



Sh Satish Kumar,
Ward NO-10, Near Nehru Park,
Jaito, Distt Faridkot.

... Appellant

Versus

Public Information Officer,
O/o SHO, Jaito,
Distt Faridkot.

First Appellate Authority,
O/o SSP,
Faridkot.

...Respondent

Appeal Case No. 3997 of 2021

PRESENT: Sh.Satish Kumar as the Appellant
Ms.Sukhchain Kaur, SI for the Respondent

ORDER:

The appellant through an RTI application dated 17.06.2021 has sought information regarding copies of complaints filed by Harish Chander (Goyal Ayurvedic Store) alongwith documents attached with the complaint – a copy of enquiry report and statement of parties and other information as enumerated in the RTI application from the office of SHO Jaito. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 20.07.2021 which took no decision of the appeal. After filing the first appeal, the PIO sent a reply to the appellant vide letter dated 23.08.2021 to which the appellant was not satisfied and filed 2nd appeal in the Commission.

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant claims that the PIO has not supplied the information.

The respondent present pleaded that since the enquiry is pending, the information cannot be provided.

Having gone through the RTI application, the Commission observes that since the appellant has asked for copies of those complaints which were filed against the appellant himself, the PIO is directed to provide copies of all complaints which were filed against the appellant by Harish Chander. The information be provided within 10 days with a compliance report to the Commission.

With the above order, the case is **disposed of and closed.**

Chandigarh
Dated: 07.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Satish Kumar,
Ward No-10. Near Nehru Park,
Jaito, Distt Faridkot.

... Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Jaito, Distt Faridkot.

First Appellate authority,
O/o Deputy Commissioner.
Urban Development, Faridkot.

...Respondent

Appeal Case No. 4166 of 2021

PRESENT: Sh.Satish Kumar as the Appellant
Sh.Gurdas Singh PIO for the Respondent

ORDER:

The appellant through an RTI application dated 03.08.2021 has sought information on 10 points regarding balance funds available with the NC from 17.02.2021 onwards – funds received from Centre/state govt. – details of work done alongwith funds utilized – work plan – a resolution passed since the last 3 months – a copy of the logbook of vehicle used by the president and other information as enumerated in the RTI application from the office of EO-NC Jaito. The appellant was not provided with the information since the appellant did not deposit the requisite fee as raised by PIO vide letter dated 10.08.2021 after which the appellant filed the first appeal before the First Appellate Authority on 12.08.2021 which took no decision of the appeal.

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that since the appellant did not deposit the requisite fee which was raised vide letter dated 10.08.2021, the information was not provided.

Now the appellant has asked for information only on points 5 & 8.

The PIO is directed to raise the requisite fee for information relating to points 5 & 8 giving detail of pages as per the RTI Act and provide the information within 15 days once the fee is deposited by the appellant.

With the above order, the case is **disposed of and closed**.

Chandigarh
Dated: 07.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Satish Kumar,
Ward No-10. Near Nehru Park,
Jaito, Distt Faridkot.

... Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Jaito, Distt Faridkot.

First Appellate authority,
O/o Additional Deputy Commissioner.
Urban Development, Faridkot.

...Respondent

Appeal Case No. 4154 of 2021

PRESENT: Sh.Satish Kumar as the Appellant
Sh.Gurdas Singh, PIO for the Respondent

ORDER:

The appellant through an RTI application dated 12.07.2021 has sought information on 4 points regarding efforts made by Harish Chander Nagar Councilor for efficient working – efforts made to construct street on Bajakhana road and other information as enumerated in the RTI application from the office of EO-Nagar Council, Jaito. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 10.08.2021 which took no decision of the appeal.

The case has come up for hearing today through video conferencing at DAC Faridkot. The appellant claims that the PIO has not supplied the information.

As per the respondent, the information is not specific since the appellant in his RTI application has not mentioned the reference of any complaint etc.

Having gone through the RTI application, the Commission observes that the information sought on points 1 to 3 is vague and does not qualify as information under section 2 of the RTI act.

Regarding point-4, the PIO is directed to provide information if it exists in the record or give it in writing that no such complaint was ever received.

With the above order, the case is **disposed of and closed.**

Chandigarh
Dated: 07.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Karnail Singh S/o Sh Chhanga Singh,
H No-378, New Azad Nagar,
Ferozepur.

... Complainant

Versus

Public Information Officer,
O/o SSP,
Ferozepur.

...Respondent

Complaint Case No. 1156 of 2021

PRESENT: Sh.Karnail Singh as the Appellant
Sh.Sukhdev Singh, ASI for the Respondent

ORDER:

The complainant through an RTI application dated 02.12.2020 has sought information regarding the status of complaint No.2362 dated 25.06.2020 of Karnail Singh and complaint of Smt.Surinder Kaur No.3217 against Mahinder Singh SHO PS Mamdot alongwith the action taken - statement of witnesses and other information as enumerated in the RTI application. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 15.09.2021.

The case has come up for hearing today through video conferencing at DAC Ferozepur. As per the complainant, the PIO has not supplied the information.

As per the respondent, the RTI application was received on 04.12.2020 and since the enquiry was pending, the reply was sent to the complainant vide letter dated 31.12.2020. The Commission has also received a reply from the PIO on 04.03.2022 which has been taken on record.

Having gone through the record, the Commission observes that since this is a complainant case and the complainant has come to the Commission under the provision of Section 18 of the RTI Act, 2005 in which no directions for providing further information can be given by the Commission.

The Hon'ble Supreme Court of India in its Order dated 12.12.2011 in Civil Appeal Nos.10787-10788 of 2011 (arising out of SLP No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for access to the information.

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 speaking order.

If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he/she will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

Complaint Case No. 1156 of 2021

In view of the observations noted above, the instant case is remanded back to the concerned First Appellate Authority-cum-Dy. Inspector-General of Police, Ferozepur Range, Ferozepur with a copy of the RTI application for their ready reference and is also directed to call the complainant within 15 days of the receipt of the order, provide the information/reply pertaining to this RTI application.

With the above observation and order, the case is **disposed of and closed**.

Chandigarh
Dated: 07.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : First Appellate Authority-cum-
Dy. Inspector-General of Police,
Ferozepur Range, Ferozepur



Sh Jaspal Singh S/o Sh Mahinder Singh,
R/o New Bedi Colony, Phase-2,
Backside Bhagat Singh Colony,
Ferozepur.

... Appellant

Versus

Public Information Officer,
O/o Additional District Magistrate,
Ferozepur.

First Appellate Authority,
O/o District Magistrate,
Ferozepur.

...Respondent

Appeal Case No. 4245 of 2021

PRESENT: None for the Appellant
Sh.Nand Kishor RTI Clerk O/o DC Ferozepur for the Respondent

ORDER:

The appellant through an RTI application dated 21.05.2021 has sought information regarding action taken report on the complaints filed from 28.01.2021 to 21.05.2021 alongwith the statements of parties – departmental action against the erring officials as per the enquiry report and other information as enumerated in the RTI application from the office Additional District Magistrate, Ferozepur. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.07.2021 which took no decision of the appeal.

The case has come up for hearing today through video conferencing at DAC Ferozepur. The respondent present informed that the information has already been provided to the appellant vide letter dated 21.06.2021 and 21.02.2022. The respondent further informed that the appellant has neither filed any first appeal nor has communicated any discrepancies.

The appellant is absent nor has communicated any discrepancies. It appears that the appellant has received the information and is satisfied with the provided information.

No further course of action is required. The case is **disposed of and closed**.

Chandigarh
Dated: 07.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Puneet Sood, S/o sh Som Dev,
R/o Kothi No-125, Church Road,
Ferozepur Cantt.

... Appellant

Versus

Public Information Officer,
O/o SMO, C.H.C,
Mamdot, Distt Ferozepur.

First Appellate Authority,
O/o Civil Surgeon,
Ferozepur.

...Respondent

Appeal Case No. 4213 of 2021

PRESENT: Sh.Puneet Sood as the Appellant
Dr.Rekha Bhatti- PIO for the Respondent

ORDER:

The appellant through an RTI application dated 17.05.2021 has sought information on 05 points regarding copies of tour diaries from Jan 2020 to 08.10.2020 of Anju Setia – a copy of the order for deputing Anju Setia to look after covid patients – the reason for deputing her to look after covid patients in spite she being an Asthma patient and other information as enumerated in the RTI application from the office of SMO-CHC Mamdot. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 19.07.2021 which took no decision of the appeal.

The case has come up for hearing today through video conferencing at DAC Ferozepur. As per the appellant, the PIO has not supplied the complete information.

The respondent present pleaded that since the information is 3rd party information, it cannot be provided and the reply has been sent to the appellant.

Having gone through the RTI application and hearing both the parties, the following is concluded:

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|---------------|---|--|
| - Point-1 | - | PIO to provide information |
| - Point-2 | - | As per the respondent, the information is not available. The PIO to relook and provide information if available in the record. If not available on any record, to give in writing on an affidavit. |
| - Point-3 & 4 | - | Information sought is vague, hence not considered. |
| - Point-5 | - | if any guidelines are available, provide them. And if no such document exists, to give in writing on an affidavit. |

The information be provided within 15 days of the receipt of the order.

With the above order, the case is **disposed of and closed**.

Chandigarh
Dated: 07.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner