

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.infocommpunjab.com



Mrs. RupinderKaur (8847055308)

w/o Sh. Ajmer Singh,
140, National City Homes, G.T.Road,
Amritsar

Appellant

Vs.

Public Information Officer

**O/o Joint Commissioner, MC,
Amritsar**

Sh. Vishal Wadhawan

**O/o Joint Commissioner, MC,
Amritsar**

Sh. Narinder Sharma

**O/o Joint Commissioner, MC,
Amritsar**

First Appellate Authority

**O/o Commissioner, MC,
Amritsar**

Respondent

Appeal Case No.311 of 2020

Through CISCO WEBEX

Present:

- (i) Nobody on behalf of the appellant
- (ii) For the respondent: Sh. Pardeep Kumar (Superintendent) (9814014044), Sh. Paramjeet Singh, Sh. Daljeet Singh and Sh. Gurpreet Singh Bhatia.

ORDER:

1. This order may be read with the reference of previous order dated 17.11.2021 vide which respondent, Sh. Gurpreet Singh stated that penalty amounting Rs. 5,000/- has already been deposited as per the directions of the Commission. An email dated 15.11.2021 comprising a copy of challan, in this regard has also been sent to the undersigned Bench (which is received and taken on record). Respondents also intimated that left out information relates with Agenda Department and MTP department; and whatever information is available in our department has already been supplied. They also mentioned that rest information relates with Sh. Narinder Sharma's branch.

Respondent, Sh. Narinder Sharma is also directed to represent this case on the next date of hearing positively along with directions to supply the pending information to the appellant within ten days after receipt of this order.

Appellant was not present for hearing and an email was received from the appellant by which she authorized Sh. Vishal Joshi to represent this case and to decide on her behalf. Appellant was advised to go through the supplied information and point out deficiency, in writing, if any, to the respondent PIO with a copy to the Commission along with advice to represent this case on the next date of hearing positively, failing which case will be decided on merit basis. The matter was adjourned to 26.5.2022.

Appeal Case No.311 of 2020

Through CISCO WEBEX

2. In today's hearing, nobody is present on behalf of the appellant.
3. The respondents appearing on behalf of the MC, Amritsar state that the lawyer of the appellant intimated that the appellant does not want to pursue this case anymore, so the present case may be closed/disposed of. The respondents state that penalty amounting Rs. 5,000/- has already been deposited as per the directions of the Commission and nothing is left to be supplied. This is already taken on record order passed by the undersigned Bench dated 17.11.2021.
4. During court, a telephonic call is made to Sh. Vishal Joshi, lawyer of the appellant which he does not pick.
5. After discussing with both the parties and examining the case file, it is observed that respondent PIO complied with the orders of the Commission time and again and there is no communication is received from the appellant after the previous hearing on 17.11.2021. Therefore, 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: 26.05.2022

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

Note: After the court a call was made to Sh. Vishal Joshi, lawyer of the appellant who stated that the appellant has gone out of country i.e. USA and she does not want to pursue the case and the case may be closed.

Dated: 26.05.2022

**(Anumit Singh Sodhi)
State Information Commissioner
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Sh. Bhupinder Punj,(9915235055)

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

Appellant

Versus

Public Information Officer

O/o Regional Transport Authority,
Sangrur

First Appellate Authority

O/o State Transport Commissioner, Pb,
Chandigarh

Respondent

Appeal Case No.: 1470 of 2021

Heard through CISCO WEBEX

Present:

- (i) Sh. Bhupinder Punj, the appellant.
- (ii) Sh. Ravinder Sharma, Clerk on behalf of the respondent.

ORDER

1. This order may be read with previous orders dated: 31.3.2022 vide which the appellant was advised to visit office of the respondent on 5.4.2022 with the directions to PIO to be present and show the requisite record. The matter was adjourned for hearing on 26.05.2022 at 11:00 A.M.
2. In today's hearing, both the parties are present. Appellant states that he has received the information and he is satisfied with the supplied information.
3. In wake of above, no further cause of action in the present case and the case stands **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 26.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Ravinder Kataria (8544841830)
64, New Sant Fateh Singh Nagar,
Dugri Road, Ludhiana

Appellant

Versus

Public Information Officer
O/o SDM, Sardulgarh

First Appellate Authority
O/o SDM, Sardulgarh

Respondent

Appeal Case No.: 1944 of 2021
Through CISCO WEBEX

Present: (i) Appellant: Sh. Ravinder Kataria (On Phone Call).
(ii) Nobody on behalf of the respondent.

ORDER

1. Refer earlier order dated: 30.3.2022 vide which respondent PIO was directed to supply the complete information in connection with point no. 1 and 2 within a weeks' time and case was adjourned for 26.05.2022.
2. In today's hearing, appellant, Sh. Ravinder Kataria intimates the Commission through phone call that requisite information is received and he do not want to pursue this case further. He adds that he has no objection, if the present case is closed/disposed of.
3. In wake of above, no further cause of action in the present case and the case stands **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 26.5.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Bhupinder Punj,(9915235055)

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

Appellant

Versus

Public Information Officer

O/o Regional Transport Authority,
Faridkot

First Appellate Authority

O/o State Transport Commissioner, Pb,
Chandigarh

Respondent

Appeal Case No.: 1468 of 2021

Heard through CISCO WEBEX

Present:

- (i) Sh. Bhupinder Punj, the appellant in person.
- (ii) Sh. Sanjiv Kumar, JA on behalf of the respondent.

ORDER

1. This order may be read with previous orders dated: 31.3.2022 vide which the appellant was advised to visit office of the respondent on 7.4.2022 with the directions to PIO to be present and show the requisite record. The matter was adjourned for hearing on 26.05.2022.
2. In today's hearing, appellant states that requisite information is still pending from the respondent PIO.
3. On this, the respondent, Sh. Sanjiv Kumar states that the appellant did not turn up for inspection as directed by the Commission for 7.4.2022 and appellant was again called on 16.05.2022 for inspection which is done. He adds that appellant demanded copy of 15 receipt books which could be supplied after collecting the documentation fee.
4. After discussing with both the parties and examining the case file, respondent PIO is directed to supply the identified pages (receipt books) within ten days after collecting the fee from the appellant under intimation to the Commission.
5. Appellant agreed to deposit the documentation fee to collect the information.
6. With aforesaid directions, no further cause of action in the present case and the case stands **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 26.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
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Sh. Madan Lal (9646044654)

s/o Sh. Rameshwar Dass,
Pattiballa, Near Bus Stand,
VPO Nthana, Distt. Bathinda.

Appellant

Versus

Public Information Officer

O/o EO Nagar Panchayat, Nathana,
Distt. Bathinda.

First Appellate Authority

O/o Regional Deputy Director, Bathinda

Respondent

Appeal Case No.: 1396 of 2021
Hearing through CISCO WEBEX

Present: (i) Sh. Sanjeev Goyal on behalf of the appellant.
(ii) Sh. Satinder Singh on behalf of the respondent.

ORDER

1. Refer earlier order dated: 31.3.2022 vide which respondent PIO was directed to comply with the previous order of the Commission dated 28.10.2021. The matter was adjourned for further hearing on 26.5.2022.
2. In today's hearing, the respondent, Sh. Satinder Singh states that official record had already been inspected by the appellant and no rent register is available in the official record. He adds that certificate had already been supplied to the appellant in this regard.
3. After discussing with both the parties and examining the case file, respondent PIO is directed to supply an affidavit in original as per RTI application to the appellant with a copy to the Commission within ten days after receipt of this order.
4. With aforesaid directions, no further cause of action in the present case and the case stands **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 26.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Tejinder Singh, Advocate(9041004313)

Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur 144410.

Appellant

Versus

Public Information Officer

O/o Sub-Registrar, Hoshiarpur

First Appellate Authority

O/o SDM, Hoshiarpur

Respondent

Appeal case No.: 3750 of 2021
Hearing through CISCO WEBEX

Present:

- (i) Nobody on behalf of the appellant.
- (ii) Sh. Pawan, (Steno) along with Sh. Sarabjit Singh (Clerk) (76963132561)

ORDER

1. The above mentioned case was earlier heard by the Bench of Ld. SIC, Sh. Hem Inder Singh on 17.11.2021 vide which appellant was directed to point out the deficiency in the supplied information within 15 days through registered post under the intimation to the Commission. The matter was fixed for hearing on 24.01.2022 and this present case was allocated to the undersigned Bench on 03.01.2022 vide office order dated 03.01.2022 passed by the Hon'ble Chief Information Commissioner, Punjab.

Matter which was fixed for 24.01.2022 was not heard and fixed for 10.03.2022, which was postponed and further adjourned to 26.05.2022 i.e. today.

2. The respondents' states that the requisite information has already been supplied to the appellant vide office letter no. 438 on 29.10.2021 and no deficiency letter is received from the appellant as per the directions of the Hon'ble Commission on 17.11.2021. Respondents also intimate that appellant was contacted on phone on 25.05.2022 and appellant stated that incomplete information received and demanded information relates with ਵਸੀਕਾ, which could be not be supplied as it relate with third parties but total number of ਵਸੀਕੇ i.e. 2779 had already been supplied to the appellant.
3. Appellant is absent despite being aware about the date of hearing.
4. After examining the case file, it is observed that there is no communication is received from the appellant neither regarding deficiencies nor regarding his absence, even after the ample time has elapsed after the previous order of the Commission dated 17.11.2021, which means he has nothing to say in this regard. Appellant is failed to represent this case as he has not availed today's opportunity.
5. Respondent PIO is directed to send a reply to the Commission via post/email as he explained in para 2 of this order within seven days from today.
6. In wake of above, no further cause of action in the present case and the case stands **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 26.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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(Regd. Post) Sh. Iknoor Singh (9780161200, 6280232029)
S/o Sh. Harsunjit Singh
R/o Village Khanpur Thiara
PO. Meghowal Gajian,
District Hoshiarpur, Punjab-146002PO

Complainant

Versus

(Regd. Post) Public Information Officer
O/o Regional Transport Authority,
Hoshiarpur

Remanded Back

(Regd. Post) First Appellate Authority (By Name)
O/o Regional Transport Authority,
Hoshiarpur

Encl. RTI application

Respondent

Complaint Case No.: 71 of 2022
Through CISCO WEBEX

Present: (i) Nobody on behalf of the complainant.
(ii) For the respondent: Sh. Surinder Bhandari (PIO)

ORDER

1. The RTI application is dated 22.11.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 04.02.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

Notice of hearing was issued to the parties for 26.05.2022 through hearing in the Commission but heard through CISCO Webex application.

2. In today's hearing, respondent, Sh. Surinder Bhandari states that requisite information had already been sent to the appellant on 27.04.2022.
3. The complainant telephonically asked that he has not received any notice/communication with regard to hearing of his complaint case. He was informed that a notice dated: 18.2.2022 was issued to him on the address as per his RTI application which has not been received back by the Commission. This was informed to him prior to hearing date but the complainant did not attend the hearing.
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).

Complaint Case No.: 71 of 2022
Through CISCO WEBEX

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.
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: 26.05.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab