

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**



Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com Cisco Webex Code:15857-23975

Helpline No.:0172-2864116(10.00 AM to 04.00 PM on working days)

Shri Mohan Lal S/o Shri Veeru Ram,
R/o Village Chuariyan Wali,
Tehsil & District Fazilka.

...Complainant

Versus

Public Information Officer
O/o Additional Deputy Commissioner (Dev.),
Fazilka.

**Remanded Back
First Appellate Authority-cum-
O/o Shri Arvindpal Sandhu, IAS,
Deputy Commissioner,
Fazilka.**

..Respondent

CC No.289/2021

Present: (i) **Shri Jugal Kishore on behalf of the complainant.**
(ii) **None is present on behalf of the PIO/Respondent.**

ORDER:

(Heard through cisco webex)

1. This order may be read with reference to the previous order dated 05.07.2021. During the hearing dated 05.07.2021, the hearing through V.C. could not be held due to technical glitch and further postponed for today through cisco webex. At today's hearing, the son of the complainant has come present to attend the hearing through Cisco Webex. He states that partial information has been supplied by the PIO.
2. The PIO O/o GMADA, Mohali has not come present to attend the hearing through cisco webex nor he has deputed any of his representatives to attend the hearing.
3. The Bench observes that the complainant has been given incomplete information and further observes 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.

Contd..p-2

4. 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 the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

5. Post deliberations, the instant matter is remanded back to the First Appellate Authority i.e **Shri Arvindpal Sandhu I.A.S, Deputy Commissioner, Fazilka**. 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. He is directed to give an early date to hear the complainant and decide the matter. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

6. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh
20.09.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post):

First Appellate Authority
Shri Arvindpal Sandhu, IAS,
Deputy Commissioner,
Fazilka.

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**



Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com Cisco Webex Code:15857-23975

Helpline No.:0172-2864116(10.00 AM to 04.00 PM on working days)

Shri Sanjay Kumar Sharma
(Jan Hitaishi), SCO 22-23,
1st Floor, K10 Tower,
Feroze Gandhi Market,
Ludhiana-141001.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

First Appellate Authority
O/o Municipal Corporation,
Ludhiana.

....Respondents

AC No.2678 of 2020

Present: (i) None is present on behalf of the Appellant.
(ii) Shri Rajinder Kumar, Clerk on behalf of the PIO, B&R Branch, Zone-D,
M.C. Ludhiana

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 20.04.2021 passed by this Bench.
2. The case has been heard today through Cisco Webex. Shri Sanjay Kumar, appellant has not come present for today's hearing.
3. Shri Rajinder Kumar, Clerk comes present to attend the hearing through Cisco Webex. He states that as per directions of the Commission, complete information has been supplied to the appellant vide letter dated 25.08.2020. He also states that reply to the show cause notice has also been filed by the PIO vide letter dated 02.08.2021, which is taken on record.
4. Shri Sanjay Kumar Sharma, appellant is contacted on mobile phone. He confirms the receipt of information and gives his consent to close the case.
5. In view of the above, **the instant appeal case is disposed off and closed.** Copies of the orders be sent to the concerned parties.

**Chandigarh
20.09.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab**

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com Cisco Webex Code:15857-23975

Helpline No.0172-2864100(10:00 AM to 04:00PM) Working Days



Shri Sanjay Kumar Sharma
(Jan Hitaishi), SCO 22-23,
1st Floor, K10 Tower,
Feroze Gandhi Market,
Ludhiana-141001.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

First Appellate Authority
O/o Municipal Corporation,
Ludhiana.

....Respondents

AC No.2676 of 2020

Present: (i) **None is present on behalf of the Appellant.**
(ii) **None is present on behalf of the PIO, M.C. Ludhiana**

ORDER:

(Heard on mobile)

1. This order may be read with reference to the order dated 20.04.2021 passed by this Bench.
2. The case has been heard today through Cisco Webex. Shri Sanjay Kumar, appellant has not come present for today's hearing.
3. The PIO O/o Municipal Corporation, Ludhiana has also not come present for today's hearing. A letter dated 05.07.2021 has been received from the PIO in the Commission vide diary dated 02.09.2021 mentioning therein that the record has been perused by the appellant and affidavit has also been filed by the PIO. Copy of the same is taken on record.
4. Shri Davinder Singh, Head Drafts Man is contacted on telephone. He states that original official record has been shown to the appellant and documents which were pointed out by him have been given to him. He further adds that original affidavit has also been sent to him vide letter dated 25.08.2021 by registered post.
5. Shri Sanjay Kumar Sharma, appellant is contacted on mobile phone. He confirms the receipt of information/affidavit and gives his consent to close the case.

Contd...p-2

AC No.2676 of 2020

6. In view of the above, **the instant appeal case is disposed off and closed.** Copies of the orders be sent to the concerned parties.

**Chandigarh
20.09.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab**

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com Cisco Webex Code:15857-23975

Helpline No.:0172-2864116(10.00 AM to 04.00 PM on working days)



Shri Gurmej Lal, Whistle Blower,
H.No.6375, Street No.16,
Guru Gobind Singh Nagar
Backside Bachan Gas Agency,
PO Daba, Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.3301 of 2020

Present:

- (i) None is present on behalf of the appellant.
- (ii) Ms. Kashish Garg, Building Inspector-cum-APIO, Zone-C and Shri Ajay Kumar, Building Inspector-cum-APIO, Zone-A O/o MC, Ludhiana on behalf of the PIO.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 20.04.2021 passed by this Bench.
2. The case has been heard today through Cisco Webex. Shri Gurmej Lal has not come present through cisco webex.
3. Ms. Kashish Garg, Building Inspector, Zone-C, M.C. Ludhiana comes present to attend the hearing through Cisco Webex. She states that as per directions of the Bench, the appellant was called for inspection of records on 22.06.2021 and complete information has been given to him to his satisfaction. Copy of acknowledgment of the appellant having received the information has been sent by the respondent vide letter dated 29.06.2021.
4. The appellant was contacted on telephone. On the asking of the Bench, the appellant states that he had visited the office of Municipal Corporation, Ludhiana and had received the information and gives his consent to close the case.

Contd...p-2

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

**Chandigarh
20.09.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab**

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975

Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)

Shri Swaran Singh
Village Mehmoood Khane Ke,
PO Amirkhas, Tehsil Jalalabad (West),
District Fazilka.

...Appellant

Versus

Public Information Officer
O/o Deputy Commissioner, Fazilka

Public Information Officer
O/o Tehsildar, Jalalabad (West)
District Fazilka.

First Appellate Authority.
O/o Deputy Commissioner, Fazilka.

..Respondents

AC No.1288/2021

Present: (i) Shri Swaran Singh, appellant in person.
(ii) Shri Sheeshpal Singh, Tehsildar, Jalalabad (West) in person before the Bench.

ORDER:

1. This order may be read with reference to the previous order dated 05.07.2021 passed by the Bench.
2. The appellant Shri Swaran Singh has come present before the Bench in person. He states that the order of the Bench has not been complied with by the PIO.
3. Shri Sheeshpal Singh, Tehsildar, Jalalabad (West) has come present in person before the Bench. He states that the information as asked for by the appellant is of 2000 vintage and is not available in their official records.
4. Post deliberations with the appellant and the Tehsildar, Jalalabad, the Bench directs Shri Sheeshpal Singh, Tehsildar, Jalalabad (west) to file an affidavit mentioning therein that the information as asked for by the appellant is of 2000 vintage and is 21 years old and is not available in their official records. The statement made is true and correct.

Contd...p-2

This affidavit should be filed within fifteen days. The respondent states that an affidavit will be supplied to the appellant within fifteen days. The appellant agrees with the statement made by the respondent. The Bench makes it clear to the respondent/PIO that the Bench is closing the case on his assurance and in case, the Bench is apprised of the non-compliance of the directions of Bench, the matter will be re-opened.

5. In view of the assurance of the respondent, the instant matter is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
Dated:20.09.2021

Sd/-
(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab

Copy to (By Regd.Post)

Public Information Officer,
O/o Tehsildar, Jalalabad (West),
District Fazilka.