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Helpline No. 0172-2864100



Sh. Ajit Singh Talwandi,
Village Nikku Chak, Post Office Hajipur,
Tehsil Mukherian, Distt. Hoshiarpur - 144221

.....Appellant

..Vs

Public Information Officer,
O/o DGP, Punjab, Punjab Police Headquarters, Sector 9
Chandigarh

First Appellate Authority
O/o DGP, Punjab, Punjab Police Headquarters, Sector 9
Chandigarh

.....Respondent

AC No. 1088 of 2021
Through CISCO Webex

Present: (i) Sh. Ajit Singh Talwandi the appellant
(ii) For the respondent: Sh. Rajinder Singh, ASI (9417478832)

ORDER

This order may be read with reference to the previous order dated 03.06.2021 vide which the respondent was directed to file an affidavit mentioning therein that the complete information has been given to the appellant and nothing is left in their official record.

2. But today, the appellant states that no information has been given to him so far.

3. The respondent Sh. Rajinder Singh states that the information has been sent to the appellant.

4. After hearing both the parties and going through the case file, it is ascertained that the appellant is not satisfied. The respondent-PIO is further directed to ensure that the information is furnished to the appellant. However, if this information is not available on record, the PIO shall file an affidavit on oath paper stating the same.

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AC No. 1088 of 2021

5. To come up **on 31.08.2021 at 11.00 AM** through CISCO-Webex (Video-conferencing application). Copy of the order be sent to the parties.

(CISCO-Webex Meeting Code No: 1582069360).

Sd/-

Dated :11.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Prem Kumar Rattan,
House No. 7 8/8, Park Road,
Navi Mandi, Dhuri, Distt- Sangrur (M-8509580002)

.....Complainant

..Vs

Public Information Officer,
O/o Director General of Police,Punjab
Punjab Police Headquarter, Sector 9,
Chandigarh

Public Information Officer,
O/o Director General of Police, Punjab
Punjab Police Headquarters, Sector-9,
Chandigarh

.....Respondent

AC No.172 of 2021

Through CISCO Webex

Present: (i) Sh. Prem Kumar Rattan the appellant
(ii) For the respondent : Sh. Manmehakpal Singh, Constable

ORDER

This order may be read with reference to the previous order dated 03.06.2021 vide which the respondent PIO, o/o NRI Wing was directed to file his written reply on oath paper.

2. Today the appellant Sh. Prem Kumar Rattan states that incomplete information has been given to him so far.

3. The perusal of the file shows that during the last hearing the respondent o/o NRI Wing stated that the information demanded by the appellant is under process, therefore, he was directed to file an affidavit stating the same. Today , after going through the file, it is ascertained that the respondent has failed to file his reply on oath paper. Taking a lenient view, one last opportunity is given to him to file his reply on oath paper, failing which action under Section 20 (1) of the RTI Act 2005 will be initiated .

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AC No.172 of 2021

4. Since, my term is expiring on 07.09.2021, the next date of hearing in this case cannot be fixed. Therefore, this case file is sent to Registry for further necessary action and re-allocation to some other bench.

Sd/-

Dated :11.08.2021

(Preety Chawla)

**State Information Commissioner
Punjab**

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Sh. Joga Singh, S/o Sh. Kulwant Singh
VPO Kubaheri, Tehsil Kharar,
Distt. Mohali (9876178226)

.....Complainant

..Vs

Public Information Officer,
O/o SHO, Police Station, Majri
Mohali

.....Respondent

CC No. 227 of 2020
(Through CISCO-Webex)

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated 26.07.2021 vide which a show cause notice was issued to the respondent-PIO.

2. Today neither the complainant nor the respondent is present.
3. One last opportunity is given to the respondent-PIO to file the reply of the show cause notice issued to him, failing which action under RTI Act 2005 will be initiated.
4. Since, my term is expiring on 07.09.2021, the next date of hearing in this case cannot be fixed. Therefore, this case file is sent to Registry for further necessary action and re-allocation to some other bench.

Sd/-

Dated :11.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

CC: DR (alongwith original case file)

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Sh. Sushil Kumar, # 1410,
Phase-1, Urban Estate, Durgi,
Ludhiana - 141013

.....Complainant

..Vs

Public Information Officer,
O/o DGP,Punjab
Punjab Police Headquarter, Sector 9,
Chandigarh

Public Information Officer,
O/o DCP, Ludhiana
Remanded back to
First Appellate Authority
o/o DGP, Punjab
Punjab Police Headquarter,
Sector 9, Chandigarh

.....Respondent

CC No.256 of 2021
Through CISCO Webex

Present: (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Manmehakpal, o/o Respondent no. 1

ORDER

This order may be read with reference to the previous order dated 03.06.2021.

2. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, 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 which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the

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CC No.256 of 2021

Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for 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.

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. In case the complainant has any grouse, 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.

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.

5. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

Dated :11.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Ravi Kumar, S/o Sh. Ranjit Singh
R/o Village Karawar, Tehsil Balachaur,
Distt. SBS Nagar (9814650341)

.....Appellant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

First Appellate Authority
O/o DC, SBS Nagar

.....Respondent

AC No. 1086 of 2021
Through CISCO Webex

Present: (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Ravinder Singh, BDPO, Saroya (9814211990)
and Sh. Harish Chander, Inspector , o/o Food Civil Supplies (9501008477)

ORDER

This order may be read with reference to the previous order dated 03.06.2021 vide which PIO, o/o Food Civil Supplies , SBS Nagar and PIO, o/o BDPO, Saroya was impleaded as respondents.

2. Today, the appellant is absent.
3. Sh. Ravinder Singh, BDPO, Saroya is appearing on behalf of the respondent and states that the information has already been sent to the appellant.
4. Sh. Harish Chander , Inspector is appearing on behalf of the office of Food Civil Supplies states that the information, as exists, in their record has already been sent to the appellant.
5. After hearing the respondent and examining the case file, it is ascertained that the information has been sent to the appellant. The appellant is absent today. He has not even informed the Commission about his absence. Hence, it is presumed that he is satisfied with the information provided by the respondent.

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AC No. 1086 of 2021

6. In view of the foregoing, no cause of action is left, hence the appeal filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated :11.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh. Sikander Singh,
S/o Sh Hari Singh, R/o Burj Tharod,
Distt: Bathinda (9781780977)

.....Complainant

..Vs

Public Information Officer,
O/o ADGP, NRI Wing
Phase-7, SAS Nagar, Punjab
Remanded back to
First Appellate Authority
O/o ADGP, NRI Wing
Phase-7, SAS Nagar, Punjab

.....Respondent

CC No.257 of 2021
Through CISCO WEBEX

Present: (i) Sh. Sikander Singh the complainant
(ii) For the respondent: Sh. Sukhdeep Mavi, Head Constable (9855680456)

ORDER

This order may be read with reference to the previous order dated 03.06.2021 vide which the complainant was not present.

2. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, 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 which is as under:-

CC No.257 of 2021

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(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for 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.

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. In case the complainant has any grouse, 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.

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.

5. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

Dated :11.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh.Ajaib Singh, S/o Late Sh. Narata Singh
Village Bakarpur, Tehsil and Distt. Mohali

.....Appellant

..Vs

(REGISTERED POST)

Public Information Officer,
O/o DSP (Urban II), Phase 8,) SAS Nagar

First Appellate Authority
O/o SSP, Mohali

.....Respondent

AC No. 1134 of 2021
Through CISCO Webex

Present: (i) Sh. Ajaib Singh the appellant in the Commission
(ii) For the respondent : Smt. Rajwinder Kaur, Head Constable o/o SSP, Mohali

ORDER

This order may be read with reference to the previous order dated 03.06.2021.

2. The appellant states that no information has been given to him so far.
3. Smt. Rajwinder Kaur is appearing on behalf of the respondent and states that the appellant can visit their office and obtain the information.
4. Today, both the parties mutually agreed that the applicant shall visit the office of respondent today itself, inspect the relevant records, identify the documents copies whereof are required by him; and the respondent shall provided copies thereof, according to his RTI application, within a fortnight, in accordance with the relevant provisions of the RTI Act, 2005.

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AC No. 1134 of 2021

5. To come up **on 31.08.2021 at 11.00 AM** through CISCO-Webex (Video-conferencing application). Copy of the order be sent to the parties.

(CISCO-Webex Meeting Code No: 1582069360).

Sd/-

Dated :11.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh. Simranjit Singh, S/o Sh. Jagdish Singh,
93/2 Adarsh Nagar, Jalandhar (987607662)

.....Appellant

..Vs

Public Information Officer,
O/o MC, Zirakpur
First Appellate Authority
O/o Deputy Director, Local Bodies,
Patiala

.....Respondent

AC No. 182 of 2021
alongwith
AC: 183 of 2021
AC:184 of 2021
AC:189 of 2021
AC:185 of 2021
and
AC:186 of 2021
Through CISCO Webex

Present: (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Nirdosh Sharma, Building Inspector
alongwith Advocate Gulshan Mehta (9876468637)

ORDER

This order may be read with reference to the previous order dated
03.06.2021.

2. Today the appellant is not present.
3. The respondent states that they have sent their detailed reply to the Commission office.
4. After hearing the respondent and gone through the case file, it is found that the detailed replies in the above appeals has been sent by the respondent. I have gone through the replies and have agreed with the same.

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AC No. 182 of 2021
alongwith
AC: 183 of 2021
AC:184 of 2021
AC:189 of 2021
AC:185 of 2021
and
AC:186 of 2021

5. In view of the foregoing, no cause of action is left, hence the appeals filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated :11.08.2021

(Preety Chawla)
State Information Commissioner
Punjab