

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sanjiv Kumar S/o Sh. Chandi Ram,
Ward No. – 03, Master Colony,
Khanauri Mandi,
Distt. – Sangrur (Punjab)
(M : 9357440001)

....Complainant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council,
Khanauri, Distt. - Sangrur (Punjab)

...Respondents

Complaint Case No. 13 of 2023

Present : None on behalf of the complainant.
Sh. Gurmel Singh, Clerk (M.-9779093342), on behalf of the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 27.06.2022. The complaint has been received in the Commission on 19.12.2022.
3. The complainant, Sh. Sanjiv Kumar, through a letter dated 21.02.2023(received vide Diary no. 4863 dated 21.02.2023 has intimated the Commission that he is unable to attend today's hearing. It is taken on record.
4. Sh. Gurmel Singh, Clerk, appeared on behalf of the respondent PIO in today's hearing, submits a copy of reply vide letter no. 21 dated 07.11.2022, showing that the required fee of Rs. 20865/- for certified copies of information was demanded from the complainant. It is taken on record.
5. After examining the documents placed on record, it is found that the RTI request is dated 27.06.2022 and the respondent PIO has demanded the required fee from the appellant vide letter dated 07.11.2022, which is not within the stipulated time as per rules of the Right to Information Act.
6. After examining the documents placed on record, it is found that the complainant has not exhausted the channel of approaching First Appellate Authority under Section 19 of the RTI Act.

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7. As the complainant has not exhausted the channel of approaching First Appellate Authority under Section 19 of the RTI Act, hence, the instant complaint case is **remanded to First Appellate Authority**, who is Addl. Deputy Commissioner(Urban), Sangrur, with the directions to decide the case as per provisions of the RTI Act, after giving due opportunity to the parties concerned, examining the evidences, documents placed on record/submitted by the parties concerned and subsequently pass a speaking order within forty five days from the receipt of this order. A copy of the RTI request of the applicant be also enclosed for ready reference of First Appellate Authority, who will treat it as first appeal. A copy of this order be sent to him through registered post.

8. If concerned First Appellate Authority will not announce any order in the instant complaint case within forty five days or after decision/announcement of First Appellate Authority, if the complainant would not be satisfied with the decision/announcement (which would be announced) by the First Appellate Authority, he is free to approach the Commission by way of second appeal.

9. With this, the case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date :22nd February, 2023

CC :

(Regd. Post)

First Appellate Authority-cum-
-Additional Deputy Commissioner
(Urban Development),
Sangrur (Punjab)

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Encl : RTI Request