

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. 484 OF 2019

Shri Dharminder Dass
S/o Sh.Nachhattar Dass,
Ward No.2, Loharan Wali Gali,
Phul Town-151104,
Tehsil Rampura, District, Bathinda.

...Complainant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Committee,
Bhucho Mandi, Distt.Bathinda.

...Respondent

PRESENT: None is present on behalf of the Complainant.

Sh. Jagjit Singh, EO-cum-PIO and Sh. Jai Ram, Clerk is present on behalf of the Respondents.

ORDER:

Shri Jagjit Singh, EO-cum-PIO, MC, Bhucho, is present in the court who states that though the information had already been provided through ordinary despatch to the complainant, even again duly attested sought for information has been supplied to the Complainant on 03.09.2019 by registered post vide their office letter No.880-81, dated 03.09.2019. The letter is taken on record.

2. The Complainant is absent for the second time consecutively without any intimation to the Commission. It is assumed that the Complainant might have received the demanded information and he may be satisfied with it.

3. At this juncture it is relevant to invite the attention of the Complainant to the judgment of the Hon'ble Supreme 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.

6. **The Complaint case is disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
11.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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COMPLAINT CASE NO. 485 OF 2019

Subedar Joginder Singh(Retd)
#149, Krishna Enclave, Khanpur,
Kharar, District Mohali.

...Complainant

Versus

Public Information Officer,
O/o Municipal Committee,
Near Bus Stand,
Kharar, District Mohali.

...Respondent

PRESENT: None on behalf of the Complainant.
Sh. Amit Kumar, SDE, on behalf of the Respondent-PIO.

ORDER:

Sh. Amit Kumar, SDE, is present in the court who states that the Complainant inspected the record in the O/O the Public Authority and had received the sought for information on the spot. However, again the duly attested information has been supplied through registered post vide their letter No.1667, dated 05.09.2019. The letter is taken on record.

2. The Complainant is absent for today's hearing without any intimation to the Commission. It is assumed that the Complainant might have received the demanded information and he may be satisfied with it.

3. At this juncture it is relevant to invite the attention of the Complainant to the judgment of the Hon'ble Supreme 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.

4. **The Complaint case is disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
11.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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COMPLAINT CASE NO. 498 OF 2019

Advocate Nisha Rani (9464501268)
#13138/3, Namdev Marg,
Street No.8-5, Bathinda-151001.

...Complainant

Versus

Public Information Officer,
O/o Executive Officer,
Improvement Trust,
Bathinda.

...Respondent

PRESENT: None for the Parties.

ORDER:

The Complainant is absent for the second time consecutively. However, when contacted over Mobile she requests to file the case.

2. At this juncture it is relevant to invite the attention of the Complainant to the judgment of the Hon'ble Supreme 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.

3. **The Complaint case is disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
11.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 1888 OF 2019

Sh. Babu Ram (85919-80006)
S/o Sh. Dyal Chand,
1749(New 5027) Street No.4,
Nai Basti, Bathinda-151001.

...Appellant

Versus

Public Information Officer,
O/o Tehsildar,
Bathinda (Punjab).

First Appellate Authority,
O/o Tehsildar,
Bathinda (Punjab).

...Respondents

PRESENT: None is present on behalf of both the parties.

ORDER:

Today, both the parties are absent.

2. A letter No.253/RTI, dated 02.09.2019 from the Respondent PIO has been received in the Commission in which he has stated that the sought for information has already been supplied to the appellant. He has enclosed the receipt from his son who has received the information on his behalf on 22.08.2019. The above said letter and the receipt is taken on record.

3. An E-mail from the appellant Shri Babu Ram has been received in the Commission stating therein that he has received the demanded information and he is satisfied with it. The E-mail is taken on record.

4. Keeping the above in view, no further action in this appeal case is required and hence, **the case is closed and disposed off.**

5. Copy of order be sent to the parties.

Chandigarh
11.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 3178 of 2018

Shri Jagjit Singh, (9988404401),
S/o Shri Gurmit Singh,
VPO Sekha Kalan, Distt. Moga.

...Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Bathinda.

Public Information Officer,
O/o Tehsildar,
Rampura Phul,
District Bathinda.

First Appellate Authority,
O/o Deputy Commissioner,
Bathinda.

...Respondents

PRESENT: Sh. Jagjit Singh, Appellant, in person.
Ms. Salochna Devi, Superintendent-cum-APIO and Sh. Parbodh
Chander, Kanungo on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated
23.07.2019.

2. The Appellant reiterates his earlier stand that no information has been
provided to him by the Respondent - PIO.

3. The representatives of the Respondents appear in the court and state that as
per directions of the Commission, record relating to his RTI application has been inspected
twice by the Appellant alongwith some Urdu knowing person and has collected some of the
demanded information on the spot.

4. The appellant states that he is not satisfied with the supplied information, so,
an affidavit be provided by the respondent PIO.

5. In view of the above, the Respondent – PIO-cum-Tehsildar, Rampurphul is
directed to submit an affidavit duly attested by the Notary in this regard. He is further
directed to be present, in person, in the court on the next date of hearing.

6. The case is adjourned to **09.10.2019 at 12.30PM**. Copies of the order be
sent to the parties.

Chandigarh
11.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 3773 of 2018

Advocate Abhishek Bhardwaj,
House No. 304-L, Model Town,
Jalandhar.

...Appellant

Versus

Public Information Officer,
O/o Additional Chief Secretary to Govt. of Punjab,
Deptt. Of Local Govt.
Municipal Bhawan, Sector 35, Chandigarh.

First Appellate Authority,
O/o Additional Chief Secretary to Govt. of Punjab,
Deptt. Of Local Govt.
Municipal Bhawan,
Sector 35, Chandigarh.

...Respondents

PRESENT: None is present on behalf of both the parties.

ORDER:

This order may be read with reference to the previous order dated 23.07.2019.

2. The Appellant is absent for the 5th time consecutively without any intimation to the Commission.

3. The Respondent-PIO is also absent for today's hearing. However, the representative of the respondents on the previous date of hearing on 23.07.2019 had stated that the sought for information had already been supplied to the Appellant vide their letter dated: 18.07.2019 through registered post.

4. Last and final opportunity was given to the appellant to follow up his case in the Commission, but he has not bothered to be present in the Commission today to present his case.

5. Keeping the above in view, it is assumed that the appellant might have received the demanded information and he is satisfied with it.

6. Therefore, no further action in this appeal case is required and hence, **the case is closed and disposed off.** Copies of the order be sent to the parties.

Chandigarh
11.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 2979 OF 2018

Sh. P.K. Goyal,
House No. 517, Block-A,
Ranjit Avenue, Amritsar-143001.

...Appellant

Versus

Public Information Officer,
O/o Secretary,
Local Government, Punjab,
(Local Govt. Branch-1)
Municipal Bhawan, Sector-35, Chandigarh.

First Appellate Authority
O/o Secretary,
Local Government, Punjab,
(Local Govt. Branch-1)
Municipal Bhawan, Sector-35, Chandigarh.

...Respondents

PRESENT: Sh. Jagroop Ram Kaushal on behalf of the Appellant.
Sh. Harjit Singh, Superintendent –cum- PIO & Sh. Manveer Singh,
Sr. Assistant on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 23.07.2019.

2. Sh. Harjit Singh, Superintendent–cum-PIO appears in person and brings the remaining information in the court which he hands it over to the representative of the Appellant. He also submits an affidavit duly attested by the Notary which he also hands it over to the representative of the appellant.

3. The representative of the appellant after going through the supplied information and affidavit expresses his satisfaction and requests the court to file the case.

4. In view of the above, no further action in this appeal case is required and hence, **the case is closed and disposed off.**

5. Copies of the order be sent to the parties.

Chandigarh
11.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 3438 OF 2018

Sh. P.K. Goyal,
House No. 517, Block-A,
Ranjit Avenue, Amritsar-143001.

...Appellant

Versus

Public Information Officer,
O/o Secretary,
Local Government, Punjab,
(Local Govt. Branch-1)
Municipal Bhawan, Sector-35, Chandigarh.

First Appellate Authority
O/o Secretary,
Local Government, Punjab,
(Local Govt. Branch-1)
Municipal Bhawan, Sector-35, Chandigarh.

...Respondents

PRESENT: Sh. Jagroop Ram Kaushal on behalf of the Appellant.
Sh. Harjit Singh, Superintendent –cum- PIO & Sh. Manveer Singh,
Sr. Assistant on behalf of the Respondents.

ORDER

This order may be read with reference to the previous order dated 23.07.2019.

2. Sh. Harjit Singh, Superintendent–cum-PIO appears in person and brings the remaining information in the court which he hands it over to the representative of the Appellant. He also submits an affidavit duly attested by the Notary which he also hands it over to the representative of the appellant.

3. The representative of the appellant after going through the supplied information and affidavit expresses his satisfaction and requests the court to file the case.

4. In view of the above, no further action in this appeal case is required and hence, **the case is closed and disposed off.**

5. Copies of the order be sent to the parties.

Chandigarh
11.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 3336 OF 2018

Sh. Vikram Vaid,
(RTI Activist & Whistle Blower),
1527, Gali No.2, Bagh Rama Nand,
Amritsar.

...Appellant

Versus

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

First Appellate Authority
O/o Civil Surgeon,
Amritsar.

...Respondents

PRESENT: Sh. Vikram Vaid, Appellant.
Dr. Jaswinder Singh, APIO & Sh. Navdeep Singh, Clerk on behalf of
the Respondents.

ORDER:

This order may be read with reference to the previous order dated 31.07.2019.

2. The Appellant states that the incomplete information has been provided to him. However, he has received the Demand Draft of Rs. 3000/- as compensation money from the Respondent PIO.
3. Dr. Rabinder Singh Sethi, PIO O/o Civil Surgeon, Amritsar appears in the court and states that the requisite information has already been provided to the Appellant.
4. The Appellant further furnished the deficiencies and copy of the same is handed over to the Respondent-PIO, during the hearing.
5. The Respondent-PIO, Dr. Rabinder Singh Sethi is again directed to submit an affidavit duly attested by the Notary within 15 days that the correct and complete information, removing the deficiencies pointed by the appellant, has been supplied to the appellant. He is also directed to be present on the next date of hearing.
6. The case is adjourned to **15.10.2019 at 12.30PM**. Copies of the order be sent to the parties.

Chandigarh
11.09.2019

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy to Intimation & Necessary Action:-

Dr. Ravinder Singh Sethi,
District Family Welfare Officer,
O/o Civil Surgeon,
Amritsar.

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SECTOR 16, CHANDIGARH.

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Shri Ashwani Kumar, Citizen of India,
House No.HL-245, Phase 9,
SAS Nagar(Mohali).

...Appellant

Versus

Public Information Officer
O/O The Director,
State Transport Commissioner, Punjab,
SCO 177-178, 1st / 2^{ns}/3rd Floor,
Sector 17, Chandigarh.

First Appellate Authority,
O/O The Director,
State Transport Commissioner, Punjab,
SCO 177-178, 1st / 2^{ns}/3rd Floor,
Sector 17, Chandigarh.

...Respondents

Appeal Case No. 3284 of 2016

Present : None on behalf of the appellant.
Shri Kuldip Singh, PIO at present, and Shri J. K. Khanna, the then PIO, on
behalf of the respondents.

ORDER:

The order be read with reference to the previous order dated 24.07.2019.

2. The appellant is absent for today's hearing. However, an e-Mail is received in the Commission stating therein that he is not feeling well and further requests for adjournment.

3. The appellant has also sent an e-mail dated 30.08.2019 to respondents wherein he has pointed out some discrepancies in the supplied information.

4. The respondent-PIO, Shri Kuldip Singh, submits an affidavit in the court stating therein that the sought for information as available in their record has already been supplied to the appellant and no more information is available with them. He further states that he has not received the e-mail dated 30.08.2019 from the appellant.

5. The respondent-PIO is given a copy of above said e-mail of the appellant with the direction to supply the information within 3-4 days keeping in view the discrepancies pointed out by the appellant by registered post under intimation to the Commission or submit an affidavit duly attested by the Notary in reply to the discrepancies pointed out by the appellant.

6. In his e-mail the appellant states that he has not en-cashed the demand draft/cheque handed over by the Respondent PIO on the previous date of hearing under protest because the same is not got prepared from the account of the public authority.

7. The Respondent further states that the appellant is raising the same points again and again for which they had already supplied the information. The respondent-PIO

Contd...2/p...

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APPEAL CASE NO.3284 OF 2016

-2-

also states that on the previous date of hearing while handing over the compensation DD / cheque of Rs.5000/- to the appellant, the Assistant Controller(F&A), had very clearly clarified on the forwarding letter that there is no "Public Authority Fund/Account" in their office, so, the DD / Cheque was prepared from PUNBUS Account. The respondent-PIO further states that he himself had also clarified the same position on the forwarding letter of the Assistant Controller(F&A) on the request of the appellant.

8. The case is adjourned and fixed for further hearing on **25-09-2019 at 01.00PM**. Copy of order be sent to the parties.

Sd/-

Place : Chandigarh. (Avtar Singh Kaler)
Dated: 11-09-2019. State Information Commissioner

Sd/-

(Hem Inder Singh)
State Information Commissioner

Copy to :

Shri Avtar Singh Kaler,
State Information Commission,Punjab
Chandigarh.

