

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864113, Helpline No. 0172-2864100
Email: - psic22@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Nirpal Singh (9417061740)

S/o Sh. Amar Singh
VPO Jalaldiwal, Tehsil Raikot,
District Ludhiana-141109

Appellant

Versus

Public Information Officer

O/o BDPO, Raikot,
District Ludhiana

(Regd. Post) Smt. Rupinder Kaur (BDPO)
O/o BDPO, Raikot,
District Ludhiana

First Appellate Authority

O/o DDPO, Raikot,
District Ludhiana

Respondent

Appeal Case No.: 512 of 2021
Through CISCO WEBEX

Present: (i) Sh. Nirpal Singh, the appellant in person.
(ii) Nobody on behalf of the respondent.

Order

1. The RTI application is dated 19.10.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 26.11.2020 and second appeal was filed in the Commission on 19.01.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing on 06.04.2021 through CISCO WEBEX.
2. The appellant Sh. Nirpal Singh states that the requisite information has been received from the respondent PIO. He added that on 16th of March, 2021, partial information was supplied to him and rest of the information on 1.4.2021, but after the lapse of five months.
3. Neither respondent PIO is present for today's hearing nor did he file any reply in this regard, despite being aware of date of hearing. A call was made by the undersigned Bench to the respondent PIO, Smt. Rupinder Kaur (M-9417222843) on her mobile number for intimation of the next hearing date.
4. After hearing the appellant, it is observed that appellant filed RTI application on 19/10/2020 but information has been supplied to the appellant after the lapse of 05 months. The Right to Information act is intended to promote accountability and transparency in government by making the process of government decision making more open, which could be achieved only when the public have access to information. The enactment of Right to Information act 2005, people are now able to seek information from any government department with a definite time frame.

5. The respondent PIO, Smt. Rupinder Kaur is directed to file a reply to the Commission why there was a delay of 06 months to supply the information in this case within one week after receipt of this order. A copy of this order be sent to her by name through registered post for her ready reference. She is also directed to deal RTI applications in the stipulated time period as per RTI Act, 2005 in the near future so that objectives of the RTI Act, 2005 could be achieved and people
6. A strict warning is issued to the BDPO, Raikot, District Ludhiana for not providing any reply to the appellant within the timeline prescribed under the Act. The PIOs are warned to be careful with the timeline and refrain from delaying replies.
7. As the information stands supplied in this case and appellant is satisfied with the supplied information, therefore, no further course of action is required in this case. Hence, this case is **disposed of and closed.**

Dated: 06.04.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Harpal Singh (6283766149)
S/o Sh. Chanchal Singh
Village GarhiFazal, RP Mattewara,
Tehsil & District Ludhiana-141007

Complainant

Versus

Public Information Officer
O/o PSEB, Mohali

Respondent

Complaint Case No: 94 of 2021
Through CISCO WEBEX

Present: (i) Nobody on behalf of the complainant.
(ii) For the respondent: Sh. Rajinder Maini (SA) (9501012181).

Order

1. The RTI application is dated 15.12.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 08.01.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 06.04.2021 through CISCO Webex application.
2. Respondent, Sh. Rajinder Maini, SA states that reply relates with RTI application has already been supplied to the complainant. He added that the complainant had not filed first appeal before the First Appellate Authority and a reply in this regard has also been sent to the Commission through an email dated: 22.3.2021 (Received by the undersigned Bench and taken on record).
3. Neither the complainant is present in today's hearing nor did he file reply in this regard.
4. From perusal of the record as available on the file, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the complainant.
5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant case.

6. In view of the aforesaid, the instant matter is remanded back to the First Appellate Authority, i.e. PSEB, Mohali. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.
7. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

Dated: 06.04.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

Remanded back to

First Appellate Authority,
O/o PSEB, Mohali.

Encl. RTI application.

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Sh. Sukhjot Singh (9914972550)

S/o Sh. Gurbachan Singh
Village Machhijoya, Tehsil SultanpurLodhi,
District Kapurthala

Complainant

Versus

Public Information Officer

O/o BDPO, SultanpurLodhi,
District Kapurthala

Respondent

Complaint Case No.: 64 of 2021
Through CISCO WEBEX

Present:

- (i) Sh. Sukhjot Singh, the complainant in person.
(ii) For the respondent: Sh. Gurpartap Singh Gill (BDPO) (9815211612).

Order

1. The RTI application is dated 09.07.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 05.01.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 06.04.2021 through CISCO Webex application.
2. The complainant is present in today's hearing states that the requisite information is still pending.
3. Respondent, Sh. Gurpartap Singh Gill, BDPO states that reply relates with RTI application has already been supplied to the complainant. He added that the complainant had not filed first appeal before the First Appellate Authority.
4. From perusal of the record as available on the file, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the complainant.
5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant case.

6. In view of the aforesaid, the instant matter is remanded back to the First Appellate Authority, i.e. DDPO, Kapurthala. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.
7. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

Dated: 06.04.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

Remanded back to

First Appellate Authority,
O/o DDPO, Kapurthala

Encl. RTI application.

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Sh. Sukhjot Singh (9914972550)

S/o Sh. Gurbachan Singh
Village Machhijoya, Tehsil Sultanpur Lodhi,
District Kapurthala

Complainant

Versus

Public Information Officer

O/o BDPO, Sultanpur Lodhi,
District Kapurthala

Respondent

Complaint Case No.: 69 of 2021
Through CISCO WEBEX

Present:

- (i) Sh. Sukhjot Singh, the complainant in person.
(ii) For the respondent: Sh. Gurpartap Singh Gill (BDPO) (9815211612).

Order

1. The RTI application is dated 09.07.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 05.01.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 06.04.2021 through CISCO Webex application.
2. The complainant is present in today's hearing states that the requisite information is still pending.
3. Respondent, Sh. Gurpartap Singh Gill, BDPO states that reply relates with RTI application has already been supplied to the complainant. He added that the complainant had not filed first appeal before the First Appellate Authority.
4. From perusal of the record as available on the file, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the complainant.
5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant case.

Complaint Case No.:69 of 2021
Through CISCO WEBEX

6. In view of the aforesaid, the instant matter is remanded back to the First Appellate Authority, i.e. DDPO, Kapurthala. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.
7. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

Dated: 06.04.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

Remanded back to

**First Appellate Authority,
O/o DDPO, Kapurthala**

Encl. RTI application.

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Sh. Sukhjit Singh (9855365515)

S/o Sh. Gurdial Singh
R/o Village JagdevKhurd,
Tehsil Ajnala, District Amritsar

Complainant

Versus

Public Information Officer

O/o Mining Officer, Amritsar

Respondent

Complaint Case No.: 66 of 2021
Through CISCO WEBEX

Present: (i) Sh. Sukhjit Singh, the complainant in person.
(ii) Nobody on behalf of the respondent.

Order

1. The RTI application is dated 22.10.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 04.12.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 06.04.2021 through CISCO Webex application.
2. The complainant is present in the Commission for today's hearing states that the requisite information is still pending.
3. Neither respondent PIO is present for today's hearing nor did he file any reply in this regard.
4. From perusal of the record as available on the file, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the complainant.
5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant case.

6. In view of the aforesaid, the instant matter is remanded back to the First Appellate Authority, i.e. The Director, Mining, Sector-17, Chandigarh. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.
7. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

Dated: 06.04.2021

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

Remanded back to

**First Appellate Authority,
O/o The Director, Mining
Sector-17, Chandigarh**

Encl. RTI application.