

**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, Cisco Webex Code:15857-23975

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

Motor Vehicle Registration Authority,
Nawanshahar.

First Appellate Authority

O/o Secretary, Regional
Transport Authority,
Hoshiarpur.

....Respondents

AC No.1093 of 2020

Present: (i) **Shri Shakti Bhushan, Appellant**
(ii) **Shri Jaswinder Singh, Superintendent/PIO along with Shri Sharanjit Singh Clerk, O/o Motor Vehicle Registration Authority, Nawanshahar in person.**

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 01.03.2021 passed by this Bench on the previous date of hearing as the hearing dated 18.05.2021 was postponed.
2. The case has been heard today through Cisco Webex. Shri Shakti Bhushan, appellant comes present to attend the hearing through Cisco Webex. He states that he has not received any information so far.
3. Shri Jaswinder Singh, Superintendent/PIO, along with Shri Sharnajit Singh, Clerk, office of Motor Vehicle Registration Authority, Nawanshahar comes present to attend the hearing in person before the Bench. He states that the information has been supplied to the appellant vide letter dated 07.12.2020 and 25.09.2020. He also produces original affidavit dated 31.03.2021 before the Bench which also contains reply to the show cause notice issued to the PIO. In the affidavit, it has also been stated that apart from the information supplied no other information is available in their office.
4. The Bench apprises the appellant of the version of the PIO and he is also read out the contents of the affidavit. He is also apprised that the original affidavit will be sent to him along with the order passed by the Bench. Upon this, the appellant gives his consent to dispose off and close the case.

Cont...P-2



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AC No.1093/2020

5. In view of the above, no further intervention of the Bench is called for. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
27.07.2021**

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

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Shri Harmit Singh Sidhu(Reporter),
S/o Shri Sher Singh
Rozana Desh Sewak
C/o Baba Kala Finance Co.,
Phul Road, Rampura Phul,
District Bathinda.

.....Appellant

Versus

Public Information Officer

O/o State Transport Commissioner,
Punjab, Sector-17, Chandigarh.

Public Information Officer

O/o Secretary, Regional Transport ,
Authority, Jalandhar.

First Appellate Authority,

O/o State Transport Commissioner,
Punjab, Sector-17, Chandigarh.

...Respondents

AC No.1773/2020

Present: (i) Appellant- absent
(ii) Shri Gurbax Singh, Draftsman, O/o S.T.C., Punjab, Chandigarh.
(iii) Shri Manish Pagma, Section Officer/PIO, O/o Secretary, R.T.A.Jalandhar.

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 01.03.2021 passed by this Bench on the previous date of hearing as the hearing dated 18.05.2021 was postponed.
2. The case has been heard today through Cisco Webex. Shri Harmit Singh Sidhu, appellant has not come present to attend the hearing through Cisco Webex.
3. Shri Manish Pagma, Section Officer/PIO, O/o Secretary, R.T.A. Jalandhar comes present to attend the hearing through Cisco Webex. He states that the report dated 09.11.2020 in the case as sought by the appellant was sent to the office of S.T.C. Punjab, Chandigarh vide letter dated 02.12.2020 and that he has also sent letter dated 23.07.2021 to the Commission in this regard.
4. Shri Gurbax Singh, Draftsman O/o S.T.C. Punjab, Chandigarh comes present to attend the hearing through Cisco Webex. He states that the reply as received from the Secretary, R.T.A. Jalandhar, has been sent to the appellant vide letter dated 13.05.2021.
5. The appellant Shri Harmit Singh Sidhu is contacted on mobile phone. He confirms the receipt of information to his satisfaction and also gives his consent to dispose off and close the case.

Cont...P-2



-2-

AC No.1773/2020

6. In view of the above, no further intervention of the Bench is called for. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
27.07.2021**

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

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Shri Kanchanjit Singh Baath

S/o Shri Swarnjit Singh
R/o H.No.1020, Sector-36C,
Chandigarh.

.....Complainant

Versus

Public Information Officer

O/o Addl. Superintending Engineer,
M.E. Division, PSPCL, Amritsar.

Remanded Back:

First Appellate Authority

Chief Engineer, Metering,
Punjab State Power Corporation Ltd.,
Patiala.

...Respondents

CC No.212/2021

Present: (i) **Shri Kanchanjit Singh, Complainant in person.**
(ii) **Shri Gagandeep Singh, Addl.S.E., PSPCL, ME Division, Amritsar.**

ORDER

(Heard through Cisco Webex)

1. The RTI application is dated 26.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 15.02.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 27.07.2021 by the Commission. Accordingly, the case has been heard today through Cisco Webex.
3. Shri Kanchanjit Singh, complainant comes present to attend the hearing in person before the Bench. He states that he has sought information about the ground on which one Shri Ashwani Kumar, Test Mechanic (M.E. Division), PSPCL Sub Division, Gurdaspur, was promoted as Work Charge, but the same has been denied on the plea that the information asked for his personal and private and serves no public interest.
4. Shri Gagandeep Singh, Addl.S.E. ME Division, PSPCL, Amritsar comes present to attend the hearing through Cisco Webex. He states that the complainant has not addressed the RTI application appropriately. He further states that the information asked for is personal and the concerned official Ashwani Kumar has refused permission to share information about him with the complainant.
5. The Bench observes 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.



-2-

CC No.212/2021

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. Post deliberations with the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e **Shri G.S. Nagi, Chief Engineer, Metering, PSPCL, Patiala**. 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. He is directed to give an early date to hear the complainant and decide the matter. 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
27.07.2021
Copy to (By Regd. Post):

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

First Appellate Authority
Shri G.S.Nagi, Chief Engineer, Metering,
Punjab State Power Corporation Ltd.,
Patiala.

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Shri Tejinder Nath

S/o Shri Narender Nath
C/o Pawan Pathak (Advocate)
District Courts, Sirsa(Haryana).

.....Complainant

Versus

Public Information Officer

O/o Tehsildar, Bariwala,
District Sri Muktsar Sahib.

Remanded Back:

First Appellate Authority,

Sub Divisional Magistrate,
Sri Muksar Sahib.

...Respondents

CC No.202/2021

Present:

- (i) **Shri Ravinder Nath, on behalf of the Complainant in person before the Bench**
(ii) **Shri Harinderpal Singh, Naib Tehsildar, Bariwala, Distt. Sri Muktsar Sahib**
On behalf of the PIO.

ORDER

(Heard through Cisco Webex)

1. The RTI application is dated 26.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 15.02.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 27.07.2021 by the Commission. Accordingly, the case has been heard today through Cisco Webex.
3. Shri Ravinder Nath, comes present to attend the hearing in person before the Bench. He states that the information sought by the complainant has not been provided.
4. Shri Harinderpal Singh, Naib Tehsildar, Bariwala, District Sri Muktsar Sahib comes present to attend the hearing through Cisco Webex. He refers to the letter dated 13.05.2021 sent to the Commission and states that RTI application of the complainant was received on 28.12.2020 and he was sent reply on 30.12.2020 stating therein that the information can be received from the Sewa Kender after paying the fee as per existing rules of the Government for obtaining land related documents.
5. The representative of the complainant expresses some observations before the Bench regarding the version of the representative of PIO. Then, the representative of PIO states that the complainant should visit his office and he will help him in getting the information from the Sewa Kender as also the old information which can be had from the concerned Patwari of the Halqa.



-2-

CC No.202/2021

6. The Bench further observes 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.

7. 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.

8. Post deliberations with the representative of the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e Smt. Swaranjit Kaur, Sub Divisional Magistrate, Sri Muktsar Sahib. 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. She is directed to give an early date to hear the complainant and decide the matter. 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.

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

Chandigarh
27.07.2021
Copy to (By Regd. Post):

First Appellate Authority
Sub Divisional Magistrate,
Sri Muktsar Sahib.

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

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Shri Tejinder Nath

S/o Shri Narender Nath
C/o Pawan Pathak (Advocate)
District Courts, Sirsa(Haryana).

.....Complainant

Versus

Public Information Officer

O/o Tehsildar, Bariwala,
District Sri Muktsar Sahib.

Remanded Back:

First Appellate Authority,

Sub Divisional Magistrate,
Sri Muksar Sahib.

...Respondents

CC No.203/2021

Present:

- (i) **Shri Ravinder Nath, on behalf of the Complainant in person before the Bench**
(ii) **Shri Harinderpal Singh, Naib Tehsildar, Bariwala, Distt. Sri Muktsar Sahib**
On behalf of the PIO.

ORDER

(Heard through Cisco Webex)

1. The RTI application is dated 26.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 15.02.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 27.07.2021 by the Commission. Accordingly, the case has been heard today through Cisco Webex.
3. Shri Ravinder Nath, comes present to attend the hearing in person before the Bench. He states that the information sought by the complainant has not been provided.
4. Shri Harinderpal Singh, Naib Tehsildar, Bariwala, District Sri Muktsar Sahib comes present to attend the hearing through Cisco Webex. He refers to the letter dated 13.05.2021 sent to the Commission and states that RTI application of the complainant was received on 28.12.2020 and he was sent reply on 30.12.2020 stating therein that the information can be received from the Sewa Kender after paying the fee as per existing rules of the Government for obtaining land related documents.
5. The representative of the complainant expresses some observations before the Bench regarding the version of the representative of PIO. Then, the representative of PIO states that the complainant should visit his office and he will help him in getting the information from the Sewa Kender as also the old information which can be had from the concerned Patwari of the Halqa.



-2-

CC No.203/2021

6. The Bench further observes 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.

7. 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.

8. Post deliberations with the representative of the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e Smt. Swaranjit Kaur, Sub Divisional Magistrate, Sri Muktsar Sahib. 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. She is directed to give an early date to hear the complainant and decide the matter. 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.

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

**Chandigarh
27.07.2021**

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

Copy to (By Regd. Post):

**First Appellate Authority
Sub Divisional Magistrate,
Sri Muktsar Sahib.**

