

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in
Visit us: - www.infocommpunjab.com, Helpline No.0172-2864100



Sh. Ravi Kant, (9646500396)

S/o Sh. Sansari Lal, R/o Krishan Bazaar,
Ward No 4, Dhariwal,
District Gurdaspur.

.....Appellant/Complainant

Versus

Public Information Officer

O/o EO, Nagar Council, Dhariwal,
District Gurdaspur.

.....Respondent

First Appellate Authority

O/o Deputy Director,
Local Govt, Amritsar.

Appeal Case No.131 of 2021

Present: None

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 24.12.2020. Accordingly, the case is fixed for today.
2. As nobody is present on behalf of respondent authority the case is adjourned to date **30.03.2021** through personal hearing at PSIC Chandigarh, **11:30 AM** with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated.

Chandigarh
Dated: 22.02.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner



Sh. Jatinder Kumar, (9872324111)
C/o Sachkhand Mishthan Bhandhar,
Nehru Gate, Nawanshahr.

.....Appellant/Complainant

Versus

Public Information Officer
O/o EO, Nagar Council,
Nawanshahr.

.....Respondent

First Appellate Authority
O/o cum Regional Deputy Director,
Local Govt, Jalandhar.

Appeal Case No.162, 163,164,165 of 2021

Present: Appellant: Sh. Jatinder Kumar
Respondent: Sh. Ramprakash (PIO) 9417479460

ORDER

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 24.12.2020. Accordingly, the cases are fixed for today. As both parties are same, therefore a single speaking order is being passed in all the above mentioned cases.

Observations:

2. Both the parties are present.

From a perusal of the relevant case records, it is noted that the appellant is aggrieved with the fact that the desired information was not provided to him.

The respondent PIO while explaining as to why the information could not be shared, following grounds for non-disclosures of the sought information was mentioned by him:-

- a.) Key of the cabinet/ wardrobe in which the record is placed is still in the custody of appellant (in AC: 162/2021)
- b.) As the sought information relates to a third party (in AC: 164,165/2021)
- c.) Information will be only supplied on payment of requisite fees. (in AC: 163/2021)

Decision:

3. After hearing the parties and on perusal of the relevant documents on file, the Commission found reason to disagree with the replies of the respondents.

Firstly, the appellant is advised /ordered to make an affidavit vide he would mention that if he has objection on opening the cabinet/ wardrobe (as solicited by the respondent PIO) in his absence or not.

Secondly, the PIO should note that in case he is denying sharing any information being related to a third party, the proper exemption clause under the RTI Act should be claimed and justified by him.

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Appeal Case No.162, 163,164,165 of 2021

Lastly, if any additional fees are liable to be paid by the appellant, inform him how much he has to pay, how the amount was calculated and how he has to remit the amount. Do not simply say information will be supplied on payment of requisite fees. Do not say "Pay Rs 2 per page" without intimating for how many pages he has to pay.

4. In view of above the Commission is of the view that the PIO is legally obliged to give the appellant the sought for information to the Appellant as per the provisions of the RTI Act, 2005, within a period of 30 days from the date of receipt of this order

Another opportunity is given to both the parties to present the case on next date of hearing positively, failing to which the case would be decided on merit basis.

5. To come up on **19.04.2021** through personal hearing at PSIC Chandigarh, **11:30 AM**.

Chandigarh
Dated: 22.02.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner