**TATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Simranjeet Singh s/o Sh. Jagdish Singh,

H.No. 93/2, Adarsh Nagar, Basti Mithu Road,

Jalandhar. Appellant

Versus

Public Information Officer

O/O DTO-cum- Secretary,

Regional Transport Authority,

Jalandhar.

First Appellate Authority,

O/O District Transport Officer,

Jalandhar. Respondents

**Appeal Case No. 1562 of 2017**

Present: Shri Simranjeet Singh, appellant, in person.

Shri Sarabjeet Kumar, Junior Assistant, on behalf of respondents.

**ORDER:**

This case was last heard on 04-10-2017 and was adjourned for today.

2. Today, both the parties are present. The representative of respondents says that he has brought the information with him, which is handed over to the appellant in the court. After going through the provided information, the appellant says that the information is incomplete. He requests the court that he should be allowed to inspect the record .

3. After hearing both the parties, the respondents are directed to allow the inspection to the appellant of the relevant record on 21 or 22-11-2017 at 11.00 AM. and to be present on the said dates and to make available the record and to supply the copies of documents indentified by the appellant to him at the spot. The case is adjourned.

4. To come up for further hearing on **19-12-2017 at 12.30 PM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

PS: The appellant has written DTO, Jalandhar as first appellate authority in his RTI application. However, after discussion, it comes out that in this case, STC, Punjab, is the first appellate authority. Therefore, State Transport Commissioner, Punjab, SCO No. 177-178, Sector 17-B, is impleaded as first appellate authority and they are directed to be present on the next date of hearing.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

S**TATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Simranjeet Singh s/o Sh. Jagdish Singh,

H.No. 93/2, Adarsh Nagar, Basti Mithu Road,

Jalandhar. Appellant

Versus

Public Information Officer

O/O DTO-cum- Secretary, Regional Transport Authority,

Jalandhar.

First Appellate Authority,

O/O DTO-cum- Secretary, Regional Transport Authority,

Jalandhar. Respondents

**Appeal Case No. 1560 of 2017**

Present: Shri Simranjeet Singh, appellant, in person.

Shri Sarabjeet Kumar, Junior Assistant, on behalf of respondents.

**ORDER:**

This case was last heard on 04-10-2017 and was adjourned for today.

2. Today, both the parties are present. The representative of respondents says that the information has been supplied on 11-10-2017. The appellant says that he has not received any information.

3. After hearing both the parties, the respondents are directed to send the complete and correct information to the appellant, by registered post, before the next date of hearing. The case is adjourned.

4. To come up for further hearing on **19-12-2017 at 12.30 PM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

PS: The appellant has written DTO, Jalandhar as first appellate authority in his RTI application. However, after discussion, it comes out that in this case, STC, Punjab, is the first appellate authority. Therefore, State Transport Commissioner, Punjab, SCO No. 177-178, Sector 17-B, is impleaded as first appellate authority and they are directed to be present on the next date of hearing.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

**STATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Simranjeet Singh s/o Sh. Jagdish Singh,

H.No. 93/2, Adarsh Nagar, Basti Mithu Road,

Jalandhar. Appellant

Versus

Public Information Officer

O/O DTO-cum- Secretary,

Regional Transport Authority,

Jalandhar.

First Appellate Authority,

O/O District Transport Officer,

Jalandhar. Respondents

**Appeal Case No. 1563 of 2017**

Present: Shri Simranjeet Singh, appellant, in person.

Shri Sarabjeet Kumar, Junior Assistant, on behalf of respondents.

**ORDER:**

This case was last heard on 04-10-2017 and was adjourned for today.

2. Today, both the parties are present. The representative of respondents says that he has brought the information with him, which is handed over to the appellant in the court. After going through the provided information, the appellant says that the information is incomplete. He requests the court that he should be allowed to inspect the record .

3. After hearing both the parties, the respondents are directed to allow the inspection to the appellant of the relevant record on 21 or 22-11-2017 at 11.00 AM. and to be present on the said dates and to make available the record and to supply the copies of documents indentified by the appellant to him at the spot. The case is adjourned.

4. To come up for further hearing on **19-12-2017 at 12.30 PM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

PS: The appellant has written DTO, Jalandhar as first appellate authority in his RTI application. However, after discussion, it comes out that in this case, STC, Punjab, is the first appellate authority. Therefore, State Transport Commissioner, Punjab, SCO No. 177-178, Sector 17-B, is impleaded as first appellate authority and they are directed to be present on the next date of hearing.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

S**TATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Simranjeet Singh s/o Sh. Jagdish Singh,

H.No. 93/2, Adarsh Nagar, Basti Mithu Road,

Jalandhar. Appellant

Versus

Public Information Officer

O/O DTO-cum- Secretary,

Regional Transport Authority,Jalandhar.

First Appellate Authority,

O/O District Transport Officer,

Jalandhar. Respondents

**Appeal Case No. 1564 of 2017**

Present: Shri Simranjeet Singh, appellant, in person.

Shri Gurmeet Singh, MVI and Shri Sarabjeet Kumar, Junior Assistant, on behalf of respondents.

**ORDER:**

This case was last heard on 04-10-2017 and was adjourned for today.

2. Today, both the parties are present. The representative of respondents says that the sought information has been supplied to the appellant informing him that the registration No. mentioned in the RTI application dated 08-03-2017 is not correct and this number does not operative in the State of Punjab. The appellant says that he has sought information relating to a vehicle bearing registration No. PII-33 which is very much operative in Punjab.

3. After hearing both the parties, the respondents are directed to supply correct and complete information to the appellant before the next date of hearing and the case is adjourned and fixed for hearing on **19-12-2017 at 12.30 PM**.

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

PS: The appellant has written DTO, Jalandhar as first appellate authority in his RTI application. However, after discussion, it comes out that in this case, STC, Punjab, is the first appellate authority. Therefore, State Transport Commissioner, Punjab, SCO No. 177-178, Sector 17-B, is impleaded as first appellate authority and they are directed to be present on the next date of hearing.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

STATE INFORMATION COMMISSION, PUNJAB

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Prem Kumar Rattan,

House No. 78/8, Park Road, New Mandi,

Dhuri, Distt. Sangrur. …Appellant

Versus

Public Information Officer

O/O Deputy Commissioner, Jalandhar.

First Appellate Authority,

O/O Deputy Commissioner, Jalandhar. .… Respondents

**Appeal Case No. 2212 of 2017**

Present: None on behalf of both the parties.

**ORDER:**

On the last date of hearing on 04-10-2017, none was present on behalf of both the parties and the case was adjourned for today.

2. Today, none is present on behalf of both the parties. However a letter dated 08.11.2017 is received in the Commission from the appellant, wherein he has sought adjournment due to ill health. An e-mail dated 08-11-2017 has also been received in the Commission office from the respondents. It is stated in the said e-mail that the relevant information has been sent to Government vide letter No. 7155/BC/S.K., dated 23-12-2014.

2. As none is present on behalf of both the parties, therefore, both parties are directed to be present on the next date of hearing. The case shall now be heard on **14.12.2017 at 11:00 AM.**

3. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

**STATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Ashwani Kumar,

House No. 1129-A, Sector- 46-B,

Chandigarh. Complainant

Versus

Public Information Officer,

o/o Nagar Panchayat, Mahilpur,

Distt. Hoshiarpur. Respondent.

**Complaint Case No. 788 of 2017**

Present: Shri Ashwani Kumar, complainant, in person.

Shri Sheesh Pal, Junior Assistant, on behalf of respondent

**ORDER:**

This case was scheduled to be heard on 26-10-2017 but was postponed for today on administrative reasons.

2. Today, both the parties are present. The complainant says that no information has been supplied till date. The representative of respondents submits a letter dated 08-1-2017 from the PIO, Nagar Panchayat, Mahilpur, which is taken on record, stating therein that the sought information relates to late Shri Pran Nath Khanna and The Mahilpur Labour & Construction Cooperative Society Ltd., and the representative of the Society has given in writing that the information relating to Society and Shri Pran Nath Khanna may not be supplied to any one as a court case is pending in the Court of District & Sessions Judge, Hoshiarpur. Therefore, the information could not be supplied to the complainant.

3. A perusal of RTI application reveals that this a complaint case and the complainant has not availed the channel of first appellate authority. Therefore, in the light of judgment of Hon’ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 ( arising out of SLP © No. 32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act,2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of

Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Contd..page/2

**Complaint Case No. 788 of 2017** -2-

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The matter is remanded to the First Appellate Authority to take appropriate decision after hearing both the parties by passing a speaking order.

4. In the light of above judgment and seeing the conduct of the respondent, the case is remanded to the first appellate authority, i.e. Regional Deputy Director, Local Government, Jalandhar and the case is ordered to be **closed and disposed.**

5. Copies of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated 09-11-2017. State Information Commissioner

.

STATE INFORMATION COMMISSION, PUNJAB

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri S.C.Khanna,

WB- 248, Ali Mohalla, Jalandhar-144001. …Appellant

Versus

Public Information Officer

O/O Deputy Commissioner of Police,

Jalandhar.

First Appellate Authority,

O/O Commissioner of Police,

Jalandhar. … Respondents

**Appeal Case No. 2542 of 2017**

Present: Sh. S.C. Khanna, appellant is present.

Sh. Balwinder Singh , ASI on behalf of the respondents.

ORDER

In this case, Shri S.C.Khanna, appellant, vide his RTI application dated 03-07-2017 addressed to the PIO, sought copies of inquiry proceedings relating to case No. 2424, dated 13-12-2016 and Case No. 498 dated 12-07-2017. On getting no information, he filed first appeal dated 14-08-2017 before the first appellate authority. Getting no response from the first appellate authority also, he filed a second appeal dated 04-09-2017 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. Today, both the parties are present. The representative of respondents submits the information in the court which is handed over to the appellant. The appellant says that he would go through the provided information and seeks adjournment.

3. Accordingly, the case is adjourned and fixed for further hearing on **14.12.2017 at 11:00 AM.**

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, ( Hem Inder Singh )

Dated: 09-11-2017. State Information Commissioner

**STATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg, CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Jatinder Singh s/o Sh. Jaswant Singh,

Mohalla Amamgarh, Samana,

Distt. Patiala- 147101. Complainant.

Versus

Public Information Officer,

o/o Chief Engineer,

PWD(B&R), PIDB, Patiala. Respondent

**Complaint Case No. 991 of 2017**

Present None on behalf of complainant.

Sh. Karnail Singh Dhinda, SDO, on behalf of the respondent.

**ORDER**

In this case, Shri Jatinder Singh, complainant, vide his RTI application dated 03-08-2017 addressed to the PIO, sought information regarding Rohan Rajdeep Toll Plaza barrier on Samana- Patiala road. On getting no information, he filed a complaint dated 12-09-2017 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. The complainant is absent without intimation to the Commission. The representative of respondent submits a letter dated 07-11-2017 in the court, which is taken on record. In the said letter, it is stated that the complainant was asked to deposit the fee amounting to Rs. 3450/-for getting the sought information, but the complainant has not deposited the demanded fee and therefore, the information cannot be supplied to him.

3. As the complainant is not present in the court, he is directed to be present on the next date of hearing. The case is adjourned and fixed for further hearing on **14.12.2017 at 11:00 AM.**

4. Copys of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated 09-11-2017. State Information Commissioner

**STATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Dr. Rajesh Gupta,

Village: Mailli, Block Mahilpur,

Distt. Hoshiarpur.

Complainant.

Versus

Public Information Officer,

o/o Deputy Director, Animal Husbandry,

Animal Husbandry Bhawan, Sector-68,

SAS Nagar. Respondent

**Complaint Case No. 970 of 2017**

Present: Dr.Rajesh Gupta, complainant, in person.

Dr.KPS Pasricha, APIO and Dr. Parmatma Sarup, Deputy Director, Animal Husbandry, on behalf of respondent.

**ORDER:**

In this case, Dr. Rajesh Gupta, complainant, vide his RTI application dated 09-03-2015 addressed to the PIO, sought information regarding Bank draft amounting to Rs. 417310/- deposited by the SVO, Kharar with the PLDB Bank on 15-10-2013. On getting no information, he filed a complaint dated 07-09-2017 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. Today, both the parties are present. The complainant says that the respondent did not supply him the information and the same information was supplied to the Inquiry Commission within a week. He requests the court to penalize the respondent for not providing the information within time as prescribed in the RTI Act, 2005. The representatives of respondent state that some of the information has been supplied to the complainant. The information relating to research and analysis cannot be supplied as it was voluminous and was not compiled at that time. Dr. Parmatma Sarup, Deputy Director, who is present in the court, gives a written submission, which is handed over to the complainant and a copy of the same is retained in the case file, explaining the reasons for delay.

3. However, in the light of judgment of Hon’ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 ( arising out of SLP © No. 32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act,2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of

Contd..p/2

**Complaint Case No. 970 of 2017** -2-

Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The matter is remanded to the First Appellate Authority to take appropriate decision after hearing both the parties by passing a speaking order.

4. In the light of above judgment and seeing the conduct of the respondent, the case is remanded to the first appellate authority, i.e. Director Animal Husbandry, Punjab, and the case is **closed and disposed.**

5. Copies of order be sent to the parties.

Sd/-

Place:Chandigarh, (Hem Inder Singh )

Dated 09-11-2017. State Information Commissioner

**STATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Shekhar Arvind Lonkar,

Z-1, Megha Terrace Wireless Colony,

Aundh, PUNE (Maharashtra). Appellant.

Versus

Public Information Officer,

o/o Births & Deaths Department,

Municipal Corporation, Jalandhar.

First Appellate Authority,

o/o Municipal Corporation, Jalandhar. Respondent

**Complaint Case No. 935 of 2017**

Present None on behalf of the parties.

**ORDER**

In this case, Shri Shekhar Arvind Lonkar, complainant, vide his RTI application dated 15-05-2017 addressed to the PIO, sought information regarding staff working in the Births and Deaths Department of the Corporation. On getting no information, he filed a complaint dated12-07-2017 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. Today both the parties are absent. Therefore, the case is ordered to be adjourned and fixed for further hearing on **14-12-2017 at 11.00 AM.**

3. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh )

Dated 09-11-2017. State Information Commissioner

**STATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Sumeet Heer,

15-L, Nangal Township,

Nangal, Distt. Ropar. Complainant.

Versus

Public Information Officer,

o/o Secretary,

Regional Transport Authority, Hoshiarpur. Respondent

**Complaint Case No. 959 of 2017**

Present : Shri Sumeet Heer, complainant is present .

Shri Hari Om and Shri Kuldip Singh, Junior Assistants on behalf of the respondent.

**ORDER:**

In this case, Shri Sumeet Heer, complainant, vide his RTI application dated addressed to the PIO, sought photocopy of his letter dated 25-04-2014 sent to the then DTO, Hoshiarpur. On getting no information, he filed a complaint dated 04-09-2017 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. Today, both the parties are present. The respondent states that the information has already been given to the complainant. The complainant states that the provided information is incomplete.

3. A perusal of RTI application reveals that this a complaint case and the complainant has not availed the channel of first appellate authority. Therefore, in the light of judgment of Hon’ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 ( arising out of SLP © No. 32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act,2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The matter is remanded to the First Appellate Authority to take appropriate decision after hearing both the parties by passing a speaking order.

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**Complaint Case No. 959 of 2017** -2-

4. In the light of above judgment and seeing the conduct of the respondent, the case is remanded to the first appellate authority, i.e. State Transport Commissioner, Punjab, SCO No. 177-78, Sector 17B, Chandigarh and the case is **closed and disposed.**

5. Copies of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh)

Dated 09-11-2017. State Information Commissioner

**CC:**  State Transport Commissioner, Punjab, SCO No. 177-78, Sector 17-B, Chandigarh for deciding the case as first appellate authority.

**STATE INFORMATION COMMISSION, PUNJAB**

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Sanjeev Goyal s/o Sh. Ashok Kumar,

H.No. 148, MCB Zone, House No. 00110,

Model Town, Phase-1, Bathinda- 151001.

Complainant.

Versus

Public Information Officer,

o/o General Manager,

PRTC, Bathinda. Respondent

**Complaint Case No. 955 of 2017**

Present None on behalf of the parties.

**ORDER**

In this case, Shri Sanjeev Goayl, complainant, vide his RTI application dated 26-05-2017 addressed to the PIO, sought information regarding advertisement published in the newspapers regarding inviting tenders for scooter/car parking on 24-05-2017. On getting no information, he filed a complaint dated 15-09-2017 with the Commission. Accordingly, a notice of hearing was issued to the parties for today.

2. Today none is present on behalf of both the parties. However, a written request dated 08-11-2017 is received in the Commission office from the complainant seeking adjournment.

3. Accordingly, the case is adjourned and fixed for further hearing on **14-12-2017 at 11.00 AM.**

4. Copies of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh )

Dated 09-11-2017. State Information Commissioner

STATE INFORMATION COMMISSION, PUNJAB

Red Cross Bhawan, Sector 16, Madhya Marg,CHANDIGARH-160016.

( 0172-2864118, Fax-2864125-www.infocommpunjab.com)

Shri Om Parkash,

House No. 232, Sector 51-A, Chandigarh. …Appellant

Versus

Public Information Officer

O/O Divisional Engineer (Establishment),

Punjab Water Resources &Management Corporation,

SCO No. 29, Sector 26, Chandigarh.

First Appellate Authority, … Respondents

O/O Divisional Engineer (Establishment),

Punjab Water Resources &Management Corporation,

SCO No. 29, Sector 26, Chandigarh.

Appeal Case No. 1994 of 2017

Present: Shri Om Parkash, appellant, in person.

Shri Rajesh Sharma, SDO-cum-APIO, on behalf of respondents.

**ORDER:**

This case was last heard on 18-10-2017 and was adjourned for today.

2. Today, both the parties are present. The representative of respondents says that the information has been supplied to the appellant. But the appellant says that information relating to point No. 2 has been provided and rest of the information is yet to be supplied.

3. After hearing both the parties, the case is adjourned and the respondents are directed to supply the correct and complete information to the appellant before the next date of hearing.

4. To come up for further hearing on **14-12-2017 at 11.00 AM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, (Hem Inder Singh )

Dated 09-11-2017. State Information Commissioner