

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



COMPLAINT CASE NO. 0136 OF 2021

Sh. Harbans Singh, (9815351835)
1323, Sector-34-C,
Chandigarh.

...Complainant

Versus

Public Information Officer,
O/o Punjab State Industry and Export Corporation,
Udyog Bhawan, Sector-17,
Chandigarh.

...Respondent

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Harbans Singh, Complainant.
Sh. J.S. Randhawa, CGM –cum – PIO.

ORDER:

This order may be read with reference to the previous order dated: 25.05.2021.

The Complainant reiterates his earlier version that no information has been provided to him by the Respondents.

The PIO states that information sought by the complainant is not available/maintained by the Corporation and same has been conveyed to him vide letter dated 11.08.2021 whereas the complainant states that he is not received any reply from him. Therefore, the PIO is directed to send this reply on his whatapp number i.e. 9815351835.

In these circumstances, 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. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereby, 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. 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.

Cont...Pg2

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



- 02 -

COMPLAINT CASE NO. 0136 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.

In case the Complainant has any grouse about the provided information, 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.

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.

In view of the observations noted above, the instant Complaint Case is hereby,
Disposed Off and Closed. Copies of the order be sent to the parties.

**Chandigarh
12.08.2021**

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



APPEAL CASE NO. 3179 OF 2020

Advocate Ravinder Singh, (9317561575)
16, Shaheed Nagar,
CHHEHRTTA, Amritsar.

...Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Amritsar.

First Appellate Authority
O/o Municipal Corporation,
Amritsar.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Advocate Ravinder Singh, Appellant
Sh. Jagjit Singh, Inspector for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 16.06.2021.

The Respondent verbally states that remaining information has already been supplied to the appellant.

The Appellant confirms that he has received the remaining information and gives consent to close the case.

In view of the aforementioned, no further action is required in this Appeal Case, hence the instant case is **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
12.08.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



APPEAL CASE NO. 3378 OF 2020

Sh. Love Kumar Dua, (9815255646)
S/o Late Sh. Megh Raj Dua,
H. No. 125, Model Town, Samrala Road,
Khanna, District Ludhiana-141401

...Appellant

Versus

Public Information Officer,
O/o The Executive Officer,
Nagar Council, Khanna,
District Ludhiana.

First Appellate Authority

O/o The Sub-Divisional Magistrate,
Khanna, District Ludhiana.

...Respondents

HEARD THROUGH CISCO WEBEX/TELEPHONE

PRESENT: Sh. Love Kumar Dua, Appellant.
Sh. Buta Singh, Clerk on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order 30.06.2021.

The Respondent states that remaining information has already been supplied to the appellant.

The Appellant states that irrelevant information has been provided to him.

After discussion on the RTI of the appellant, during the hearing, the Court observed that sufficient reply/information has been supplied to the appellant.

In view of the aforementioned, no further action is required in this Appeal Case, hence the instant case is **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
12.08.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner