

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. 0818 OF 2020

Sh. Surinder Kumar S/o Sh. Amarnath, (9417775996)

Gali No. 2, Backside Guru Teg Bahadur Nagar,

Handiyaya Road, Barnala.

...Complainant

Versus

Public Information Officer,

O/o The Sub Divisional Magistrate,

SDM – BARNALA.

...Respondent

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT None for the Complainant

Shri Yashpal Sharma, Superintendent, on behalf of the Respondents

ORDER

This order may be read with reference to the previous order dated 06-04-2021.

2. The Respondent orally says that the complainant had suitably been replied vide their letter dated 11-01-2021 stating therein that the demanded information is a third party information and hence, cannot be furnished.

3. The complainant is absent today. The Commission tried to contact the complainant over his telephone but his phone is found not reachable.

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. 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.

5. In view of the above the **case is ordered to be disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh
10-06-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

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COMPLAINT CASE No. 0823 OF 2020

Shri Sarbajit Singh S/o
S. Bhag Singh,
#68/10, Vijay Nagar,
Patiala.

...Complainant

Versus

Public Information Officer,
O/o The Addl. Director(Special Cell),
DPI(SE), Punjab,
PSEB Building, Phase 8,
S.A.S. Nagar (Mohali).

...Respondent

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Advocate Harjot S Bedi, for the Complainant.
None on behalf of the Respondents.

ORDER:

This case may be read with reference to the previous order dated 04-02-2021.

2. Due to some technical glitch, the version of the representative of the complainant is not clearly heard. However, he telephoned in the Commission that demanded information has been received but the respondents supplied it very late. Expressing his satisfaction towards the received information, he requests the court to penalise the respondent-PIO for the delay in supplying the information.

3. In the light of above, the Respondent is warned to be extra careful to respond RTI cases, in future and supply the information well in time.

4. The information stands supplied and no further cause of action is left in this case. Hence, **this case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
10-06-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner