



Sh. Rajinder Kumar, (9855581935)
H No 230, Street No 5, Tagore Nagar,
PO BastiGujan, Jalandhar.

.....Appellant/Complainant

Versus

Public Information Officer
O/o SDM, Dera Baba Nanak,
DisttGurdaspur.

.....Respondent

Complaint Case No.943 of 2020
(Cisco Webex Proceedings)

Present: Complainant: Absent
Respondent: Sh. Balwinder Singh (SDM) 7678161972

ORDER:

1. To be read in the continuity of the previous order dated 02.06.2021.
2. Respondent PIO, Sh. Balwinder Singh stated that the sought information has already been provided to the appellant.
3. Complainant, Sh. Rajinder Kumar is absent today without any intimation to the commission.
Number of calls were made to appellant (on 9855581935 around 12:00 noon today) so as to ask him whether he has received the said information or not and also to apprise him about the today's court proceedings, but he did not attended the Commission's telephone call (0172-2864112) and neither he turned up.

Observations and Decision

4. 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.

In 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).

5. 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.

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6. 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.
7. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority along with a copy of RTI application for their ready reference. The complaint case is disposed of accordingly, with the above observations.

Chandigarh
Dated: 03.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Palwinder Singh, (6005606236)

S/o Sh. Lal Singh,
Village Rurka, Ludhiana-141101.

.....Appellant/Complainant

Versus

Public Information Officer

O/o SHO, Police Station, Dakha,
Ludhiana.

.....Respondent

First Appellate Authority

O/o IGP, Ludhiana Range,
Ludhiana.

Appeal Case No. 834 of 2021
(Cisco Webex Proceedings)

RTI application filed on	:	16-10-2020
PIO replied on	:	-
First appeal filed on	:	20-11-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Palwinder Singh
Respondent: ASI. Narinder Kumar (9872200501)

ORDER:

1. To be read in the continuity of previous order dated 05.07.2021 vide which **the respondent PIO was issued a SHOW CAUSE notice.**
2. Respondent, ASI. Narinder Kumar pleaded that the sought information has been supplied to the appellant dated 23.05.2021 and he is satisfied with the same. An email pertaining to the same is sent by respondent PIO dated 21.07.2021 wherein an acknowledgement letter is attached, duly signed by the appellant Sh. Palwinder Singh dated 23.05.2021. Respondent, ASI. Narinder Kumar further added that if any other information pertaining to the RTI application is required then appellant visit the office.
3. Appellant, Sh. Palwinder Singh stated he has not received the information pertaining to the application no. UID 430 dated 24.06.2021. An email dated 02.08.2021 from the appellant is received wherein the aforesaid is mentioned. 02.08.2021 from the appellant is received wherein the aforesaid is mentioned.
4. After hearing both the parties and perusing records placed in the case file, the Commission finds that the appellant **has deliberately tried to mislead this Court by giving contradictory submissions. Moreover, the respondent PIO is directed to file a separate reply/information pertaining to application no. UID 430 dated 24.06.2020 to the appellant within 15 days of receipt of this order with a copy to the commission. Falling to which penal action u/s 20 of RTI act 2005 will be invoked.**

Appeal Case No. 834 of 2021
(Cisco Webex Proceedings)

5. NOTE for Respondent:

The show cause proceedings stand dropped.

The Respondent is however, cautioned to exercise due care in future to ensure that correct and complete information is furnished timely to the RTI applicant(s) as per provisions of the Act failing which penal proceedings under section 20 shall be initiated.

6. NOTE for appellant :

It is settled law that a person who approaches the court must come with clean hands and put forward all the material facts otherwise he shall be **guilty of misleading the court and his application or petition may be dismissed at the threshold.** If an applicant makes **false statement** and **suppresses material facts** or attempts to mislead the court, the court may dismiss action on that ground alone. The applicant cannot be allowed to play 'hide and seek' or to 'pick and choose' the facts he likes to disclose

The case is disposed of with above observations and directions.

Chandigarh
Dated: 03.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb



Sh. Roop Chand, (9815235939)

S/o Sh. Jagan Nath, Village Musapur,
PO Narpur Bedi, Tehsil Sri Anandpur Sahib,
Distt Roopnagar-140117.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Block Development and Panchayat Officer,
Block Narpur Bedi, Tehsil Sri Anandpur Sahib,
Distt Roopnagar.

.....Respondent

First Appellate Authority

O/o Block Development and Panchayat Officer,
Block Narpur Bedi, Tehsil Sri Anandpur Sahib,
Distt Roopnagar.

Appeal Case No.446 of 2021
(Cisco Webex Proceedings)

Present: None

ORDER: (Third Hearing today)

1. To be read in the continuity of the previous order dated 12.04.2021 and 02.06.2021 vide which he is advised to point out deficiencies, if any, to the respondent-Public Information Officer with a copy to the Commission failing which the ex-parte decision will be taken on the next date of hearing. Accordingly the case is fixed for today.
2. The appellant remained absent during the three hearings consecutively i.e. 12.04.2021, 02.06.2021 and 03.08.2021.
3. Accordingly, the Commission observes/assumes that he is satisfied with the information/response filed by the respondent-Public Information Officer so no further action is required to be taken in this case. Hence, the case is disposed of and closed. However, the liberty is granted to the appellant to approach the Commission within 10 days from the issue of this order in case of any further submissions.

Chandigarh
Dated: 03.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Jaipal Singh, (9646356948)

S/o Sh. Nihala Singh, R/o Plot No 22,
Gali No 2, Inder Vihar Colony, Near Balaji Mandir,
Noorwal Road, Ludhiana.

.....Appellant/Complainant

Versus

Public Information Officer

O/o SHO, Police Station Basti,
Ludhiana.

.....Respondent

First Appellate Authority

O/o SHO, Police Station Basti,
Ludhiana.

Appeal Case No.462 of 2021
(Cisco Webex Proceedings)

Present: None

ORDER:

1. To be read in the continuity of the previous order dated 12.04.2021 and 02.06.2021.
2. Both the parties remained **absent, without any intimation for the third time in succession.**

Moreover, When appellant Sh. Jaipal Singh was asked by the undersigned bench through telephone call, then he acknowledged the receiving of requisite information from Police Station Basti, Ludhiana.

3. In the light of above, as the information stands supplied therefore, no cause of action is required in this case. Hence, the instant appeal case is **disposed & closed.**

However, the liberty is granted to the appellant to approach the Commission within 10 days from the issue of this order in case of any further submissions.

Chandigarh
Dated: 03.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Ramesh Kumar, (7015576550)

S/o Sh. Sukhdev Singh,
Village Bhulan, Tehsil Moonak,
Distt Sangrur.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Block Development and Panchayat Officer,
Anandana at Munak, Distt Sangrur.

.....Respondent

First Appellate Authority

O/o District Development and Panchayat Officer,
Sangrur.

Appeal Case No.451 of 2021
(Cisco Webex Proceedings)

Present: None

ORDER:

1. To be read in the continuity of the previous order dated 02.06.2021.
2. **Written Submissions by Respondent:** A letter dated 15.07.2021 vide diary no. 15582 is received in the Commission vide which the respondent authority has mention that the requisite information has been supplied to the appellant through registered post dated 05.07.2021 vide letter reference no. 366. This letter is taken on record with all supporting enclosures.
3. **Written Submission by Appellant:** An email dated 13.07.2021 is received by the bench of undersigned vide which the appellant Sh. Ramesh Kumar has acknowledged that that the sought information has been provided to him and is satisfied with the same. This email is taken on record.

As the information stands supplied therefore, no cause of action is required in this case.

Hence, the instant appeal case is **disposed & closed**

Chandigarh
Dated: 03.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Ramesh Kumar, (7015576550)

S/o Sh. Sukhdev Singh,
Village Bhulan, Tehsil Moonak,
Distt Sangrur.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Block Development and Panchayat Officer,
Anandana at Munak, Distt Sangrur.

.....Respondent

First Appellate Authority

O/o District Development and Panchayat Officer,
Sangrur.

Appeal Case No. 453 of 2021
(Cisco Webex Proceedings)

Present: None

ORDER:

1. To be read in the continuity of the previous order dated 02.06.2021.
2. **Written Submissions by Respondent:** A letter dated 15.07.2021 vide diary no. 15587 is received in the Commission vide which the respondent authority has mention that the requisite information has been supplied to the appellant through registered post dated 05.07.2021 vide letter reference no. 368. This letter is taken on record with all supporting enclosures.
3. **Written Submission by Appellant:** An email dated 13.07.2021 is received by the bench of undersigned vide which the appellant Sh. Ramesh Kumar has acknowledged that that the sought information has been provided to him and is satisfied with the same. This email is taken on record.

As the information stands supplied therefore, no cause of action is required in this case.

Hence, the instant appeal case is **disposed & closed**

Chandigarh
Dated: 03.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Ramesh Kumar, (7015576550)

S/o Sh. Sukhdev Singh,
Village Bhulan, Tehsil Moonak,
Distt Sangrur.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Block Development and Panchayat Officer,
Anandana at Munak, Distt Sangrur.

.....Respondent

First Appellate Authority

O/o District Development and Panchayat Officer,
Sangrur.

Appeal Case No. 454 of 2021
(Cisco Webex Proceedings)

Present: None

ORDER:

1. To be read in the continuity of the previous order dated 02.06.2021.
2. **Written Submissions by Respondent:** A letter dated 15.07.2021 vide diary no. 15587 is received in the Commission vide which the respondent authority has mention that the requisite information has been supplied to the appellant through registered post dated 02.07.2021 vide letter reference no. 361. This letter is taken on record with all supporting enclosures.
3. **Written Submission by Appellant:** An email dated 13.07.2021 is received by the bench of undersigned vide which the appellant Sh. Ramesh Kumar has acknowledged that that the sought information has been provided to him and is satisfied with the same. This email is taken on record.

As the information stands supplied therefore, no cause of action is required in this case.

Hence, the instant appeal case is **disposed & closed**

Chandigarh
Dated: 03.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Amritpal Singh alias A.S. Shant, (9056210081)

S/o Sh. Narinder Pal Singh,
7222/ A, Street No 3, Guru Teg Bahadur Nagar,
Opposite Bullet Motorcycle Agency,
Bathinda Road, Sri Muktsar Sahib.

.....Appellant/Complainant

Versus

Public Information Officer

O/o XEN,
Water Supply and Sanitation Department,
Sri Muktsar Sahib.

.....Respondent

Complaint Case No.90 of 2021
(Cisco Webex Proceedings)

Present: Complainant: Absent
Respondent: Sh. Jagmohan Singh (SDO) (9517300012)

ORDER:

1. To be read in the continuity of the previous order dated 02.06.2021 vide which **the respondent PIO was issued a SHOW CAUSE notice.**
2. The respondent that the sought information has already been provided to the appellant through registered post dated 16.06.2021. An email in this regard from the respondent dated 16.06.2021 is received by the undersigned bench.
3. Complainant, is absent without any intimation to the Commission.

Observations and Decision

4. 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.

In 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).

5. 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.

Complaint Case No.90 of 2021

(Cisco Webex Proceedings)

6. 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.
7. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority along with a copy of RTI application for their ready reference. The complaint is **disposed of accordingly**, with the above observations.

NOTE: The show cause proceedings stand dropped.

The Respondent is however, cautioned to exercise due care in future to ensure that correct and complete information is furnished timely to the RTI applicant(s) as per provisions of the Act failing which penal proceedings under section 20 shall be initiated.

Chandigarh
Dated: 03.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.