

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864110, Helpline 0172-2864100

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189



Sh. Rajinder Singh, (M: 8872900577)

R/o H. No. 1027, HM Flats, Housing Board Colony,
Sector 3, E-Block, Ranjit Avenue,
Amritsar-143001.

....Appellant

Vs

Public Information Officer,
O/o Principal, Govt. Sr. Sec. School,
Vachhoa, Tehsil Ajnala,
Distt. Amritsar.

....Respondents

Complaint Case No. 204 of 2022
(Video Conference Proceedings)

Present:- Sh. Rajinder Singh, (M: 8872900577)
None on behalf of the respondents

ORDER

The RTI Application is dated 22.03.2022 vide which the complainant has sought information as enumerated in his RTI Application. Complaint was filed in the Commission on 13.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 27.05.2022.

2. The complainant has sought the information related to his retirement benefits. The complainant further requested that the directions may be issued to the respondent-Public Information Officer to provide the complete information.

3. It is appropriate to mention that Hon'ble Supreme Court of India in its order rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP @ No.32768-32769/2010) has held that while entertaining a complaint 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. Since the complainant is interested in getting the information,

Contd..p/2

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-2-

therefore, the matter is remanded back to Sh. Jugraj Singh, First Appellate Authority-cum-D.E.O. SE, District Amritsar to take appropriate decision in accordance with the provisions of the RTI Act within the prescribed timeline, after giving opportunity of hearing to all concerned by passing a speaking order. A copy of this complaint filed by the complainant is also **being sent** to him along with this order with the directions that the same may be treated as first appeal.

4. With these directions the case is disposed of and closed. However, the liberty is granted to the complainant to file the 2nd appeal in this case, if he is not satisfied with the decision of the First Appellate Authority.

sd

Dated: 27.5.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Sh. Jugraj Singh,
District Education officer (SE)
-cum-First Appellate Authority
Amritsar.

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Smt. Maya Gupta,
843, Professor Colony,
Near Maan Nagar, D.B.N. Road,
Batala, Distt. Gurdaspur-143505.
(M: 6239797326).

....Appellant

Vs

Public Information Officer,
O/o DEO (S), Gurdaspur.

....Respondents

Complaint Case No. 197 of 2022
(Video Conference Proceedings)

Present:- Smt. Maya Gupta, complainant on telephone.
Sh. Surjit Singh, on behalf of the respondents

ORDER

The RTI Application is dated 26.11.2021 vide which the complainant has sought information as enumerated in his RTI Application. Complaint was filed in the Commission on 12.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 27.05.2022.

2. The complainant has sought the information pertaining to service book of Mrs. Maya Gupta (Retd. English Lecturter from Govt. Sr. Sec. School Balpurian.

3. The complainant requested that that the directions may be issued to the respondent-Public Information Officer to provide the complete information.

4. It is appropriate to mention that Hon'ble Supreme Court of India in its order rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint 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. Since the complainant is interested in getting the information,

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-2- Complaint Case No. 197 of 2022

therefore, the matter is remanded back to Sh. Harpal Singh, First Appellate Authority-cum-D.E.O. SE, Gurdaspur to take appropriate decision in accordance with the provisions of the RTI Act within the prescribed timeline, after giving opportunity of hearing to all concerned by passing a speaking order. A copy of this complaint filed by the complainant is also **being sent** to him along with this order with the directions that the same may be treated as first appeal.

5. With these directions the case is disposed of and closed. However, the liberty is granted to the complainant to file the 2nd appeal in this case, if she is not satisfied with the decision of the First Appellate Authority. sd/

Dated: 27.5.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Sh. Harpal Singh,
District Education officer (SE)
-cum-First Appellate Authority
Gurdaspur.

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Sh. Shubham Gupta, S/o Sh. Gurjeet Rai,
106/9, Kila Chowk,
Chakarpani Mohalla, Pehowa,
Distt. Kurukshetra-136128.

....Appellant

Vs

Public Information Officer,
O/o Director, Higher Education,
Govt. of Punjab, Mohali.

....Respondents

Complaint Case No. 211 of 2022
(Video Conference Proceedings)

Present:- Sh. Shubham Gupta, complainant on telephone.
Sh. Sukhwinder Singh, on behalf of the respondents.

ORDER

The RTI Application is dated 17.01.2022 vide which the complainant has sought information as enumerated in his RTI Application. Complaint was filed in the Commission on 19.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 27.05.2022.

2. The complainant submits that the directions may be issued to the respondent-Public Information Officer to supply the complete information in this case.

3. It is appropriate to mention that Hon'ble Supreme Court of India in its order rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint 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. Since the complainant is interested in getting the information,

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-2- Complaint Case No. 211 of 2022

therefore, the matter is remanded back to Mrs Jaspreet Talwar, IAS, Secretary, Higher Education-cum-First Appellate Authority to take appropriate decision in accordance with the provisions of the RTI Act within the prescribed timeline, after giving opportunity of hearing to all concerned by passing a speaking order. A copy of this complaint filed by the complainant is also **being sent** to him along with this order with the directions that the same may be treated as first appeal.

5. With these directions the case is disposed of and closed. However, the liberty is granted to the complainant to file the 2nd appeal in this case, if he is not satisfied with the decision of the First Appellate Authority.

sd

Dated:27.5.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

Mrs Jaspreet Talwar, IAS,
Secretary, Higher Education
-cum-First Appellate Authority
Punjab Civil Sectt-2,
Sector 9, Chandigarh.

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Sh. PC Sharma, Advocate,
378, MM Malviya Road,
Distt. Amritsar-143001.

....Appellant

Vs

Public Information Officer,
O/o Improvement Trust,
Distt. Amritsar.

....Respondents

Complaint Case No. 1299 of 2021
(Video Conference Proceedings)

Present:- None on behalf of the complainant.
Sh. Rajiner Kaur 9988825638 and sh. Mantu Kumar 9888640105 on
behalf of the respondents

ORDER

This order may be read with reference to the previous order dated
12.05.2022.

2. The complainant has sought the information related to Khokha's being constructed on the land of Improvement Trust, in Ranjit Avenue, Kabir Park & other schemes including new District Amritsar.

3. The complainant requested that the directions may be issued to the respondent-Public Information Officer to provide the complete information.

4. It is appropriate to mention that Hon'ble Supreme Court of India in its order rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint 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. Since the complainant is interested in getting the information, therefore, the matter is remanded back to Sh. Sanjeev Sharma, PCS, First Appellate Authority-cum-A.D.C.(Urban Development), Amritsar to take appropriate decision in

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-2- Complaint Case No. 1299 of 2021

accordance with the provisions of the RTI Act within the prescribed timeline, after giving opportunity of hearing to all concerned by passing a speaking order. A copy of this complaint filed by the complainant is also **being sent** to him along with this order with the directions that the same may be treated as first appeal.

5. With these directions the case is disposed of and closed. However, the liberty is granted to the complainant to file the 2nd appeal in this case, if he is not satisfied with the decision of the First Appellate Authority.

Dated: 27.5.2022

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC
Sh. Sanjeev Sharma, PCS
A.D.C (Urban Development)
-cum-First Appellate Authority
District Amritsar.

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Er. Pankaj Sharma, S/o Sh. R.D. Sharma,
VPO Jaijon Doaba, Tehsil Garhshankar,
Distt. Hoshiarpur-144530.
(M: 9872464005)

....Appellant

Vs

Public Information Officer
O/o DEO (SE), Roopnagar.

....Respondents

Complaint Case No. 203 of 2022
(Video Conference Proceedings)

Present:- None on behalf of the parties.

ORDER

The RTI Application is dated 19.08.2021 vide which the complainant has sought information as enumerated in his RTI Application. Complaint was filed in the Commission on 13.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 27.05.2022.

2. The appellant has sought the following information:-

3. The complainant has sent a written request that he has received the information and is satisfied with the same. He has also requested to close the case.

4. According to the submissions made by the complainant, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

Dated: 27.5.2022

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Talwinder Kumar,
501, Ajit Nagar Grewal Chowk,
Malerkotla.
(M: 9464348258)

....Appellant

Vs

Public Information Officer
O/o DEO (SE), Malerkotla.

....Respondents

Complaint Case No. 215 of 2022
(Video Conference Proceedings)

Present:- Sh. Talwinder Kumar, complainant.
Sh. Narinder Kumar, Steno on behalf of the respondent.

ORDER

The RTI Application is dated 24.11.2020 vide which the complainant has sought information as enumerated in his RTI Application. Complaint was filed in the Commission on 11.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 27.05.2022.

2. The complainant has sought the information related to his retirement benefits.

3. The complainant requested that the directions may be issued to the respondent-Public Information Officer to provide the complete information.

4. It is appropriate to mention that Hon'ble Supreme Court of India in its order rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint 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. Since the complainant is interested in getting the information,

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-2- Complaint Case No. 215 of 2022

therefore, the matter is remanded back to Sh. Sanjiv Kumar Sharma, First Appellate Authority-cum-D.E.O. SE, Malerkotla to take appropriate decision in accordance with the provisions of the RTI Act within the prescribed timeline, after giving opportunity of hearing to all concerned by passing a speaking order. A copy of this complaint filed by the complainant is also **being sent** to him along with this order with the directions that the same may be treated as first appeal.

5. With these directions the case is disposed of and closed. However, the liberty is granted to the complainant to file the 2nd appeal in this case, if he is not satisfied with the decision of the First Appellate Authority. sd/

Dated:27.5.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Sh. Sanjeev Kumar Sharma,
District Education officer (SE)
-cum-First Appellate Authority
Malerkotla.