

PUNJAB STATE INFORMATION COMMISSION
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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.625,626,627,628 and 629 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 26-10-2020
PIO replied on : -
First appeal filed on : 26-11-2020
First Appellate Authority order : -

Present: Appellant: Sh. Jatinder Kumar
Respondent: Sh. Upper Apaar Singh (EO), 9417479460
Sh. Harsh Kumar (Accountant), 9646047702

ORDER:

1. This order may be read with the reference of previous order dated 21.06.2021.
2. After hearing both the parties and going through the case file, it is revealed that the above mentioned case are disposed of with the directions to the respondent PIO, to make good of deficiencies pointed out by the appellant (in the court dated 25.08.2021) within 20 days from the issue of this order under intimation to the commission.
3. Both the parties agreed on the above decision of the court.

Chandigarh
Dated: 25.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Sukhchain Singh, (9463518565)

Sonam Mohalla, Fatehgarh Churian,
Tehsil Batala, Distt Gurdaspur.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Sub Divisional Magistrate,
Batala Distt Gurdaspur.

.....Respondent

First Appellate Authority

O/o Deputy Director,
Local Govt, Amritsar.

Appeal Case No.659 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 03-10-2020
PIO replied on : 16-11-2020
First appeal filed on : 01-12-2020
First Appellate Authority order : -

Present: Appellant: Sh. Sukhchain Singh

Respondent: Sh. Ramesh Kumar (Inspector Nagar Council), 9814195196

ORDER:

1. This order may be read with the reference of previous order dated 21.06.2021.
2. Appellant, Sh. Sukhchain Singh stated that incorrect and misleading information has been provided by the respondent authority.
3. On this, respondent Sh. Ramesh Kumar pleaded that whatever information which was available in the office has been supplied to the appellant through registered post & via email dated 24.08.2021.
4. In the view of above, **the PIO is directed to furnish an affidavit providing therein the factual situation and affirming the position that the information sought by the appellant has been supplied to their best extent.** A compliance report for the same should be submitted within 10 days from the issue of this order.

Chandigarh
Dated: 25.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Jatinder Kumar, S/o Sh. Ram Saroop

House No 162, Hill View Enclave,
Sharma Store Nangal Township,
Tehsil Nangal, Distt Ropar-140124

.....Appellant/Complainant

Versus

Public Information Officer

O/o EO, Municipal council, Banga,
S.B.S Nagar.

.....Respondent

First Appellate Authority

O/o Deputy Director,
Local Govt, Jalandhar.

Appeal Case No.667 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 28-09-2020
PIO replied on : -
First appeal filed on : 29-10-2020
First Appellate Authority order : -

Present: Appellant: Absent

Respondent: Sh. Yashpal Singh (Sanitary Inspector), 8872940333

ORDER:

1. This order may be read with the reference of previous order dated 21.06.2021 vide which Commission advises the appellant to deposit the requisite amount following which he has to be supplied duly attested copies of the information pertaining to EO, Municipal council, Banga, S.B.S Nagar. A final opportunity is given to appellant to submit a written reply and to be present the case, falling to ex-parte decision will be taken on next date of hearing.
2. In view of the above it is also observed that the appellant neither bothered to attend any hearing or communicate in any other manner with this Commission or the respondent PIO, the Commission sees, no further cause for action and this appeal case is herewith **CLOSED**.

However, the liberty is granted to the appellant to approach the Commission within 10 days from the issue of this order in case of any further submissions.

Chandigarh
Dated: 25.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Rattanjit Singh, (8283807311)
H No 1421, Street No 8, Jagbande Colony,
Manjitha Road, Amritsar-143001.

.....Appellant/Complainant

Versus

Public Information Officer
O/o Directorate, Medical & Research Education Punjab,
Sector 69, Mohali.

.....Respondent

First Appellate Authority
O/o Directorate, Medical & Research Education Punjab,
Sector 69, Mohali.

Appeal Case No.742 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 23-09-2020
PIO replied on : -
First appeal filed on : 10-11-2020
First Appellate Authority order : -

Present: None

ORDER:

1. This order may be read with the reference of previous order dated 21.06.2021 vide which the appellant is advised to go through the information on its receipt and point out deficiency, if any to the respondent-Public Information Officer with a copy to the Commission before the next date of hearing.
2. The respondent-Public Information Officer has already filed the response but neither the appellant submitted any deficiency in the information nor he is attending the hearings.
3. The appellant remained absent during the last three hearings consecutively.
4. Accordingly, the Commission observes that he is satisfied with the information/response filed by the respondent-Public Information Officer so no further action is required to be taken in this case. Hence, the case is disposed of and closed. However, the liberty is granted to the appellant to approach the Commission within 10 days from the issue of this order in case of any further submissions.

Chandigarh
Dated: 25.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Kuldeep Singh, (9815725175)

S/o Sh. Karnail Singh, Presently R/o Kadiya Road,
Green City, Batala, # 129/A, Near Sahota,
Kariana Store, Batala.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Secretary, Zila Parishad,
Gurdaspur.

.....Respondent

Complaint Case No.159 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 03-09-2020
PIO replied on : -

Present: None

ORDER:

1. This order may be read with the reference of previous order dated 21.06.2021 vide which the appellant was asked to point out deficiencies in written to respondent under intimation to the commission.
2. The respondent-Public Information Officer has already filed the response but neither the appellant submitted any deficiency in the information nor he is attending the hearings.
3. The complainant remained absent during the last three hearings consecutively.
4. The complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005; no directions for providing further information can be given by the Commission.

In 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 which is as under:- (31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

5. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

Complaint Case No.159 of 2021
(Cisco Webex Proceedings)

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 Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

7. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority along with a copy of RTI application for their ready reference. The appeal is disposed of accordingly, with the above observations.

Chandigarh
Dated: 25.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Gurmeet Singh, (9876269776)

S/o Shri Lal Singh,
R/o Village Kikar Khera, Tehsil Abohar,
Distt Fazilka.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Chairman, Panchayat Samiti,
Block Anandana at Munak, Distt Sangrur.

.....Respondent

First Appellate Authority

O/o District Development and Panchayat Officer,
Sangrur.

Appeal Case No.798 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 21-09-2020
PIO replied on : -
First appeal filed on : 17-11-2020
First Appellate Authority order : -

Present: Appellant: Sh. Gurmeet Singh
Respondent: Sh. Gurjit Singh (Accountant), 9815156835

1. This order may be read with the reference of previous order dated 21.06.2021.
2. Appellant, Sh. Gurmeet Singh stated that incorrect and misleading information has been provided by the respondent authority.
3. On this, respondent Sh. Gurjit Singh pleaded that whatever information which was available in the office has been supplied to the appellant through registered post dated 02.07.2021 vide letter reference no. 353.
4. In the view of above, **the PIO is directed to furnish an affidavit providing therein the factual situation and affirming the position that the information sought by the appellant has been supplied to their best extent.** A compliance report for the same should be submitted within 15 days from the issue of this order.

Chandigarh
Dated: 25.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Gurmeet Singh, (9876269776)

S/o Shri Lal Singh,
R/o Village Kikar Khera, Tehsil Abohar,
Distt Fazilka.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Block Development and Panchayat Officer,
Block Ananddana at Munak, Distt Sangrur.

.....Respondent

First Appellate Authority

O/o District Development and Panchayat Officer,
Sangrur.

Appeal Case No.799 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 19-09-2020
PIO replied on : 13-10-2020
First appeal filed on : 17-11-2020
First Appellate Authority order : -

Present: Appellant: Sh. Gurmeet Singh
Respondent: Sh. Gurjit Singh (Accountant), 9815156835

ORDER:

1. This order may be read with the reference of previous order dated 21.06.2021.
2. Appellant, Sh. Gurmeet Singh stated that incorrect and misleading information has been provided by the respondent authority.
3. On this, respondent Sh. Gurjit Singh pleaded that whatever information which was available in the office has been supplied to the appellant through registered post dated 02.07.2021 vide letter reference no. 355.
4. In the view of above, **the PIO is directed to furnish an affidavit providing therein the factual situation and affirming the position that the information sought by the appellant has been supplied to their best extent.** A compliance report for the same should be submitted within 15 days from the issue of this order.

Chandigarh
Dated: 25.08.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.