



Sh. Shiv Raj Khanna, S/o Sh Jagdish Lal,
H No-D-783, Ranjit Avenue,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Director,
Food Civil Supplies & Consumer Affairs,
Pb, Sector-39-C, Chandigarh.

First Appellate Authority,
O/o Director,
Food Civil Supplies & Consumer Affairs,
Pb, Sector-39-C, Chandigarh.

...Respondent

Appeal Case No. 4478 of 2021

PRESENT: None for the Appellant
Sh.Avninder Singh, Suptd. for the Respondent

ORDER:

The appellant through an RTI application dated 24.05.2021 has sought information on 07 points regarding a copy of the application filed by Shiv Raj Khanna AFSO or his family members for transfer alongwith action thereon – detail of posting of Sh.Shiv Raj Khanna – copies of transfer orders of AFSO etc. as enumerated in the RTI application concerning the office of Director Food Civil Supplies & Consumer Affairs, Pb Chandigarh. The appellant was not satisfied with the reply of the PIO dated 21.06.2021 after which the appellant filed first appeal before the first appellate authority on 29.06.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Amritsar. As per the respondent, the information has been supplied to the appellant vide letter dated 18.10.2021 except information on points 5, 6 & 7. As per the respondent, the information sought on point-5 is not specified, regarding point-6, the enquiry is pending and the information regarding point-7 is 3rd party.

The appellant is absent nor is represented.

Having gone through the RTI application and the reply of the PIO, the following is concluded:

- | | | |
|----------------|---|---|
| - Point-1 to 4 | - | Provided |
| - Point-5 | - | If any document/noting exists regarding reasons for transfer, it be provided. |
| - Point-6 | - | To provide the information |
| - Point-7 | - | Relates to some other person. Denied. |

The information be provided within 15 days of the receipt of the order with a copy to the Commission.

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

Chandigarh
Dated: 11.05.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh. Jasbir Singh
Guru Nanak Nagar,
Village Bholapur, Jhabewal,
P/O.Ramgarh, Distt.Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SDM, Balachaur,
Distt.SBS Nagar.

First Appellate Authority,
O/o DC, SBS Nagar.

...Respondent

Appeal Case No.921 of 2021

PRESENT: None for the Appellant
Sh.Dhiraj Kumar, Clerk for the Respondent

ORDER:

The appellant through an RTI application dated 03.09.2020 has sought information regarding a file relating to a letter dated 27.08.2019 of the Department of administrative reforms, alongwith complete noting and other information as enumerated in the RTI application, from the office of SDM Balachaur. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.10.2020 which took no decision of the appeal.

The case has already been heard by Ms.Preeti Chawla, State Information Commissioner on 02.06.2021, 28.07.2021 & 24.08.2021. On the date of the hearing on 24.08.2021, the respondent was absent and due to the non-supply of complete information, the PIO was issued a **show-cause notice** under section 20 of the RTI Act and directed to file a reply on an affidavit.

The case last came up for hearing before this Bench on 28.02.2022 through video conferencing at DAC Nawanshahar. The appellant was absent and vide letter received in the Commission on 07.01.2022 informed that the PIO has not supplied the information.

The Commission received a letter from the PIO on 03.01.2022 which was taken on record.

Having gone through the reply of the PIO, the Commission found that the reply is vague and the respondent has not applied his mind while attending to the RTI application. The PIO was directed to reconcile the RTI application and provide information to the appellant as per the RTI application. The PIO was also directed to file a reply to the show-cause notice.

Hearing dated 11.05.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana/SBS Nagar. As per the respondent, the information has been supplied to the appellant.

Appeal Case No.921 of 2021

The appellant is absent and vide email has informed that he has received the information and does not want to pursue the case further.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed.**

Chandigarh
Dated: 11.05.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Ram Murti, S/o Sh Jaswant Rai,
Sandhu Colony, Jalandhar Road,
Mehta Chowk, Tehsil Baba Bakala Sahib,
Distt Amritsar.

... Appellant

Versus

Public Information Officer,
O/o SSP, Rural,
Amritsar.

First Appellate Authority,
O/o IGP, Border Zone,
Amritsar.

...Respondent

Appeal Case No. 4486 of 2021

PRESENT: Sh.Ram Murti for the Appellant
Sh.Rashminder Singh, ASI O/o SSP and Sh.Baldev Singh, ASI Mehta
Chowk for the Respondent

ORDER:

The appellant through an RTI application dated 05.04.2021 has sought information regarding action taken on the complaint dated 18.02.2021 filed in the office of DSP Jandiala Guru alongwith status of the complaint etc. as enumerated in the RTI application concerning the office of SSP-Rural, Amritsar. The appellant was not provided with the information after which the appellant filed first appeal before the first appellate authority on 17.06.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Amritsar. The respondent Sh.Baldev Singh pleaded that the appellant had filed a complaint against Assistant Xen-PSPCL(Op) Mehta Chowk and after conducting an enquiry into the matter, the case was filed and the reply was sent to the appellant.

As per the appellant, the PIO has not taken any action on his complaint.

Having gone through the RTI application and hearing both the parties, the commission is clear that it has no role in directing the police to take action on the appellant's complaint. The commission's concern is only limited to the provision of the sought information for which the PIO is directed to provide reports of whatever action has been taken on the complaint.

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

Chandigarh
Dated: 11.05.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Ram Murti, S/o Sh Jaswant Rai,
Sandhu Colony, Jalandhar Road,
Mehta Chowk, Tehsil Baba Bakala Sahib,
Distt Amritsar.

... Appellant

Versus

Public Information Officer,
O/o SSP, Rural,
Amritsar.

First Appellate Authority,
O/o IGP, Border Zone,
Amritsar.

...Respondent

Appeal Case No. 4487 of 2021

PRESENT: Sh.Ram Murti for the Appellant
Sh.Rashminder Singh, ASI O/o SSP and Sh.Baldev Singh, ASI Mehta
Chowk for the Respondent

ORDER:

The appellant through an RTI application dated 05.04.2021 has sought information regarding action taken on complaint dated 18.02.2021 filed in Police Station Mehta Amritsar Rural alongwith status of the complaint etc. as enumerated in the RTI application concerning the office of SSP-Rural, Amritsar The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 17.06.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Amritsar. The respondent Sh.Baldev Singh pleaded that the appellant had filed a complaint against Assistant Xen-PSPCL(Op) Mehta Chowk and after conducting an enquiry into the matter, the case was filed and the reply was sent to the appellant.

As per the appellant, the PIO has not taken any action on his complaint.

Having gone through the RTI application and hearing both the parties, the PIO is directed to provide whatever action has been taken alongwith the status of the RTI application on the date of filing of the RTI application as discussed during the hearing.

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

Chandigarh
Dated: 11.05.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Jasbir Singh,
Guru Nanak Nagar,
Village Bolapur, Jhabewal,
P.O Ramgarh, Distt Ludhiana.

..... Complainant

Versus

Public Information Officer,
O/o District Health Officer,
O/o Civil Surgeon, Amritsar.

...Respondent

Complaint Case No. 1039 of 2021

PRESENT: None for the Appellant
Smt.Rajni Rani Food Safety Officer for the Respondent

ORDER:

The complainant through an RTI application dated 29.06.2021 has sought information regarding details of alcohol samples collected from the year 2015 – a copy of entry register – a copy of the receipt issued during sample collection – number of license to shops/contractors as enumerated in the RTI application concerning the office of DHO-O/o Civil Surgeon, Ludhiana. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 10.08.2021.

The case has come up for hearing today through video conferencing at DAC Ludhiana/Amritsar./Ludhiana. The complainant is absent and vide email has informed that the PIO has not supplied the information.

As per the respondent, there are four Food Supply officer in Amritsar District and the information by all FSOs have been sent to the complainant directly. As per the respondent, total of 18 samples were collected and the reply was sent to the complainant on 10.09.2021 and again on 22.04.2022:

Having gone through the RTI application and the reply of the PIO, the following is concluded:

- | | | |
|-----------|---|-------------------------------|
| - Point-1 | - | List provided |
| - Point-2 | - | Provided |
| - Point-3 | - | To be provided |
| - Point-4 | - | No license issued, reply sent |

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 an access to the information.

Complaint Case No. 1039 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.

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.

In view of the observations noted above, the instant case is remanded back to the concerned First Appellate Authority-cum-Civil Surgeon, Amritsar 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. A compliance report of the same be sent to the Commission.

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

Chandigarh
Dated: 11.05.2022

Sd/-
(Khushwant Singh)
State Information Commission

CC to First Appellate Authority
Civil Surgeon,Amritsar.



Sh Makhan Singh, S/o Sh Jagir Singh,
Village Bika, SBS Nagar.

... Appellant

Versus

Public Information Officer,
O/o District Food and Supply Officer,
SBS Nagar.

First Appellate authority,
O/o District Food and Supply Officer,
SBS Nagar.

... Respondent

Appeal Case No. 3792 of 2021

PRESENT: None for the Appellant
Sh.Jatinder Singh, Food Supply Officer for the Respondent

ORDER:

The appellant through an RTI application dated 16.05.2021 has sought information on 06 points regarding details of blue ration cards issued from last five years in village Khan Khana Mehrampur – details of wheat distributed in these villages from last five years alongwith details of the store from which the wheat was lifted – details of blue cards closed and other information as enumerated in the RTI application concerning the office of DFSO SBS Nagar. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 21.06.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC SBS Nagar. As per the respondent, the information has already been supplied to the appellant and the appellant has acknowledged having received the information. The respondent has also sent a copy of the acknowledgement of the appellant to the Commission which has been taken on record.

The appellant is absent nor is represented.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed.**

Chandigarh
Dated: 11.05.2022

Sd/-
(Khushwant Singh)
State Information Commission