



Sh. Lakhvir Kumar, (9872515368)

S/o Sh. Jaspal Ram, President Punjab SoceityAgainstCoruption and Crime Branch, Village Gandhwan, Tehsil Phagwara, Distt. Kapurthala.

Versus

.....Appellant/Complainant

Public Information Officer

.....Respondent

O/o XEN, Construction Division, PWD B&R, Malerkotla.

First Appellate Authority

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

Appeal Case No.2439 of 2021

(Cisco Webex Proceedings)		gs)
RTI application filed on	:	03-03-2021
PIO replied on	:	-
First appeal filed on	:	05-04-2021
First Appellate Authority order	:	-

Present: Appellant:

Respondent: Sh. Chander Parkash (SDO), 9501018521

ORDER:

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 24.05.2021. Accordingly, the cases are fixed for today.
- 2. <u>Sought Information</u> : The appellant has sought for following information

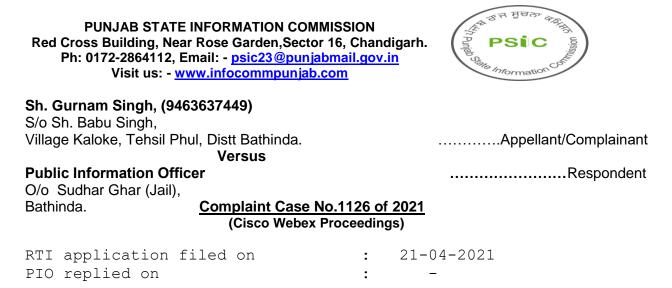
ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦਾ ਵੇਰਵਾ: ਸਮਾ 01-04-2019 ਤੋਂ 31-03-2020

ਲੜੀ ਨੰਬਰ	ਮੰਗੀ ਗਈ ਸੂਚਨਾ	
1	ਆਪ ਦੇ ਮੰਡਲ ਦਫ਼ਤਰ ਦਾ ਮਹੀਨਾ 6/2019 ਦਾ ਏ.ਜੀ.ਪੰਜਾਬ,ਚੰਡੀਗੜ੍ਹ ਨੂੰ ਭੇਜੇ ਗਏ ਮੰਥਲੀ ਅਕਾਉਟ ਦੀਆ ਕਾਪੀਆ ਦਿੱਤੀਆ ਜਾਣ ਜੀ।	
2	ਸਮਾ 1–4–19 ਤੋਂ 31–3–2020 ਤੱਕ ਦੇ ਆਪਦੇ ਮੰਡਲ ਦਫ਼ਤਰ ਦੇ ਟੈਡਰ ਰਜਿਸਟਰ ਦੀ ਕਾਪੀਆ ਦਿੱਤੀਆ ਜਾਣ ਜੀ।	
3	ਸਮਾ 1–4–19 ਤੋਂ 31–3–2020 ਤੱਕ ਦੇ ਆਪਦੇ ਅਧੀਨ ਆਉਂਦੇ ਸਾਰੇ ਉਪ ਮੰਡਲ ਦਫ਼ਤਰਾ ਦੇ ਕੁਟੇਸ਼ਨ ਰਜਿਸਟਰ ਅਤੇ ਵਰਕ ਆਡਰ ਬੁੱਕ ਦੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ ਜੀ।ਅਤੇ ਮੰਡਲ ਦਫ਼ਤਰ ਤੋਂ ਕੁਟੇਸ਼ਨ ਕੇਸ ਮੰਜੂਰ ਕਰਨ ਤੋਂ ਪਹਿਲਾ ਉਪ ਮੰਡਲ ਦਫਤਰ ਤੋਂ ਪ੍ਰਾਪਤ ਐਨ.ਆਈ.ਕਿਉਂ ਦੀ ਕਾਪੀਆਂ ਵੀ ਦਿੱਤੀਆਂ ਜਾਣ ਜੀ।	
4	ਉਪਰੋਕਤ ਕੁਟੇਸ਼ਨਾ ਦੀਆ ਆਪਦੇ ਮੰਡਲ ਦਫਤਰ ਤੋ ਦਿੱਤੀਆ ਗਈਆ ਅਪਰੂਵਲਾ ਦੀਆ ਫੋਟੋ ਕਾਪੀਆ ਦਿੱਤੀਆ ਜਾਣ ਜੀ।	
5	ਉਪਰੋਕਤ ਕੁਟੇਸਨਾ ਅਗੇਸਟ ਕੀਤੀਆ ਗਈਆ ਅਦਾਇਗੀਆ ਦੇ ਬਿਲਾ ਦੀਆ ਕਾਪੀਆ ਦਿੱਤੀਆ ਜਾਣ ਅਤੇ ਜੇਕਰ ਇਨਾਂ ਕੁਟੇਸ਼ਨਾ ਦੀ ਇਨਹਾਸਮੈਟ ਕੀਤੀ ਗਈ ਹੈ ਤਾ ਉਸਦੀਆ ਵੀ ਫੋਟੋ ਕਾਪੀਆ ਦਿੱਤੀਆ ਜਾਣ ਜੀ।	

Appeal Case No.2439 of 2021 (Cisco Webex Proceedings)

- 3. Appellant is absent without any intimation. The respondent Sh. Chander Parkash, submitted that the information was handed over to the complainant on 26.11.2021. They have also submitted a copy of the appellant's receiving.
- 4. In view of the above, there is no further cause for action and this appeal Case is herewith CLOSED.

Chandigarh Dated: 30.11.2021 Sd/-(Maninder Singh Patti) State Information Commissioner, Pb.



Present: Complainant: Sh. Gurnam Singh Respondent: Sh. Bhupinder Singh (Deputy Suptd. Jail), 9023810525

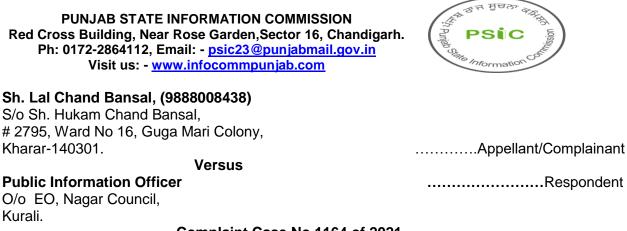
ORDER:

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 31.05.2021. Accordingly, the cases are fixed for today.
- 2. Respondent, Sh. Bhupinder Singh stated that sought information is a third party information and for this he has sent a notice to concerned person under section 11(1) but no reply has received from his side. He further assured the commission that he will provide the requisite information to the appellant as he in receipt of the said reply.
- 3. It is pertinent to mention regarding the decision of the Hon'ble Supreme Court of India dated 12.12.2011 in Civil Appeal Nos.10787 10788 of 2011 (arising out of SLP © No.32768-32769/2010) in which it 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. Also 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.
- 4. As the appellant has requested for the information, therefore, the titled case of the appellant is remanded to the First Appellate Authority O/o ADG Chandigarh and is directed to treat this application of the appellant as first appeal and decide the same within the period prescribed under the provisions of the RTI Act, 2005. He is also directed to pass an appropriate order after hearing both the parties and examining the record. A copy of RTI application is being sent to the First Appellate Authority along with this order.

Chandigarh Dated: 30.11.2021 Sd/-(Maninder Singh Patti) State Information Commissioner, Pb.

Reg. Post CC: O/o ADG Chandigarh

-- for compliance of the Order



Complaint Case No.1164 of 2021

(Cisco Webex Proceedings)RTI application filed on: 30-07-2021PIO replied on: -

Present: Complainant: Sh. Lal Chand Bansal Respondent: Absent

ORDER:

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 31.05.2021. Accordingly, the cases are fixed for today.
- 2. It is pertinent to mention regarding the decision of the Hon'ble Supreme Court of India dated 12.12.2011 in Civil Appeal Nos.10787 10788 of 2011 (arising out of SLP © No.32768-32769/2010) in which it 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. Also 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.
- 3. As the appellant has requested for the information, therefore, the titled case of the appellant is remanded to the First Appellate Authority and is directed to treat this application of the appellant as first appeal and decide the same within the period prescribed under the provisions of the RTI Act, 2005. He is also directed to pass an appropriate order after hearing both the parties and examining the record. A copy of RTI application is being sent to the First Appellate Authority along with this order.

Chandigarh Dated: 30.11.2021 Sd/-(Maninder Singh Patti) State Information Commissioner, Pb.

Reg. Post CC: O/o Addl. Deputy Commissioner(G) S.A.S Nagar Mohali --for compliance of the Order