

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. 0213 OF 2020

Shri Arshdeep (9876269653)
S/o Shri Bhagwant Rai,
176, Ram Nagar, Bank Street,
Nabha, District Patiala-147201

...Complainant

Versus

Public Information Officer,
O/o Principal,
Government High School,
Brahmin Majra, District Fatehgarh Sahib.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Arashdeep, Complainant.
Sh. Arwinder Pal Singh, Principal for the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 15.10.2020.

The Respondent – PIO states that requisite information has been supplied to the Complainant.

The Complainant confirms that he has received the complete information and satisfied with the same. He further gives his consent to close the case.

After examining the case file, it is revealed that the Respondent – PIO supplied the complete information to the Complainant and he has satisfied with the same. Therefore, no further action is required in this case, hence the Complaint Case is **Disposed Off and closed**.

Copies of the order be sent to the parties.

Chandigarh
18.11.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

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COMPLAINT CASE NO.0278 OF 2020

Shri Prashant Bansal (9463016701)
H. No. 1282, Street No. 2,
Gobind Colony, Barnala.

...Complainant

Versus

Public Information Officer,
O/o Municipal Council,
Barnala.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Prashant Bansal, Complainant.
Sh. Daman Devinder Singh, Asstt. Municipal Engineer for the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 24.09.2020.

The Respondent states that requisite information has already been supplied to the Complainant vide letter no. 689/V, dated 06.11.2020 through registered post.

The Complainant states that he has not received the information sent by the Respondents.

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.

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COMPLAINT CASE NO. 0278 OF 2020

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 of and closed.** Copies of the order be sent to the parties.

Chandigarh
18.11.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 0915 OF 2020

Shri Joginder Singh, (9914216045)
S/o Sh. Dayal Singh,
H. No. B-IV/922, Old Radha Swami Street,
Barnala-148101

...Appellant

Versus

Public Information Officer,
O/o DPI (SE), Punjab,
Punjab School Education Board Complex,
Phase-VIII, SAS Nagar (Mohali).

First Appellate Authority
O/o DPI (SE), Punjab,
Punjab School Education Board Complex,
Phase-VIII, SAS Nagar (Mohali).

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Joginder Singh, Appellant.
Sh. Sandeep Sharma, Sr. Assistant on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 24.09.2020.

The Appellant is absent from Webex and he is contacted on mobile phone subsequently and he states that he has received the incomplete information sent by the Respondents.

The Respondent attends the hearing through Webex but due to poor connectivity he is contacted on mobile phone subsequently. The Respondent stating that requisite information has already been supplied to the Appellant vide memo no. 24/112-19 E(5/20202344-63, dated S.A.S. Nagar: 23.09.2020 under intimation to the Commission which is received vide diary no. 13042, dated 29.09.2020 as under: -

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APPEAL CASE NO. 0915 OF 2020

ਲੜੀ ਨੰ	ਮੰਗੀ ਗਈ ਸੂਚਨਾ	ਜੁਆਬ
1	Kindly supply the certified photocopy of letter no. 2/80-2006 vide which Mrs. Harinder Kaur joined as SS Mistress at DEO Office Ferozepur.	ਆਪ ਵਲੋਂ ਮੰਗਿਆ ਗਿਆ ਸਬੰਧਤ ਪੱਤਰ ਇਕ fake document ਹੈ, ਜੋ ਕਿ ਸ਼ਿਕਾਇਤਕਰਤਾ ਵਲੋਂ ਆਪਣੀ ਸ਼ਿਕਾਇਤ ਦੀ ਕਾਪੀ ਨਾਲ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜਿਆ ਗਿਆ ਸੀ। ਪੱਤਰ ਦੀ ਕਾਪੀ ਨਾਲ ਨੱਥੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।
2	Please supply the copy of noting file prepared by Sr. Assistant Darshan Singh and approved by Mangal Singh Superintendent.	ਆਪ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਪਸ਼ਟ ਨਹੀਂ ਹੈ। ਆਪ ਵਲੋਂ ਇਹ ਸਪਸ਼ਟ ਨਹੀਂ ਕੀਤਾ ਗਿਆ ਕਿ ਸਬੰਧਤ ਸਹਾਇਕ ਅਤੇ ਸੁਪਰਡੈਂਟ ਕਿਸ ਦਫਤਰ/ਵਿਭਾਗ ਨਾਲ ਸਬੰਧਤ ਹਨ? ਇਸ ਤੋਂ ਇਲਾਵਾ ਆਪ ਵਲੋਂ ਜਿਸ ਫਾਈਲ ਦੀ ਨੋਟਿੰਗ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਹੈ ਉਸ ਮਿਸਲ ਦਾ ਨੰਬਰ ਅਤੇ ਵਿਸ਼ਾ ਆਪ ਵਲੋਂ ਸਪਸ਼ਟ ਨਹੀਂ ਕੀਤਾ ਗਿਆ।
3	Please intimate me the year wise salary paid to Harinder Kaur since date of joining till date.	ਕਿਉਂ ਜੋ ਸਬੰਧਤ ਕਰਮਚਾਰਨ ਦੀ ਤਨਖਾਹ ਸਬੰਧਤ ਸਕੂਲ ਵਲੋਂ ਹੀ ਦਿੱਤੀ ਜਾਣੀ ਸੀ। ਇਸ ਲਈ ਇਸ ਸਬੰਧੀ ਕੋਈ ਸੂਚਨਾ/ਦਸਤਾਵੇਜ਼ ਦਫਤਰੀ ਰਿਕਾਰਡ ਵਿੱਚ ਮੌਜੂਦ ਨਹੀਂ ਹੈ।
4	Please supply the copies of joining reports of Punjabi mistress Gurdeep Kaur Govt. School Alamwala and Harpal Singh Math Master Govt. School (Boys) for the year 2006 District Mukatsar.	ਹਰਪਾਲ ਸਿੰਘ ਮੈਥ ਮਾਸਟਰ ਦੀ ਜੁਆਇਨਿੰਗ ਰਿਪੋਰਟ ਦੀ ਕਾਪੀ ਨੱਥੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ। ਗੁਰਦੀਪ ਕੌਰ ਪੰਜਾਬੀ ਮਿਸਟਰਿਸ ਦੀ ਜੁਆਇਨਿੰਗ ਰਿਪੋਰਟ ਦੀ ਕਾਪੀ ਦਫਤਰੀ ਰਿਕਾਰਡ ਵਿੱਚ ਮੌਜੂਦ ਨਹੀਂ ਹੈ।
5	Please supply the certified copy of investigation report conducted by Deputy Director (Recruitment) Mohali in the instant case.	ਰਿਪੋਰਟ ਦੀ ਕਾਪੀ (ਪੰਨਾ ਨੰ: 1 ਤੋਂ 36 ਤੱਕ) ਨੱਥੀ ਹੈ ਜੀ।
6	Kindly supply the certified copy of complaint lodged or referred to the police authority against guilty officials/officers of education department.	ਇਸ ਸਬੰਧੀ ਕੋਈ ਦਸਤਾਵੇਜ਼ ਦਫਤਰੀ ਰਿਕਾਰਡ ਵਿੱਚ ਮੌਜੂਦ ਨਹੀਂ ਹੈ।

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APPEAL CASE NO. 0915 OF 2020

After examining the case file, it is revealed that the sufficient reply/information has already been supplied to the Appellant.

In view of the above, no further cause of action is left in the instant Appeal Case, the case is **disposed and closed**. Copies of the order be sent to the parties.

Chandigarh
18.11.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner