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Helpline No. 0172-2864100



Sh Yogesh K Puri, Advocate
H.No 3935, Sector 47D, Chandigarh

.....Appellant

..Vs

Public Information Officer,
O/o SSP, Mohali

First Appellate Authority,
O/o SSP, Mohali

.....Respondent

AC No. 1354 of 2021
Through CISCO Webex

Present: (i) Sh Yogesh K Puri, Appellant

(ii) For the Respondent: HC Rajwinder Kaur (8283060022)

ORDER

This order may be read with reference to the previous order dated 22.07.2021.

2. The Respondent states that the complete information has been provided to the Appellant.

3. The Appellant states that the information was provided to him on 17.12.2020 but the same was not attested. However, he has received the attested information on 07.08.2021.

4. After hearing both the parties and perusing the case file, it is ascertained that the information has been provided to the appellant but there has been a delay in providing the complete attested information. However, Respondent-PIO is warned to be careful in future while dealing with RTI application. In view of the above, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Dated: 19.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh Gurdeep Singh, S/o Sh Bishan Singh,
House No.17D, Nursery Bagh Colony,
Faridkot-151203 (9780008668)

.....Appellant

..Vs

Public Information Officer,
O/o Baba Farid University of Health Sciences,
Faridkot

First Appellate Authority

O/o Baba Farid University of Health Sciences,
Faridkot

2. Public Information Officer,

O/o DRME, Pb

Medical Education Bhawan, Sector-69, SAS Nagar-160062

.....Respondent

AC No. 1129 of 2020
Through CISCO Webex

Present: (i) Advocate karandeep Singh Bhullar, Counsel for the Appellant

(ii) None for the Respondent

ORDER

This order may be read with reference to the previous order dated 09.06.2021 vide which the above mentioned case was adjourned to be heard on 22.07.2021. However, on 22.07.2021 the case could not be heard and was adjourned to be heard on 19.08.2021, i.e, today.

2. No one has appeared on behalf of the Respondent today

3. Sh Karandeep Singh Bhullar, counsel for the Appellant states that they have received the information and are satisfied with it.

4. Since, the information has been provided to the Appellant therefore, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Dated: 19.08.2021

(Preety Chawla)
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Sh Pawan Kumar Sharma, Advocate (M-94639-50619)
#585, Phase-2, Mohali-160055

.....Appellant

..Vs

Public Information Officer,
O/o MC, Mohali

First Appellate Authority,
O/o MC, Mohali

.....Respondent

AC No. 1249 of 2021
Through CISCO Webex

Present: (i) None for the Appellant

(ii) for the Respondent: Ms Avneet Kaur, XEN (96460-68500)

ORDER

This order may be read with reference to the previous order dated 09.06.2021 vide which the above mentioned case was adjourned to be heard on 22.07.2021. However, on 22.07.2021 the case could not be heard and was adjourned to be heard on 19.08.2021, i.e, today.

2. The Appellant is not present today. However, an e-mail has been received from the Appellant stating that he shall not be able to attend the hearing today.

3. Ms Avneet Kaur, XEN is appearing on behalf of the Respondent today. She states that similar information has been demanded by the Appellant in AC: 301/2021 which has been disposed off and closed vide orders dated 31.05.2021. The Respondent has filed their reply regarding the same vide Commission diary no. 14520 dated 02.07.2021.

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AC No. 1249 of 2021

4. After perusing the case file, it is ascertained that the Appellant has demanded similar information in both the case i.e, AC-301/2021 and AC-1249/2021. In view of the foregoing, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Dated: 19.08.2021

(Preety Chawla)
State Information Commissioner
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Sh Runish Dhiman , Advocate
#437, Sector 3A, MandiGobindgarh,
Tehsil Amlah, DisttFatehgarh Sahib

.....Appellant

..Vs

Public Information Officer,
O/o EO, MC, Mandi Gobindgarh

First Appellate Authority,
Deputy Director, Urban Local Bodies, Ludhiana

2.Public Information Officer, (Registered)
O/o Punjab Pollution Control Board, PatialaRespondent

AC No. 1279 of 2021
Alongwith
AC No. 1286 of 2021
AC No. 1287 of 2021

Present: (i) Sh Runish Dhiman, Appellant

(ii) for the Respondent: Inspector Rajinder Kumar, (9888553915)

ORDER

This order may be read with reference to the previous order dated 09.06.2021 vide which the above mentioned cases were adjourned to be heard on 22.07.2021. However, on 22.07.2021 the cases could not be heard and was adjourned to be heard on 19.08.2021, i.e, today.

In AC:1287/2021

2. The Appellant states that, as directed in the previous hearing, he had inspected the record in the O/o Respondent. He has received the complete information except information pertaining to point no 3.

The Respondent states that the information pertaining to point no.3 is not available in their official record.

3. In view of the foregoing, no further cause of action is left. Hence, the Appeal case (AC-1287/2021) filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.



AC No. 1279 of 2021
Alongwith
AC No. 1286 of 2021
AC No. 1287 of 2021

In AC:1286/2021

The Respondent has sought some time to file an their affidavit. Hence, some time is given to the Respondent-PIO to file their affidavit.

IN AC:1279/2021

As directed in the previous hearing, the Respondent no.1 has filed their affidavit vide Commission diary no. 15441 dated 14.07.2021 as under:-

“ਇਹ ਕਿ ਨੈਸ਼ਨਲ ਹਾਈਵੇਜ਼, ਸਡਿਊਲ ਰੋਡ ਆਦਿ ਤੇ ਹੈਡ ਕੈਟਾਗਿਰੀ ਇੰਡਸਟਰੀ ਦੇ ਹੋਣ ਦੀ ਸੂਚਨਾ ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੇਕਥਾਮ ਬੋਰਡ ਨਾਲ ਸਬੰਧਤ ਹੈ। ਜਿਸ ਸਬੰਧੀ ਪ੍ਰਾਰਥੀ ਨੂੰ ਇਸ ਦਫ਼ਤਰ ਦੇ ਪੱਤਰ ਨੰ 574 ਮਿਤੀ 03-03-2021 ਰਾਹੀਂ ਜਾਣੂ ਕਰਵਾ ਦਿੱਤਾ ਗਿਆ ਸੀ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਦਫ਼ਤਰ ਵਿੱਚ ਕੋਈ ਹੋਰ ਸੂਚਨਾ ਉਪਲੱਬਧ ਨਹੀਂ ਹੈ।”

8. The perusal of the file ascertains that, PIO O/o Pollution Control Board, Patiala was directed to be present on the next date of hearing, i.e, today. However, no one has appeared on behalf of them today. Hence, an opportunity is given to Respondent no.2 to appear before the Commission and state their case.

Since, my term is expiring on 07.09.2021, the next date of hearing in this case cannot be fixed. Therefore, this case files i.e. AC: 1279 of 2021 and AC:1286 of 2021 is sent to Registry for further necessary action and re-allocation to some other bench.

Sd/-

Dated: 19.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

CC: D.R. (with original case files) I.e. AC: 1279 of 2021 and AC:1286 of 2021

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Sh Makhan Singh, (M-99151-69047)
S/o ShJagir Singh, Village Bika,
Distt SBS nagar.

.....Appellant

..Vs

Public Information Officer,
O/o SDM, Banga

First Appellate Authority,
O/o SDM, Banga

.....Respondent

AC No. 1352 of 2021
Through CISCO-Webex

Present: (i)None for the Appellant
(ii)For the Respondent: ASDA Daljit Singh (98763-18667)

ORDER

This order may be read with reference to the previous order dated 09.06.2021 vide which the above mentioned cases were adjourned to be heard on 22.07.2021. However, on 22.07.2021 the cases could not be heard and was adjourned to be heard on 19.08.2021, i.e, today.

2. The Appellant is not present today.
3. The Respondent states that the information has been provided to the Appellant.
4. The perusal of the file ascertains that the Appellant is not present today, hence, an opportunity is given to the Appellant to appear before the Commission and state their case.

5. Since, my term is expiring on 07.09.2021, the next date of hearing in this case cannot be fixed. Therefore, this case file is sent to Registry for further necessary action and re-allocation to some other bench.

Sd/-

Dated: 19.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

CC: D.R. (with original case file)

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Sh Jasbir Singh,
Guru Nanak Nagar, Village Bolapur,
Jhabewal, Post Office Ramgarh
District Ludhiana - 141123
(9888296107)

.....Appellant

..Vs

Public Information Officer,
O/o SDM, Bassi Pathana,
Distt. Fatehgarh Sahib
First Appellate Authority,
O/o DC, Fatehgarh Sahib

.....Respondent

AC No. 1336 of 2021
Through CISCO-Webex

Present : (I) Sh. Jasbir Singh the appellant
(ii) For the respondent : Sh.Sarabjit Singh (9463940675)

ORDER

This order may be read with reference to the previous order dated 09.06.2021 vide which neither the appellant nor the respondent was present.

2. The appellant states that no information has been given to him so far.
3. The respondent states that the information demanded by the appellant is available on the website.
4. Since, the information is available on the website, no cause of action is left, hence the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Dated: 19.08.2021

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh Ramesh Kumar, (M-9855833536)
s/o Sh Amar Nath,
H.No- U-1652, Sadar Nagar,
Opp Central Jail, Amritsar-143008

.....Appellant

..Vs

Public Information Officer,
O/o Bureau of Investigation, Pb, Sector9, Chd

First Appellate Authority,
O/o Bureau of Investigation, Pb, Sector9, Chd

.....Respondent

AC No. 1274 of 2021
Through CISCO Webex

Present : (I) None is present on behalf of the appellant
(ii) For the respondent : Sh. Ram Parshad, Sr. Assistant (9855464748)

ORDER

This order may be read with reference to the previous order dated 09.06.2021 vide which neither the appellant nor the respondent was present.

2. The appellant is absent today.
3. The respondent states that the information demanded by the appellant is not specific. He has also given in writing that the appellant has filed many RTIs, which are not specific. He further states that the appellant can visit his office on any working day, inspect the record and obtain the information.
4. After hearing the respondent and going through the case file, it is observed that the appellant has not demanded specific information. Moreover he is absent for second consecutive hearing. I am of the opinion that no useful purpose would be served in keeping this appeal case pending for an indefinite period. Accordingly, the appeal case filed by the appellant is **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

Dated: 19.08.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh V Kumar (President) MACC
House No 450, Sector 3C
Post office Road, Mandi Gobindgarh-147301

.....Appellant

..Vs

Public Information Officer,
O/o DC, Fatehgarh Sahib

First Appellate Authority,
O/o DC, Fatehgarh Sahib

.....Respondent

AC No. 1350 of 2021
Through CISCO Webex

Present : (I) Sh. V.Kumar the appellant
(ii) For the respondent : Sh. Love Kumar, Suptd. (9988744503)

ORDER

This order may be read with reference to the previous order dated 09.06.2021 vide which the respondent was directed to file his reply on oath paper.

2. Today, the respondent Sh. Love Kumar states that as directed during the last hearing, he has sent his pointwise reply on oath paper.

3. The perusal of the file shows that the respondent has sent his reply on oath paper. Since, the order of the Commission has been complied with, no cause of action is left, hence the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties. Copy of the affidavit as sent by the respondent be sent to the appellant alongwith these orders.

Dated: 19.08.2021

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh Pardeep Kumar, 9/529 (M- 6280352610)
S/o Sh Baldev Kumar,
R/o House No- 1468, Verka, Amritsar

.....Complainant

..Vs

Registered post"

Public Information Officer,
O/o IGP (Personnel-II), Pb
PP Headquarters, sector-9, Chd

Remanded back to
First Appellate Authority
O/o IGP (Personnel-II), Pb
PP Headquarters, sector-9, Chd

.....Respondent

CC No. 298 of 2021
Through CISCO-Webex

Present: (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Gurpreet Singh, Inspector (9876602778),
Sh. Bhaskar Nath, I.A Intelligence (9888028429, Sh. NArinder Singh,
Sr. Constable (8727800286)

ORDER

This order may be read with reference to the previous order dated 09.06.2021.

2. The complainant is absent today.
3. The respondent states that the information cannot be provided to the complainant as the Intelligence wing is exempted from RTI.
4. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, 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 which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

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CC No. 298 of 2021

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.

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. In case the complainant has any grouse, 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.

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 Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

7 In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

Dated: 19.08.2021

(Preety Chawla)
State Information Commissioner
Punjab