

# PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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## APPEAL CASE NO. 0086 OF 2019

Sh. K. K. Bhandari (7042885702)  
# 3661, Sector 46-C,  
Chandigarh.

...Appellant

Versus

**Public Information Officer,**  
O/o Secretary,  
Punjab School Education Board,  
Phase 8, SAS Nagar (Mohali).

**First Appellate Authority**  
O/o Secretary,  
Punjab School Education Board,  
Phase 8, SAS Nagar (Mohali).

...Respondents

## HEARD THROUGH CISCO WEBEX

**PRESENT:** None on behalf of the Appellant.  
Ms. Baljinder Kaur, Assistant Secretary –cum- APIO, on behalf of the Respondent.

### **ORDER:**

This order may be read with reference to the previous order dated 02.06.2020.

2. The Appellant is absent from today's hearing.
3. The Respondent stating on the telephone that the requisite information has already been provided to the Appellant.
4. Keeping in view of the above, the Respondent – PIO is directed to provide the available information, if any, if there is no other information then file an affidavit stating therein that the information as available in their office record has been provided to the Appellant which is complete, correct and duly authenticated, failing which **Show Cause Notice** will be issued to him/her as per provisions of the RTI Act, 2005.
5. The case is adjourned to **01.07.2020 at 01:00 PM through Video Conference facility of PAWAN in the o/o Deputy Commissioner, S.A.S. Nagar (Mohali). Both the parties are directed to appear personally on the above said date & time.**  
Copies of the order be sent to the parties.

Chandigarh  
16.06.2020

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## COMPLAINT CASE NO. 0166 OF 2020

Sh. Sat Pal Gupta, (9914931133)  
H. No. 212, Ward No. 1 B,  
Near Gupta Hospital, Dhuri,  
District Sangrur.

...Complainant

Versus

**Public Information Officer,**  
O/o Principal,  
Arya Sr. Sec. School,  
Dhuri, District Sangrur.

...Respondents

## HEARD THROUGH VIDEO CONFERENCE

### PRESENT:

None on behalf of the Complainant.  
Sh. Pargat Singh, Teacher along with Advocate Harsh Singla for the Respondents.

### ORDER:

This order may be read with reference to the previous order dated 17.03.2020.

2. The Complainant is absent from today's hearing in the Commission and he was also absent on the last date of hearing i.e. 17.03.2020.
3. Advocate Harsh Singla states that he has emailed an affidavit in the Commission mentioning therein that demanded information is 35 years old and the Appellant was transferred to Gandhi Arya High School, Barnala in 1985, the relevant record pertains to the Appellant was *ipso facto* transferred to the Gandhi Arya High School, Barnala, therefore, no information relating to his RTI application is available in the official record. Copy of the same is placed on record.
4. In these circumstances, it is relevant to invite the attention of the Complainant to the judgement 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...Pg-2

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## COMPLAINT CASE NO. 0166 OF 2020

5. 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.
6. 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.
7. 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.
8. In view of the observations noted above, the instant Complaint Case is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh  
16.06.2020

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## COMPLAINT CASE NO. 167 OF 2020

Sh. Sat Pal Gupta, (9914931133)  
H. No. 212, Ward No. 1 B,  
Near Gupta Hospital, Dhuri,  
District Sangrur.

...Complainant

Versus

**Public Information Officer,**  
O/o Head Master,  
Gandhi Arya High School,  
Barnala.

...Respondents

## HEARD THROUGH VIDEO CONFERENCE

**PRESENT:** None on behalf of the Complainant.  
Sh. Rajmohinder Singh, Principal for the Respondents.

### **ORDER:**

This order may be read with reference to the previous order dated 17.03.2020.

2. The Complainant is again absent from today's hearing in the Commission and he was also absent on the last date of hearing i.e. 17.03.2020.
3. The Respondent states that he has emailed an affidavit in the Commission mentioning therein that the Complainant neither joined as Teacher in Gandhi Arya High School, Barnala nor served or marked his attendance, as such no record as alleged i.e. Service Book and Pension etc. is available with the institution. Copy of the same is placed on record.
4. In these circumstances, it is relevant to invite the attention of the Complainant to the judgement 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...Pg-2

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## COMPLAINT CASE NO. 0167 OF 2020

5. 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.
6. 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.
7. 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.
8. In view of the observations noted above, the instant Complaint Case is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh  
16.06.2020

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## **COMPLAINT CASE NO. 168 OF 2020**

Sh. Sat Pal Gupta, (9914931133)  
H. No. 212, Ward No. 1 B,  
Near Gupta Hospital, Dhuri,  
District Sangrur.

...Complainant

Versus

**Public Information Officer,**  
O/o Directorate of Public Instructions (Secondary),  
Punjab School Education Board Complex,  
Phase-VIII, S.A.S. Nagar (Mohali).

...Respondents

## **HEARD THROUGH VIDEO CONFERENCE**

**PRESENT:** None on behalf of the Complainant.  
Sh. Shiv Kumar, Jr. Assistant o/o DEO (SE), Sangrur; Mo: 9915223600  
Along with Advocate Harsh Singla for the Respondents.

### **ORDER:**

This order may be read with reference to the previous order dated 17.03.2020.

2. The Complainant is again absent from today's hearing in the Commission and he was also absent on the last date of hearing i.e. 17.03.2020.
3. Sh. Shiv Kumar, Jr. Assistant states that no information relating to his RTI application is available in the official record O/o D.E.O. (SE), Sangrur. Therefore, this information cannot be provided to the Complainant.
4. In these circumstances, it is relevant to invite the attention of the Complainant to the judgement 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...Pg-2

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## COMPLAINT CASE NO. 0168 OF 2020

5. 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.
6. 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.
7. 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.
8. In view of the observations noted above, the instant Complaint Case is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh  
16.06.2020

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## **COMPLAINT CASE NO. 172 OF 2020**

Sh. Lakhwinder Singh Sandhu, (9653554675)  
Village Sheerwali,  
Shri Mukatsar Sahib.

...Complainant

Versus

**Public Information Officer,**  
O/o Secretary,  
Punjab School Education Board Complex,  
Phase-VIII, S.A.S. Nagar (Mohali).

...Respondents

## **Heard through Video Conference**

**PRESENT:** None for the parties.

## **ORDER:**

This order may be read with reference to the previous order dated 17.03.2020.

2. The Complainant is absent from today's hearing in the Commission. However, he has confirmed on the telephone that he has received the information and wants to close the case.
3. Neither the PIO nor his representative is present for today's hearing in the Commission.
4. After examining the case file, it is revealed that the Respondent has already been supplied the requisite information to the Appellant through registered post on 16.03.2020.
5. Keeping in view of the above, no further action is required in this Appeal Case, hence, **disposed of and closed.**

**Chandigarh**  
**16.06.2020**

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



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## APPEAL CASE NO. 278 OF 2020

Sh. Rajinder Kumar (9888979250)  
S/o Sh. Mehar Chand,  
Ward No. 2, Supreme Enclave,  
Near Vishavkarma Bhawan,  
Link Road, Mansa-151505

...Appellant

Versus

**Public Information Officer,**  
O/o Regional Deputy Director,  
Local Government, Bathinda.

**First Appellate Authority**  
O/o Regional Deputy Director,  
Local Government, Bathinda.

...Respondents

## HEARD THROUGH CISCO WEBEX

**PRESENT:** Sh. Rajinder Kumar, Appellant.  
Sh. Rajinderpal Singh, Sr. Assistant on behalf of the Respondents. (9417072835)

### **ORDER:**

This order may be read with reference to the previous order dated 19.03.2020.

2. The Appellant stating on the telephone that he has received the requisite information relating to point no. 2 and 3 except point no. 1 of his RTI application.
3. The Respondent stating on the telephone that remaining information relating to point no. 1 has been sent to the Appellant vide letter no. 1298, dated 12.06.2020 through ordinary post.
4. Keeping in view of the above, the Respondent – PIO is directed to send the same to the Appellant through registered post within 5 days, under intimation to the Commission, failing which strict action under Section 20 (1) of the RTI Act, 2005 will be initiated against him. Adjourned.
3. To come up on **30.06.2020 at 11:00 AM through Video Conference facility of PAWAN in the o/o Deputy Commissioner, Bathinda. Both the parties are directed to appear personally on the above said date & time.** Copies of the order be sent to the parties.

Chandigarh  
16.06.2020

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## **APPEAL CASE NO. 288 OF 2020**

Sh. Jagjit Singh, (9914248131)  
Aman Nagar, Street No. 3,  
Backside Green Land School,  
Near Jalandhar Bypass, Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o Local Government, Punjab,  
Municipal Bhawan, Sector-35-A, Chandigarh.

**First Appellate Authority**  
O/o Additional Director,  
Local Government, Punjab,  
Municipal Bhawan, Sector-35-A, Chandigarh.

...Respondents

## **HEARD THROUGH VIDEO CONFERENCE**

**PRESENT:** None for the Parties.

### **ORDER:**

This order may be read with reference to the previous order dated 19.03.2020.

2. The Appellant is again absent from today's hearing and he was also absent on the last date of hearing i.e. 19.03.2020.
3. Neither the PIO nor his representative is present for today's hearing in the Commission.
4. In view of the above, both the parties are directed to represent their case personally or through their authorized representative, failing which appropriate decision shall be taken on merits. Adjourned.
5. To come up on **30.07.2020 at 10:45 AM through Video Conference facility of PAWAN in the o/o Deputy Commissioner, Ludhiana.** Copies of the order be sent to the parties.

**Chandigarh**  
**16.06.2020**

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

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## APPEAL CASE NO. 337 OF 2020

Advocate Rakesh Kumar Gupta (9814924851)  
# 8/237, Jagraon Road,  
Mandi Mullanpur,  
District Ludhiana-141101

...Appellant

Versus

**Public Information Officer,**  
O/o Director,  
Local Government, Punjab,  
Municipal Bhawan, Sector-35-A, Chandigarh.

**First Appellate Authority**  
O/o Director,  
Local Government, Punjab,  
Municipal Bhawan, Sector-35-A, Chandigarh.

...Respondents

## HEARD THROUGH VIDEO CONFERENCE

**PRESENT:** None for the Parties.

### **ORDER:**

This order may be read with reference to the previous order dated 19.03.2020.

2. The Appellant is again absent from today's hearing and he was also absent on the last date of hearing i.e. 19.03.2020. However, he has emailed in the Commission stating therein that no information has been provided to him by the Respondent – PIO and further request that exemption from the personal appearance and adjourned the case.
3. The PIO is absent. However, he has emailed in the Commission stating therein that the requisite information again sent to the Appellant vide letter TPW(LG)-2020/1409, dated 11.06.2020 through registered post.
4. In view of the above, the Appellant is advised to furnish the deficiencies to the Respondents, after receipt the information and the Respondent – PIO is directed to remove the same, before the next date of hearing, failing which strict action will be initiated against him as per provisions of the RTI Act, 2005. Adjourned.
5. To come up on **21.07.2020 at 10:00 AM through Video Conference facility of PAWAN in the o/o Deputy Commissioner, Ludhiana.** Copies of the order be sent to the parties.

Chandigarh  
16.06.2020

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

# PUNJAB STATE INFORMATION COMMISSION

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## APPEAL CASE NO. 338 OF 2020

Advocate Rakesh Kumar Gupta (9814924851)  
# 8/237, Jagraon Road,  
Mandi Mullanpur,  
District Ludhiana-141101

Appellant

Versus

**Public Information Officer,**  
O/o Director (Town Planning),  
Local Government, Punjab,  
Municipal Bhawan, Sector-35-A, Chandigarh.

**First Appellate Authority**  
O/o Director,  
Local Government, Punjab,  
Municipal Bhawan, Sector-35-A, Chandigarh.

...Respondents

## HEARD THROUGH VIDEO CONFERENCE

**PRESENT:** None for the Parties.

**ORDER:**

This order may be read with reference to the previous order dated 19.03.2020.

2. The Appellant is again absent from today's hearing and he was also absent on the last date of hearing i.e. 19.03.2020. However, he has emailed in the Commission stating therein that no information has been provided to him by the Respondent – PIO and further request that exemption from the personal appearance and adjourned the case.
3. The PIO is absent. However, he has emailed in the Commission stating therein that the requisite information again sent to the Appellant vide letter TPW(LG)-2020/1410, dated 11.06.2020 through registered post.
4. In view of the above, the Appellant is advised to furnish the deficiencies to the Respondents, after receipt the information and the Respondent – PIO is directed to remove the same, before the next date of hearing, failing which strict action will be initiated against him as per provisions of the RTI Act, 2005. Adjourned.
5. To come up on **21.07.2020 at 10:00 AM through Video Conference facility of PAWAN in the o/o Deputy Commissioner, Ludhiana.** Copies of the order be sent to the parties.

Chandigarh  
16.06.2020

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

# **PUNJAB STATE INFORMATION COMMISSION**

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## **APPEAL CASE NO. 339 OF 2020**

Advocate Rakesh Kumar Gupta (9814924851)  
# 8/237, Jagraon Road,  
Mandi Mullanpur,  
District Ludhiana-141101

...Appellant

Versus

**Public Information Officer,**  
O/o Director (Town Planning),  
Local Government, Punjab,  
Municipal Bhawan, Sector-35-A, Chandigarh.

**First Appellate Authority**  
O/o Director,  
Local Government, Punjab,  
Municipal Bhawan, Sector-35-A, Chandigarh.

...Respondents

## **HEARD THROUGH VIDEO CONFERENCE**

**PRESENT:** None for the Parties.

**ORDER:**

This order may be read with reference to the previous order dated 19.03.2020.

2. The Appellant is again absent from today's hearing and he was also absent on the last date of hearing i.e. 19.03.2020.
3. Neither the PIO nor his representative is present for today's hearing in the Commission.
4. In view of the above, the Respondent – PIO is directed to supply the complete information, before the next date of hearing, failing which strict action will be initiated against him as per provisions of the RTI Act, 2005. Adjourned.
5. To come up on **21.07.2020 at 10:00 AM through Video Conference facility of PAWAN in the o/o Deputy Commissioner, Ludhiana.** Copies of the order be sent to the parties.

**Chandigarh**  
**16.06.2020**

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

# **PUNJAB STATE INFORMATION COMMISSION**

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## **APPEAL CASE NO. 350 OF 2020**

Sh. Harwinder Singh, (9876146905)  
House No. 98, Street No. 2,  
Aman Nagar, Near Shiv Mandir,  
Jalandhar By-pass, Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o XEN,  
Water Supply and Sanitation Division No. 3,  
Ludhiana.

**First Appellate Authority**  
O/o Superintending Engineer,  
Water Supply & Sanitation Division,  
Ludhiana.

...Respondents

## **HEARD THROUGH VIDEO CONFERENCE**

**PRESENT:** None on behalf of the Appellant.  
Sh. Rohit Kumar, XEN –cum – PIO.

### **ORDER:**

This order may be read with reference to the previous order dated 19.03.2020.

2. The Appellant is absent from today's hearing. However, he has emailed in the Commission mentioning therein that incomplete information has been provided to him by the Respondent.
3. The Respondent – PIO states that requisite information has already been supplied to him.
4. In view of the above, the Appellant is advised to furnish the deficiencies in writing to the Respondent – PIO, under intimation to the Commission and the Respondent – PIO is directed to remove the same, after receiving the discrepancies from the Appellant, before the next date of hearing, failing which strict action will be initiated against him as per provisions of the RTI Act, 2005. Adjourned.
5. To come up on **30.07.2020 at 10:45 AM through Video Conference facility of PAWAN in the o/o Deputy Commissioner, Ludhiana.** Copies of the order be sent to the parties.

**Chandigarh**  
**16.06.2020**

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