

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. 0349 OF 2021

Sh. Ved Parkash Bablu,
R/o # D-112, Street No. 4,
Inderpuri Kot Khalsa, Amritsar.

(9356030161)

...Complainant

Versus

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

...Respondent

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Rajwinder Singh for the Complainant.
Sh. Ashwani Kumar, XEN-cum-PIO on behalf of the Respondent.

ORDER:

This order may be read with reference to the previous order dated 08.07.2021.

2. Shri Ashwani Kumar, XEN-cum-PIO states that necessary reply vide letter No.210, dated 06.09.2021 has been sent to the complainant.

3. The Complainant is absent today with no communication to the Commission.

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.

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.

Contd..2/p..

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-02-

Complaint Case No. 0349 of 2021

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 02nd 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
21-09-2021

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 The Commissioner,
Municipal Corporation,
Amritsar.

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COMPLAINT CASE NO. 0366 OF 2021

Sh. Chand Kiran Sharma, (9815364674)
S/o Sh. Ganga Ram,
R/o Mandir Wali Gali, Ajaz Nagar,
Ferozepur-152002

...Complainant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Vigilance Bureau, Ferozepur.

...Respondent

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on behalf of the Complainant.
Inspector Sharanjit Singh on behalf of the Respondent.

ORDER:

This order may be read with reference to the previous order dated 08.07.2021.

2. The Respondent reiterates that available information has already been supplied to the Complainant.

3. The Complainant is absent for the second time consecutively without any intimation to the Commission.

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.

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.

Contd..2/p..

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-02-

Complaint Case No. 0366 of 2021

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 02nd 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
21-09-2021

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 The Director,
Vigilance Bureau, Punjab
Vigilance Bhawan, Sector 68,
SAS Nagar (Mohali)

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 2822 OF 2020

Sh. Ramandeep Singh Ahluwalia, (9464500405)
Ward No. 18, Street No. 2,
Kartar Nagar, Amloh Road,
Khanna-141401 District Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o The Executive Officer,
Municipal Council, Mandi Gobindgarh,
District Fatehgarh Sahib.

First Appellate Authority
O/o The Regional Deputy Director,
Urban Local Government,
Mini Secretariat Ist Floor,
Ferozepur Road, Ludhiana.

...Respondents

HEARD THROUGH CISCO WEBEX/VC/TELEPHONE

PRESENT: Shri Ramandeep Singh Ahluwalia, Appellant.
Shri Gurjant Singh, JE, on behalf of the Respondents

ORDER:

This order may be read with reference to the previous order dated 02.06.2021.

2. The Respondent states that pursuant to the previous order affidavit has been filed by the PIO. He further states that the original affidavit has been supplied to the Appellant vide letter No. 740 dated 25.06.2021 by registered post and copy of the same has been sent to the Commission.

3. The Appellant denies having received the affidavit from the respondent-PIO.

4. The respondent states that aforesaid letter and original affidavit sent to the appellant by registered post has not been received back in their office.

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APPEAL CASE NO. 2822 OF 2020

5. The appellant states that affidavit filed by the PIO is false which means that he has received the original affidavit from the respondents.

6. The perusal of the case file reveals that copy of the affidavit has been received in the Commission along with copy of postal received has been received in the Commission vide Diary No.14227 dated 30.06.2021. It has been observed that in the affidavit the respondent PIO has mentioned that “no more information remains due as per record of the Municipal Council, Mandi Gobindgarh”. However, copy of affidavit received in the Commission is sent with this order.

7. In view of the above, more cause of action is left. **Hence, the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

**Chandigarh
21.09.2021**

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 2823 OF 2020

Sh. Ramandeep Singh Ahluwalia, (9464500405)
Ward No. 18, Street No. 2,
Kartar Nagar, Amloh Road,
Khanna-141401 District Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o The Executive Officer,
Municipal Council, Mandi Gobindgarh,
District Fatehgarh Sahib.

First Appellate Authority
O/o The Regional Deputy Director,
Urban Local Government,
Mini Secretariat, 1st Floor,
Ferozepur Road, Ludhiana.

...Respondents

HEARD THROUGH CISCO WEBEX/VC/TELEPHONE

PRESENT: Shri Ramandeep Singh Ahluwalia, Appellant.
Shri Gurjant Singh, JE, on behalf of the Respondents

ORDER:

This order may be read with reference to the previous order dated 02.06.2021.

2. The Respondent states that removing the deficiencies pointed out by the appellant, available pointwise information has been supplied to the appellant vide their letter dated 10.06.2021. However, pursuant to the previous order of the Commission, affidavit has been filed by the PIO. He further states that the original affidavit has been supplied to the Appellant vide letter No. 740/RTI dated 25.06.2021 by registered post and copy of the same has been sent to the Commission.

3. The Appellant denies having received the affidavit from the respondent-PIO.

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APPEAL CASE NO. 2823 OF 2020

4. The respondent further states that aforesaid letter and original affidavit sent to the appellant by registered post has not been received back as undelivered.

5. The appellant further states that affidavit filed by the PIO is false which means that he has received the original affidavit from the respondents.

6. The perusal of the case file reveals that copy of the affidavit along with copy of postal receipt has been received in the Commission vide Diary No.14228 dated 30.06.2021. It has further been observed that in the affidavit the respondent PIO has mentioned that “no more information remains due as per record of the Municipal Council, Mandi Gobindgarh”. However, copy of affidavit received in the Commission is sent with this order.

7. In view of the above, more cause of action is left. **Hence, the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

**Chandigarh
21.09.2021**

Sd/-
(Hem Inder Singh)
State Information Commissioner

Encls : Copy of affidavit.

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APPEAL CASE NO. 2827 OF 2020

Sh. Saleem Khan, (9988252291)
S/o Nazar Khan,
R/o H. No. 5575, Phase-II,
Urban Estate, Patiala.

...Appellant

Versus

Public Information Officer,
O/o The Principal,
M.G.N. Public School,
Adarsh Nagar, Jalandhar.

First Appellate Authority
O/o The District Education Officer,
Secondary Education,
Jalandhar.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Saleem Khan, the Appellant.
Sh. Ajay Bhandari, PA to Principal for the Respondent PIO

ORDER:

This order may be read with reference to the previous order dated 02.06.2021.

2. The Respondent states that pursuant to the previous order affidavit has been filed by the PIO and sent to the Commission.

3. The Appellant states that affidavit from the PIO has not been received from the respondents.

4. The perusal of the case file reveals that affidavit has been received in the Commission vide Diary No.12497 dated 09.06.2021. It has further been observed that in the affidavit the respondent PIO has mentioned that “all the available record has already been submitted no other record is available”.

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APPEAL CASE NO. 2827 OF 2020

5. In view of the above, it is ordered that original affidavit may be sent to the appellant with this order after retaining a copy of the same for record. No more cause of action is left in this case. **Hence, the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

**Chandigarh
21.09.2021**

Sd/-
(Hem Inder Singh)
State Information Commissioner

Encls : Original Affidavit

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 2869 OF 2021

Smt. Gurbhajan Kaur, (9316921366)
D/o Sh. Mewa Ram,
R/o Village Andana, Teshil Moonak,
District Sangrur.

...Appellant

Versus

Public Information Officer,
O/o Punjabi University,
Patiala.

First Appellate Authority
O/o Punjabi University,
Patiala.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Mewa Ram, Father on behalf of the Appellant.
Advocate Vikrant Sharma for the Respondent PIO and

ORDER:

The information seeker vide RTI dated 05.01.2021 demanded information from the PIO as enumerated in his RTI application. He filed first appeal to FAA (hereinafter called as First Appellate Authority on dated 22.02.2021. He filed second appeal in the Commission under section 19(1) of RTI Act 2005 (hereinafter called as Right to Information Act) on 22.06.2021. Notice of hearing to both the parties was issued for 21.09.2021.

2. The respondent states that necessary reply / information has already been supplied to the appellant vide letter No.897/S-3/42/21/RTI Cell, dated 18.02.21 stating therein that as per decision dated 28th August 2013 at Para 52 of the University Syndicate record relating to the information has been destroyed.

3. The father of the appellant states that information provided by the respondents is incomplete and incorrect.

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Contd...2/p....

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APPEAL CASE NO. 2869 OF 2021

4. The RTI of the appellant is discussed during the hearing and thereafter the father of the appellant acknowledges the receipt of aforesaid letter from Punjabi University, Patiala.

5. In view of the above no more cause of action is left and hence, **the case is ordered to be disposed of and closed.** Copies of order be sent to the parties.

**Chandigarh
21.09.2021**

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 2880 OF 2021

Ms. Karuna Manocha, (7710151686)
R/o 334/6, Krishna Street,
Namak Mandi Chowk, Amritsar-143001

...Appellant

Versus

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

First Appellate Authority
O/o Registrar,
Guru Nanak Dev University, Amritsar.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Ms. Karuna Manocha the Appellant.
Sh. Manjit Singh, AR-cum-PIO the Respondent PIO and

ORDER:

The information seeker vide RTI dated 13.01.2021 demanded information from the PIO as enumerated in his RTI application. He filed first appeal to FAA (hereinafter called as First Appellate Authority on dated 16.02.2021. He filed second appeal in the Commission under section 19(1) of RTI Act 2005 (hereinafter called as Right to Information Act) on 22.06.2021. Notice of hearing to both the parties was issued for 21.09.2021.

2. The respondents that demanded information has already been furnished to the appellant 21.05.2021.

3. The appellant states that the respondent has supplied incomplete information too late.

4. The respondents states that in the prevailing Corona-19 situation it took some time to find out the information from a very old record and supplying the same to the appellant. He further regrets for the delay occurred in supplying the information to the appellant.

5. The RTI of the appellant is discussed in the court and thereafter the appellant acknowledges the receipt of information.

PUNJAB STATE INFORMATION COMMISSION

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Contd...2/p....

-02-

APPEAL CASE NO. 2880 OF 2021

6. In view of the above, the Commission is not inclined to intervene further in this case. Hence, **the case is ordered to be disposed of and closed.** Copies of order be sent to the parties.

Chandigarh
21.09.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3103 OF 2020

Sh. Charankamal Singh, (9417607444)
H. No. 246-A, New Shampura Colony,
Near Shahnai Palace, Village Shampura,
District Ropar-140001

...Appellant

Versus

Public Information Officer,
O/o Secretary,
Department of Education, Punjab,
Mini Secretariat-II, Sector-9, Chandigarh.

First Appellate Authority
O/o Education Secretary,
Department of Education, Punjab,
Mini Secretariat-II, Sector-9, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on behalf of both the parties.

ORDER:

This order may be read with reference to the previous order dated 02.06.2021.

2. The Respondent-PIO is absent. However, an email from the PIO O/o DPI(SE), Punjab is received in the Commission enclosing therein copy of letter dated 27.07.2021 & Postal receipt alongwith copy of affidavit vide which the original affidavit has been supplied to the appellant.

3. Perusing the aforesaid affidavit it reveals that PIO has mentioned in the aforesaid affidavit at para 3 “that in due compliance of the above said directions, it is respectfully submitted that information as available in the office of the deponent has already been provided to the appellant DPISE-RTI0GEN/144/2020-RTI-DPISE/2020251012 dated 09.10.2020 except from the above no other information is available in the O/o of the deponent”.

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APPEAL CASE NO. 3103 OF 2020

4. The appellant is absent today without any intimation to the Commission. It is presumed that he has received the aforesaid letter dated 27.07.2021 along with original affidavit and satisfied with the same.

5. In the light of above, **the instant case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

**Chandigarh
21.09.2021**

Sd/-
(Hem Inder Singh)
State Information Commissioner

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. 3451 OF 2020

Ms. Harleen Kaur, (9417607444)
#246-A, New Shampura Colony,
Near Shehnai Palace,
Village Shampura, District Ropar-140001

...Appellant

Versus

Public Information Officer,
O/o The Secretary (Education), Punjab
Punjab Mini Secretariat-II,
Sector 9, Chandigarh.

First Appellate Authority
O/o The Secretary (Education) Punjab
Punjab Mini Secretariat-II,
Sector 9, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX

PRESENT: Advocate Jaspreet Singh on behalf of the Appellant.
Smt. Davinder Kaur, Respondent-PIO and Smt. Narinder Kaur, Sr. Assistant
O/o Education-5 Punjab for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 02.06.2021.

2. The representative of the Appellant reiterates his earlier version that no information has been provided to the Appellant by the Respondents.
3. The Respondent states that pursuant to Commission previous order dated 02.06.2021 affidavit filed by the respondent-PIO has been supplied to the Appellant.
4. The representative of the appellant states that the affidavit is not notarised and requests the court to direct the PIO to supply affidavit duly attested by the Notary.

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PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

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APPEAL CASE NO. 3451 OF 2021

5. The respondent PIO is directed to get the affidavit attested from the Notary and send it on the whatsapp of the representative of the appellant today itself. She is further directed to send the original affidavit by registered post to the appellant with a copy to Commission along with a copy of postal receipt.

6. The Respondent-PIO revert back and informs on telephone that affidavit duly attested by the Notary has been sent on whatsapp of the representative of the appellant and she further informs that it is presumed that the message has been read by the appellant as two lines on his whatsapp turned blue. She further states that attested original affidavit will be sent to the appellant by registered post and copy of the same alongwith post receipt will be sent to the Commission.

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

**Chandigarh
21.09.2021**

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

Copy to intimation and necessary action:-

Ms. Devinder Kaur,
Public Information Officer,
O/o Secretary Education, Punjab,
Education – 5 Branch,
Punjab Mini Secretariat-II
Sector -9, Chandigarh.

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APPEAL CASE NO. 3452 OF 2020

Ms. Harleen Kaur, (9417607444)
#246-A, New Shampura Colony,
Near Shehnai Palace,
Village Shampura, District Ropar-140001

...Appellant

Versus

Public Information Officer,
O/o DPI (SE) Punjab,
PSEB Building, Phase 8,
SAS Nagar (Mohali).

First Appellate Authority
O/o DPI (SE) Punjab,
PSEB Building, Phase 8,
SAS Nagar (Mohali).

...Respondents

HEARD Through CISCO WEBEX

PRESENT: Advocate Jaspreet Singh on behalf of the Appellant.
Shri Gursewak Singh, Sr. Assistant on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 02.06.2021.

2. The Respondent states that pursuant to Commission's previous order dated 02.06.2021, affidavit filed by the respondent-PIO has been supplied to the Appellant.

3. The representative of the Appellant states that affidavit from the respondent-PIO has not been received.

4. Examination of case file reveals that affidavit has been received in the Commission vide diary No.15437 dated 14.07.2021. It is further observed from the affidavit

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APPEAL CASE NO. 3452 OF 2020

that the respondent PIO has clearly mentioned that “no more information relating to this case is available in the record except the information already supplied to the appellant”. I hereby order that original affidavit be sent to the appellant with this order after retaining a copy of the same in record.

5. In view of the above, no more cause of action is left in this case and hence, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

**Chandigarh
21.09.2021**

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

Encls : original affidavit

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



APPEAL CASE NO. 3369 OF 2020

Sh. Sanjeev Goyal, (9814197689)
S/o Sh. Ashok Kumar,
148, Model Town, Phase-1,
Near T.V. Tower, Bathinda-151001

...Appellant

Versus

Public Information Officer,
O/o The Director,
Language Department,
Patiala-147001

First Appellate Authority
O/o The Director,
Language Department,
Patiala-147001

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Sanjeev Goyal, Appellant.
Shri Jagmeet Singh, Clerk on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 02.06.2021.

2. The Respondent states that requisite information has already been supplied to the Appellant by registered post on 08.09.2021.

3. The Appellant admits that complete information has been supplied to him by the Respondents. He expresses his satisfaction to the supplied information and further requests the court to close his case.

4. The information stands supplied and hence, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
21.09.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner