

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. 0280 OF 2021

Sh. Anil Gupta, (9417325729)
R/o H. No. 69, Officers Colony,
Ferozepur City-152002

...Complainant

Versus

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

...Respondent

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on behalf of the Complainant.
Sh. Satbir Singh on behalf of the Respondents.

ORDER:

The RTI application is dated 18.11.2020 whereby the Complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 04.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act) and Notice of hearing was issued to the parties for 15.06.2021.

The Complainant is absent.

The Respondent states that RTI application dated 18.11.2020 of the Complainant has been received in the office on 25.11.2020 but neither postal order nor ID proof attached with the application. Therefore, original application has been returned back to him vide letter no. 1776/R.T.I., dated 02.12.2020 after that he did not turn up.

The perusal of the file reveals that the complainant has not availed the provision of the Section 19 (1) of the RTI Act by filing an Appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the Complainant.

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It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the Complainant has failed to avail the same in instant case. Consequently, the First Appellate Authority (FAA) has not had the chance to review the PIO's decision as envisaged under the RTI Act.

In view of the aforesaid, the instant matter is remanded to the FAA. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard.

The FAA is directed to peruse all the relevant documents during the hearing and examine whether the information provided by the PIO is complete, relevant and correct. Where the FAA is satisfied that the information provided by the PIO is as per the records, the First Appeal shall be disposed of. In the event, there are any deficiencies in the information provided by the PIO, the FAA shall direct the PIO to provide the complete information in reply to the RTI application dated 18.11.2020 to the Complainant.

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

Chandigarh
15.06.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy for further necessary action along with RTI application: -

(Regd. Post)

The First Appellate Authority,
O/o Deputy Commissioner, Kapurthala.

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COMPLAINT CASE NO. 0713 OF 2020

Smt. Ranjit Kaur, (9872173459)
W/o Sh. Jaswinder Singh,
R/o Gali Daulat Ram Kalia,
Near Hira Mandi, Ferozpur City.

...Complainant

Versus

Public Information Officer,
O/o The District Education Officer (Secondary),
Mini Secretariat,
Ferozpur Cantt..

...Respondent

HEARD THROUGH CISCO WEBEX/VC/TELEPHONE

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated 06.04.2021.

The PIO is absent. However, a letter has been received in the Commission vide diary no. 12960, dated 15.06.2021 mentioning therein that remaining information has been provided to the Complainant and the representative of the Complainant acknowledged the same in writing.

The Complainant is also absent subsequently she is contacted over the telephone and confirmed that she has received the complete information and gives her consent to the close the case.

After perusal of the case file and keeping in view of above, no further action is required in this Complaint Case, hence the case is **Disposed Off and Closed**. Copies of the order be sent to the parties.

Chandigarh
15.06.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 1140 OF 2021

Sh. Shishu Pal Verma, (7589328784)
R/o H No. 143, NMS Colony,
Tripari, Patiala-147004

...Appellant

Versus

Public Information Officer,
O/o Punjabi University,
Patiala.

First Appellate Authority
O/o Dean Academic Affairs,
Punjabi University, Patiala.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Shishu Paul Verma, Appellant.
Adv Surajpreet Singh Kang on behalf of the Respondents.

ORDER:

The RTI application is dated 24.11.2020 vide which the Appellant has sought information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (hereinafter FAA) on 30.12.2020 and Second Appeal was filed in the Commission on 02.03.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and Notice of hearing was issued to the parties for 15.06.2021.

The Appellant states that he has requested to the Commission in writing that his Appeal cases No. 1140/2021, 1349/2021 and 1706/2021 may be transferred from this Bench to any other Bench.

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APPEAL CASE NO. 1140 OF 2021

After perusal of the case file, it is observed that as the Appellant wanted to transfer his Appeal cases No. 1140/2021, 1349/2021 and 1706/2021 from the Bench of the undersigned and hence made a request for transferring of the instant Appeal case from this Bench to another Bench, hence, the above mentioned original case files be sent to the Deputy Registrar for placing it before the Hon'ble Chief Information Commissioner for appropriate orders. Copies of the order be sent to the parties.

**Chandigarh
15.06.2021**

Sd/-
**(Hem Inder Singh)
State Information Commissioner**

Copy to:

**The Deputy Registrar,
O/o Punjab State Information Commission,
Sector -16, Chandigarh.**

Enclosure: Three (03) Case files No. 1140/2021, 1349/2021 and 1706/2021.

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APPEAL CASE NO. 3340 OF 2020

Shri Jasbir Singh, (9888296107)
Guru Nanak Nagar,
Village Bholapur-Jhabewal,
PO Ramgarh, District Ludhiana-141123

...Appellant

Versus

Public Information Officer,
O/o State Transport Commissioner,
Punjab, Backside Mehfil Hotel,
Sector 17, Chandigarh.

First Appellate Authority
O/o State Transport Commissioner,
Punjab, Backside Mehfil Hotel,
Sector 17, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Jasbir Singh, Appellant.
Ms. Kulwinder Kaur, Superintendent –cum- PIO along with Shri Gurbax Singh,
for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 06.04.2021.

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

The Appellant states that he has received the information and he is satisfied with the same. The acknowledgment by the appellant for having received the information is available in the case file. The appellant gives his consent to close the case.

In view of the above, no cause of action is left in the matter, hence the Appeal Case is

Disposed Off and Closed. Copies of the order be sent to the parties.

Chandigarh
15.06.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner