



Sh. Surinder Kumar, (9780674488)

S/o Sh. Hakam Rai,
1869/92, Kila Mohalla, Daresi road,
Ludhiana.

.....Appellant/Complainant

Versus

Public Information Officer

O/o SHO, Police Station, Salem Tabri,
Ludhiana.

.....Respondent

First Appellate Authority

O/o Commissioner of Police,
Ludhiana.

Appeal Case No.4754 of 2021
(Cisco Webex Proceedings)

Present: Appellant: Absent

Respondent: Sh. Joga Singh (Constable) 9914830596

ORDER:

1. To be read in the continuity of previous order of the Commission dated 20.01.2022 vide which the appellant was asked to point out deficiencies ,if any, in the information so supplied by the respondent authority dated 15.01.2022.
2. Respondent Sh. Joga Singh stated the requisite information has already been provided to the appellant and no any other information pertaining to this RTI application is pending in the office record.
3. Appellant is absent without any intimation to the Commission. Moreover, he has not made any submissions regarding the deficiencies.
4. Accordingly, the Commission presumes that he is satisfied with the information so supplied by the respondent authority and further he does not want to pursue this case anymore. Hence, the case is **disposed of and closed**. However, the liberty is granted to the appellant to approach the Commission within 30 days from the issue of this order in case of any submissions.

Sd/-

Chandigarh
Dated: 10.05.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Davinder Sharma Bitta, (9417136539)

S/o Sh. Sham Lal,
House No. 874, Street No. 6, Janakpuri,
Ludhiana.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Commissioner of Police,
Ludhiana.

.....Respondent

First Appellate Authority

O/o Commissioner of Police,
Ludhiana.

Appeal Case No.5052 of 2021
(Cisco Webex Proceedings)

Present: Appellant: Sh. Davinder Sharma Bitta
Respondent: ASI Major Singh (9815591940)

ORDER:

1. To be read in the continuity of previous order of the Commission dated 20.01.2022 .
2. Both the parties are present and heard. Respondent, ASI Major Singh stated that he supplied the sought information the appellant.
3. From a perusal of the relevant case records, it is noted that the appellant is aggrieved with the fact that partial information was not provided to him and further prayed to the Commission to direct the Respondent to supply the complete information as sought in the RTI application. On this respondent, ASI Major Singh assured the Commission to provide the remaining part of the sought information.
4. Keeping in view the facts of the case and on the assurance of respondent authority this instant appeal case is **disposed of** with the directions to respondent PIO, to provide the requisite information to the appellant within 20 days from issue of this order. Failing to which action under section 20(1) of RTI act will be initiated. The appellant Sh. Davinder Sharma Bitta agreed on the same.

However, the liberty is granted to the appellant to approach the Commission within 30 days from the issue of this order in case of any submissions.

Sd/-

Chandigarh
Dated: 10.05.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.



Ms. Rajni, (6283737330)

D/o Sh. Varinder Singh,
R/o # 99, Village Khuda Lohra,
Chandigarh.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Establishment Officer, Markfed, Punjab,
Sector 35 B, Chandigarh.

.....Respondent

Complaint Case No.159 of 2022
(Cisco Webex Proceedings)

RTI application filed on : 13-01-2022
PIO replied on : -

Present: Complainant: Absent

Respondent: Adv. Triptjeet Singh Sidhu (9815287134)

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 25.03.2022. 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, in 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.159 of 2022
(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 **Ms. Rajni** 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 appeal is disposed of accordingly, with the above observations and directions.

Chandigarh
Dated: 10.05.2022

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

{Encl. RTI} First Appellate Authority
O/o Additional Managing Director Plants,
Markfed Office, Sector – 35 B, Chandigarh



Sh. Ram Singh, (8195861791)

S/o Sh. Sardar Singh,
R/o Village Kilaraipur Patti Mall,
Tehsil & Distt. Ludhiana.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Asst. Registrar, Cooperative Societies,
Ludhiana (East).

.....Respondent

Complaint Case No.174 of 2022
(Cisco Webex Proceedings)

RTI application filed on : 19-01-2022
PIO replied on : 24-01-2022

Present: Complainant: Sh. Ram Singh
Respondent: Absent

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 30.03.2022. 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, in 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.174 of 2022
(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. Ram 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 appeal is disposed of accordingly, with the above observations and directions.

Chandigarh
Dated: 10.05.2022

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

{Encl. RTI} First Appellate Authority
O/o Deputy Registrar, Cooperative Societies, Ludhiana.