

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864113, Helpline No. 0172-2864100

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Sh. Manjinder Singh(9872015069)

2469, Sunny Enclave,
Sector 125, Kharar,
Distt. Mohali 140301.

Appellant

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Hoshiarpur

First Appellate Authority

O/o Secy., Regional Transport Authority,
Hoshiarpur

Respondent

Appeal Case No.: 2925 of 2022

Hearing through CISCO Webex

Present: Appellant: Sh. Manjinder Singh
Respondent: Absent.

ORDER

1. The RTI application dated 9.3.2022 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 18.4.2022 and second appeal was filed in the Commission on 21.6.2022 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 22.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are absent.
3. The appellant states that he has received complete information as per his RTI application. He further requests the court to dispose of this case.
4. 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: 22.09.2022

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

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Sh. Baldev Randhawa(9814037015)

D-642, Ranjit Avenue,
Block-E, Amritsar

Appellant

Versus

Public Information Officer

O/o State Transport Commissioner Pb.,
Chandigarh

First Appellate Authority

O/o State Transport Commissioner Pb.,
Chandigarh

Respondent

Appeal Case No.: 2874 of 2022

Hearing through CISCO Webex

Present:

Appellant: Sh. Baldev Randhawa

Respondent: Sh. Sher Singh, APIO

ORDER

1. The RTI application dated 21.1.2022 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 7.3.2022 and second appeal was filed in the Commission on 17.6.2022 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 22.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are absent.
3. The appellant states that nothing has been received as per his RTI application till date.
4. The respondent states that nothing has been done by the department in connection filling of post of additional STC.
5. After hearing the appellant, the respondent is direct to supply an affidavit in this regard original to the appellant and photo copy of the same to the Commission.
6. With aforesaid directions, no further course of action is required on the subject to receipt of affidavit in original by the appellant. Therefore, the present case stands **disposed of/closed**. Copy of the order be sent to the parties.

Dated: 22.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Baldev Randhawa(9814037015)
D-642, Ranjit Avenue,
Block-E, Amritsar

Appellant

Versus

Public Information Officer
O/o State Transport Commissioner Pb.,
Chandigarh

First Appellate Authority
O/o State Transport Commissioner Pb.,
Chandigarh

Respondent

Appeal Case No.: 2873 of 2022
Hearing through CISCO Webex

Present: Appellant: Sh. Baldev Randhawa
Respondent: Sh. Sher Singh, APIO

ORDER

1. The RTI application dated 21.1.2022 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 7.3.2022 and second appeal was filed in the Commission on 17.6.2022 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 22.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are absent.
3. The appellant states that he received nothing with regard to his RTI application where it has been asked for what action has been taken by the department consequent upon retirement of Secy., RTA. The complete file the case dealt on it be supplied to him.
4. The respondent states that the department has not initiated action for refilling of post of RTA.
5. After hearing the appellant, the respondent PIO is direct to supply an affidavit in this regard original to the appellant and photo copy of the same to the Commission.
6. With aforesaid directions, no further course of action is required on the subject to receipt of affidavit in original by the appellant. Therefore, the present case stands **disposed of/closed**. Copy of the order be sent to the parties.

Dated: 22.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Ms Annapoorna Saxena(9554136689)

K-1245, Ashiana Colony,
Lucknow 226012

Complainant

Versus

Public Information Officer

O/o MC, Jalandhar

Remanded Back

First Appellate Authority

(Regd. Post) O/o MC, Jalandhar

Encl. RTI application

Respondent

Complaint Case No.: 409 of 2022
Hearing through CISCO Webex

Present: None for the parties.

ORDER

1. The RTI application dated 24.3.2022 vide which the appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 20.6.2022 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 22.9.2022 at 11.00 a.m. i.e. today.
2. In today's hearing both the parties are absent.
3. After examining the case file, it is observed that notice which was issued to the complainant is returned to the Commission vide diary no. 16479 dated 26.07.2022 with the remarks 'no such person on the address'. It is also observed that house no. of the complainant was mentioned as K-125 instead of K-1245 in the notice issued to her. A copy of this order be sent to her with the correct address as per the case file.
4. 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).

Complaint Case No.: 409 of 2022
Hearing through CISCO Webex

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.

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: 22.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Sanjeev Goyal (9814197689)

Appellant

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

Versus

Public Information Officer

O/o M.C., Bathinda.

First Appellate Authority

O/o M.C., Bathinda.

Respondent

Appeal Case No.: 3023 of 2021

Through CISCO WEBEX

Present: Appellant - Sh. Sanjeev Goyal is present.

Respondent: Sh. Amardeep Singh, Secy, Sh. Inderjit & Sh. Davinder.

ORDER:

1. This order may be read with reference to the previous order dated 18.8.2022 vide which show cause notice was issued to Sh. Inderjit Singh in connection with point no. 6 to 12 of the RTI application. The matter was adjourned to 22.9.2022.
2. In today's hearing both the parties are present.
3. The appellant states that nothing has been supplied to him for the last one year.
4. Respondents, Sh. Amardeep Singh and Sh. Davinder Singh present for today's hearing intimates the Commission that the information as per point no. 1 to 5 had already been supplied to the appellant as per the directions of the Commission time and again.
5. Respondent, Sh. Davinder states that information from point No.6 to 12 has been mailed on 16.9.2022 to the appellant with a copy to the Commission via an email dated 16.09.2022, which is received by the undersigned Bench and taken on record.
6. Respondent, Sh. Inderjit Singh states that he has sent a reply to the Show Cause via an email, which is not received yet and he presented a copy of the same during the hearing.
7. After gone through the submitted reply to the show cause, is found satisfactory and show cause is dropped, which was issued to him vide order dated 18.08.2022. A copy of this order be sent to him by name at his present posting.
8. In view of above, the Commission directs the respondent PIO to supply certified copies of the pending information and send the email again today.
9. With a foresaid directions, no further course of action is required in the present case. Hence, the present case stands **disposed of/closed**. Copy of the order be sent to the parties

Dated: 22.09.2022

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

(Regd. Post)

**Sh. Inderjit Singh
O/o M.C.
Hoshiarpur**

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Appellant

Sh. Manjinder Singh(9872015069)

2469, Sunny Enclave,
Sector 125, Kharar,
Distt. Mohali 140301.

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Faridkot

First Appellate Authority

O/o Secy., Regional Transport Authority,
Faridkot

Respondent

Appeal Case No.: 943 of 2022
Hearing through CISCO Webex

Present: Appellant: Sh. Manjinder Singh

Respondent: Sh. Sanjiv Kumar, Clerk, RTA, Faridkot

ORDER

1. Refer earlier order dated 9.8.2022. The matter was adjourned to 9.8.2022.
2. In today's hearing both the parties are present.
3. The appellant states that the sought for information has been received but unattested. He further pleads that the respondent may be directed to send attested information in future.
4. In view of request of the appellant, the court directs the respondent PIO to send the attested information by registered post. Respondent states that information had been supplied to the appellant after creation, which is not permissible as per RTI Act, 2005.
5. With the aforesaid observations, this instant appeal case is **disposed of & closed.** Announced in the Court. Copies of this order be sent to the parties.

Dated: 22.09.2022

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State Information Commissioner
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Appellant

Sh. Manjinder Singh(9872015069)

2469, Sunny Enclave,

Sector 125, Kharar,

Distt. Mohali 140301.

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,

Patiala

First Appellate Authority

O/o Secy., Regional Transport Authority,

Patiala

Respondent

Appeal Case No.: 944 of 2022
Hearing through CISCO Webex

Present:

Appellant : Sh. Manjinder Singh

Respondent: Sh Tirath Singh, PIO, RTA, Patiala.

ORDER

1. Refer earlier order dated 9.8.2022 wherein the respondent was directed to supply the information. The matter was adjourned to 22.9.2022.
2. In today's hearing both the parties are present.
3. The respondent states that information sought for as per RTI application has been supplied on 9.8.2022.
4. The appellant states that the information has been received yesterday, which was copy of letter No.40/MVI/PAT dated 25.7.2019.
5. With the aforesaid observations, this instant appeal case is **disposed of & closed**. Announced in the Court. Copies of this order be sent to the parties.

Dated: 22.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Appellant

Sh. Prem Nath Garg (9872758094)

s/o Sh. Ramji Das, Ward No.10,
Mohalla Sheran Wala,
Near Govt. Girls Sr. Sec. School,
Budhlada 151502, Distt. Mansa

Versus

Public Information Officer

O/o SSP, Mansa

First Appellate Authority

O/o SSP, Mansa

Respondent

Appeal Case No.: 5183 of 2021
Through CISCO Webex

Present:

Appellant: Absent

Respondent: Sh. Amritpal Singh (ASI)

ORDER

1. This order may be read with reference to the previous order dated 04.08.2022.
2. In today's hearing, respondent is present and states that information had already been supplied to the appellant.
3. Appellant is not present but an email dated 17.09.2022 is received from the appellant requesting therein, to allow him to withdraw the present appeal case. This email is taken on record.
4. In view of request made by the appellant for withdrawal of the present case, the court accedes to the request of the appellant and allows him to withdraw the case. Therefore, the present case stands **disposed of/closed**. Copy of the order be sent to the parties

Dated: 22.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Raj Singh (9814241257)

s/o Sh. Ishar Singh,
Vill. Toddarwal, PO Babarpur Police Station,
Bhadson, Tehsil Nabha,
District Patiala

Appellant

Versus

Public Information Officer

O/o SSP, Mansa

First Appellate Authority

O/o IGP, Bathinda Range, Bathinda

Respondent

Appeal Case No.: 3913 of 2021

Through CISCO WEBEX

Present:

(i) Sh. Raj Singh, the appellant in person.

(ii) For the respondent PIO: Sh. Amritpal Singh, ASI (9780009839)

ORDER

1. This order may be read with reference to the previous order dated 4.8.2022 vide which appellant was advised to point out deficiencies in the supplied information. The matter was adjourned to 22.9.2022.
2. In today's hearing, appellant states that only three pages have been provided. He adds that complete information is still pending.
3. Respondent, Sh. Amritpal Singh, ASI is present he states that information as per orders of the Commission has already been sent to the respondent on 05.05.2022, 19.7, 2022 and 11.8.2022 by registered post but appellant denies on the same.
4. In view of above, the court once again directs the respondent department to supply point-wise information within 7 days under intimation to the Commission after receipt of this order. Respondent PIO is directed to supply the copy of postal receipt to the Commission.
5. With the aforesaid directions, this instant appeal case is **disposed of & closed**. Announced in the Court. Copies of this order be sent to the parties.

Dated: 22.09.2022

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

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Sh. Charanjit Birdi(061421526173)

William Street, Blacktown,
2148, New South Wales,
Australia 002148

Appellant

Versus

Public Information Officer

O/o Directorate of Technical Education
& Indl. Training Pb., Chandigarh

First Appellate Authority

O/o Directorate of Technical Education
& Indl. Training Pb., Chandigarh

Respondent

Appeal Case No.: 2183 of 2022
Through CISCO WEBEX

Present: Appellant – Sh. Charanjit Birdi
Respondent-Sh. Harjeet Singh

ORDER

1. This order may be read with reference to the previous order dated 09.08.2022 vide which respondent PIO was directed to supply the information within seven days and matter was adjourned for further hearing on 22.09.2022 i.e. today.
2. In today's hearing both the parties are present.
3. Appellant states that he does not want to pursue this case further and request to close this case. He adds that he has sent an email in this regard.
4. After examining the case file, it is observed that directions were given to the respondent PIO to supply information within seven days but respondent PIO called the appellant to visit the respondent's office on 05.09.2022, vide letter no. 772 dated 30.08.2022, which was not possible, as appellant intimates the Commission via phone calls that he is in Australia and as per address of the appellant in the case file, is also of the Australia. Due to language issue/understanding issue, appellant is unable to represent his case properly.
5. Accordingly, respondent PIO is directed to send point-wise information to the appellant via an email on his email ID charanjitbirdi@yahoo.com.au with a copy to the Commission within ten days after receipt of this order.
6. A copy of this order be only sent to the respondent PIO and FAA through post only. Copy of this order be sent to the appellant via an email.
7. With the aforesaid directions and on the request of the appellant, this instant appeal case is **disposed of & closed**. Announced in the Court. Copies of this order be sent to the parties.

Dated: 22.09.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab