

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Shri Amarjit Singh Dhamotia, (98887 10031)
R/o # 1331-5, Vishwakarma Bhawan,
Down Canal Road, Simlapuri, Ludhiana – 141003

...Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Nagar Council, Sirhind, District Fatehgarh Sahib.

First Appellate Authority
O/o Executive Officer,
Nagar Council, Sirhind, District Fatehgarh Sahib.

...Respondents

APPEAL CASE NO. 578 OF 2022

PRESENT : (i) Sh. Amarjit Singh Dhamotia the appellant
(ii) For the Respondent: Sh. Balwinder Singh, Inspector (7009065514)

ORDER:

This order may be read with reference to the previous order dated 04.07.2022 vide which the appellant was not present.

2. Respondent states that he has brought point-wise reply alongwith the information today in the Commission.
3. The same is handed over to the appellant. The appellant Sh. Amarjit Singh Dhamotia has gone through the same and states that he is satisfied.
4. In view of the foregoing, no cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
29.08.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Shri Amarjit Singh Dhamotia, (98887 10031)
R/o # 1331-5, Vishwakarma Bhawan,
Down Canal Road, Simlapuri, Ludhiana – 141003

...Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Nagar Council, Mandi Gobindgarh,
District Fatehgarh Sahib.

First Appellate Authority
O/o Executive Officer,
Nagar Council, Mandi Gobindgarh,
District Fatehgarh Sahib.

...Respondents

APPEAL CASE NO. 580 OF 2022

PRESENT : (i) Sh. Amarjit Singh Dhamotia the appellant
(ii) For the Respondent: Sh. Rajinder Kumar, Inspector (9888553915)

ORDER:

This order may be read with reference to the previous order dated 08.07.2022, passed by the Commission vide which the appellant was not present.

2. Today Sh. Amarjit Singh Dhamotia the appellant states that he has received the information and is satisfied.

3. Since, the appellant has received the information and is satisfied, no further cause of action is left. Hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
29.08.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh.Amarjit Singh Dhamotia, RTI Activist
Whistle Blower, Distt. President Ludhiana,
NCAG Office, Street No. 5 , # 1331-5,
Vishawkarma Bhawan Down Canal Road
Simlapuri, Ludhiana – 141003 (9888710031

.....Appellant

..Vs

Public Information Officer,
O/o EO, Nagar Council, Gobindgarh
Distt. Fatehgarh Sahib

First Appellate Authority ,
O/o EO, Nagar Council, Gobindgarh
Distt. Fatehgarh Sahib

.....Respondent

AC No. 1639 of 2022

PRESENT : (i) Sh. Amarjit Singh Dhamotia the appellant

(ii) For the Respondent: Sh. Rajinder Kumar , Inspector (9888553915)

ORDER:

This order may be read with reference to the previous order dated 08.07.2022, vide which the appellant was not present.

2. Today the appellant states that no information has been given to him so far.
3. The respondent states that point-wise reply has already been sent to the appellant with a copy to the Commission.
4. After hearing both the parties and going through the case file, it is observed that the respondent has sent proper point-wise reply, the same is as under:-

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



AC No. 1639 of 2022

70th Azadi Ka Mahotsav

Ph. no. :- 0172-2864115 Email :- mcgysg@gmail.com

MUNICIPAL COUNCIL GOBINDGARH
Fatehgarh Sahib (Punjab)
ਮਿਊਂਸਪਲ ਕੌਂਸਲ ਗੋਬਿੰਦਗੜ੍ਹ (ਫ਼ਤਿਹਗੜ੍ਹ ਸਾਹਿਬ) ਪੰਜਾਬ

Ref. no. _____ Dated _____

ਵੱਲ

Amarjeet Singh Dhamotia,
Whistle Blower NCAG Office,
Street no 5 # 1331 ਵਿਸ਼ਵਕਰਮਾ ਭਵਨ
Dewn Canal Road, Simla Puri,
ਲੁਧਿਆਣਾ-141014।

ਵਿਸ਼ਾ:- ਆਰ.ਟੀ.ਆਈ.ਐਕਟ 2005 ਅਧੀਨ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਬੰਧੀ। (ਅਪੀਲ ਕੇਸ ਨੰ. 1639 ਆਫ 2022)

ਹਵਾਲਾ:- ਪੰਜਾਬ ਸਟੇਟ ਇੰਨਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ ਪੰਜਾਬ ਚੰਡੀਗੜ੍ਹ ਜੀ ਦੇ ਦਫ਼ਤਰ ਦੇ ਪੱਤਰ ਨੰ:28699 ਮਿਤੀ: 14/7/22 ਦੇ ਸਬੰਧ ਵਿੱਚ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਉਕਤ ਕੇਸ ਵਿੱਚ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ:-

