

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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

Email: - psic22@punjabmail.gov.in

Visit us: - www.infocompunjab.com



Sh. Bhupinder Punj,(9915235055)

s/o Sh. Braham Prakash,
186, VPO Lohara, Ludhiana,

Appellant

Versus

Public Information Officer

O/o Regional Transport Authority,
Ludhiana

First Appellate Authority

O/o State Transport Commissioner,
Pb., Chandigarh

Respondent

Appeal Case No.: 1467 of 2021

Heard through CISCO WEBEX

Present: (i) Sh. Bhupinder Punj – Appellant

(ii) For the respondent: Sh. Sukhjinder Singh, PIO at PSIC Office, Chandigarh

Order:

1. Refer earlier order dated: 11.11.2021 where it was ordered to supply the information within 7 days. The case was adjourned for 25.05.2022.
2. In today's hearing, both the parties are present.
3. The respondent, Sh. Sukhjinder Singh states that reply dated 23.10.2020 has already been sent to the appellant and no deficiency has been pointed out by the appellant till date. He adds that copy of supplied reply is already taken on record in order passed by the Commission on 10.08.2021.
4. The appellant states that he is not satisfied with the supplied reply.
5. After hearing both the parties and examining the documents placed on record, I am of the considered view that sufficient reply has already been sent to the appellant. Nothing is left to be supplied. In spite of that, respondent, Sh. Sukhjinder Singh is advised to cooperate and supply the information to the appellant, if he approaches him in connection particularly with this RTI application.
6. With the aforesaid directions, the instant appeal case is **disposed off and closed**. Copies of the order be sent to the concerned parties.

Dated: 25.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Manjit Singh (8427498620)

S/o Sh. Gurcharan Singh,

Vill. Manemajra,

Tehsil Chamkaur Sahib,

Distt. Ropar.

Complainant

Versus

Public Information Officer

O/o Director, ,Deptt. of State Transport Punjab,

Sector-17, Chandigarh

Respondent

Complaint Case No.: 681 of 2021

Heard Through CISCO WEBEX

Present : (i) Sh. Manjit Singh, the complainant in person.

(ii) For the respondent: Sh. Darshan Singh (Sr. Asstt.-9915215275)

Order:

1. This order may be read with reference to the previous order dated 11.11.2021.
2. In today's hearing both the parties are present.
3. The respondent states that the information has been supplied to the complainant.
4. The complainant states that he has received the information and requests for closure of the present case.
5. As the information stands supplied, no further cause of action is required. Therefore, this instant complaint case is **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 25.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Manjit Singh (8427498620)

s/o Sh. Gurcharan Singh,
Vill. Manemajra, Tehsil Chamkaur Sahib,
Distt. Ropar

Appellant

Versus

Public Information Officer

O/o Secy Regional Transport Authority,
Ludhiana

First Appellate Authority

O/o Secy. Regional Transport Authority,
Ludhiana

Respondent

Appeal Case No.: 2559 of 2021
Heard through CISCO WEBEX

Present: (i) Sh. Manjit Singh – Appellant
(ii) For the respondent: Sh. Sukhjinder Singh (PIO at PSIC Office, Chandigarh)

Order:

1. This order may be read with reference to the previous order dated 11.11.2021.
2. In today's hearing, both the parties are present.
3. The appellant states that in spite of orders dated: 11.11.2021 the respondent is failed to comply with the same and has not supplied the information in points No.6, 7 & 8.
4. In view of the above, the court directs the respondent, Sh. Sukhjinder Singh to supply the pending information with regard to points mentioned above (6, 7 and 8) within ten days, which the respondent states that he will provide the same. Subject to receipt of information, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 25.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Kulwinder Singh(9217933040)

s/o Sh. Gurdial Singh,
Guru Teg Bahadur Nagar,
Street No.1,Barnala

Complainant

Versus

Public Information Officer

O/o State Transport Commission, Pb.,
Chandigarh

Remanded Back

First Appellate Authority

(Regd. Post) O/o State Transport Commission, Pb.,
Chandigarh

Encl. RTI application

Respondent

Complaint Case No.: 1065 of 2021

Heard through CISCO WEBEX

Present: (i) The complainant - absent
(ii) For the respondent: Ms. Kulwinder Kaur, PIO

ORDER

1. The RTI application is dated 10.08.2020 vide which the complainant has sought information as enumerated in his RTI application. The complainant filed a complaint in the Commission on 18.08.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for hearing through CISCO WEBEX for 10.03.2022, which was postponed and further fixed for 25.5.2022 i.e. today.
3. In today's hearing, the complainant is absent and in spite of knowing the date of hearing.
4. The respondent states that the information sought for by the complainant has already been provided to the complainant on 25.06.2021 and no deficiency has been pointed out by him till date.
5. After going through the file, It is observed that hearing notices dated 21.09.2021 and 04.03.2022, which were issued to the complainant returned to the Commission with remarks 'insufficient address' as wrong father name and phone number was mentioned in the hearing notices inadvertently. A copy of this order be sent to him through registered post with correct details as per the case file
6. As the instant case is the complaint case. Despite of being a complaint case, respondent PIO had already been sent o demanded information on 25.06.2021 and till date no communication is received from him after filing the complaint in the Commission.

Complaint Case No.: 1065 of 2021
Heard through CISCO WEBEX

7. 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).
8. 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.
9. 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.
10. 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.
11. 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: 25.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Prem Sagar (7973024457)

R/o Guru Teg Bahadur Nagar,
Mall Mandi Scheme,
Amritsar.

Appellant

Versus

Public Information Officer

O/o Executive Officer,
Town Improvement Trust,
Ranjit Avenue, Amritsar.

First Appellate Authority

O/o Executive Officer,
Town Improvement Trust,
Ranjit Avenue, Amritsar.

Respondent

Appeal case No.: 991 of 2021
Through CISCO WEBEX

Present: (i) Appellant-absent

(ii) For the respondent: Sh. Krishan Kumar, Clerk(9781377096)

Order

1. The above mentioned case was earlier heard on 05.05.2022 vide which appellant intimated that supplied information is not certified and respondent PIO was directed to supply the attested copy of pending information along with directions to supply an affidavit in original. The case was fixed for further hearing on 25.05.2022 i.e. today.
2. In today's hearing the appellant is absent and the respondent is present.
3. The respondent states that information (Original affidavit) as per earlier directions of the Hon'ble Commission has been provided to the appellant on 25.04.2022. He further adds that no discrepancy has been pointed out by the appellant till date.
4. After examining the documents placed on record, it is observed that copy of previous order which was sent to the appellant returned to the Commission with the remarks 'appellant is shifted to Sawan Nagar Mundar Nagar' but after the previous hearing no communication is received from the appellant. It is also observed that supplied affidavit is received by the Commission via an email dated 24.05.2022 and taken on record.
5. In wake of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed**. Announced in the Court. Copies of this order be sent to the parties.

Dated: 25.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Appellant

Sh. Ravinder Kataria (9463133590/8544848300)

New Sant Fateh Singh Nagar,

Dugri Road,

Ludhiana 141002.

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.: 3921 of 2021

Through CISCO WEBEX

Present: **(i) Sh. Ravinder Kataria - appellant**

(ii) For the respondent: Ms. Kulwinder Kaur (PIO)

Order

1. Refer orders dated 5.5.2022 vide which the respondent PIO was directed to supply the complete information as per RTI application within week's time from that day. The case was adjourned to 25.05.2022 i.e. today.
2. In today's hearing both the parties are present.
3. The respondent states that as per last orders of the Hon'ble Commission dated 05.05.2022, the complete information has already been provided to the appellant for whom the appellant confirms receiving of the same.
4. In wake of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed**. Announced in the Court. Copies of this order be sent to the parties.

Dated: 25.05.2022

**(Anumit Singh Sodhi)
State Information Commissioner
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Sh. Ajay Nand/Ajay Kumar Mehta, (9814646309)

H.No.C-118, East Mohan Nagar,
Chamran Road,
Amritsar.

Appellant/Complainant

Vs.

Public Information Officer,

O/o DGP, Punjab,
Chandigarh.

First Appellate Authority

DGP, Punjab,
Chandigarh.

Respondent

Appeal case No.1890 of 2020

Through CISCO WEBEX

Present: (i) Appellant: Absent
(ii) For the respondent: Sh. Parshotam Kumar, ASI at PSIC Office.

Order:

1. Refer orders dated 28.04.2022 vide which the respondent PIO was directed to supply an affidavit to the appellant duly signed by PIO from DPG's office. The case was adjourned to 25.5.2022 i.e. today.
2. In today's hearing respondent Sh. Parshotam Kumar, ASI is present, he states as per previous orders of the Commission dated 28.04.2022, and he is attending the court along with original affidavit duly signed by the PIO. He submits a copy of the brought affidavit to the Commission via letter no. 2364 dated 24.05.2022, which is taken on record.
3. Appellant is absent in spite being aware about the date of hearing, which means he has nothing to say in this regard.
4. After hearing the respondent and going through the case file, respondent PIO is directed to send original affidavit to the appellant via registered post within two days from today. Therefore, no further cause of action is required in this case. Hence, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 25.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab