

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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COMPLAINT CASE NO. 0176 OF 2021

Sh. Rajwinder Singh, (9872821947)
26, Nagar Nigam Colony,
Near Thana C-Division,
O/s Gillwali Gate, Amritsar.

...Complainant

Versus

Public Information Officer,
O/o Municipal Corporation,
Amritsar.

...Respondent

HEARD THROUGH CISCO WEBEX/TELEPHONE

PRESENT: Sh. Rajwinder Singh, Complainant.
None on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 19.08.2021.

The Complainant states that incomplete information has been provided to him whereas the Respondent is absent. However, a letter has been received in the Commission vide diary no. 21737, dated 24.09.2021 mentioning therein that requisite information has already been supplied to the complainant vide letter dated 16.02.2021 and again on 13.08.2021 through registered post.

In these circumstances, 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. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereby, 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. 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.

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.

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COMPLAINT CASE NO. 0176 OF 2021

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.

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.

Accordingly, this case is hereby, remanded back to the First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act, 2005.

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.

In view of the observations noted above, the instant Complaint Case is hereby,
Disposed Off and Closed. Copies of the order be sent to the parties.

Chandigarh
09.11.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy to intimation and necessary action along with RTI application dated 26.12.2020.

First Appellate Authority,
O/o Commissioner,
Municipal Corporation,
Amritsar.

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APPEAL CASE NO. 0766 OF 2021

Smt. Rajinder Bala, (9855833536)
W/o Sh. Sunandan Rampal,
R/o H No. 4-1652, Sadar Nagar,
Opp. Old Central Jail, Amritsar-143008

...Appellant

Versus

Public Information Officer,
O/o The Secretary,
Subordinate Service Selection Board, Punjab,
Sector-68, S.A.S. Nagar (Mohali).

First Appellate Authority
O/o The Secretary,
Subordinate Service Selection Board, Punjab,
Sector-68, S.A.S. Nagar (Mohali).

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Ramesh Kumar, father of the Appellant.
Smt. Maninder Pal Kaur, Sr. Assistant on behalf of the Respondents (9855977460)

ORDER:

This order may be read with reference to the previous order dated 24.08.2021.

The Respondent states that information sought by the appellant is not available in the official record, as such, she has been submitted an Affidavit in this regard in the Commission vide diary no. 24874, dated 02.11.2021.

The Representative of the appellant states that neither information nor Affidavit provided to him.

In view of the above, the original Affidavit is send to the appellant along with this order. No more action is required in this case, hence the Appeal Case is **Disposed of and Closed.**

Copies of order be sent to the parties.

Chandigarh
09.11.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

Enclosure: Original Affidavit.

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APPEAL CASE NO. 1074 OF 2021

Sh. Ankit Sehgal, (9888625152)
C/o Bombay Studio,
Near Main Post Office Chowk,
Pathankot-145001

...Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Zone-C, Hoshiarpur.

First Appellate Authority
O/o The Commissioner,
Municipal Corporation,
Hoshiarpur.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated 24.08.2021.

The Appellant is absent. However he has emailed in the Commission mentioning therein that he has received the demanded information from the Respondents whereas the respondent is again absent.

In view of the above, the no further action is required in this case. Hence the Appeal Case is **Disposed of and Closed**. Copies of order be sent to the parties.

Chandigarh
09.11.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 1075 OF 2021

Sh. Ankit Sehgal, (9888625152)
C/o Bombay Studio,
Near Main Post Office Chowk,
Pathankot-145001

...Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Zone-D, Hoshiarpur.

First Appellate Authority
O/o The Commissioner,
Municipal Corporation,
Hoshiarpur.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated 24.08.2021.

The Appellant is absent. However he has emailed in the Commission mentioning therein that he has received the demanded information from the Respondents whereas the respondent is again absent.

In view of the above, the no further action is required in this case. Hence the Appeal Case is **Disposed of and Closed**. Copies of order be sent to the parties.

Chandigarh
09.11.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 1076 OF 2021

Sh. Ankit Sehgal, (9888625152)
C/o Bombay Studio,
Near Main Post Office Chowk,
Pathankot-145001

...Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Zone-B, Hoshiarpur.

First Appellate Authority
O/o The Commissioner,
Municipal Corporation,
Hoshiarpur.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated 24.08.2021.

The Appellant is absent. However he has emailed in the Commission mentioning therein that he has received the demanded information from the Respondents whereas the respondent is again absent.

In view of the above, the no further action is required in this case. Hence the Appeal Case is **Disposed of and Closed**. Copies of order be sent to the parties.

Chandigarh
09.11.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 1077 OF 2021

Sh. Ankit Sehgal, (9888625152)
C/o Bombay Studio,
Near Main Post Office Chowk,
Pathankot-145001

...Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Zone-A, Hoshiarpur.

First Appellate Authority
O/o The Commissioner,
Municipal Corporation,
Hoshiarpur.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated 24.08.2021.

The Appellant is absent. However he has emailed in the Commission mentioning therein that he has received the demanded information from the Respondents whereas the respondent is again absent.

In view of the above, the no further action is required in this case. Hence the Appeal Case is **Disposed of and Closed**. Copies of order be sent to the parties.

Chandigarh
09.11.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 1523 OF 2021

Sh. Raghav Talwar, (9501257722)
R/o H. No. 36/234-35,
Near Mohan Cloth House,
Sadar Bazar, Kapurthala-144601

...Appellant

Versus

Public Information Officer,
O/o District Revenue Officer,
O/o Deputy Commissioner, Kapurthala.

First Appellate Authority
O/o Additional D.C. (General),
Kapurthala.

...Respondents

HEARD THROUGH VC/CISCO WEBEX/TELEPHONE

PRESENT: None on behalf of the Appellant.
Sh. Satbir Singh, Superintendent – cum – APIO for the Respondents (9888241178)

ORDER:

This order may be read with reference to the previous order dated 22.09.2021.

The Respondent states that requisite information has already been supplied to the appellant vide letter no. 401, dated 15.09.2021 and after that no observation has been received from him.

The Appellant is absent from hearing through Webex. As such he is contacted on mobile phone. He states that he has received information from the respondents and further expresses his satisfaction with the provided information. He is gives his consent to close the case.

In light of the above, no further action is required in this case. Hence the Appeal Case is **Disposed of and Closed**. Copies of order be sent to the parties.

Chandigarh
09.11.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner