

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



REGISTERED

Pawan Kumar Mittal,
3277/5, Tara Chand Street,
Factory Area, District Patiala.

Versus

Public Information Officer,
o/o District Manager,
Punjab State Warehousing Corporation (PSWC),
Ludhiana.

First Appellate Authority,
o/o Punjab State Warehousing Corporation (PSWC),
Head Office, SCO-74-75, Sector-17 B, Chandigarh.

M/s Ganeshey Overseas Limited (Third Party)
SCO 38, First Floor, Sector-26,
Chandigarh.

Appeal Case No. 3731 of 2021

PRESENT:

Pawan Kumar Mittal (Appellant) 96465-00186
Mohinder Pal Singh, PIO-cum-District Manager Warehousing Corporation (Respondent) 79860-37572
Davinder Kumar, Godam Attendant (for the Respondent) 88723-01212

ORDER:

(To be read in continuity with earlier orders on **6.7.2022, 14.9.2022, and 20.10.2022**)

1. The RTI application is dated **18.9.2020** vide which the appellant has sought information **regarding Ganeshey Overseas Limited in Four points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.4.2021** and Second Appeal was filed in the Commission on **18.8.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.10.2022**.

2. Both parties are present. As directed at the last hearing on 20.10.2022, the respondent PIO-cum-District Manager, Sh. Mohinder Pal Singh, who is accompanied by Davinder Kumar, Godam Attendant, have submitted information pertaining to points 1, 3, and 4 of the RTI application after due attestation vide Letter No. 3228 Dated 17.11.2022 (2 sets). The cited 3rd party in this Appeal Case is however, absent once again today. As per letter to the District Manager Dated 19.10.2022, the 3rd party i.e. M/s Ganeshey Overseas Limited, had submitted that ***"any information related to my firm M/s Ganeshey Overseas Limited which is a private limited company and RTI Act, 2005 is not applicable on private limited company,"*** thus information cannot be provided to the appellant to safeguard my commercial interest.

3. The Commission further notes that the information has not been requested from M/s Ganeshey Overseas Limited but from the Punjab Warehousing Corporation, which is the custodian of the information sought and it is also noted that the information is in the custody of the District Manager, Punjab Warehousing Corporation, Ludhiana, as per statutory requirements and does not in any way amount to infringement of copy right etc. The cited 3rd party M/s Ganeshey Overseas Limited is however, given one opportunity to be heard at the Commission at the next hearing on 29.11.2022. All other parties including District Manager, PSWC, Ludhiana is exempt from attending the next hearing.

Contd....2

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4. Next hearing on 29.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
21.11.2022