

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

Helpline 0172-2864100 Phone No-0172-2864120

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

(Regd. Post) **Sh. Ranjit Singh (98553-41014),**
S/o Sh. Kartara Ram, R/o Burj Pawat, Block Sri Machhiwara Sahib,
District Ludhiana. ...Complainant

V/s.

(Regd. Post) **Public Information Officer,**
O/o The Block Development and Panchayat Officer,
Machhiwara, District Ludhiana. ...Respondents

{ Encl. RTI application }

Complaint Case No. 76 of 2022

{Heard through Cisco Webex Meetings Software}

Present : The Complainant, Sh. Ranjit Singh is present.
None is present from the Department.

ORDER:

The date of RTI application is 29.10.2021 and the date of Complaint filed in the Commission is 10.02.2022.

In today's hearing, the Complainant, Sh. Ranjit Singh states that incomplete information has been supplied to him by the concerned PIO and on further discussion with the Complainant it has been found out that he has filed complaint just to get the information and now he requires the information.

On the other hand, none is present from the Department.

The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768- 32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, 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 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).

As such, since 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.

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.

In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority (i.e. O/o DDPO, Ludhiana), as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

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.

A copy of the RTI application be sent to the concerned parties along with this order.

In view of the observations noted above, the instant case **is disposed of.**

Copy of this order be sent to the parties through registered post.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

(Regd. Post) **Remanded Back**
First Appellate Authority,
O/o The District Development and Panchayat Officer,
Ludhiana.

{ Encl. RTI application }

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

(Regd. Post) **Sh. Ranjit Singh (98553-41014),**
S/o Sh. Kartara Ram, R/o Burj Pawat, Block Sri Machhiwara Sahib,
District Ludhiana. ...Complainant

V/s.

(Regd. Post) **Public Information Officer,**
O/o The Block Development and Panchayat Officer,
Machhiwara, District Ludhiana. ...Respondents

{ Encl. RTI application }

Complaint Case No. 79 of 2022

{Heard through Cisco Webex Meetings Software}

Present : The Complainant, Sh. Ranjit Singh is present.
None is present from the Department.

ORDER:

The date of RTI application is 15.11.2021 and the date of Complaint filed in the Commission is 10.02.2022.

In today's hearing, the Complainant, Sh. Ranjit Singh states that incomplete information has been supplied to him by the concerned PIO and on further discussion with the Complainant it has been found out that he has filed complaint just to get the information and now he requires the information.

On the other hand, none is present from the Department.

The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768- 32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, 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 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).

As such, since 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.

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.

In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority (i.e. O/o DDPO, Ludhiana), as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

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.

A copy of the RTI application be sent to the concerned parties along with this order.

In view of the observations noted above, the instant case **is disposed of.**

Copy of this order be sent to the parties through registered post.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Remanded Back

(Regd. Post) **First Appellate Authority,**
O/o The District Development and Panchayat Officer,
Ludhiana.

{ Encl. RTI application }

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

(Regd. Post) **Sh. Harjinder Singh (M: 9888809833)**
Village Saddo Majra, Navi Abadi, P.O. Saidpura,
Block Khera, District Fatehgarh Sahib. ...Complainant

V/s.

(Regd. Post) **Public Information Officer,**
O/o The Block Development and Panchayat Officer,
Block Khera, District Fatehgarh Sahib. ...Respondents

{ Encl. RTI application }

Complaint Case No. 82 of 2022

{Heard through Cisco Webex Meetings Software}

Present : The Complainant, Sh. Harjinder Singh is present.
Ms. Navdeep Kaur, APIO (NREGA) is present from the Department.

ORDER:

The date of RTI application is 07.12.2021 and the date of Complaint filed in the Commission is 11.02.2022.

In today's hearing, both the parties are present. Also, an email dated 24.06.2022 from the department has been received in the Commission, which is taken on record.

The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768- 32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, 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 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).

As such, since 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.

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.

In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority (i.e. O/o DDPO, Fatehgarh Sahib), as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

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.

A copy of the RTI application be sent to the concerned parties along with this order.

In view of the observations noted above, the instant case **is disposed of.**

Copy of this order be sent to the parties through registered post.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

(Regd. Post) **Remanded Back**
First Appellate Authority,
O/o The District Development and Panchayat Officer,
Fatehgarh Sahib.

{ Encl. RTI application }

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

Sh. Farvinder Singh, S/o Sh. Amarjit Singh (M- 99159-60019)

Village Bagrian, Tehsil Malerkotla, District Sangrur Pin: 148018

...Complainant

V/s.

Public Information Officer,

O/o The Director,

Local Govt. Department, Punjab, Sector 35-A, Plot no. 3,

Municipal Bhawan, Chandigarh.

Public Information Officer,

O/o The Director, **(LG -3 Branch)**

Local Govt. Department, Punjab, Sector 35-A, Plot no. 3,

Municipal Bhawan, Chandigarh.

...Respondents

Complaint Case No. 1117 of 2021
{Heard through Cisco Webex Meetings Software}

Present : The Complainant, Sh. Farvinder Singh is absent.

Sh. Jasbir Singh, PIO –cum- Superintendent from LG -3 Branch is present from the Department.

ORDER:

This case was last heard on 08.03.2022.

In today's hearing, the Complainant, Sh. Farvinder Singh is absent.

On the other hand, PIO, Sh. Jasbir Singh states that on the last hearing dated 08.03.2022 the complainant, Sh. Farvinder Singh was directed to visit their concerned office on 05.04.2022 but he didnot visit at their office and no letter of deficiencies or relating to this RTI has been received to their department from the Complainant after the last hearing. He also mentions about a letter dated 27.04.2022 which has been sent to the Commission and is taken on record.

After going through the case file, it has been observed that the Complainant, Sh. Farvinder Singh was absent from the last two hearings and no letter of deficiencies or any other letter has been received to the concerned bench relating to today hearings. Moreover, the Complainant or his representative was failed to visit the concerned office on 05.04.2022 for collecting the information from the concerned department relating to this RTI.

In view of above, it presumes that the Complainant, Sh. Farvinder Slngih might be satisfied with the supplied information or he doesnot wants to pursue this case any further.

So, no further action is required in this case.

This case is disposed of and closed.

Copy of the order be sent to the parties.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

Sh. Gurpartap Singh, S/o Sh. Amrik Singh,

R/o Wahag Ke PO Khai PHEME Ki,

Tehsil and District Ferozepur (Pin:152003)

M: 98149-17234

...Appellant

V/s.

Public Information Officer,

O/o The Panchayat Secretary,

Gram Panchayat, Wahke Block Mamadot, District Ferozepur.

First Appellate Authority,

O/o The District Development and Panchayat Officer,

Ferozepur.

...Respondents

Appeal Case No. 4168 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Gurpartap Singh is absent.

None is present from the Department.

ORDER:

This case was last heard on 08.03.2022.

In today's hearing, the Appellant, Sh. Gupartap Singh is absent.

On the other hand, none is present from the Department.

After going through the case file, it has been observed that the Appellant, Sh. Gurpartap Singh was absent from the last two hearings. Moreover, as per the last order of the Commission dated 08.03.2022, the Appellant, Sh. Gurpartap Singh was directed to visit the concerned office on 05.04.2022 but today it is not clear whether the Appellant, Sh. Gurpartap Singh has visited the concerned office or not. Also, no letter of deficiencies or any other letter has been received to the concerned bench from the Appellant's side relating to today's hearing.

In view of above, it presumes that the Appellant, Sh. Gurpartap Singh might be satisfied with the supplied information or he doesnot wants to pursue this case any further.

So, no further action is required in this case.

This case is disposed of and closed.

Copy of the order be sent to the parties.

Dated: 28.06.2022

**(Sanjiv Garg)
State Information Commissioner
Punjab**

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

Sh. Gurpartap Singh, S/o Sh. Amrik Singh,

R/o WahagKe PO Khai PHEME Ki,

Tehsil and District Ferozepur (Pin:152003)

M: 98149-17234

...Appellant

V/s.

Public Information Officer,

O/o The Panchayat Secretary,

Gram Panchayat, Wahke Block Mamadot, District Ferozepur.

First Appellate Authority,

O/o The District Development and Panchayat Officer,

Ferozepur.

...Respondents

Appeal Case No. 4171 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Gurpartap Singh is absent.

None is present from the Department.

ORDER:

This case was last heard on 08.03.2022.

In today's hearing, the Appellant, Sh. Gupartap Singh is absent.

On the other hand, none is present from the Department.

After going through the case file, it has been observed that the Appellant, Sh. Gurpartap Singh was absent from the last two hearings. Moreover, as per the last order of the Commission dated 08.03.2022, the Appellant, Sh. Gurpartap Singh was directed to visit the concerned office on 05.04.2022 but today it is not clear whether the Appellant, Sh. Gurpartap Singh has visited the concerned office or not. Also, no letter of deficiencies or any other letter has been received to the concerned bench from the Appellant's side relating to today's hearing.

In view of above, it presumes that the Appellant, Sh. Gurpartap Singh might be satisfied with the supplied information or he doesnot wants to pursue this case any further.

So, no further action is required in this case.

This case is disposed of and closed.

Copy of the order be sent to the parties.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

Sh. Nasib Singh, S/o Sh. Bahal Singh,
R/o Village Tutwala, Tehsil Abohar,
District Fazilka (Punjab) M: 90232-90946

...Appellant

V/s.

Public Information Officer,
O/o The Executive Engineer,
Water Supply and Sanitation Department,
Near Raja Bajaj, Children's Park, Hanuman Garh Road,
Abohar.

First Appellate Authority,
O/o The Superintending Engineer,
Water Supply and Sanitation Department, Sri Muktsar Sahib.

...Respondents

Appeal Case No. 2940 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Nasib Singh is absent.
Sh. Kuldeep Kumar, Clerk is present from the Department.

ORDER:

This case was last heard on 08.03.2022.

In today's hearing, the Appellant, Sh. Nasib Singh is again absent.

On the other hand, the Clerk, Sh. Kuldeep Kumar states that whatever information was available with them has already been supplied to the Appellant, Sh. Nasib Singh and further mentions that after the last hearing of the Commission no letter of deficiencies or any other letter has been received by their department from the Appellant relating to this case.

After going through the case file, it has been observed that the Appellant, Sh. Nasib Singh was absent from the last two hearings. Moreover, on the last hearing the Appellant was directed to go through the supplied information and point out deficiencies, if any, failing which the case would be decided on merits. However, no letter of deficiencies or any other letter has been received to the concerned bench from the Appellant's side relating to today's hearing.

In view of above, it presumes that the Appellant, Sh. Nasib Singh might be satisfied with the supplied information or he doesnot wants to pursue this case any further.

So, no further action is required in this case. The show cause notice which was issued to the concerned PIO vide orders dated 28.09.2021 **be dropped.**

This case is disposed of and closed.

Copy of the order be sent to the parties.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

Sh. Charanjit Singh, S/o Sh. Palwinder Singh,
R/o H. No. 101, Spice Tower Street, Palahi Gate,
Pagwara (M: 93175-17633)

...Complainant

V/s.

Public Information Officer,
O/o The District Project Director –cum-
District Education Officer (EE), Kapurthala.

...Respondents

Complaint Case No. 795 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Complainant, Sh. Charanjit Singh is present
Sh. Kashmir Singh, Senior Assistant –cum- PIO along with Ms. Harvinder Kaur, Legal Assistant is present from the Department.

ORDER:

This case was last heard on 08.03.2022.

In today's hearing, the Complainant, Sh. Charanjit Singh states that he is satisfied with the supplied information and requesting for dispose of this case.

On the other hand, the Legal Assistant, Ms. Harvinder Kaur states that whatever information was pending has already been supplied to the Complainant, Sh. Charanjit Singh. She further mentions about an email dated 22.06.2022 which has been sent to the Commission and is taken on record.

In view of above, as the Complainant, Sh. Charanjit Singh is satisfied. So, no further intervention is required in this case.

This case is disposed of and closed.

Copy of the order be sent to the parties.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

Sh. Bharat Bhushan Mattu (M: 94369-89230),
R/o H. No. 153, Akash Nagar, Near Green Land Schoolm
PO Central Post Office, Ludhiana. PIN: 141008 Punjab

...Appellant

V/s.

Public Information Officer,
O/o The District Education Officer (Elementary Education), Roopnagar (Punjab)

First Appellate Authority,
O/o The Directorate of Public Instructions (EE), Punjab,
SAS Nagar (Mohali)

...Respondents

Appeal Case No. 3958 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Bharat Bhushan is absent.
PIO, Ms. Ranjana Katyal along with Clerk, Ms. Jasvinder Kaur is present from the Department.

ORDER:

This case was last heard on 08.03.2022.

In today's hearing, the Appellant, Sh. Bharat Bhushan Mattu is absent.

On the other hand, the PIO, Ms. Ranjana Katyal states that whatever information has already been supplied to the Appellant through registered post dated 27.05.2022 and a copy of the information has also been sent to the Commission vide email dated 28.06.2022 along with a copy of registry receipt i.e. of 27.05.2022 is also attached, which is taken on record. She also mentions that after supplying the information to the Appellant through post no further deficiencies or any other letter has been received to their department from the Appellant's side relating to this case.

After going through the case file, it has been observed that the Appellant, Sh. Bharat Bhushan is absent without any intimation to the Commission. Moreover, no letter of deficiencies or any other letter has been received to the concerned bench from the Appellant's side relating to today's hearing.

In view of above, it presumes that the Appellant, Sh. Bharat Bhushan might be satisfied with the supplied information or he doesnot wants to pursue this case any further.

So, no further action is required in this case.

This case is disposed of and closed.

Copy of the order be sent to the parties.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

Sh. Bharat Bhushan Mattu (M: 94369-89230),
R/o H. No. 153, Akash Nagar, Near Green Land School,
PO Central Post Office, Ludhiana. PIN: 141008 Punjab

...Appellant

V/s.

Public Information Officer,
O/o The District Education Officer (Elementary Education), Hoshiarpur (Punjab)

First Appellate Authority,
O/o The Directorate of Public Instructions (EE), Punjab,
SAS Nagar (Mohali)

...Respondents

Appeal Case No. 3963 of 2021

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Bharat Bhushan is absent.
Sh. Satish Kumar, Superintendent –cum- PIO is present from the Department.

ORDER:

This case was last heard on 08.03.2022.

In today's hearing, the Appellant, Sh. Bharat Bhushan Mattu is absent.

On the other hand, the PIO, Sh. Satish Kumar states that as per the last order of the Commission dated 08.03.2022 the Appellant, Sh. Bharat Bhushan has to deposit the requisite fees against the information but he did not deposit the fees to their concerned department till date.

After going through the case file, it has been observed that as per the order dated 08.03.2022 last and final opportunity was given to the Appellant, Sh. Bharat Bhushan for depositing the requisite fees against the information (i.e. 7500 pages) to the concerned department **but he fails to deposit the money to the concerned department.**

Moreover, no letter of deficiencies or any other letter has been received to the concerned bench from the Appellant's side relating to today's hearing.

In view of above, it presumes that the Appellant, Sh. Bharat Bhushan does not want the information anymore or he does not want to pursue this case any further.

So, no further action is required in this case.

This case is disposed of and closed.

Copy of the order be sent to the parties.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, MADHYA MARG, SECTOR 16, CHANDIGARH.

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

Sh. Ajay Mehta (M: 98146-46309),
C-118, East Mohan Nagar, Chamrang Road, Amritsar (Punjab)

V/s.

...Appellant

Public Information Officer,
O/o The Commissioner,
Municipal Corporation, Amritsar.

First Appellate Authority,
O/o The Commissioner,
Municipal Corporation, Amritsar.

...Respondents

Appeal Case No. 42 of 2022

{Heard through Cisco Webex Meetings Software}

Present : The Appellant, Sh. Ajay Mehta is absent.
Sh. Brahmjot Singh, Clerk is present from the Department.

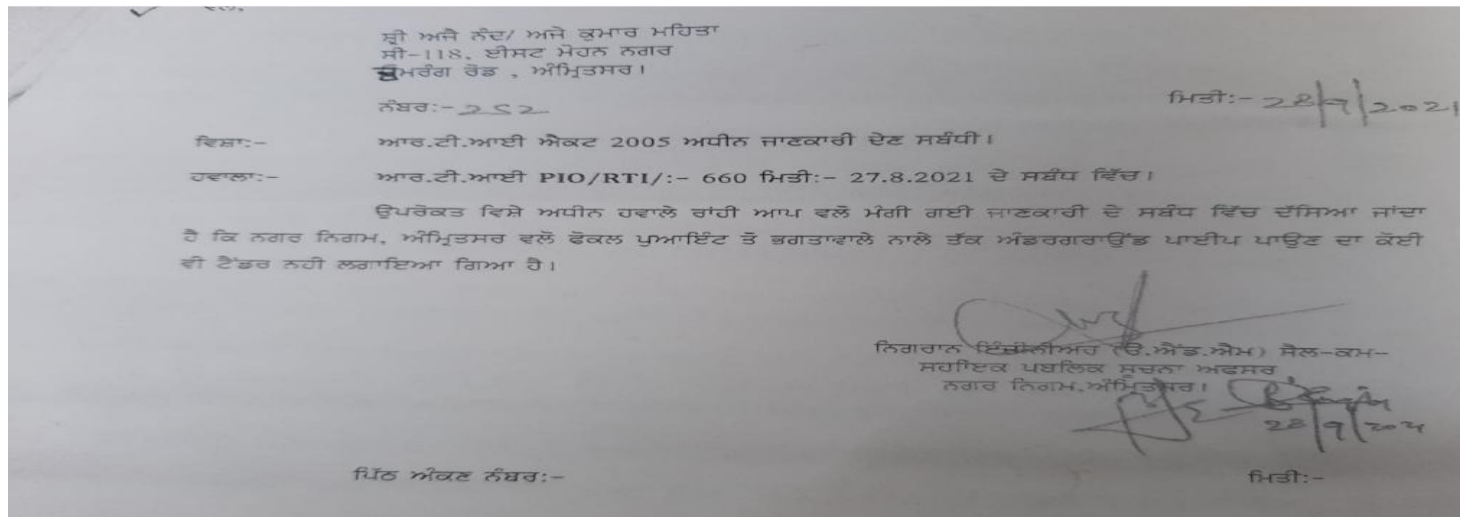
ORDER:

This case was last heard on 27.04.2022.

In today's hearing, the Appellant, Sh. Ajay Mehta is absent.

On the other hand, the Clerk, Sh. Brahmjot Singh states that the reply has already been given to the Appellant vide letter dated 28.09.2021 and the same letter has already been found in the file which was attached by the Appellant while filing this case before the Commission.

After going through the case file, it has been observed that the reply filed by the concerned PIO vide letter number 252 dated 28.09.2021 is found to be satisfactory in nature.



Moreover, no letter of deficiencies or any other letter has been received to the concerned bench from the Appellant's side relating to today's hearing.

In view of above, it presumes that the Appellant, Sh. Ajay Mehta doesnot wants the information anymore or he doesnot wants to pursue this case any further.

So, no further action is required in this case.

This case is disposed of and closed.

Copy of the order be sent to the parties.

Dated: 28.06.2022

(Sanjiv Garg)
State Information Commissioner
Punjab