1) ਐਸ.ਡੀ.ਮਾਡਲ ਸਕੂਲ, ਗਉਸੁਲਾ ਰੋਡ :- ਇਹ ਸਕੂਲ ਨਗਰ ਕੌਂਸਲ ਦੀ ਹੱਦ ਵਿੱਚ ਹੈ ਕਿ ਸਾਲ ਅਕਤੂਬਰ 2016 ਵਿੱਚ ਵਾਧਾ ਹੋਇਆ ਸੀ ਤੇ ਪਹਿਲਾਂ ਬਣਿਆ ਹੋਇਆ ਹੈ। ਸਕੂਲ ਵੱਲੋਂ ਲਿਖ ਕੇ ਵੀ ਦਿੱਤਾ ਗਿਆ ਹੈ ਕਿ ਸਾਡਾ ਸਕੂਲ 2008 ਵਿੱਚ ਸਥਾਪਿਤ ਹੋਇਆ ਸੀ, ਉਸ ਸਮੇਂ ਇਹ ਪੈਂਡੂ ਖੇਤਰ ਵਿੱਚ ਪੈਂਦਾ ਸੀ।

2) ਐਸ.ਡੀ.ਪਬਲਿਕ ਸਕੂਲ, ਸ਼ਾਸਤਰੀ ਨਗਰ:- ਇਸ ਸਕੂਲ ਵੱਲੋਂ ਲਿਖਿਆ ਗਿਆ ਹੈ ਕਿ ਇਸ ਸਕੂਲ ਦੀ ਸਥਾਪਨਾ ਸਾਲ 1991 ਵਿੱਚ ਹੋਈ ਸੀ। ਸਕੂਲ ਵੱਲੋਂ ਲਿਖਿਆ ਗਿਆ ਹੈ ਕਿ ਸਾਡਾ ਸਕੂਲ ਇੱਕ ਪ੍ਰਾਇਵੇਟ ਸਕੂਲ ਹੈ। ਇਹ ਸਕੂਲ ਸਿੱਧੇ ਤੌਰ ਤੇ ਆਰ.ਟੀ.ਆਈ. ਅਧੀਨ ਨਹੀਂ ਆਉਂਦਾ ਹੈ। ਸਕੂਲ ਵੱਲੋਂ ਪ੍ਰਾਪਤ ਹੋਈ ਸੂਚਨਾ ਦੀ ਕਾਪੀ ਨਾਲ ਨੱਥੀ ਹੈ।

ਪਬਲਿਕ ਇੰਨਫਰਮੇਸ਼ਨ ਅਫਸਰ
-ਕਮ- ਕਾਰਜਸਾਧਕ ਅਫਸਰ
ਨਗਰ ਕੌਂਸਲ ਗੋਬਿੰਦਗੜ੍ਹ
ਮਿਤੀ: 25/8/22

ਪਿਠ ਅੰਕਟ ਨੰ: 682 RTI
ਉਕਤ ਦਾ ਇੱਕ ਉਤਰਾ ਸ੍ਰੀ ਅੰਮ੍ਰਿਤ ਪ੍ਰਤਾਪ ਸਿੰਘ ਸੇਖੋਂ ਪੰਜਾਬ ਸਟੇਟ ਇੰਨਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ ਪੰਜਾਬ, ਰੈਡ ਕਰਾਸ ਬਿਲਡਿੰਗ, ਨੀਅਰ ਰੋਜ਼ ਗਾਰਡਨ, ਸੈਕਟਰ 16, ਚੰਡੀਗੜ੍ਹ ਨੂੰ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਣੀ ਹੈ।

ਪਬਲਿਕ ਇੰਨਫਰਮੇਸ਼ਨ ਅਫਸਰ
-ਕਮ- ਕਾਰਜਸਾਧਕ ਅਫਸਰ
ਨਗਰ ਕੌਂਸਲ ਗੋਬਿੰਦਗੜ੍ਹ

5. In view of the above reply filed by the respondent appears to be convincing, hence no further cause of action is left. Therefore the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
29.08.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh Mohammed Hanif, (M-7009524584)
Baldev Colony, Nabha,
Distt Patiala

.....Appellant

..Vs

Public Information Officer,
O/o Punjab Wakf Board,
Sector-22, Chandigarh
First Appellate Authority,
O/o Punjab Wakf Board,
Sector-22, Chandigarh

.....Respondent

AC No. 2672 of 2022

PRESENT : (i) None is present on behalf of the appellant
(ii) For the Respondent: Sh. Harminder Singh, APIO (87250788670)

ORDER:

This order may be read with reference to the previous order dated 18.07.2022, passed by the Commission.

2. The appellant is absent today. He has sent his submissions via mail, which is taken on record.
3. The respondent states that he has sent point wise reply to the Commission alongwith an affidavit.
4. After hearing both the parties and going through the case file , it is observed that the appellant is absent today. He was not even present on the last date of hearing. The respondent has sent an affidavit mentioning therein that complete information has been given to the appellant and no other information is available with them or with his section.
Copy of the same be sent to the appellant alongwith these orders.
5. In view of the reply filed by the respondent appears to be convincing, hence no further cause of action is left. Therefore the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
29.08.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



S/o Sh Baljeet Dass,
R/o Village Dhadhokal, Block Dhuri,
Sangrur

.....Appellant

..Vs

Public Information Officer,
O/o BDPO, Dhuri, Distt Sangrur
First Appellate Authority,
O/o DDPO, Sangrur

.....Respondent

AC No. 3423 of 2021

PRESENT : (i) Sh. Jasveer Dass the appellant
(ii) For the Respondent: Sh. Naresh Kumar, APIO (985506625)

ORDER:

This order may be read with reference to the previous order dated 27.07.2022 vide which an inspection rights was given to the appellant.

2. Today, the appellant states that he is not satisfied with the information.
3. The respondent states that he has brought complete record today in the Commission.
4. The same is handed over to the appellant. The appellant has gone through the same and states that he is satisfied with the information provided.
5. In view of the foregoing, no cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
29.08.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh. Deepak, C/o Sh. Ashwani Kumar
Goyal # 807, Sector 16 D,
Chandigarh (9915746258)

.....Complainant

..Vs

Public Information Officer,
O/o Mc, Kharar, Distt. Mohali

.....Respondent

CC No. 487 of 2022

PRESENT : (i) Sh. Deepak the complainant
(ii) For the Respondent: Sh. Gurpreet Singh, Building Inspector (9814926881)

ORDER:

1. The RTI application is dated 23.05.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 26.07.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 29.08.2022 in the Commission.
3. After going through the file, it is observed that this is the complaint case. 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).



CC No. 487 of 2022

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.

4. 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, 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.

5. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) as the first appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

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.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



CC No. 487 of 2022

7. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Chandigarh
29.08.2022

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority
o/o ADC (Urban Development)
o/o DC, SAS Nagar

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Shri Amajit Singh Dhamotia, (9888490031)
60-35-P-330-, Street No.8,
Maha Singh Nagar, PO : Dhandari Kalan,
Ludhiana-141014.

.... Appellant

Versus

Public Information Officer
O/o Director General of Punjab,
Punjab Police Headquarter, Sector 9
Chandigarh

First Appellate Authority
O/o Director General of Punjab,
Punjab Police Headquarter, Sector 9
Chandigarh

Public Information Officer
O/o SSP, SAS Nagar (Mohali)

.....Respondent

APPEAL CASE NO. 5477 OF 2021

PRESENT : (i) Sh. Amarjit Singh Dhamotia the appellant
(ii) For the Respondent: Sh. Maninder Singh, HC , o/o Respondent no. 1
(9463952430)

ORDER:

This order may be read with reference to the previous order dated 08.07.2022

2. Today the perusal of the file shows that the information pertaining to the office of the PIO, o/o DGP Punjab and PIO, o/o SSP Mohali has been received by the appellant. Regarding information related with the PIO, o/o GMADA the appellant states that he has not received any information so far.

3. From the perusal of the file, it is clear that the information demanded by the information seeker relates to different PIOs. Each of these authorities has also separate PIOs. Under-section 6(1)(a) a person seeking information has to apply to the concerned public authority. It is not the job of one PIO to collect and thereafter collate this information from different PIOs of different Public Authorities and then supply the same to the appellant. Appellant may note that there is a clear mention in the orders of former CIC in CC: 05 of 2010 which is reproduced as under:-

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



APPEAL CASE NO. 5477 OF 2021

"that this obligation under Section 6 of the Act is to transfer the application to 'that other public authority' and not to public 'authorities'. The expression used in Section 6 is 'authority' and not 'authorities'. Simply put, the PIO is expected to transfer a request which does not relate to him but has nevertheless been received by him, one identifiable authority. He is not expected to transfer such a request if information is held by many or a number of authorities. The rational is that a PIO is not a post office or a coordinator for forwarding requests from information seekers to various departments. Legislature has merely facilitated the information seekers by empowering PIO who inadvertently receives request pertaining to another PIO to forward it to the concerned PIO".

The appellant expressed his satisfaction over the same and stated that he had no objection if the case is disposed of accordingly.

4. I find no merit in the appeal and the same is **disposed of and closed**. The appellant may however approach the concerned PIO (i.e. GMADA) with fresh application/s if he wants the information. Copy of the order be sent to the parties.

Sd/-

Chandigarh
29.08.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab