

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

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Sh. Atul Sharma (9988115514)

Jalandhar Breeze Hindi Newspaper (Editor in Chief),
#NN451, Gopal Nagar,
Jalandhar-144008

Versus

Appellant

Public Information Officer

O/o Police Commissioner,
Jalandhar

First Appellate Authority

O/o Police Commissioner,
Jalandhar

Respondent

Appeal Case No.: 317 of 2021

Through CISCO WEBEX

Present:

(i) Sh. Atul Sharma, the appellant through telephone call.

(ii) For the respondent: Sh. Balwinder Singh (SI) (8872700273).

ORDER

1. This order may be read with reference to the previous order dated 22.07.2021 vide which respondent PIO was directed to supply the pending information (05 Thanas) to the appellant within seven days and matter was adjourned for further hearing on 30.09.2021 i.e. today.
2. In today's hearing, appellant intimated the Commission telephonically that he is satisfied with the supplied information and requests to close this case.
3. In view of the above observations, no further intervention is called for; hence, the Appeal Case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated: 30.09.2021

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

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Sh. Bittu (9872455496)

S/o Sh. Om Kumar
Village Bolapur Jhabewal,
PO Ramgarh, District Ludhiana-141123

Versus

Appellant/Complainant

Public Information Officer

O/o Principal Secretary,
Public Grievances,
Punjab, Chandigarh

Public Information Officer

O/o Addl. Chief Secretary to Govt. of Punjab,
Home Affairs and Justice,
Punjab Civil Secretariat-1,
Chandigarh

Public Information Officer

O/o DGP, Personnel -2,
Punjab Civil Secretariat-1,
Chandigarh

Public Information Officer

O/o IGP Crime, Punjab Bureau of Investigation, S.C.R.B
Punjab Civil Secretariat-1,
Chandigarh

Sh. Balraj (PPS/AIG Crime) (PIO)

O/o Bureau of Investigation, Crime,
Punjab, Chandigarh

Respondent

Complaint Case No.: 862 of 2020
Through CISCO WEBEX

Present: (i) None on behalf of the complainant
(ii) For the respondent: Sh. Ram Parsad (SA) (9855464748) at PSIC Office.

Order

1. This order may be read with the previous order dated 13.07.2021 vide which both the parties were present. Complainant, Sh. Bittu was unable to speak as he was not well and requested for an adjournment in this case. The court while considering the health conditions of the complainant in mind is pleased to grant next date of hearing. Both the parties were directed to represent this case on the next date of hearing and matter was adjourned for further hearing on 30.09.2021 i.e. today.
2. In today's hearing, respondent, Sh. Ram Parsad is present and states that RTI application was transferred to the office of Commissioner of Police, Ludhiana.
3. Complainant is not present for today's hearing nor did he file reply in this regard.

Complaint Case No.: 862 of 2020
Through CISCO WEBEX

4. After hearing the respondent and examining the documents placed on record, it is observed that an email dated 29.09.2021 is received from the respondent PIO from email ID rtibranchldh@gmail.com comprising an acknowledgement signed by Sh. Jasbir Singh dated 14.09.2021 with the remarks 'requisite information in complaint case is received and requests to close this case'.
5. In view of the above observations, no further intervention is called for; hence, the Complaint Case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated: 30.09.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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(Regd. Post) **Sh. Satnam Singh Dhawan(9501513137)** Complainant
H.No.7, G.K.Vihar,
Manakwal, Ludhiana

Versus

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

Remanded back to

(Regd. Post) **First Appellate Authority,**
O/o Regional Transport Authority,
Ludhiana

Encl. RTI application.

Respondent

Complaint Case No.: 433 of 2021
Through CISCO WEBEX

Present: (i) Nobody on behalf of the complainant.
(ii) For the respondent: Sh. Amardeep Singh (Clerk) (9878977003).

ORDER

1. The RTI application is dated 15.02.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 30.09.2021 through CISCO Webex application.
3. In today's hearing, complainant is absent without any intimation and respondent, Sh. Amardeep Singh states that requisite information is sent to the complainant through registered post dated 12.04.2021 and till date no deficiency has been pointed out by the complainant.
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.: 433 of 2021

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.

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: 30.09.2021

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

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Sh. Sanjiv Goyal (9814197689)

s/o Sh. Ashok Kumar,
H.No.148, Model Town,
Phase01, Near TV Tower,
Bathinda-151001.

Appellant

Versus

Public Information Officer

O/o Municipal Corporation,
Bathinda

First Appellate Authority

O/o Municipal Corporation,
Bathinda

Respondent

Appeal Case No.: 1661 of 2021

Through CISCO WEBEX

Present:

(i) Sh. Sanjiv Goyal, the appellant.

(ii) For the respondent: Sh. Sandeep Kataria (PIO) (9876010022)

ORDER:

1. The RTI application is dated 05.04.2021 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 07.04.2021 and second appeal was filed in the Commission on 09.04.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 30.09.2021 i.e. today.
3. In today's hearing, both the parties are present and appellant states that he is satisfied with the supplied information but received late. He requests to close this case.
4. In view of the above observations, no further intervention is called for; hence, the Appeal Case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated: 30.09.2021

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

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Complainant

Sh. Brichh Bhan (9815884125)

s/o Sh. Jagan Nath, Shop No.9,
Anaj Mandi, Budhlada,
Distt. Mansa 151502

Versus

Public Information Officer

O/o District Collector, Mansa

Remanded back to

First Appellate Authority,

(Regd. Post) O/o District Collector, Mansa

Encl. RTI application.

Respondent

Complaint Case No.: 434 of 2021
Through CISCO WEBEX

Present: (i) Nobody on behalf of the complainant.
(ii) For the respondent: Ms. Saroj Aggarwal (PIO) (9815535678)

ORDER

1. The RTI application is dated 15.12.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 30.09.2021 through CISCO Webex application.
3. In today's hearing, complainant is absent without any intimation and respondent, Ms. Saroj Aggarwal states that requisite information is sent to the complainant through registered post dated 01.09.2021 and till date no deficiency has been pointed out by the complainant.
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.: 434 of 2021

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.

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: 30.09.2021

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

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Sh. Brichh Bhan (9815884125)

s/o Sh. Jagan Nath, Shop No.9,
Anaj Mandi, Budhlada,
Distt. Mansa 151502

Complainant

Versus

Public Information Officer

O/o District Collector, Mansa

Remanded back to

First Appellate Authority,

(Regd. Post) O/o District Collector, Mansa

Encl. RTI application.

Respondent

Complaint Case No.: 435 of 2021

Through CISCO WEBEX

Present:

(i) Nobody on behalf of the complainant.

(ii) For the respondent: Ms. Saroj Aggarwal (PIO) (9815535678)

ORDER

1. The RTI application is dated 15.12.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 30.09.2021 through CISCO Webex application.
3. In today's hearing, complainant is absent without any intimation and respondent, Ms. Saroj Aggarwal states that requisite information is sent to the complainant through registered post dated 01.09.2021 and till date no deficiency has been pointed out by the complainant.
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.: 435 of 2021

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.

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: 30.09.2021

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

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Sh. Brichh Bhan (9815884125)

s/o Sh. Jagan Nath, Shop No.9,
Anaj Mandi, Budhlada,
Distt. Mansa 151502

Complainant

Versus

Public Information Officer

O/o District Collector, Mansa

Remanded back to

First Appellate Authority,

(Regd. Post) O/o District Collector, Mansa

Encl. RTI application.

Respondent

Complaint Case No.: 436 of 2021

Through CISCO WEBEX

Present:

(i) Nobody on behalf of the complainant.

(ii) For the respondent: Ms. Saroj Aggarwal (PIO) (9815535678)

ORDER

1. The RTI application is dated 15.12.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 30.09.2021 through CISCO Webex application.
3. In today's hearing, complainant is absent without any intimation and respondent, Ms. Saroj Aggarwal states that requisite information is sent to the complainant through registered post dated 01.09.2021 and till date no deficiency has been pointed out by the complainant.
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.: 436 of 2021

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.

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: 30.09.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Manjinder Singh(9872015069)
2469, Sunny Enclave, Sector125,
Kharar, Distt. Mohali 140301.

Appellant

Versus

Public Information Officer
O/o Secy Regional Transport Authority,
Ludhiana

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

Respondent

Appeal Case No.: 1390 of 2021
Heard through CISCO WEBEX

Present: (i) Sh. Maninder Singh, the appellant.
(ii) For the respondent: Sh. Amardeep Singh (Clerk) (9878977003).

ORDER

1. This order may be read with the previous order dated 11.08.2021 vide which respondent PIO is directed to file an affidavit as per queries raised by the appellant in his RTI application within seven days. Matter was adjourned for further hearing on 30.09.2021 i.e. today.
2. In today's hearing, appellant intimated the Commission that he is satisfied with the supplied information and requests to close this case.
3. In view of the above observations, no further intervention is called for; hence, the Appeal Case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated: 30.09.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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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,
Ludhiana

First Appellate Authority

O/o State Transport Authority
Pb, Chandigarh

Respondent

Appeal Case No.: 1392 of 2021

Heard through CISCO WEBEX

Present:

(i) Sh. Maninder Singh, the appellant.

(ii) For the respondent: Sh. Amardeep Singh (Clerk) (9878977003).

ORDER

1. This order may be read with the previous order dated 11.08.2021 vide which respondent PIO is directed to file an affidavit as per queries raised by the appellant in his RTI application within seven days. Matter was adjourned for further hearing on 30.09.2021 i.e. today.
2. In today's hearing, appellant intimated the Commission that he is satisfied with the supplied information and requests to close this case.
3. In view of the above observations, no further intervention is called for; hence, the Appeal Case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated: 30.09.2021

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

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Sh. Amjad Adam Arbani (9324261417)

503, Vishakha Arcade, Off.
Veera Desai Road,
Next to MVM School, Andheri West,
Mumbai-400058

Appellant

Versus

Public Information Officer

O/o ATP (Planning), Punjab Small Industries
and Export Corporation Ltd.,
18, UdyogBhawan, Himalaya Marg,
Sector-17 A, Chandigarh

First Appellate Authority

O/o ATP (Planning),
Punjab Small Industries and Export Corporation Ltd.,
18, UdyogBhawan, Himalaya Marg,
Sector-17 A, Chandigarh

Respondent

Appeal Case No.: 316 of 2021
Through CISCO WEBEX

Present:

- (i) Nobody on behalf of the appellant
(ii) For the respondent: Sh. Vaneet Kumar (ATO) (9417426512)

Order:

1. This order may be read with the previous order dated 01.09.2021 vide which, it was observed that complete information is not exempted as per RTI Act, 2005. Appellant was advised to visit the respondent's office after mutual co-ordination and contact number was supplied to the appellant during the hearing. Respondent PIO was directed to make sure that appellant may be shown the relevant record relating to RTI application and supply the identified pages as per RTI Act, 2005. Both the parties were advised to represent this case in person or through their representative (s) on the next date of hearing, failing to which, appropriate order in their absence shall be passed. Matter was adjourned for further hearing on 30.09.2021.
2. In today's hearing, respondent, Sh. Vaneet Kumar states that requisite information has already been supplied to the appellant and an email is also sent to the undersigned Bench dated 29.09.2021 in this regard.
3. Appellant is not present for today's hearing despite being aware about the date of hearings, even he has sent any reply regarding record was inspected by him or not on his visit to the respondent's office. It is presumed that he is satisfied with the supplied information and does not want to pursue this case further.
4. In view of the above observations, no further intervention is called for; hence, the Appeal Case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated: 30.09.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab