

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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

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APPEAL CASE NO. 0445 OF 2020

Sh. Sukhdev Singh, (9416117121)
S/o Sh. Chinder Singh,
C/o Sh. Mukesh Sharma,
President, RTI Activist,
Dabwali Mandi, Distt. Sirsa.

...Appellant

Versus

Public Information Officer,
O/o Inspector General of Police,
Bathinda Zone, Bathinda.

First Appellate Authority
O/o Inspector General of Police,
Bathinda Zone, Bathinda.

...Respondents

HEARD THROUGH CISCO WEBEX

Present : None on behalf of the appellant.
Shri Gurmel Singh, SP(HQ), Sri Muktsar Sahib, on behalf of the Respondents.

ORDER:

This case may be read with reference to the previous order dated 13.08.2020.

2. Shri Gurmel Singh, SP(HQ), Sri Muktsar Sahib, appears and states that the demanded information containing 139 pages regarding Inquiry No.6841-45-B dated 04.08.2015 has already been supplied to the appellant.

3. The appellant is absent today. He is contacted over his mobile who assertively states that he has received the demanded information. He also shows his willingness to close the case.

4. In view of the above, no more action by the Commission is called for in this appeal case **and hence the case is disposed of and closed.** Copies of order be sent to parties.

Chandigarh
06.10.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

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COMPLAINT CASE NO.0245 OF 2020

Shri Tarun, (9780362953)
H. No. 33159, Street No.1,
Partap Nagar, BATHINDA-151 005.

...Complainant

Versus

Public Information Officer,
O/o Secretary,
Punjab School Education Board,
Phase 8, SAS Nagar(Mohali).

...Respondents

HEARD THROUGH CISCO WEBEX

Present : Shri Tarun, the Complainant
Smt. Jagdip Kaur, APIO, on behalf of the Respondents.

ORDER:

Shri Tarun has demanded following information from the PIO O/o The Secretary, Punjab School Education Board, Mohali, relating to SSD Mangat Ram Mittal Higher Secondary School, Sanguana Basti, Bathinda vide his application dated 16.09.2019 :-

1. Appointment orders and agreements of the staff working in this school from 01.01.2019 till date.
2. Copies of the applications moved by the school authorities to get the school affiliated with the PSEB for classes 10th, 11th and 12th..
3. Copies of orders by which affiliation was sanctioned to the above school by the PSEB.
4. Copies of staff statements from the year 1917-18, 1918-19 and 1919-1920.
5. Copies of pay bills from 01.01.2019 to 31.07.2019.
6. Copies of attendance register from 01.01.2019 to 31.07.2019.
7. List of teachers who were terminated during the period (a) 01.01.2019 to 31.07.2019 (b) Copies of their termination orders.
8. Copies of the affidavit dated 19.10.09 submitted by Pardeep Mangla s/o DD mangla secretary of SSD Mangat Ram Mittal SSS, Sanguana Basti, Bathinda.
9. Affidavit submitted by the Incharge Affiliation (for secretary) on 07.03.2007 in the Punjab & Haryana High Court regarding CWP-16228.

When he did not receive the same from the PIO, he filed first appeal before the FAA on 31.10.2019. When no information was supplied even filing appeal before the FAA, he filed second appeal before the Commission on 30.12.2019.

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COMPLAINT CASE NO.0245 OF 2020

2. The appellant states the supplied information is incomplete.
3. Ms. Jagdeep Kaur, APIO, states that the requisite information relating to point No.1 to 5 and 8 has been supplied to the appellant and information in case of point 9 is available on PSEB Website. The PIO has also emailed an affidavit duly attested by the Notary to the Commission stating therein that information of point No.6 and 7 of the RTI application is not available in their record.
3. The Respondent is directed to send the original affidavit to the appellant by registered post and copy of forwarding letter vide which original affidavit is sent to the appellant along with copy of Postal Receipt be sent to Commission for record.
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.
5. 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.
6. In view of the above, **the case is disposed of and closed.** Copies of order be sent to parties.

Chandigarh
06.10.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 0278 OF 2020

Sh. Rajinder Kumar (9888979250)
S/o Sh. Mehar Chand,
Ward No. 2, Supreme Enclave,
Near Vishavkarma Bhawan,
Link Road, Mansa-151505

...Appellant

Versus

Public Information Officer,
O/o Regional Deputy Director,
Local Government, Bathinda.

First Appellate Authority
O/o Regional Deputy Director,
Local Government, Bathinda.

...Respondents

HEARD THROUGH CISCO WEBEX

Present : Shri Rajinder Kumar, the appellant.
Shri Rajeev Kumar, Accounts Clerk, on behalf of the Respondents.

ORDER:

Shri Rajinder Kumar has demanded following information regarding the complaint made by Shri Anil Jolly, Councilor, Ward No.23, NC, Mansa, with regard to unauthorized colonies in the vicinity of NC Mansa, from the PIO O/o The Regional Deputy Director, Local Govt. Bathinda, vide his application dated 17.12.2018 :-

1. Copy of inquiry report.
2. Copy of complaint of Shri Anil Jolly, Councilor.
3. Copy of approval vide which inquiry team was made.

When he did not receive the same from the PIO, he filed first appeal before the FAA on 17.01.2019. When no information was supplied even filing appeal before the FAA, he filed second appeal before the Commission on 13.01.2020.

2. The appellant states the supplied information is incomplete.
3. Shri Rajeev Kaur, Accounts Clerk, states that the requisite information relating to point No.2 and 3 has been supplied to the appellant vide letter No.263 dated 22.01.2020 and in case of point 1, the information has been supplied vide their letter No.1521 dated 29.06.2020. He further states that copy of Joint Report received regarding this inquiry has also been sent to the appellant vide letter No.2320 dated

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-02-

APPEAL CASE NO. 0278 OF 2020

09.09.2020. He also states that he has emailed an affidavit from the Respondent-PIO duly attested by the Notary to the Commission stating therein that complete information asked for in the RTI application has been supplied to the appellant and no more information is available in their record.

4. The Respondent is directed to send the original affidavit to the appellant by registered post and copy of the forwarding letter vide which original affidavit is sent to the appellant along with copy of Postal Receipt be sent to Commission for record.

5. In view of the above, no more action by the Commission is called for in this appeal case and **hence the case is disposed of and closed**. Copies of order be sent to parties.

Chandigarh
06.10.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner