



Sh. Yogesh Mahajan, (9814354649)Appellant/Complainant
S/o Late Sh. Kuldip Raj Mahajan,
(President of Anti Corruption Council, Opp. Water Tank,
Municipal Market, Mission Road, Pathankot.

Versus

Public Information OfficerRespondent
O/o XEN, Provincial Division PWD B&R,
Amritsar.

First Appellate Authority
O/o Superintending Engineer, PWD B&R,
Construction Circle, Amritsar.

Appeal Case No.2292of 2021
(Cisco Webex Proceedings)

Present: Appellant: **Sh. Yogesh Mahajan**
Respondent: Absent

RTI application filed on : 01-02-2021
PIO replied on : -
First appeal filed on : 08-02-2021
First Appellate Authority order : -

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 11.05.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Yogesh Mahajan has requested to withdraw his case from Commission.
3. Accordingly, in view of above the case is closed.

Sd/-

Chandigarh
Dated: 29.11.2021

(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Yogesh Mahajan, (9814354649)Appellant/Complainant
S/o Late Sh. Kuldip Raj Mahajan,
(President of Anti Corruption Council, Opp. Water Tank,
Municipal Market, Mission Road, Pathankot.

Versus

Public Information OfficerRespondent
O/o XEN, Construction Division PWD B&R,
Mukherian.

First Appellate Authority

O/o Superintending Engineer, Circle PWD B&R,
Hoshiarpur.

Appeal Case No.2288 of 2021
(Cisco Webex Proceedings)

Present: Appellant: Sh. Yogesh Mahajan
Respondent: Sh. Ankur Harchand (Jr. Assist) 9878287299

RTI application filed on : 01-02-2021
PIO replied on : -
First appeal filed on : 08-03-2021
First Appellate Authority order : -

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 11.05.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Yogesh Mahajan stated that he has received the sought information and he is satisfied with the same.
3. The appeal is disposed of accordingly.

Chandigarh
Dated: 29.11.2021

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



Sh. Yogesh Mahajan, (9814354649)Appellant/Complainant
S/o Late Sh. Kuldip Raj Mahajan,
(President of Anti Corruption Council, Opp. Water Tank,
Municipal Market, Mission Road, Pathankot.

Versus

Public Information OfficerRespondent
O/o XEN, Construction Division PWD B&R,
Mukherian.

First Appellate Authority

O/o Superintending Engineer, Circle PWD B&R,
Hoshiarpur.

Appeal Case No.2289 of 2021
(Cisco Webex Proceedings)

Present: Appellant: Sh. Yogesh Mahajan
Respondent: Sh. Ankur Harchand (Jr. Assist) 9878287299

RTI application filed on	:	01-02-2021
PIO replied on	:	-
First appeal filed on	:	08-03-2021
First Appellate Authority order	:	-

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 11.05.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Yogesh Mahajan stated that he has received the sought information and he is satisfied with the same.
3. The appeal is disposed of accordingly.

Sd/-

Chandigarh
Dated: 29.11.2021

(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Yogesh Mahajan, (9814354649)Appellant/Complainant
S/o Late Sh. Kuldip Raj Mahajan,
(President of Anti Corruption Council, Opp. Water Tank,
Municipal Market, Mission Road, Pathankot.

Versus

Public Information OfficerRespondent
O/o XEN, , Centre works, Division PWD B&R,
Ferozepur.

First Appellate Authority

O/o Superintending Engineer, Centre Works Circle,
PWD B&R, Ferozepur.

Appeal Case No.2290of 2021
(Cisco Webex Proceedings)

Present: Appellant: Sh. Yogesh Mahajan
Respondent: Absent

RTI application filed on : 01-02-2021
PIO replied on : -
First appeal filed on : 08-03-2021
First Appellate Authority order : -

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 11.05.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Yogesh Mahajan stated that he has received the sought information and he is satisfied with the same.
3. The appeal is disposed of accordingly.

Sd/-

Chandigarh
Dated: 29.11.2021

(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Kuldeep Singh, (9855178882)Appellant/Complainant
S/o Sh. Ranbir Singh,
Village Nalini, P.O PO Mullepur,
Distt Fatehgarh Sahib.

Versus

Public Information OfficerRespondent
O/o Primary Co operative Agricultural Developemnt Bank Ltd, Sirhind,
Distt Fatehgarh Sahib.

Complaint Case No.1087 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 02-08-2021

PIO replied on : 12-08-2021

Present: Appellant: Absent

Respondent: Sh. Kamaldeep Singh(Manager) (9814006006)

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 11.05.2021. Accordingly, the cases are fixed for today.
2. Respondent, Sh. Kamaldeep Singh apprised of the matter that the respondent bank is not covered in the definition of "Public Authority" as defined in 2(h) of RTI Act. Further, he added that interim stay order has been passed by Hon'ble High Court in CWP-841-2010 and the matter is sub judice. An email pertaining to the same has been received by the undersigned dated 18.11.2021 which is taken on record.
3. 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.

The 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.

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

Complaint Case No.1087 of 2021
(Cisco Webex Proceedings)

PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

4. 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.

4. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority and **directed/advised that present complaint case be kept abeyance so as to await the outcome of the decision of Hon'able High court in said CWP-841-2010 and then deal the case accordingly.** A copy of RTI application is attached for their ready reference and is also directed to call the complainant **Sh. Kuldeep Singh** at appropriate time (as discussed above). A compliance report of the same has to be sent in the commission. The appeal is disposed of accordingly, with the above observations and directions.

Chandigarh
Dated: 29.11.2021

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

CC: **O/o Asstt. General Manager,**
The Punjab State Cooperative Agricultural
Development Bank Ltd., District Office, Fatehgarh Sahib

– for compliance of the Order



Mr. Swaran Khan, (9478810088; 9878377088)Appellant/Complainant
S/o Sh. Roop Mohamad,
R/o Burj Ladha Singh Wala, Tehsil Rampura Phul,
Distt Bathinda-151206.

Versus

Public Information OfficerRespondent
O/o SHO, Police Station, Phase-8,
Mohali.

Complaint Case No.1102 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 08-04-2021
PIO replied on : -

Present: NONE

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 31.08.2021. Accordingly, the cases are fixed for today.
2. 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.

The 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.

3. 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.
4. 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.

Complaint Case No.1102 of 2021
(Cisco Webex Proceedings)

5. 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 and is also directed to call the complainant **Mr. Swaran Khan** within 15 days of receipt of this order provide the information/reply pertaining to this RTI application. A compliance report of the same has to be sent in the commission. The appeal is disposed of accordingly, with the above observations and directions.

Chandigarh
Dated: 29.11.2021

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

First Appellate Authority
O/o SSP, Mohali.

– for compliance of the Order



Sh. Major Singh, (7087979054)
S/o Sh. Karnail Singh,
R/o VPO Longowal, Patti Gahu,
Tehsil & Distt Sangrur-148106.

.....Appellant/Complainant

Versus

Public Information Officer
O/o Director, Cooperative Bank,
Sector 34 A, Chandigarh.

.....Respondent

Complaint Case No.1106 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 26-06-2021

PIO replied on : -

Present: Appellant: Absent

Respondent: Sh. Kashmir Chand (Accountant) 7814098100

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 01.09.2021. Accordingly, the cases are fixed for today.
2. Respondent, Sh. Kashmir Chand apprised of the matter that the respondent bank is not covered in the definition of "Public Authority" as defined in 2(h) of RTI Act. Further, he added that interim stay orders dated 01.10.2015 has been passed by Hon'ble High Court in CWP-20904 of 2015 filed by the bank and the matter is sub judice. A correspondence pertaining to the same has been received by the Commission vide dated 01.11.2021 vide diary no. 24807 which is taken on record.
3. 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.

The 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.

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.

Complaint Case No.1106 of 2021
(Cisco Webex Proceedings)

4. 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.

4. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority and **directed/advised that present complaint case be kept abeyance so as to await the outcome of the decision of Hon'orable High court in said CWP-20904 of 2015 and then deal the case accordingly.** A copy of RTI application is attached for their ready reference and is also directed to call the complainant **Sh. Major Singh** at appropriate time (as discussed above). A compliance report of the same has to be sent in the commission. The appeal is disposed of accordingly, with the above observations and directions.

Chandigarh
Dated: 29.11.2021

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

First Appellate Authority
O/o Managing Director, Cooperative Bank,
Chandigarh.

– for compliance of the Order



Sh. Kamaljit Kaur, (9872754075)Appellant/Complainant

W/o Late Sh. Ranjit Singh,
Village Malmajra, Tehsil Samrala,
Distt Ludhiana.

Versus

Public Information OfficerRespondent

O/o Astd. Registrar, Cooperative Societies, Samrala,
Distt Ludhiana.

Public Information Officer

O/o Co-operative Societies SAMRALA
Tehsil Samrala, Ludhiana

Complaint Case No.1121 of 2021

(Cisco Webex Proceedings)

RTI application filed on : 26-06-2020

PIO replied on : 17-07-2020

Present: Appellant: Sh. Kamaljit Kaur

Respondent: Sh. Tejinder Pal (Salesman) 9872415162

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 31.08.2021. Accordingly, the cases are fixed for today.
2. 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.

The 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.

3. 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.
4. 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.

Complaint Case No.1121 of 2021
(Cisco Webex Proceedings)

5. 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 and is also directed to call the complainant Sh. Kamaljit Kaur within 15 days of receipt of this order provide the information/reply pertaining to this RTI application. A compliance report of the same has to be sent in the commission. The appeal is disposed of accordingly, with the above observations and directions.

Chandigarh
Dated: 29.11.2021

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

CC: First Appellate Authority
O/o Assistant Registrar
Co-operative Societies SAMRALA
Tehsil Samrala, Ludhiana-141114

– for compliance of the Order