



Smt. Savinder Kaur, (9267079340)

W/o Late Sh. Mohinder Singh,
House No 640/3, Khalsa Mohalla,
Patiala-147001

.....Appellant/Complainant

Versus

Public Information Officer

O/o Improvement Trust,
Nawanshahr.

.....Respondent

Complaint Case No.1056 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 24-06-2021
PIO replied on : -

Present: Complainant: Sh. Paramjeet Jindal on behalf of Smt. Savinder Kaur
Respondent: Sh. Dev Raj (Sr. Asst.) 9417459252

ORDER:

1. The Complainant filed above mentioned complaint cases in the Commission dated 16.08.2021. Accordingly, the cases are fixed for today.
2. The complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, vide which no directions for providing further information can be given by the Commission. The Hon'ble Supreme Court of India in its Order rendered on 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 an access to the information.
3. 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 well reasoned speaking order.
4. 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.

Complaint Case No.1056 of 2021
(Cisco Webex Proceedings)

5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority along with a copy of RTI application for their ready reference and is also directed to call the complainant Smt. Savinder Kaur (or her representative) within 15 days of receipt of this order provide the information/reply pertaining to this RTI application. A compliance report of the same has to be sent in the commission. The complaint is disposed off accordingly, with the above observations and directions.

Chandigarh
Dated: 09.11.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.

Req. Post First Appellate Authority

Encl. RTI O/o ADC, (Urban)
Nawanshahr.



Sh. Lovedeep Singh, (9592245083)

S/o Sh Raghuvir Singh,
R/o Village Mavi Kalan, PO Bujark,
Tehsil Samana, Distt Patiala.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Block Development and Panchayat Officer,
Samana, Distt. Patiala.

.....Respondent

Complaint Case No.1064 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 29-04-2021
PIO replied on : -

Present: Complainant: Sh. Lovedeep Singh (In person)
Respondent: Absent

ORDER:

1. The Complainant filed above mentioned complaint cases in the Commission dated 17.08.2021. Accordingly, the cases are fixed for today.
2. The complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, vide which no directions for providing further information can be given by the Commission. The Hon'ble Supreme Court of India in its Order rendered on 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 an access to the information.
3. 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 well reasoned speaking order.
4. 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.

Complaint Case No.1064 of 2021
(Cisco Webex Proceedings)

5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority along with a copy of RTI application for their ready reference and is also directed to call the complainant Sh. Lovedeep Singh within 15 days of receipt of this order provide the information/reply pertaining to this RTI application. A compliance report of the same has to be sent in the commission. The complaint is disposed off accordingly, with the above observations and directions.

Chandigarh
Dated: 09.11.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.

Reg. Post First Appellate Authority

Encl. RTI O/o DDPO, Samana, Distt. Patiala



Smt. Rahish Pahwa Advocate, (9417513669)

Chamber No 61, New Lawyer's Chambers,
Punjab & Haryana High Court, Chandigarh.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Senior Superintendent of Police,
Mohali.

.....Respondent

First Appellate Authority

O/o Inspector General of Police, Ropar Range,
Ropar.

Appeal Case No.1487 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	01-11-2019
PIO replied on	:	-
First appeal filed on	:	27-12-2019
First Appellate Authority order	:	17-01-2020

Present: Appellant: Smt. Rahish Pahwa

Respondent: Smt. Rajwinder Kaur (Head Constable), 8283060022

ORDER:

1. This order may be read with the reference of previous order 04.08.2021.
2. Respondent, Smt. Rajwinder Kaur stated that the sought information has been supplied to the appellant dated 28.10.2021. Appellant, Smt. Rahish Pahwa acknowledge the receiving of the same.
3. Accordingly the case is disposed of and closed.

A strict warning is issued to the SSP, Mohali 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.

Chandigarh
Dated: 09.11.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Gurbax Singh, (7528950026)
Editor India's Justice, Village Bholapur,
P.O Ramgarh, Chandigarh Road, Ludhiana-141123.
.....Appellant/Complainant

Versus

Public Information Officer
.....Respondent
O/o Sub Divisional Magistrate,
Balachaur.

First Appellate Authority
O/o Sub Divisional Magistrate,
Balachaur.

Appeal Case No.1561 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 07-09-2020
PIO replied on : -
First appeal filed on : 14-10-2021
First Appellate Authority order : 01-01-2021

Present: None

ORDER:

1. This order may be read with the reference of previous order 04.08.2021.
2. Written Submissions by Respondent: A letter dated 09.09.2021 vide diary no. 20390 is received in the Commission vide which the respondent authority has mention that the requisite information has been supplied to the appellant through registered post dated 23.10.2020 vide letter reference no. 83/RTI. This letter is taken on record with all supporting enclosures.
3. After going through the information supplied by the respondent PIO, the Commission finds that the RTI application has been **suitably replied** and the information has been supplied to the **best extent**.

Therefore, no cause of action is required in this case. Hence, the instant appeal case is **disposed & closed**.

Chandigarh
Dated: 09.11.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.