

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

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COMPLAINT CASE NO. 0825 OF 2020

Sh. Ambica Pandit, (9914500199)
S/o Sh. Parmeshwar Pandit,
R/o H. No. 1050, Ward No. 32,
Manku Street, Samrala Road,
Khanna, District Ludhiana.

...Complainant

Versus

Public Information Officer,
O/o Nagar Council,
Khanna, District Ludhiana.

...Respondent

HEARD THROUGH CISCO WEBEX/TELEPHONE

PRESENT None for the Complainant.
Shri Rajesh Raini, JE, on behalf of the Respondents.

ORDER

This order may be read with reference to the previous order dated 27-07-2021.

2. The respondent orally states that information containing 498 pages has already been supplied personally to the complainant and the complainant has given its receipt.
3. The Complainant states that information supplied is incomplete.
4. This is a Complaint Case. Therefore, at this juncture it is relevant to invite the attention of the complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) 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. 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. The complainant is advised to approach the first appellate authority in this behalf.

Contd..2/p..

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-02-

Complaint Case No. 0825 of 2021

5. Accordingly this case is hereby remanded back to First Appellate Authority who is directed to decide the RTI application afresh as per 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 02nd appeal before the Commission under Section 19(3) of the RTI Act.

7. In view of the observations noted above, the instant **case is hereby ordered to be disposed of and closed.** Copy of the order be sent to the parties.

Chandigarh
30-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy forwarded alongwith copy of RTI to :-

The Regional Deputy Director,
Urban Local Govt.,
Ludhiana.

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COMPLAINT CASE No. 0907 OF 2020

Shri Dhanwant Singh (Namberdar) (9815517865)

S/o S. Yati Singh,

R/o Khanpur Gaqiran,

Tehsil Dirba, Distt. Sangrur-148026

...Complainant

Versus

Public Information Officer, (Regd.Post)

O/o The XEN-cum-District

Mining Officer,

Drainage Construction Division,

Mini Secretariat, DC Complex,

SANGRUR.

.....Respondent

HEARD THROUGH CISCO WEBEX – VC/TELEPHONE

PRESENT

Sh. Dhanwant Singh, the complainant.

Shri Gagandeep Singh Gill, XEN-cum-PIO, on behalf of the Respondents

ORDER

This order may be read with reference to the previous order dated 27-07-2021.

2. The complainant orally reiterates his earlier version that the demanded information has not been provided by the Respondents till date.

3. The respondent says that available information has already been supplied to the complainant on 08.08.2020 and 30.7.2021.

4. This is a Complaint Case. Therefore, at this juncture it is relevant to invite the attention of the complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) 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. 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. The complainant is advised to approach the first appellate authority in this behalf.

Contd..2/p..

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-02-

Complaint Case No. 0907 of 2021

5. Accordingly this case is hereby remanded back to First Appellate Authority who is directed to decide the RTI application afresh as per 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 02nd appeal before the Commission under Section 19(3) of the RTI Act.

7. In view of the observations noted above, the instant **case is hereby ordered to be disposed of and closed.** Copy of the order be sent to the parties.

Sd/-

Chandigarh
30-09-2021

(Hem Inder Singh)
State Information Commissioner

Copy forwarded alongwith copy of RTI to :-

The Superintending Engineer,
Patiala Drainage-cum-Mining Circle,
Irrigation Complex, Nabha Road,
PATIALA.

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 1707 OF 2021

Sh. Rinkesh Kumar, (9780002223)
R/o Govt. Staff Qtrs No. M-10, M-Block,
Type-III, Civil Station, Bathinda-151001

...Appellant

Versus

Public Information Officer,
O/o Institute of Hotel Management,
Industrial Growth Centre, Bathinda.

First Appellate Authority
O/o Institute of Hotel Management,
Industrial Growth Centre, Bathinda.

...Respondents

HEARD THROUGH CISCO WEBEX/TELEPHONE

PRESENT None for the appellant.
Sh. Abheek Pramanick, HOD-cum-PIO, on behalf of the Respondents.

ORDER

This order may be read with reference to the previous order dated 27.07.2021.

2. The respondent says that available information and original affidavit has been supplied to the appellant and copy of the affidavit has been sent to the Commission.

3. Examining the case file it reveals that necessary reply/information has been supplied to the appellant and original affidavit has been supplied to the appellant vide letter No.IHM/BTI/20021-22/620 dated 22.09.2021. While going through the affidavit sent to the appellant by the respondents it has been found that at para 3 of the affidavit the PIO has mentioned that "*the deponent after getting the RTI searched the record of IHM but there is no such information is available in the above said RTIO's/queries and the reply was given on 12.02.2021*".

4, The appellant is absent for the second time consecutively without any intimation to the Commission. It is presumed that he has received the reply/information and original affidavit from the respondents and he is satisfied with the same.

5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
30-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 1780 OF 2021

Sh. Parveen Kumar S/o Sh. Babu Ram, (9530931083)
R/o Arniwala Waziran, P.O. Phulu Khera,
Tehsil Malout, District Sri Mukatsar Sahib.

...Appellant

Versus

Public Information Officer,
O/o The Principal,
Mata Ganga Girls College, Tarn Taran.

First Appellate Authority
O/o The Principal,
Mata Ganga Girls College, Tarn Taran.

...Respondents

HEARD THROUGH CISCO WEBEX/TELEPHONE

PRESENT None for both the parties

ORDER

This order may be read with reference to the previous order dated 27-07-2021.

2. On the previous date of hearing, the respondent-PIO, Smt. Indu Bala, Officiating Principal, orally stated that information demanded by the appellant relates to third party and very voluminous. She is absent today but she has sent a letter No.RTI/44/MGGC dated 30.7.2021 which is received in the Commission vide diary No.18780 dated 23.08.2021 stating therein as under:-

1. *Appellant has demanded the DMC + degrees of students who have passed the degrees in the year 2008 is the personal property of the college students. No law provides the right to anybody to interfere in personal affairs of others.*

2. *Any office record required in the interest of public can be had from the college. Any personal record or information of any student lying in the college as security and nobody else except the concerned student has the right to get the same".*

3. The perusal of the case file shows that the appellant has suitably been replied by the college by registered post on 21.10.2020.

4. The appellant is absent for the second time consecutively without any intimation to the Commission. It is presumed that he has received the reply/information from the respondent and he is satisfied with the same. It is further presumed that he is not interested to pursue his case further.

5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
30-09-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 3415 OF 2020

Sh. Gulshan Kumar, (9888482109)
H. No. 1525/1, Street No. 33,
Preet Nagar, Shimlapuri, Ludhiana.

...Appellant

Versus

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

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

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Gulshan Kumar, Appellant.
Sh. Ajay Kumar Sharma, Building Inspector –cum- APIO for the Respondents.

ORDER: This order may be read with reference to the previous order dated 05.08.2021.

2. The Respondent states that pursuant to the previous order of the Commission, affidavit filed by the PIO has been provided to appellant in original and copy of the same has been sent to the Commission.

3. The appellant admits the receipt of affidavit but to his dissatisfaction.

4. While going through the case file it has been revealed that inspection of record by the appellant was facilitated by the respondents and sufficient information has been supplied to the appellant. Moreover, the appellant has received the original affidavit from the respondents.

5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
30.09.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

C.C.:- (Regd.Post)

Sh. Mohan Singh,
PIO –cum – Assistant Town Planner,
O/o Commissioner, Municipal Corporation, Ludhiana.

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APPEAL CASE NO. 3416 OF 2020

Sh. Balbir Aggarwal, (9888482109)
H. No. 1525/1, Street No. 33,
Preet Nagar, Shimlapuri, Ludhiana.

...Appellant

Versus

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

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

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Gulshan Kumar for the, Appellant.
Sh. Ajay Kumar Sharma, Building Inspector –cum- APIO for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 05.08.2021.

2. The Respondent states that pursuant to the previous order of the Commission, affidavit filed by the PIO has been provided to appellant in original and copy of the same has been sent to the Commission.

3. The representative of the appellant admits the receipt of affidavit but to his dissatisfaction.

4. While going through the case file it has been revealed that inspection of record by the appellant was facilitated by the respondents and sufficient information has been supplied to the appellant. Moreover, the appellant has received the original affidavit from the respondents.

5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
30.09.2021

C.C.:- Copy for onecessary compliance to(Regd. Post)

Sh. Mohan Singh,
PIO –cum – Assistant Town Planner,
O/o Commissioner, Municipal Corporation,
Ludhiana.

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



APPEAL CASE NO. 3417 OF 2020

Sh. Gulshan Kumar, (9888482109)
H. No. 1525/1, Street No. 33,
Preet Nagar, Shimlapuri, Ludhiana.

...Appellant

Versus

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

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

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Gulshan Kumar, Appellant.
Sh. Ajay Kumar Sharma and Ms. Kashish Garg, Building Inspectors for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 05.08.2021.

2. The Respondent states that pursuant to the previous order of the Commission, affidavit filed by the PIO has been provided to appellant in original and copy of the same has been sent to the Commission.

3. The appellant admits the receipt of affidavit but to his dissatisfaction.

4. While going through the case file it has been revealed that inspection of record by the appellant was facilitated by the respondents and sufficient information has been supplied to the appellant. Moreover, the appellant has received the original affidavit from the respondents.

5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
30.09.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

C.C.:- (Regd. Post)

Sh. Mohan Singh,
PIO –cum – Assistant Town Planner,
O/o Commissioner, Municipal Corporation, Ludhiana.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3418 OF 2020

Sh. Gulshan Kumar, (9888482109)
H. No. 1525/1, Street No. 33,
Preet Nagar, Shimlapuri, Ludhiana.

...Appellant

Versus

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

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

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Gulshan Kumar, Appellant.
Sh. Ajay Kumar Sharma, Building Inspector –cum- APIO for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 05.08.2021.

2. The Respondent states that pursuant to the previous order of the Commission, affidavit filed by the PIO has been provided to appellant in original and copy of the same has been sent to the Commission.

3. The appellant admits the receipt of affidavit but to his dissatisfaction.

4. While going through the case file it has been revealed that inspection of record by the appellant was facilitated by the respondents and sufficient information has been supplied to the appellant. Moreover, the appellant has received the original affidavit from the respondents.

5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
30.09.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

C.C.:- **(Regd. Post)**
Sh. Mohan Singh,
PIO –cum – Assistant Town Planner,
O/o Commissioner, Municipal Corporation, Ludhiana.

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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Visit us: - www.infocommpunjab.com



APPEAL CASE NO. 3419 OF 2020

Sh. Gulshan Kumar, (9888482109)
H. No. 1525/1, Street No. 33,
Preet Nagar, Shimlapuri, Ludhiana.

...Appellant

Versus

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

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

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Sh. Gulshan Kumar, Appellant.
Sh. Ajay Kumar Sharma, Building Inspector –cum- APIO for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 05.08.2021.

2. The Respondent states that pursuant to the previous order of the Commission, affidavit filed by the PIO has been provided to appellant in original and copy of the same has been sent to the Commission.

3. The appellant admits the receipt of affidavit but to his dissatisfaction.

4. While going through the case file it has been revealed that inspection of record by the appellant was facilitated by the respondents and sufficient information has been supplied to the appellant. Moreover, the appellant has received the original affidavit from the respondents.

5. In view of the above, **the case is ordered to be disposed of and closed.** Copies of the order be sent to the parties.

Chandigarh
30.09.2021

C.C.:-

Sd/-
(Hem Inder Singh)
State Information Commissioner
(Regd. Post)

Sh. Mohan Singh,
PIO –cum – Assistant Town Planner,
O/o Commissioner, Municipal Corporation, Ludhiana.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3770 OF 2020

Shri Rajinder Kumar, (9646380671)
S/o Sh. Mehar Chand,
R/o Ward No. 2, Supreme Enclave,
Near Vishavkarma Bhawan Link Road, Mansa.

...Appellant

Versus

Public Information Officer,
O/o The Senior Superintendent of Police,
Vigilance Bureau, Bathinda.

First Appellate Authority

O/o The Director,
Punjab Vigilance Bureau,
S.A.S. Nagar (Mohali).

...Respondents

HEARD THROUGH CISCO WEBEX

PRESENT: None for the Appellant.
DSP Kulwant Singh O/o Vigilance Bureau, Bathinda and S. Sukhmander Singh,
Inspector for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 05.08.2021.

2. The Respondent states that requisite information has already been supplied to the Appellant.

3. The Appellant is absent today. However, a letter dated 27.09.2021 from him is received in the Commission vide diary No.22119 dated 29.09.2021 requesting therein to transfer his instant appeal case and Appeal Case No.489 of 2021 to another Bench. The letter is taken on record.

4. In view of the above, it is ordered that the original files of Appeal Case No.3770 of 2020 and Appeal Case No.489 of 2021 be sent to Deputy Registrar to put up these cases to Hon'ble Chief Information Commissioner, Punjab, for further necessary action.

5. The copies of order be sent to the parties.

Chandigarh
30.09.2021

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy to **Dy. Registrar, PSIC, Chandigarh, alongwith original files of AC No.3770 of 2020 and 489 of 2021.**