

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



APPEAL CASE NO. 0281 OF 2021

Advocate Ravinder Singh, (9317561575)
House No. 16, Shaheed Nagar,
Chhehartta, Amritsar.

...Appellant

Versus

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

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

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Advocate Ravinder Singh, Appellant.
Ms. Madhvi, Building Inspector, on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 03.08.2021.

2. The respondent orally says that reply / information has already been supplied to the appellant on 06.10.2021.

3. The Appellant orally admits the receipt of aforesaid reply / information from the Respondents but he is not satisfied with the same.

4. Examination of record in the case file reveals that respondent-PIO had sent reply to appellant on 06.10.2021 stating as under :-

“In the reference to above mention subject, it is informed you that no such information exist and available in any material form in office of undersigned. N Hence, no information on this issue can be provided to you”.

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

Chandigarh
05.10.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

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COMPLAINT CASE NO. 0691 OF 2021

Sh. Chander Shekhar , (9779352786)
S/o late Sh. Madan Lal
VPO Bariya Kalan, The. Garhshankar,
District Hoshiarpur (Punjab)

...Complainant

Versus

Public Information Officer,
O/o The Principal,
Government College,
Hoshiarpur (Punjab)

...Respondent

HEARD THROUGH VC/CISCO WEBEX/TELEPHONE

Present Sh. Chander Shekhar, the Complainant.
Sh. Niranjana Singh, Junior Assistant (9872054609) for the respondents.

ORDER

This order may be read reiterates says that the complainant has already suitably been replied vide their letter No.1120, dated 07.06.2021.

3. The complainant admits the receipt of above said reply from the respondents but he is not satisfied with the same.

4. The examination of the case file transpires that the complainant has already suitably been replied vide their letter No.1120, dated 07.06.2021 which reads as under :-

"It is to inform you regarding your demanded information that a committee has been constituted to prepare a joint seniority of Group-D employees of the college. The recommendation/result of the committee is still awaited".

5. 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.

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-02-

Complaint Case No. 0691 of 2021

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.

5. 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.

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 02nd appeal before the Commission under Section 19(3) of the RTI Act.

7. 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
05.10-2021

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

Copy is forwarded alongwith copy of RTI by **REGD Post** to :-

First Appellate Authority
O/o The DPI(Colleges)
Vidya Bhawan, Sector 68,
Mohali

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COMPLAINT CASE NO. 0833 OF 2021

Sh. Bitu s/o Sh. Om Kumar, (9872455496)

Village Bholapur, PO : Sahibana,

Chandigarh Road, Distt. Ludhiana

...Appellant

Versus

Public Information Officer,

O/o The Director,

Punjab Vigilance Bureau, Sector 68,

Mohali.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Ms. Sukhwinder Kaur for the Complainant

Inspector Amandeep Kaur on behalf of the Respondents.

ORDER:

The RTI dated 01-05-2021 whereof the information seeker has sought the information from the PIO. He filed his complaint in the Commission under section 18 of the RTI Act 2005 (hereinafter called as Right to Information Act).

2. The representative of the complainant states that information has not been provided by the Respondents till date. She has further requested to remand back the instant case.

3. The respondent states that reply / information has been supplied to the complainant on 23.09.2021.

4. 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.

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-02-

Complaint Case No. 0833 of 2021

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.

5. 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.

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 02nd appeal before the Commission under Section 19(3) of the RTI Act.

7. 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
05.10-2021

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

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

First Appellate Authority
O/o The Director,
Vigilance Bureau Punjab,
Vigilance Bhawan, Sector 68,
Mohali.

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COMPLAINT CASE NO. 0836 OF 2021

Sh. Bitu s/o Sh. Om Kumar, (9872455496)

Village Bholapur, PO : Sahibana,

Chandigarh Road, Distt. Ludhiana

...Appellant

Versus

Public Information Officer,

O/o The SSP,

Punjab Vigilance Bureau,

Ludhiana

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Ms. Sukhwinder Kaur for the Complainant
ASI Paramjit Singh on behalf of the Respondents.

ORDER:

The RTI dated 01-05-2021 whereof the information seeker has sought the information from the PIO. He filed his complaint in the Commission under section 18 of the RTI Act 2005 (hereinafter called as Right to Information Act) on 28.06.2021.

2. The representative of the complainant states that information has not been provided by the Respondents till date. She has further requested to remand back the instant case.

3. The respondent states that reply / information has been supplied to the complainant vide their letter No.4737/RTI dated 16.08.2021.

4. 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.

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-02-

Complaint Case No. 0836 of 2021

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.

5. 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.

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 02nd appeal before the Commission under Section 19(3) of the RTI Act.

7. 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
05.10-2021

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

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

First Appellate Authority
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Vigilance Bureau Punjab,
Vigilance Bhawan, Sector 68,
Mohali.

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APPEAL CASE NO. 2768 OF 2020

Sh. Kulwant Singh, (9814825175)
S/o Sh. Mahinder Singh,
Sukh Niwas, Kothi No. 175,
PUDA Colony, Urban Estate,
Batala Road, Gurdaspur-143521

...Appellant

Versus

Public Information Officer,
O/o The Secretary,
Education (Schools), Punjab,
Education -4, Vidhya Bhawan,
PSEB Complex, Phase-VIII,
S.A.S. Nagar (Mohali).

First Appellate Authority

O/o The Secretary,
Education (Schools), Punjab,
Education -4, Vidhya Bhawan,
PSEB Complex, Phase-VIII,
S.A.S. Nagar (Mohali).

...Respondents

HEARD THROUGH CISCO WEBEX/VC/TELEPHONE

PRESENT Sh. Kulwant Singh, the appellant.
Ms. Bimla Mann, Superintendent-cum-PIO, Smt. Kiran Kumari, SA, on behalf of
the respondents

ORDE

This order may be read with reference to the previous order dated 15-09-2021.

2. The appellant orally reiterates his earlier version that information supplied is incomplete and incorrect and he further states that affidavit from the PIO has not been received till date.

3. The respondent-PIO states that affidavit to be provided to the appellant alongwith reply of show cause notice has been sent to the Commission 01.10.2021.

4. The perusal of the case file reveals that affidavit and reply of the show cause notice by the PIO is received in the Commission. It is ordered that original affidavit be sent to the appellant with this order and copy of the same be retained in the case file for record. Considering the reply of show cause notice given by the PIO, the same stands dropped.

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-02-

APPEAL CASE NO. 2768 OF 2020

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

Chandigarh
30-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner