

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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APPEAL CASE NO. 0916 OF 2021

Sh. Darshan Singh, (7814005222)
R/o H No. 83, Street No. 3,
Dhuri Road, Punia Colony, Sangrur.

...Appellant

Versus

Public Information Officer,
O/o The Chief Director,
Punjab Vigilance Bureau,
S.A.S. Nagar (Mohali).

First Appellate Authority
O/o The Chief Director,
Punjab Vigilance Bureau,
S.A.S. Nagar (Mohali).

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None for the Appellant.
Smt. Amandeep Kaur, Inspector(VB) on behalf of the Respondents.

ORDER:

This case may be read with reference to the previous order dated 29-09-2021.

2. The respondent reiterates that enquiry has been opened for reinvestigation of Complaint No.138/19 for which the information has been sought by the appellant, is pending in the O/o AIGP, Vigilance Bureau, Economic Crime Branch, Punjab, Mohali. She further states that the appellant has filed a writ petition in Punjab & Haryana High Court, Chandigarh for quashing the reinvestigation. She further states that due to pending enquiry in the instant case, information cannot be provided.

3. The appellant is absent for the second time consecutively.

4. The respondent-PIO is directed to supply the requisite certified information to the appellant by registered post **within 15 days** after the completion of reinvestigation/enquiry, under intimation to the Commission failing which penalty on the concerned PIO will be imposed under the provisions of the RTI Act 2005. The appellant will be at liberty to get his instant case reopen in case he does not receive the information within 15 days after the completion of reinvestigation/enquiry, from the PIO.

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-02-

APPEAL CASE NO. 0916 OF 2021

5. In view of the above, **the case is disposed of and closed.** Copies of order may be sent to the parties.

**Chandigarh
17.11.2021**

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

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APPEAL CASE NO. 0982 OF 2021

Smt. Deep Kamal Kaur Randhawa, (9814744132)
S/o Late Sh. Kuldip Raj
Opp : Water Tank, Municipal Market,
Mission Road, Pathankot.

...Appellant

Versus

Public Information Officer,
O/o The Registrar,
Guru Nanak Dev University,
Amritsar

First Appellate Authority
O/o The Vice Chancellor
Guru Nanak Dev University,
Amritsar

...Respondents

HEARD THROUGH VC/CISCO WEBEX/TELEPHONE

Present Dr. Deep Kamal Kaur Randhawa the appellant
Sh. Manjit Singh, Assistant Registrar, for the respondents

ORDER

This order may be read with reference to the previous order dated 13.10.2021

2. The PIO states that pursuant to Commission orders on the previous date of hearing, inspection of record was felicitated to Er. Ruperinderjit Singh Randhawawa husband of the appellant on dated 15.11.2021 and certified information as pointed out by him has been supplied to him on the spot.

3. The Appellant states that demanded information has been supplied by the PIO on the spot on the date of inspection on 15.11.2021 and she is satisfied with the same. She has also confirmed the same vide her email dated 17.11.2021 received in the Commission.

4. The information stands supplied and no more cause of action is left. **Hence the case is disposed of and closed.** Copies of order be sent to the parties.

Chandigarh
17.11-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

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COMPLAINT CASE NO. 1059 OF 2021

Sh. Pawan Kumar, (9592360578)
S/o Sh. Harbans Lal,
R/o Village & Post Office Panje Ke Uttar,
Tehsil Guruharsahai, District Ferozepur.

...Complainant

Versus

Public Information Officer,
O/o Punjab Subordinate Service Selection Board,
Van Bhawan, Sector-68,
S.A.S Nagar (Mohali).

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Pawan Kumar the Complainant
Sh. Harsimran Singh, Senior Assistant, for the respondents.

ORDER:

The RTI is dated 09.02.2021 vide which the complainant has demanded certain information from the PIO. He filed complaint in the Commission on 16.08.2021 under section 18 of the RTI Act 2005 (hereinafter called as Right to Information Act) and notice to both the parties were issued for 17.11.2021.

2. The Respondent reiterates that information has been provided to the complainant vide their letter No.360 dated 22.02.2021.

3. The complainant states that information supplied is irrelevant and incorrect.

4. This is a Complaint Case. Therefore, at this juncture 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. 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.

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-02-

Complaint Case No. 1059 of 2021

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.

5. Accordingly this case is hereby remanded back to First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act 2005.

6. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a 2nd appeal before the Commission under Section 19(3) of the RTI Act.

7. In view of the observations noted above, the instant **case is hereby ordered to be disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
17.11.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner,
Punjab

Copy for necessary compliance is forwarded with copy of instant RTI by **Regd. Post** to :-

First Appellate Authority

O/o Punjab Subordinate Service Selection Board,
Van Bhawan, Sector-68,
S.A.S Nagar (Mohali).

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APPEAL CASE NO. 1684 OF 2021

Sh. Harshinder Singh, (9855554063)
S/o Sh. Subba Singh,
R/o Village Rasulpur Rohi Kalar,
Jaura Phatak, Amritsar.

...Appellant

Versus

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

First Appellate Authority
O/o The Commissioner,
Municipal Commissioner, Amritsar.

...Respondents

HEARD Through CISCO WEBEX/TELEPHONE

PRESENT: None for the appellant
Sh. Yadvinder Singh, LSO, for the respondents

ORDER:

This order may be read with reference to the previous order dated 29.09.2021

2. The respondent states that available information has already been supplied to the appellant vide their letter No. SE(Civil)/394 dated 29.09.2021 and No.XEN(Hort)/282, dated 10.08.2021. He further states similar information had also been supplied to him in the Appeal Case No.0978 of 2018 which was decided and disposed of by Madam Preety Chawala, State Information Commissioner, Punjab, on 25.05.2018. He further states that a copy of order dated 25.05.2018 of Appeal Case No.0978 of 2018 has been sent to Hon'ble Commission.

3. Perusal of available record in the case file and email received from the PIO, reveals that sufficient information has already been supplied to him in the instant case by the PIO and also similar information had also been supplied by the PIO in the Appeal Case No.0978 of 2018 which was decided and disposed of by Madam Preety Chawala, State Information Commissioner, Punjab, on 25.05.2018. In this view, **the instant case is disposed of and closed.**

4. Copies of order be sent to parties.

Chandigarh
17-11-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 3727 OF 2021

Advocate Tejinder Singh, (9041004313)
Chamber No. 602, Civil Court Tehsil Complex,
Backside Sanjh Kender, Phillaur-144410

...Appellant

Versus

Public Information Officer,
O/o Sub Registrar,
Sultanpur Lodhi, District Kapurthala.

First Appellate Authority
O/o Sub Divisional Magistrate,
Sultanpur Lodhi, District Kapurthala.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Advocate Tejinder Singh, the Appellant
Sh. Jagtar Singh, Regn. Clerk, for the respondents.

ORDER:

The RTI is dated 06-05-2021 vide which the complainant has demanded certain information from the PIO. He filed first appeal on 05.06.2021 in the O/o FAA (hereinafter called as First Appellant Authority) and he filed Second appeal in the Commission on 07.06.2021 under section 18 of the RTI Act 2005 (hereinafter called as Right to Information Act) and notice to both the parties were issued for 17.11.2021.

2. The Respondent states that sought for information has already been provided to the appellant.
3. The appellant admits that he has received information and requests the court to file his instant case.
4. The information stands supplied and no more cause of action is left. **Hence the case is disposed of and closed.** Copies of order be sent to the parties.

Chandigarh
17.11-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner