603.

Appellant

Versus

Public Information Officer
O/o D.C., Mansa

First Appellate Authority
O/o D.C., Mansa

Respondent

Appeal Case No.: 1661 of 2022
Hearing through CISCO Webex

Present: Appellant- Sh. Rajneesh Jindal
Respondent: Sh. Balkar Singh, Naib Tehsildar

ORDER

1. The received online RTI application No.5376 dated 10.10.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 15.11.2021 and second appeal was filed in the Commission on 5.4.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 15.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are present. Respondent states that 33 pages were supplied to the appellant on 29.07.2022.
3. The appellant states that he has received the information in the present case. He further states that he has no objection to close this case.
4. As the information stands supplied, no further cause of action is required in this case. Therefore, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties

Dated: 15.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Gurpiar Singh Chahal(9463122133)

s/o Sh. Gurnaib Singh,
H.No.2, Mansa-

Appellant

Versus

Public Information Officer

O/o D.C., Mansa

First Appellate Authority

O/o D.C., Mansa

Respondent

Appeal Case No.: 1662 of 2022

Hearing through CISCO Webex

Present:

Appellant- Absent

Respondent: Sh. Sukhraj Singh Dhillon (PIO) (9855098566)

ORDER

1. The received online RTI application No.8815 dated 09.01.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 24.01.2022 and second appeal was filed in the Commission on 5.4.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 15.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are present. Respondent states that 33 pages were supplied to the appellant and an intimation in this regard is also sent to the Commission vide letter no. 965 dated 31.08.2022, which is received and taken on record vide diary no. 20024 dated 05.09.2022.
3. It is observed that deficiency has not been pointed out by the appellant till date, which means he has nothing to say in this regard. No communication is received from the appellant after filing the case in the Commission.
4. With aforesaid observation, no further cause of action is required in this case. Therefore, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties

Dated: 15.09.2022

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**

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Sh. Surinderpal (6239467850)
c/o Sub Office Rozana Pahredar,
Opp. Street No.24-A,
Main Ajit Road, Bathinda

Appellant

Versus

Public Information Officer
O/o EO, Nagar Council, Kot Fatta,
Distt. Bathinda

First Appellate Authority
O/o Regional Dy. Director, Local Govt.,
Bathinda

Respondent

Appeal Case No.: 1568 of 2022
Hearing through CISCO Webex

Present: None for the parties.

ORDER

1. The RTI application dated 9.12.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 9.1.2022 and second appeal was filed in the Commission on 29.3.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 15.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are absent but a letter dated 27.06.2022 is received from the appellant in the Commission vide diary no. 15042 dated 08.07.2022 stating therein that he has received the information in this case and requests to dismiss this present case. This letter is taken on record.
3. Neither the respondent PIO is present nor did he file reply in this regard.
4. With aforesaid observation, no further cause of action is required in this case. Therefore, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties

Dated: 15.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Harish Chhabra(9050309493)

S/o Sh. Suraj Parkash,
6, Shagun Apartments,
Kalka Zirakpur Highway,
SAS Nagar 140604.

Appellant

Versus

Public Information Officer

O/o DC, Mansa

First Appellate Authority

O/o DC, Mansa

Respondent

Appeal Case No.: 2776 of 2022

Hearing through CISCO Webex

Present:

Appellant: Sh. Harish Chhabra

Respondent: Sh. Amritpal Singh (ASI, SSP office, Mansa) (9815811401) along with Sh.
Darshan Singh, Inspector

ORDER

1. The received online RTI application No. 9021 dated 15.1.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 19.4.2022 and second appeal was filed in the Commission on 10.6.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 15.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are present.
3. Respondent, Sh. Amritpal Singh states that information was sent to the information was sent to the appellant twice i.e. on 20.10.2020 and on 30.07.2022 after filing appeal in the Commission. He also mentions that a reply in this regard had also been sent to the Commission, which is received and taken on record.
4. The appellant states that copy of statements and DDR is received from the respondent PIO. He adds that information with regard to magisterial inquiry report into the murder of Sh. Balkaran Singh (point no. 1) and regarding compensation (point no. 3) is still pending from the respondent PIO.
5. After having detailed discussion with the respondents as well, respondent PIO is directed to supply the pending information as per para 2 of this order (pointed out by the appellant) within seven days from today.
6. With aforesaid directions, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties

Dated: 15.09.2022

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**

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Sh. Rajiv Kumar Sharda(9815372192)

S/o Sh. Desh Bandhu,
Kothi No.A-1, Lal Nagar,
Model Town, Jalandhar-144001.

Complainant

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Bathinda

Remanded Back

First Appellate Authority

(Regd. Post) O/o Secy., Regional Transport Authority,
Bathinda

Encl. RTI application

Respondent

Complaint Case No.: 375 of 2022
Hearing through CISCO Webex

Present:

Appellant: Sh. Rajiv Kumar Sharda

Respondent: Sh. Gurvinder Singh (DEO) (9041324168)

ORDER

1. The RTI application is dated 27.10.2021 vide which the appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 9.6.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 15.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are present.
3. The complainant states that he has received information with regard to the defaulters; nothing is intimated about the tax deposited.
4. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP @ No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-
(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).
As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.
Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.
5. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.
6. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Dated: 15.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Rajiv Kumar Sharda(9815372192)

S/o Sh. Desh Bandhu,
Kothi No.A-1, Lal Nagar,
Model Town, Jalandhar-144001.

Complainant

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Faridkot

Remanded Back

First Appellate Authority

(Regd. Post) O/o Secy., Regional Transport Authority,
Faridkot

Encl. RTI application

Respondent

Complaint Case No.: 376 of 2022
Hearing through CISCO Webex

Present: Appellant: Sh. Rajiv Kumar Sharda
Respondent: Sh. Sanjiv Kumar (SA)

ORDER

1. The RTI application is dated 27.10.2021 vide which the appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 9.6.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 15.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing, both the parties are present.
3. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-
(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).
As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.
Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.
4. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.
5. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Dated: 15.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Rajiv Kumar Sharda(9815372192)

S/o Sh. Desh Bandhu,
Kothi No.A-1, Lal Nagar,
Model Town, Jalandhar-144001.

Complainant

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Gurdaspur

Remanded Back

First Appellate Authority

(Regd. Post) O/o Secy., Regional Transport Authority,
Gurdaspur

Encl. RTI application

Respondent

Complaint Case No.: 377 of 2022
Hearing through CISCO Webex

Present: Appellant: Sh. Rajiv Kumar Sharda
Respondent: None

ORDER

1. The RTI application is dated 27.10.2021 vide which the appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 9.6.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 15.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the complaint is present. Nobody appears on behalf of the respondent
3. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-
(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).
As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.
Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.
4. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.
5. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Dated: 15.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Balwant Singh(6280447980)

Sr. Asstt., Punjab Roadways,
Amritsar-2/Jalandhar-1.

Complainant

Versus

Public Information Officer

O/o GM, Pb. Roadways, Amritsar-2.

Respondent

Complaint Case No.: 453 of 2022

Hearing through CISCO Webex

Present: None for the parties.

ORDER

1. The RTI application is dated 12.01.2022 vide which the appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 12.7.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 15.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are absent without any intimation to the Commission in spite of registered notices issued to them, which is a sheer wastage of precious time and resources of the Commission. Respondent PIO is directed to be careful in near future towards the notices and orders issued by the Commission. It is also observed that no correspondence is received from the complainant after filing the case in the Commission.
3. In wake of above, no further cause of action is required in this case. Therefore, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties

Dated: 15.09.2022

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**

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Sh. Sanjeev Goyal(9814197689)

S/o Sh. Ashok Kumar,
148, Model Town, Phase-I,
Bathinda

Appellant

Versus

Public Information Officer

O/o SHO, Kotwali Police Station, Bathinda

First Appellate Authority

O/o IGP, Bathinda Range, Bathinda

Respondent

Appeal Case No.: 4948 of 2021

Through CISCO WEBEX

Present:

Appellant: Sh. Sanjeev Goyal

Respondent: Absent

ORDER:

1. The above mentioned case was earlier fixed for 1.8.2022 vide which the respondent PIO PIO was directed to remove the deficiencies within ten days and case was adjourned to 15.9.2022.
2. In today's hearing, appellant states that information with regard to point No.9&10 is still awaited.
3. Respondent PIO is absent in spite of registered post order of the Commission dated 01.08.2022.
4. After hearing the appellant and examining the case file, respondent PIO is directed to supply the information in connection with point No. 9 and 10 within seven days after receipt of this order.
5. With aforesaid directions, no further cause of action is required in this case. Therefore, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties

Dated: 15.09.2022

**(Anumit Singh Sodhi)
State Information Commissioner
Punjab**