

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**



Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)

Shri Jaspal Singh
S/o Shri Surjit Singh
#3334, A/2 Street No.2,
Adarsh Nagar, Roopnagar.

.....Complainant

Versus

Public Information Officer
O/o Sr. Superintendent of Police,
Roopnagar.

Remanded Back to:
First Appellate Authority
Inspector General of Police,
Roopnagar Range, Roopnagar.

...Respondent

CC No.930/2021

Present: (i) **Shri Jaspal Singh, Complainant.**
(ii) **Shri Sardool Singh, ASI, RTI Cell, O/o SSP Roopnagar,
on behalf of the PIO.**

ORDER:

1. The RTI application is dated 26.11.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 16.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 18.10.2021 through cisco webex. Shri Jaspal Singh, complainant comes present to attend the hearing before the Bench in person.
3. Shri Sardool Singh, ASI, I/c RTI Cell, O/o SSP Roopnagar also comes present to attend the hearing through in person before the Bench. He states that the complainant had filed a complaint on Helpline No.112 with regard to a family dispute with his brother for division of their common residential plot in the village. Then he has filed RTI application to know as to what action has been taken in respect of his complaint. He further states that reply in this regard has been sent to the complainant vide letter dated 14.10.2021 and he also produces a copy before the Bench. On the asking of the Bench, the complainant expresses his dissatisfaction over the reply given by the PIO O/o SSP Roopnagar.
4. The Bench, on perusal of case file, observes that the complainant is not satisfied with response given by the PIO and further observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.

Contd..P-2



5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

6. Post deliberations, the instant matter is remanded back to the First Appellate Authority i.e. **Shri Arun Kumar Mittal, IPS, Inspector General of Police, Roopnagar Range, Roopnagar**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

7. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
18.10.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post):

First Appellate Authority
Shri Arun Kumar Mittal, IPS
Inspector General of Police,
Roopnagar Range,
Roopnagar.

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Shri Jasbir Singh
Guru Nanak Nagar,
Village Bolapur Jhabewal,
PO Ramgarh,
District Ludhiana.

.....Complainant

Versus

Public Information Officer
O/o Sub Divisional Magistrate,
Sri Muktsar Sahib.

Remanded Back to:
First Appellate Authority
Smt. Swarnjit Kaur,
Sub Divisional Magistrate,
Sri Muktsar Sahib.

...Respondent

CC No.914/2021

Present: (i) Complainant- absent.
(ii) None on behalf of the PIO.

ORDER:

1. The RTI application is dated 26.04.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 13.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 18.10.2021 through cisco webex. Shri Jasbir Singh, complainant has not come present to attend the hearing through cisco webex. However, a letter dated 16.08.2021 is available in the case file stating therein that he has not been provided any information so far.
3. The PIO O/o Sub Divisional Magistrate, Sri Muktsar Sahib has also neither come present nor he has deputed any of his representatives to attend the hearing through cisco webex.
4. The Bench, on perusal of the case file, observes that the complainant has not been given any information by the PIO and further observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.

Contd..P-2



-2-

CC No.914/2021

5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

6. Post deliberations, the instant matter is remanded back to the First Appellate Authority i.e **Smt. Swarnjit Kaur, PCS, Sub Divisional Magistrate, Sri Muktsar Sahib**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

7. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
18.10.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post):

**First Appellate Authority
Smt. Swarnjit Kaur, PCS
Sub Divisional Magistrate,
Sri Muktsar Sahib.**

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Ms. Kadambini, Advocate,
#4125, Abohar Road,
Sri Muktsar Sahib-152028.

.....Complainant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Sri Muktsar Sahib.

Remanded Back to:

First Appellate Authority

Addl.Dy. Commissioner,
Urban Development
Sri Muktsar Sahib.

...Respondent

CC No.897/2021

Present: (i) Complainant- absent.
(ii) None on behalf of the PIO.

ORDER:

1. The RTI application is dated 02.03.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 12.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 18.10.2021 through cisco webex. Ms. Kadambini, complainant has not come present to attend the hearing through cisco webex. However, an e.mail dated 17.10.2021 is available in the case file, vide which the complainant has requested for excusing her absence due to her accident and that no information has been supplied to her by the PIO.
3. Neither the PIO O/o Municipal Council, Sri Muktsar Sahib has come present nor he has deputed any of his representatives to attend the hearing through cisco webex.
4. The Bench, on perusal of the case file, observes that the complainant has not been given any response by the PIO and further observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.

Contd..P-2



5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

6. Post deliberations, the instant matter is remanded back to the First Appellate Authority i.e. **Smt. Rajdeep Kaur, PCS, Addl. Deputy Commissioner, Urban Development, Sri Muktsar Sahib**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

7. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
18.10.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post):

First Appellate Authority
Smt. Rajdeep Kaur, PCS
Addl. Deputy Commissioner,
Urban Development, Sri Muktsar Sahib.

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Shri Gurvail Singh (L.D.C.),
S/o Shri Chanan Singh,
R/o Power Colony,
132 K.V. Tarn Taran.

.....Complainant

Versus

Public Information Officer

O/o Accounts Officer (Field),
Punjab State Power Corporation Ltd.,
Tarn Taran.

Remanded Back to:

First Appellate Authority

Chief Engineer, Border Zone,
PSPCL, Amritsar.

...Respondent

CC No.876/2021

Present: (i) Complainant- absent.
(ii) None on behalf of the PIO.

ORDER:

(Heard on mobile phone)

1. The RTI application is dated 19.04.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 06.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 18.10.2021 through cisco webex. Shri Gurvail Singh, complainant has not come present to attend the hearing through Cisco Webex.
3. Neither the PIO O/o Accounts Officer, Field, PSPCL, Tarn Taran has come present to attend the hearing through cisco webex nor has deputed any of his representatives to attend the hearing through cisco webex. However, a letter dated 27.08.2021 is available in the case file stating that the information has been supplied to the complainant vide letter dated 19.08.2021 and that the complainant has also acknowledged supply of information on the letter itself.
4. The complainant Shri Gurvail Singh is contacted on mobile phone. He expresses his dissatisfaction over the information supplied. The Bench observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.

Contd..P-2



-2-

CC No.876/2021

5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. As per the version of the representative of PIO, the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

6. Post deliberations, the instant matter is remanded back to the **First Appellate Authority i.e. Shri Sakattar Singh Dhillon, Chief Engineer, Border Zone, PSPCL, Amritsar**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

7. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
18.10.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post):

**First Appellate Authority
Shri Sakattar Singh Dhillon ,
Chief Engineer, Border Zone
PSPCL, Amritsar.**

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Shri Inderpal Singh
S/o Shri Surjit Singh
R/o 240, Block B,
Ahluwalia Colony, Jamalpur,
District Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Regional Transport Authority,
Ludhiana.

First Appellate Authority

O/o State Transport Authority
Punjab, Sector-17, Chandigarh.

....Respondents

AC No.1108 of 2020

Present: (i) Appellant- absent.
(ii) Shri Amanpreet Singh, Section Officer/PIO O/o Secretary, RTA, Ludhiana.

ORDER:

(Heard Through Cisco Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 29.07.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. The appellant has not come present to attend the hearing through Cisco Webex.
3. Shri Amanpreet Singh, Section Officer/PIO O/o Secretary, R.T.A. Ludhiana comes present for the hearing through Cisco Webex. He states that the appellant was called for inspection of records on 10.09.2021 and after inspection of records, he has been supplied information vide letter dated 10.09.2021 and the appellant is also satisfied with the information supplied.
4. Shri Inderpal Singh, appellant is contacted on mobile phone. On the asking of the Bench, he confirms receipt of information to his satisfaction. He also gives his consent to dispose off and close the instant appeal case.
5. In view of the above, no further cause of action is left in the matter. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
18.10.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri Himanshu Raj, Advocate
R/o # 102, Sector-10A,
Chandigarh.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

First Appellate Authority
O/o The Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.570 of 2020

Present: (i) **Ms. Sapna Randhawa, Advocate on behalf of the Appellant.**
(ii) **Shri Jagdeep Singh, Head Draftsman, along with Sh.Harjit Singh, Draftsman, M.C. Zone-D, Ludhiana, on behalf of PIO.**

ORDER:

(Heard in person)

1. This order may be read with reference to the order dated 29.07.2021 passed by this Bench on the previous date of hearing.
2. The case was scheduled to be heard today in person in Commission's office. This is the 7th hearing in the case. The appellant was also to attend the hearing in person before the Bench, but neither he nor his representative have come present. They do not appear through Cisco Webex also.
3. Shri Jagdeep Singh, Head Draftsman, along with Shri Harjit Singh, Draftsman, Municipal Corporation, Zone-D, Ludhiana comes present to attend the hearing in person on behalf of the PIO. He states that the appellant has been supplied information vide letter dated 19.11.2020 by registered post as also by e.mail and an affidavit dated 23.11.2020 has also been sent to him. Nothing beyond the information supplied, is available in the official records. He further states that he has also brought along the original record for perusal of the appellant.
4. The appellant is contacted on mobile phone. He is reminded of the hearing fixed for today. He is also apprised that representative of the PIO Shri Jagdeep Singh, Head Draftsman along with Shri Harjit Singh, Draftsman has also come present along with the original record. He requests for giving 10-15 minutes' time and says that his representative would be there in the shortest time.

Cont..P-2



5. The Bench was convinced during the last hearing itself that adequate information had been supplied to the appellant and the affidavit was also found in order. Since the appellant was insistent on a physical hearing and examining the documents, the physical hearing was scheduled today.

6. The representative of the appellant Ms. Sapna Randhawa, Advocate comes present before the Bench. She is apprised that the representative of PIO has come along with the original record/documents and that she can sit with the representative of the PIO in the court room and examine the original documents and discuss the case with the Bench thereafter. Post examination of the file and supply of another copy of the documents by the representative of PIO, the representative of appellant says that certain pages have been provided which are not legible. The Bench directs the representative of PIO to get the pages photocopied as pointed out by the representative of appellant and hand over to the representative of the appellant. The representative of the PIO complies with the directions of Bench. On the asking of the Bench, the representative of appellant expresses satisfaction over the information supplied.

7. Post these actions, the Bench is convinced that adequate information stands supplied to the appellant. There is no cause of further intervention in the matter. **The instant appeal case is disposed of and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
18.10.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**