

# 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. 0191 OF 2020

Shri Bhagwant Singh, (9878128027)  
S/o Shri Dharam Singh  
# 5748, Street No.6½,  
Guru Arjan Dev Nagar.  
Samrala Chowk, LUDHIANA.

...Complainant

Versus

**Public Information Officer,**  
O/o The Director,  
Public Instructions (Secondary),  
Punjab School Education Board Complex,  
Phase-8, S.A.S. Nagar (Mohali).

...Respondent

## HEARD Through CISCO WEBEX – VC/TELEPHONE

**PRESENT:** Shri Bhagwant Singh, Complainant.  
None on behalf of the Respondent.

### **ORDER:**

This order may be read with reference to the previous order dated 17-12-.2020.

2. The Respondent is absent today. The Respondent is contacted over his mobile who states that due to net problem he could not join the CISCO WEBEX. He further confirms that the Complainant had visited their office and all the requisite record was shown to him and supplied the information as pointed out by him on the spot. He also states that after getting the requisite information the Complainant had expressed his satisfaction.

3. The Complainant states that he went for inspection of record in O/o the PIO on mutually agreed date and time but he is not satisfied as relevant information has not been supplied to him.

4. This is a complaint case. Therefore, the attention of the complainant is drawn to the decision of the Hon'ble Supreme Court of India rendered in its order dated 12.12.2011 in Civil Appeal Nos.10788 of 2011 (arising out of SLP(C)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. The complainant is advised to approach the first appellate authority in this behalf.

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

Chandigarh  
24-02-2021

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## COMPLAINT CASE NO. 0360 OF 2020

Advocate Tejinder Singh, (9041004313)  
Civil Court, Tehsil Complex,  
B/S Sanjh Kendra, PHILLAUR-144410

...Complainant

Versus

**Public Information Officer,**  
O/o The Principal,  
MGM Public School,  
Urban Estate, Phase-1,  
DUGRI, Ludhiana-141002

...Respondent

## HEARD Through CISCO WEBEX – VC/TELEPHONE

**PRESENT:** Sh. Tejinder Singh, Complainant.  
None on behalf of Respondent.

### **ORDER:**

This order may be read with reference to the previous order dated 17-12-2020.

2. The Complainant reiterates that no information has been provided to him by the Respondent.

3. The Respondent is not present for today's hearing. On perusal of the case file it is observed that a letter dated 10-08-2020 from the Principal of the MGM Public School, Dugri, Ludhiana, had been received in Commission wherein the principal had stated that their school is unaided school and private institution which does not fall in the ambit of definition of Public Authority as stated in the RTI Act 2005. As such, they are not liable to provide the information under the Act.

4. The Respondent is absent for today's hearing. He was also absent on the previous hearings. It is presumed that he is not attending the hearings taking the plea that their school is un-aided school which does not fall under the ambit of RTI Act 2005 as mentioned in their letter dated 10-08-2020 received in the Commission on 14-08-2020 lying in the file.

5. This is a complaint case. Therefore, the attention of the complainant is drawn to the decision of the Hon'ble Supreme Court of India rendered in its order dated 12.12.2011 in Civil Appeal Nos.10788 of 2011 (arising out of SLP(C)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. The complainant is advised to approach the first appellate authority in this behalf.

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

Chandigarh  
24-02-2021

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## **COMPLAINT CASE NO. 0563 OF 2020**

Sh. Anil Kumar,  
S/o Sh. Raj Kumar,  
Village & Post Office Bharoli, Tehsil Banga,  
District Shaheed Bhagat Singh Nagar-144503

...Complainant

Versus

**Public Information Officer,**  
O/o The Secretary,  
School Education, Punjab,  
Education Branch-4, Punjab,  
Civil Secretariat-2, Chandigarh.

...Respondent

## **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 16.12.2020.

2. The Respondent-PIO is absent today. However, E-mail from the Respondent is received in Commission informing that the sought for information has been sent to the Complainant vide Memo. No.01/76/2015-2Edu-4/3333, dated 29-09-2020. The email is taken on record.

3. Last and final opportunity was given to the Complainant to be present on today's hearing to follow up his case but he is again absent today without any intimation to Commission. It is presumed that he has received the information and he is satisfied with the same.

4. 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  
24-02-2021

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## COMPLAINT CASE NO. 0566 OF 2020

Sh. Gurtej Singh Sidhu, (9815050009)  
Retd. Excise & Taxation Officer,  
Lal Kothi, Mohalla Darbar Sahib,  
Talwandi Sabo, District Bathinda-151302

...Complainant

Versus

**Public Information Officer,**  
O/o Assistant Excise & Taxation Commissioner,  
Barnala.

...Respondent

## HEARD Through CISCO WEBEX – VC/TELEPHONE

**PRESENT:** None for the Complainant.  
Sh. Kapil Jindal, E.T.O. –cum- APIO for the Respondent.

### **ORDER:**

This order may be read with reference to the previous order dated 16.12.2020.

2. The Respondent says that in pursuance of Commission order, he has filed Affidavit on non-judicial stamp paper of Rs.50/- duly attested by the Public Notary and sent the original affidavit to the Complainant by registered post with a copy to Commission.
3. The Complainant is not present today for hearing. However, he is contacted over his Mobile who states that original Affidavit filed by the Respondent on non-judicial stamp paper of Rs.50/- has been received. He also expresses his satisfaction and requests the court to file the case.
4. Accordingly the case is ordered to be **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh  
24-02-2021

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## APPEAL CASE NO.1216 OF 2020

Shri Jabir Singh, (9888296107)  
Village Bholapur Jhabewal,  
Post Office Ramgarh  
District Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o The Director,  
Language Department Punjab,  
PATIALA.

**First Appellate Authority**  
O/o The Director,  
Language Department Punjab,  
PATIALA.

...Respondents

## HEARD THROUGH CISCO WEBEX – VC/TELEPHONE

**PRESENT:** Sh. Jasbir Singh, Appellant.  
Shri Jagmit Singh, Clerk on behalf of the Respondents.

### **ORDER:**

This order may be read with reference to the previous order dated 17-12-2020.

2. The Respondent reiterates his earlier version that necessary reply / information has already been provided to the Appellant.

3. The Appellant is absent for today's hearing. However, he has emailed to Commission that he has received the information to his satisfaction. The email dated 21.02.2021 is taken on record.

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

Chandigarh  
24-02-2021

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## APPEAL CASE NO. 2928 OF 2020

Sh. Birchh Bhan, (9876101696)  
S/o Sh. Swaroop Chand,  
R/o H. No. 33, Kahangarh Road,  
Patran, District Patiala-147105

...Appellant

Versus

**Public Information Officer,**  
O/o The Assistant Excise &  
Taxation Commissioner,  
Hoshiarpur.

**First Appellate Authority**  
O/o The Assistant Excise &  
Taxation Commissioner,  
Hoshiarpur.

...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 17-12-2020.

2. Both the parties are not present today.
3. An email dated 23-02-2021 from the Appellant stating therein that the demanded information from the Respondents has been received and he is satisfied with the same. He further requests the court that the case may be closed. The email is taken on record.
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  
24-02-2021

Sd/-  
(Hem Inder Singh)  
State Information Commissioner