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Sh Parveen Kohli, S/o Sh Savdesh Kohli,

R/o H No. 451/2, College Road, Jagraon,

Ludhiana . Complainant.

Versus

**Public Information Officer,**

O/o Sub Divisional Magistrate,

Jagraon, Ludhiana.

**First Appellate Authority**

Deputy Commissioner,

Ludhiana.

. ...Respondent

**Public Information Officer**

o/o Tehsildar, Jagraon

**Complaint Case No. 528 of 2017**

**Present :** (i) None is present on behalf of the complainant

(ii) For the respondent : Sh. Surinder, Jr. Assistant

**ORDER**

This order may be read with reference to the previous order dated 25.07.2017.

2. The complainant is absent today. A letter has been received from the complainant mentioning therein that he is unable to attend today's hearing. He further adds that no information has been given to him so far. He has sought another date.

3. Respondent states that complete information has been sent to the complainant.

4. On the request of the complainant, the case is adjourned on **03.10.2017 at 11.00 AM.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh Lakhvir Kumar, S/o Sh Jaspal Ram,

President Society Against Corruption and Crimes Branch,

Village Gandwa, Tehsil Phagwara, Distt Kapurthala. Appellant.

Versus

**Public Information Officer,**

O/o Executive Engineer,

Construction Division, PWD B&R,

Pathankot.

**First Appellate Authority**

O/o Superintendent Engineer,

Construction Circle, PWD B&R,

Pathankot.

. ...Respondent

**Appeal Case No. 1304 of 2017**

**Present :** None for the parties.

**ORDER**

This order may be read with reference to the previous order dated 25.07.2017 vide which the respondent was directed to provide the information to the appellant free of cost.

2. Today neither the respondent nor the appellant is present.

3. Last opportunity is given to both the parties to appear before the Commission and state their case. It is made clear that in case both the parties do not appear on the next date of hearing , appropriate order in their absence shall be passed.

4. To come up on **03.10.2017 at 11.00 AM**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh Bhupinder Singh,

H No.636, Part-3, Village Bahmnna,

Ravidass Basti, Distt Patiala.. . Appellant.

Versus

**Public Information Officer,**

O/o Executive Engineer,

Drainage Department,

Patiala..

**First Appellate Authority**

O/o Superintendent Engineer,

Drainage Department,

Patiala.. . ...Respondent

**Appeal Case No. 1431 of 2017**

**Present :** (i) None is present on behalf of the appellant.

(ii) For the respondent :Sh. Nimal Singh, SDO-cum-APIO

**ORDER**

This order may be read with reference to the previous order dated 25.07.2017 vide which the respondent was directed to submit point-wise reply to the RTI application of the appellant on affidavit.

2. The appellant is absent today.

3. Respondent states that complete information has been sent to the appellant . He has also filed an affidavit .

4. Copy of the affidavit be sent to the appellant alongwith the orders. The appellant is absent today. He has not informed the Commission about his absence. Moreover ,the respondent has provided complete information to the appellant. He has also filed an affidavit. No cause of action is left. The appeal filed by the appellant is, therefore, **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh. Amarjit Singh, s/o Sh. Gurdit Singh

# 36, The Mall, Ambala Cantt

Appellant.

Versus

**Public Information Officer,**

O/o Tehsildar (East)

Deputy Commissioner office

Ludhiana

**First Appellate Authority**

O/o Deputy Commissioner,

Bharat Nagar Chowk

Ludhiana

...Respondent

**Appeal Case No. 1074 of 2017**

**Present :** (i) None is present on behalf of the appellant

(ii) For the respondent : Sh.Lalit Sharma, Jr. Assistant

**ORDER**

This order may be read with reference to the previous order dated 24.07.2017 vide which the appellant was advised to send written deficiencies to the appellant within seven days.

2. The appellant is absent today.

3. Respondent states that no deficiencies have been pointed out by the appellant so far. Respondent has also given in writing that there is no other information which is pending in the office record of the respondent and there is nothing left to be furnished to him.

4. **Copy of the same be sent to the appellant alongwith the orders**. Since, complete information has been sent to the appellant, no cause of action is left. The appeal filed by the appellant is, therefore, **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh. Jagjit Lal, S/o Sh. Harbans Lal,

President Punjab Development Association

Village Kultham, Tehsil Banga,

District Nawanshahr

Appellant.

Versus

**Public Information Officer,**

O/o Executive Engineer

Provisional Division, PWD B&R,

Sangrur

**First Appellate Authority**

O/o Superintending Engineer

PWD B&R, Sangrur

...Respondent

**Appeal Case No. 15 of 2017**

Present : (i) None is present on behalf of the appellant

(ii) For the respondent :Sh. Jaspal Singh , Asstt. Engineer

**ORDER**

This order may be read with reference to the previous order dated 24.07.2017, vide which neither the respondent nor the appellant was present.

2. The appellant is again absent today. He has informed on phone that he is unable to attend today's hearing.

3. Respondent states that complete information has been provided to the appellant. He has submitted a photocopy of the letter showing acknowledgment by the representative of the appellant- Sh.Gurpreet Singh (who had attended the hearing on 28.06.2017 in the Commission). The same is taken on record.

4. Since, the information has been provided to the appellant, no cause of action is left. The appeal filed by the appellant is, therefore, **disposed of and closed.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh Tejinder Singh,

R/o Village Bholapur, P.O Ramgarh,

Chandigarh Road, Ludhiana . Appellant.

Versus

**Public Information Officer,**

O/o Municipal Corporation,

Moga

**First Appellate Authority**

O/o Corporation Engineer,

Municipal Corporation,

Moga. . ...Respondent

**Appeal Case No. 1408 of 2017**

**Present :** (i) Sh. Tejinder Singh the appellant

(ii) For the respondent :Sh. Rahul, Building Inspector

**ORDER**

This order may be read with reference to the pervious order dated 25.07.2017 vide which the appellant was advised to inspect the record in the office of the respondent

2. Today the appellant states that he has inspected the record, but incomplete information has been sent by the respondent.

3. Since, the appellant is not satisfied with the information provided, therefore he is again directed to visit the office of respondent on 08.09.2017 at 11.00 AM , inspect the relevant records, and obtain the information. Respondent is directed to provide the copy of the same to the appellant.

4.To come up on **30.10.2017 at 11.00 AM.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh Lakhvir Kumar, S/o Sh Jaspal Ram,

President Society Against Corruption and Crimes Branch,

Village Gandwa, Tehsil Phagwara, Distt Kapurthala. Appellant.

Versus

**Public Information Officer,**

O/o Executive Engineer,

Construction Division-2, PWD B&R,

Fatehgarh Sahib.

**First Appellate Authority**

O/o Superintendent Engineer,

Construction Circle-2, PWD B&R,

Patiala. . ...Respondent

**Appeal Case No. 1306 of 2017**

Present None for the parties.

**ORDER**

This order may be read with reference to the previous order dated 25.07.2017 vide which the appellant was absent and he was advised to deposit the documentation fee.

2. Today again the appellant is not present. He has not even informed the Commission about his absence for today's hearing.

3. Respondent is also absent today.

4. In the aforementioned circumstances, I am of the considered view that no useful purpose would be served by prolonging this matter any further. The appellant is advised to obtain the information on payment of requisite fee. Respondent is directed to provide all the documents to the appellant on receipt of the requisite fee. No further action is required. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent tot he parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh Tejinder Singh,

R/o Village Bholapur, P.O Ramgarh,

Chandigarh Road, Ludhiana . Appellant.

Versus

**Public Information Officer,**

O/o Incharge, R.R.A Branch,

D.C Office, Ludhiana.

**First Appellate Authority**

O/o Additional Deputy Commissioner (General),

Ludhiana.

. . ...Respondent

**Appeal Case No. 1407 of 2017**

Present : (i) Sh. Tejinder Singh the appellant

(ii) For the respondent : Sh. Gagandeep Singh, Clerk, Sh. Keemti,Clerk, Sh.Santosh Kumar Bains, SDE-cum-PIO

**ORDER**

This order may be read with reference to the pervious order dated 25.07.2017.

2. Respondents states that they have brought complete information today in the Commission, which is handed over to the appellant.

3. The appellant has gone through the same and expressed his satisfaction over the same and states that he has no objection if the case is disposed of accordingly.

4. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is, therefore, **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh Amandeep Pathak,

H No.553, Ward No,3, Shahid Udham Singh Nagar,

Malout. . Complainant.

Versus

**Public Information Officer,**

O/o Executive Engineer,

Central Works Circle, PWD B&R,

Abohar. . ...Respondent

**Complaint Case No. 533 of 2017**

Present : (i) Sh. Amandeep Pathak the complainant

(ii) For the respondent :Sh. Satwant Kumar Narula, SDE-cum-APIO

**ORDER**

Sh. Amandeep Pathak- the complainant states that he has received the information and is satisfied.

2.In view of the foregoing, no cause of action is left. The complaint filed by the Complainant is, therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh Lakhvir Kumar, S/o Sh Jaspal Ram,

President Society Against Corruption and Crimes Branch,

Village Gandwa, Tehsil Phagwara, Distt Kapurthala. Appellant.

Versus

**Public Information Officer,**

O/o Executive Engineer,

Central Works Division, PWD B&R,

Hoshiarpur.

**First Appellate Authority**

O/o Superintendent Engineer,

Central Works Division, PWD B&R,

Amritsar.

. ...Respondent

**Appeal Case No. 1303 of 2017**

**Present :** (i) None is present on behalf of the appellant

(ii) For the respondent :Sh.Jeewan Lal, Clerk

**ORDER**

This order may be read with reference to the previous order dated 25.07.2017 vide which the appellant was absent and the respondent was directed to send the information to the appellant.

2. The appellant is again absent today. He has not informed the Commission about his absence for today's hearing.

3. Respondent states that the information has been sent to the appellant through registered post. No contrary has been heard from the appellant so far. It is therefore presumed that he is satisfied with the information sent by the respondent.

4. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is, therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh Parveen Kohli, S/o Sh Savdesh Kohli,

R/o H No. 451/2, College Road, Jagraon,

Ludhiana . Complainant.

Versus

**Public Information Officer,**

O/o Sub Divisional Magistrate,

Jagraon, Ludhiana.

**First Appellate Authority**

Deputy Commisisoner,

Ludhiana. . ...Respondent

**Complaint Case No. 529 of 2017**

**Present :** (i) None is present on behalf of the complainant

(ii) For the respondent : Sh. Surinder, Jr. Assistant

**ORDER**

This order may be read with reference to the previous order dated 25.07.2017.

2. The complainant is absent today. A letter has been received from the complainant mentioning therein that he is unable to attend today's hearing. He further adds that no information has been given to him so far. He has sought another date.

3. Respondent states that complete information has been sent to the complainant.

4. On the request of the complainant, the case is adjourned on **03.10.2017 at 11.00 AM.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh Sanjeev Goyal, S/o Sh Ashok Kumar,

H No.148,MCB Zone-2, New H No.00110, Model Town,

Phase-1, Near T.U Tower,

Bathinda . Complainant.

Versus

**Public Information Officer,**

O/o Commissioner,

Municipal Corporation, Bathinda. ...Respondent

**Complaint Case No. 518 of 2017**

Present : (i) Sh. Madan Lal on behalf of the complainant

(ii) For the respondent : Sh.Som Dutt, APIO

**ORDER**

This order may be read with reference to the previous order dated 25.07.2017

2. Complainant has authorized Sh. Madan Lal to appear on his behalf. Respondent states that he has personally brought the information pertaining to point no. 5 today in the Commission, which is handed over to the representative of the complainant. He has gone through the same and states that he is satisfied with the information provided.

3. In view of the foregoing, no cause of action is left. The complaint filed by the Complainant is, therefore **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Sh Sanjeev Goyal, S/o Sh Ashok Kumar,

H No.148,MCB Zone-2, New H No.00110, Model Town,

Phase-1, Near T.U Tower,

Bathinda . Complainant.

Versus

**Public Information Officer,**

O/o Commissioner,

Municipal Corporation, Bathinda.

Remanded back to

First Appellate Authority-cum-Commissioner

Municipal Corporation,

Bathinda ...Respondent

**Complaint Case No. 517 of 2017**

Present : (i) Sh. Madan Lal on behalf of the complainant

(ii) For the respondent : Sh.Som Dutt, APIO

**ORDER**

This order may be read with reference to the previous order dated 25.07.2017

2. Complainant has authorized Sh. Madan Lal to appear on his behalf. Sh. Madan Lal Goyal states that he has received information only pertaining to point nos. 1 and 2.

3. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No. 32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, 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 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).

As such, since 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.

4. 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

***Complaint Case No. 517 of 2017***

the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse about the provided information, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act,2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

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 Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

6.In view of the observations noted above, the instant case is **disposed of and closed .** Copies of this decision be sent to the parties ***through registered post.***

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**

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Ms. Jagjeet Kaur,

R/o 836, MIG PHB Colony, Jamalpur,

Ludhiana. . Complainant.

Versus

**Public Information Officer,**

O/o Deputy Commissioner,

Ludhiana. . ...Respondent

**Complaint Case No. 493 of 2017**

**Present :** (i) Sh. Tejinder Singh on behalf of the complainant

(ii) None is present on behalf of the respondent

**ORDER**

This order may be read with reference to the previous order dated 25.07.2017 vide which the respondent was absent.

2. Sh. Tejinder Singh , representative of the complainant states that no information has been given to the complainant so far.

3. Respondent is again absent today.

4. Last opportunity is given to the respondent to appear before the Commission failing which action under Section 20 (1) of the RTI Act 2005 will be initiated. He is also directed to provide complete information to the complainant before the next date of hearing.

5. To come up on **30.10.2017 at 11.00 AM.** Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh (Preety Chawla)**

**Dated: 05.09.2017 State Information Commissioner**