

# **PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,**

**SECTOR 16, CHANDIGARH.**

Ph: 0172-2864118, Email: - [psic28@punjabmail.gov.in](mailto:psic28@punjabmail.gov.in)

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## **COMPLAINT CASE NO. 1051 OF 2021**

Ms. Suruchi Dogra D/o Sh. Amar Nath,  
W/o Yash Vardhan Rishi,  
R/o EE 169/8, New Railway Road,  
Jalandhar.

...Complainant

Versus

**Public Information Officer,**  
O/o The Principal,  
Guru Nanak College of Education for Women,  
Kapurthala.

...Respondents

### **HEARD Through CISCO WEBEX – VC/TELEPHONE**

**PRESENT:** Ms. Saruchi Dogra along with her husband.  
None on behalf of the Respondents.

### **ORDER:**

The RTI is dated 08.07.2021 whereof the complaint has sought information as enumerated in his/her RTI. He filed a complaint on 12.08.2021 in the Commission under Section 18 of the RTI Act 2005 (hereinafter called as Right to Information Act). Notice of hearing to the parties was issued for 02.11.2021.

2. The Complainant admits having received reply from the respondents but he shows his dissatisfaction.

3. This is a Complaint Case. Therefore, at this juncture it is relevant to invite the attention of the complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) 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. 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 complainant is advised to approach the first appellate authority in this behalf.

Contd..2/p..

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-02-

## Complaint Case No. 1051 of 2021

4. Accordingly this case is hereby remanded back to First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act 2005.

5. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a 02<sup>nd</sup> appeal before the Commission under Section 19(3) of the RTI Act.

6. In view of the observations noted above, the instant **case is hereby ordered to be disposed of and closed.** Copy of the order be sent to the parties.

Chandigarh  
02.11.2021

Sd/-  
(Hem Inder Singh)  
State Information Commissioner,  
Punjab

Copy for necessary compliance is forwarded with copy of instant RTI by **Regd. Post** to :-

**First Appellate Authority**  
O/o The DPI(Colleges)  
Vidya Bhawan, PSEB Complex,  
Sector 68, SAS Nagar(Mohali)

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## APPEAL CASE NO. 3591 OF 2021

Sh. Malkiat Singh, BDO Retd.  
R/o Flat No. 521/69, Housefed Complex,  
SBS Nagar-E, Ludhiana-141013

...Appellant

Versus

**Public Information Officer,**  
O/o Senior Superintendent of Police,  
Vigilance Bureau, Ludhiana.

### **First Appellate Authority**

O/o Director, Vigilance Bureau, Punjab,  
Sector-68, SAS Nagar (Mohali).

...Respondents

## HEARD Through CISCO WEBEX – VC/TELEPHONE

**PRESENT:** Sh. Malkiat Singh, the Appellant  
ASI Paramjit Singh, VB, Ludhiana for the Respondents.

### ORDER:

The RTI is dated 30.03.2021 whereof the Appellant has sought information from the PIO as enumerated in his/her RTI. He filed first appeal in the O/o the FAA (hereinafter called as First Appellate Authority) on 25.04.2021 and he filed second appeal in the Commission on 10.08.2021 under Section 19 of the RTI Act 2005 (hereinafter called as Right to Information Act). Notice of hearing to the parties was issued for 02.11.2021.

2. The Appellant states that the sought for information has not been furnished by the respondents till date.

3. The Respondent states that the Appellant has suitably been informed vide their letter 3283/RTI, dated 02.06.2021 by registered post. He further states that the First Appellate Authority has also informed the same position to the Appellant vide their letter 33509-33511/VB/S-14, dated 18.10.2021.

4. Perusing the case file, it reveals that a copy of aforesaid letter No. 3283/RTI, dated 02.06.2021 written by the SSP(VB)-cum-PIO, Ludhiana, sent by registered post to the appellant, has been received in the Commission wherein the PIO has stated that his complaint dated 25.10.2020 in question has not been received in their office. Letter 33509-33511/VB/S-14, dated 18.10.2021 from FAA has been received in the Commission. Both the letters are taken on record.

5. In the light above, no further cause of action is left. Hence, **the case is disposed of and closed.** Copies of order be sent to the parties.

Sd/-

Chandigarh  
02.11.2021

(Hem Inder Singh)  
State Information Commissioner

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## APPEAL CASE NO. 3631 OF 2021

Sh. Brahmjot Singh, (9888247334)  
R/o 4877/1, Namdar Khan Road,  
Opposite Bindi Clinic, Patiala-147001

...Appellant

Versus

**Public Information Officer,**  
O/o Punjabi University,  
Patiala.

**First Appellate Authority**  
O/o Punjabi University,  
Patiala.

...Respondents

## HEARD Through CISCO WEBEX – VC/TELEPHONE

**PRESENT:** Sh. Brahmjot Singh, the Appellant  
Advocate Angel Sharma for the Respondents.

### **ORDER:**

Through the instant RTI the Appellant has sought information from the PIO as enumerated in his/her RTI. He filed first appeal in the O/o the FAA (hereinafter called as First Appellate Authority) on 16.07.2021 and he filed second appeal in the Commission on 12.08.2021 under Section 19 of the RTI Act 2005 (hereinafter called as Right to Information Act). Notice of hearing to the parties was issued for 02.11.2021.

2. The Appellant states that the sought for information has not been furnished by the respondents till date.
3. The Respondent states that suitable reply has been sent to the appellant vide their letter 3361/S-1/338/21/RTI Cell dated 29.06.2021.
4. Examining the instant RTI of the appellant it reveals that it is in questionnaire form and the respondent-PIO has also stated in his above said letter that the appellant has sought the information in interrogation, reasons and cross examination form and hence, cannot be provided.
5. In view of the above, **the case is disposed of and closed.** Copies of order be sent to the parties.

Sd/-

Chandigarh  
02.11.2021

(Hem Inder Singh)  
State Information Commissioner

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## APPEAL CASE NO. 3643 OF 2021

Sh. Jagjit Singh, (9914248131)  
R/o Aman Nagar, Street No. 3,  
B/S Green Land Public School, Near Jalandhar Bypass,  
Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o Municipal Corporation,  
Amritsar.

**First Appellate Authority**  
O/o Commissioner,  
Municipal Corporation, Amritsar.

...Respondents

## HEARD Through CISCO WEBEX – VC/TELEPHONE

**PRESENT:** Sh. Jagjit Singh, the appellant  
Sh. Sat Pal Singh, Superintendent-cum-PIO, for respondents

### ORDER:

The RTI is dated 15.05.2021 whereof the Appellant has sought information from the PIO as enumerated in his/her RTI. He filed first appeal in the O/o the FAA (hereinafter called as First Appellate Authority) on 23.06.2021 and he filed second appeal in the Commission on 12.08.2021 under Section 19 of the RTI Act 2005 (hereinafter called as Right to Information Act). Notice of hearing to the parties was issued for 02.11.2021.

2. The appellant states that the demanded information has not been supplied by the respondents till date.

3. The PIO states that the appellant has suitably been informed vide their letter No.SG/46, dated 16.06.2021 and again vide letter No.RTI/SG/125-126, dated 22.09.2021 by registered post.

4. Examination of available record in the file of instant appeal reveals that the PIO has very clearly mentioned that sought for information has not been maintained separately in any "document form". Correspondence received in this regard from the PIO is taken on record.

5. In view of the above, **the case is disposed of and closed.** Copies of order be sent to the parties.

Sd/-

Chandigarh  
02.11.2021

(Hem Inder Singh)  
State Information Commissioner