

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

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

Visit us: - www.infocommpunjab.com

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



Shri Shakti Bhushan
S/o Shri Kewal Krishan Kaushal
R/o Street Bhaini Sahib,
Ward No.8, Dhanaula,
District Barnala.

.....Appellant

Versus

Public Information Officer

Vehicle Registration Authority,
O/o Sub Divisional Magistrate,
Sunam, District Sangrur.

First Appellate Authority

O/o Secretary, Regional
Transport Authority,
Sangrur.

....Respondents

AC No.1097 of 2020

Present: (i) **Shri Shakti Bhushan, Appellant**
(ii) **Shri Chhajju Ram, Supdt. Gr.2/ APIO, O/o SDM Sunam, Distt. Sangrur.**

ORDER

(Heard through Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 24.08.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. The appellant Shri Shakti Bhushan though was available to attend the hearing through Cisco Webex, but due to poor audio connectivity, the appellant could not be heard through Webex. As such, he is contacted on mobile phone. He states that he has received the information, but he has not been sent affidavit as directed by the Bench on the previous hearing.
3. Shri Chhajju Ram, Superintendent Gr.-2/APIO O/o SDM Sunam attends the hearing through Cisco Webex. He states that the information has been supplied by registered post and affidavit has been sent to the Commission.
4. On perusal of the case file, the Bench finds that original affidavit is available in the file, as per which the information stands supplied to the appellant on 17.08.2020. The appellant is apprised of the original affidavit received in the Commission and that the same will be sent to him along with the order.

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AC No.1097/2020

5. In view of the above, no further action by the Bench is called for. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties. The original affidavit be sent to the appellant along with the order, retaining photocopy of the same for record.

Chandigarh
19.10.2020

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

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Shri Shakti Bhushan
S/o Shri Kewal Krishan Kaushal
R/o Street Bhaini Sahib,
Ward No.8, Dhanaula,
District Barnala.

.....Appellant

Versus

Public Information Officer

O/o Motor Vehicle Registration Authority,
Fatehgarh Sahib.

First Appellate Authority

O/o Secretary, Regional
Transport Authority,
Patiala.

....Respondents

AC No.1096 of 2020

Present: (i) **Shri Shakti Bhushan, Appellant**
(ii) **None on behalf of the PIO.**

ORDER

(Heard through Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 24.08.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. The appellant Shri Shakti Bhushan though was available to attend the hearing through Cisco Webex, but due to poor audio connectivity, the appellant could not be heard through Webex. As such, he is contacted on mobile phone. He states that he has received the information, but he has not been sent affidavit attested by the Notary Public.
3. Neither the PIO himself has attended the hearing through Cisco Webex nor he has deputed any of his representatives to attend the hearing through Cisco Webex.
4. The appellant has brought to the notice of Bench that he has received the information in the form of CD but he has not been supplied affidavit. As such, the PIO is directed to file an affidavit, within next seven days, duly signed by the PIO and attested by the Notary Public, as directed on the previous hearing. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.
5. With the aforesaid directions, **the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
19.10.2020**

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

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Shri Gaurav Singla

S/o Shri Tarsem Chand,
Main Road Kainchian, Ward No.1
R/o Baretta, District Mansa.

..... Complainant

Versus

Public Information Officer

O/o Regional Transport Authority,
Bathinda.

Remanded Back :

First Appellate Authority,

Secretary, Regional Transport
Authority, Bathinda.

... Respondents

CC No.446/2020

Present:

- (i) Complainant- absent.
(ii) Shri Baljit Singh, Section Officer/PIO, O/o Secretary, R.T.A.Bathinda.
in persons before the Bench at Chandigarh.

ORDER

1. This order may be read with reference to the order dated 09.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Gaurav Singla, complainant has not come present to attend the hearing at Chandigarh. However, the complainant has sent an e.mail stating that due to some health problem, he is unable to attend the hearing. He further states the information sought by him has not been provided as yet and requests for another date for the hearing.
3. Shri Baljit Singh, Section Officer/PIO O/o Secretary, R.T.A. Bathinda comes present to attend the hearing in person in Commission's office at Chandigarh. He states that the complaint was to visit their office on 21.09.2020 to inspect the record and identify the information he requires, but he did not come to their office on the said date.
4. From the version of the PIO and the absence of complainant though he was asked to appear before the Bench in person for physical hearing, the Bench observes that the complainant seems to be casual in his approach and towards the complaint filed. Even then, the Bench is inclined to give him a fair chance for getting the information and addressing the complaint filed by him.
5. It is ascertained 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.



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CC No.446/2020

6. 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.

7. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Ms. Harjot Kaur, Secretary, Regional Transport Authority, Bathinda. 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. 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.

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

**Chandigarh
19.10.2020**

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

Copy to (By Regd. Post):

First Appellate Authority, Ms. Harjot Kaur, Secretary, Regional Transport Authority, Bathinda.