

PUNJAB STATE INFORMATION COMMISSION
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Sh. Sanjiv Khullar (9855864458)

House No. 37/97,
Mohalla Paramjit Ganj,
Kapurthala

Complainant

Versus

Public Information Officer

O/o District Public Relation Officer,
Kapurthala

Registered Post :

Remanded back to

First Appellate Authority

O/o Joint Director,
Information and Public
Relation Dept. Punjab,
Punjab Civil Secretariat, Chandigarh

Encl. RTI Application

Respondent

Complaint Case No.: 70 of 2021

Through CISCO WEBEX

Present:

- (i) Nobody on behalf of the complainant.
- (ii) For the respondent: Sh. Subeg Singh (DPRO) (9780033132).

ORDER

1. The above mentioned case was earlier fixed for hearing on 18.03.2021 which was postponed and fixed for today i.e. 25.05.2021.
2. In today's hearing, respondent, Sh. Subeg Singh states that requisite information has already been sent to the complainant through registered post dated 02.01.2021.
3. Neither the complainant is present for today's hearing nor did he file reply in this regard.
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).

5. 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.

Complaint Case No.: 70 of 2021
Through CISCO WEBEX

6. 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.

7. 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.

8. 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: 25.05.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab



Sh. SanjivKhullar (9855864458)

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Information and Public
Relation Dept. Punjab,
Punjab Civil Secretariat, Chandigarh

Encl. RTI Application

Respondent

Complaint Case No.: 71 of 2021

Through CISCO WEBEX

Present:

- (i) Nobody on behalf of the complainant.
- (ii) For the respondent: Sh. Subeg Singh (DPRO) (9780033132).

ORDER

1. The above mentioned case was earlier fixed for hearing on 18.03.2021 which was postponed and fixed for today i.e. 25.05.2021.
2. In today's hearing, respondent, Sh. Subeg Singh states that RTI application was not received in the respondent's office and trying to locate it with the contact of post office, Kapurthala in this regard.
3. Neither the complainant is present for today's hearing nor did he file reply in this regard.
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).

5. 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.

Complaint Case No.: 71 of 2021
Through CISCO WEBEX

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7. 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.

8. 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**.

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Punjab Civil Secretariat, Chandigarh

Encl. RTI Application

Respondent

Complaint Case No.: 91 of 2021
Through CISCO WEBEX

Present: (i) Nobody on behalf of the complainant.
(ii) For the respondent: Sh. Subeg Singh (DPRO) (9780033132).

ORDER

1. The above mentioned case was earlier fixed for hearing on 18.03.2021 which was postponed and fixed for today i.e. 25.05.2021.
2. In today's hearing, respondent, Sh. Subeg Singh states that requisite information has already been sent to the complainant through registered post dated 20.11.2020.
3. Neither the complainant is present for today's hearing nor did he file reply in this regard.
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).

5. 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.

Complaint Case No.: 91 of 2021
Through CISCO WEBEX

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7. 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.

8. 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: 25.05.2021

(Anumit Singh Sodhi)
State Information Commissioner
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Registered post :

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Information and Public
Relation Dept. Punjab,
Punjab Civil Secretariat, Chandigarh

Encl. RTI Application

Respondent

Complaint Case No.: 92 of 2021
Through CISCO WEBEX

Present: (i) Nobody on behalf of the complainant.
(ii) For the respondent: Sh. Subeg Singh (DPRO) (9780033132).

ORDER

1. The above mentioned case was earlier fixed for hearing on 18.03.2021 which was postponed and fixed for today i.e. 25.05.2021.
2. In today's hearing, respondent, Sh. Subeg Singh states that requisite information has already been sent to the complainant through registered post dated 20.11.2020.
3. Neither the complainant is present for today's hearing nor did he file reply in this regard.
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).

5. 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.

Complaint Case No.: 92 of 2021
Through CISCO WEBEX

6. 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.

7. 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.

8. 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: 25.05.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab



Sh. SanjivKhullar (9855864458)

House No. 37/97,
MohallaParamjitGanj,
Kapurthala

Complainant

Versus

Public Information Officer

O/o District Public Relation Officer,
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Registered post :

Remanded back to

First Appellate Authority

O/o Joint Director,
Information and Public
Relation Dept. Punjab,
Punjab Civil Secretariat, Chandigarh

Encl. RTI Application

Respondent

Complaint Case No.: 93 of 2021
Through CISCO WEBEX

Present: (i) Nobody on behalf of the complainant.
(ii) For the respondent: Sh. Subeg Singh (DPRO) (9780033132).

ORDER

1. The above mentioned case was earlier fixed for hearing on 18.03.2021 which was postponed and fixed for today i.e. 25.05.2021.
2. In today's hearing, respondent, Sh. Subeg Singh states that requisite information has already been sent to the complainant through registered post dated 20.11.2020.
3. Neither the complainant is present for today's hearing nor did he file reply in this regard.
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).

5. 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.

Complaint Case No.: 93 of 2021
Through CISCO WEBEX

6. 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.

7. 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.

8. 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: 25.05.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab



Sh. Manjit Singh (8427498620)

S/o Sh. Gurcharan Singh
Village Manemajra, Tehsil Chamkaur Sahib
District Ropar

Complainant

Versus

Public Information Officer

O/o General Manager, PRTC,
Patiala Depot, Patiala

Respondent

Complaint Case No.: 897 of 2020
Through CISCO WEBEX

Present:

- (i) Sh. Manjit Singh, the complainant in person.
(ii) For the respondent: Ms. Rajesh Sharma (Superintendent) (9417941225)

ORDER

1. This order may be read with reference to the previous order dated 31.03.2021 vide which respondent, Ms. Rajesh Sharma stated that requisite information has already been supplied to the complainant twice dated 26.02.2021 and 26.03.2021. Complainant, Sh. Manjit Singh stated that he has sent a reply to the respondent PIO dated 04.03.2021 in connection with supplied information.

One more opportunity is given to the respondent PIO to provide attested copy of the point-wise reply/information as per RTI application to the complainant before the next date of hearing. Both the parties are advised to represent this case in person or through their representative(s) on the next date of hearing positively, failing to which case will be decided on merit basis. Matter was adjourned for further hearing on 31.03.2021 i.e. today.

2. In today's hearing, Ms. Rajesh Sharma states that information was again sent to the appellant on 01.04.2021 as per the previous orders of the Commission dated 31.03.2021.
3. Complainant, Sh. Manjit Singh pointed out the deficiencies in connection with point no. 2, 3 and 4 and respondent, Ms. Rajesh Sharma removed the deficiencies during the hearing.
4. I am of the considered view sufficient information has already been supplied to the complainant as per RTI application. Therefore, no further cause of action is required in this case. Hence, this instant complaint case is **disposed of & closed**.

Dated: 25.05.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab