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Sh. Jasbir Singh, (9888296107)

Guru Nanak Nagar, Village Bolapur. Jhabewal, Post Office Ramgarh, District Ludhiana -141123

.....Appellant/Complainant

Versus

Public Information Officer

.....Respondent

O/o Block Development and Panchayat Officer, Mullanpur, Distt Ludhiana.

First Appellate Authority

O/o District Development and Panchayat Officer, Ludhiana.

Appeal Case No. 3736 of 2021

(Cisco Webex Proceedings)

RTI application filed on : 28-11-2020

PIO replied on : -

First appeal filed on : 15-02-2021

First Appellate Authority order :

Present: NONE

ORDER (Second Hearing):

1. This order may be read with the reference of previous order of the Commission dated 21.02.2022.

Information Sought:

(1):- । ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਬਲਾਕ ਡਿਵੈਲਪਮੈਂਟ ਅਤੇ ਪੰਚਾਇਤ ਅਫਸਰ ਕਮ ਕਾਰਜਕਾਰੀ ਅਫਸਰ, ਪੰਚਾਇਤ ਸੰਸਤੰ ਮੁੱਲਾਪੁਰ, ਜਿਲਾ ਲੁਧਿਆਣਾ ਦੇ ਅਧੀਨ ਕਿੰਨੀ ਸਰਕਾਰੀ ਪ੍ਰਾਪਰਟੀ ਹੈ, ਉਸ ਦੀ ਤਸਦੀਕਸ਼ੂਦਾ ਲਿਸਟ ਦਿੱਤੀ ਜਾਵੇਂ (2):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਬਲਾਕ ਡਿਵੈਲਪਮੈਂਟ ਅਤੇ ਪੰਚਾਇਤ ਅਫਸਰ ਕਮ ਕਾਰਜਕਾਰੀ ਅਫਸਰ, ਪੰਚਾਇਤ ਸੰਮਤੀ ਮੁੱਲਾਪੁਰ, ਜਿਲਾ ਲੁਧਿਆਣਾ ਨੇ ਕਿੰਨੀ ਦੁਕਾਨਾ/ਮਾਰਕੀਟ ਨੂੰ ਕਿਰਾਏ ਤੇ ਦਿੱਤਾ ਹੋਇਆ ਹਨ, ਉਸ ਦੀ ਤਸਦੀਕਸ਼ੂਦਾ ਲਿਸਟ ਦਿੱਤੀ ਜਾਵੇਂ । (3):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਬਲਾਕ ਡਿਵੈਲਪਮੈਂਟ ਅਤੇ ਪੰਚਾਇਤ ਅਫਸਰ ਕਮ ਕਾਰਜਕਾਰੀ ਅਫਸਰ, ਪੰਚਾਇਤ ਸੰਮਤੀ ਮੁੱਲਾਪੁਰ, ਜਿਲਾ ਲੁਧਿਆਣਾ ਵੱਲੋਂ ਦੁਕਾਨਾ/ਮਾਰਕੀਟ ਦੇ ਰੱਖ ਰਖਾਵ ਤੇ ਪਿਛਲੇ 5 ਸਾਲਾ ਵਿੱਚ ਕਿੰਨਾਂ ਖਰਚ ਆਇਆ, ਉਸ ਦੀ ਤਸਦੀਕਸ਼ੂਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀ ਜਾਣੇ । (4):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਬਲਾਕ ਡਿਵੈਲਪਮੈਂਟ ਅਤੇ ਪੰਚਾਇਤ ਅਫਸਰ ਕਮ ਕਾਰਜਕਾਰੀ ਅਫਸਰ, ਪੰਚਾਇਤ ਸੰਮਤੀ ਮੁੱਲਾਪੁਰ, ਜਿਲਾ ਲੁਧਿਆਣਾ ਵੱਲੋਂ ਦੁਕਾਨਾ/ਮਾਰਕੀਟ ਦੀ ਮੁਰੰਮਤ ਤੇ ਪਿਛਲੇ 5 ਸਾਲਾ ਵਿੱਚ ਖਰਚ ਕੀਤੇ ਪੈਸੇ ਦੇ ਬਿਲਾਂ ਦੀ ਤਸਦੀਕਸ਼ੂਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀ ਜਾਣੇ । (5):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਬਲਾਕ ਡਿਵੈਲਪਮੈਂਟ ਅਤੇ ਪੰਚਾਇਤ ਅਫਸਰ ਕਮ ਕਾਰਜਕਾਰੀ ਅਫਸਰ, ਪੰਚਾਇਤ ਸੰਮਤੀ ਮੁੱਲਾਪੁਰ, ਜਿਲਾ ਲੁਧਿਆਣਾ ਨੂੰ ਚਕੋਤਾ 20 ਪ੍ਰਤੀਸ਼ਤ ਸਮਿਤੀ ਨੂੰ ਆਉਂਦਾ ਹੈ, ਜੋ ਪੰਚਾਇੰਤ ਦੀ ਆਮਦਨ ਵਿਚੋਂ ਪਿਛਲੇ 5 ਸਾਲਾ ਵਿੱਚ ਕਿੰਨਾ ਆਇਆ ਤੇ ਕਿਥੇ ਖਰਚ ਕਿਤਾ ਅਤੇ ਕਿੰਨਾ ਬਕਾਇਆ ਹੈ । ਉਸ ਦੀ ਤਸਦੀਕਸ਼ੂਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇਂ । (6):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਬਲਾਕ ਡਿਵੈਲਪਮੈਂਟ ਅਤੇ ਪੰਚਾਇਤ ਅਫਸਰ ਕਮ ਕਾਰਜਕਾਰੀ ਅਫਸਰ, ਪੰਚਾਇਤ ਸੰਮਤੀ ਮੁੱਲਪੁਰ, ਜਿਲਾ ਲੁਧਿਆਣਾ ਨੂੰ ਪੰਜਾਬ ਸਰਕਾਰ ਵੱਲੋਂ ਪਿਛਲੇ 5 ਸਾਲਾ ਵਿੱਚ ਕਿੰਨੀ ਗਰਾਂਟ ਮਿਲੀ ਤੇ ਉਹ ਕਿਥੇ ਖਰਚ ਕੀਤੀ ਗਈ । ਉਸ ਦੀ ਤਸਦੀਕਸ਼ਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀ ਜਾਵੇਂ ।

2. <u>Written Submission from Respondent:</u> An email dated 06.05.2022 is received by the undersigned bench the relevant portion of which is reproduced below:

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲਾ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਵੱਲੋਂ ਬਲਾਕ ਵਿਕਾਸ ਤੇ ਪੰਚਾਇਤ ਅਫਸਰ, ਪੰਚਾਇਤ ਸੰਮਤੀ ਮੁੱਲਾਪੁਰ ਤੋਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਅਧੀਨ ਸੂਚਨਾ ਨਾ ਮਿਲਣ ਕਰਕੇ ਇਸ ਦਫਤਰ ਵਿੱਚ ਅਪੀਲ ਪ੍ਰਾਪਤ ਹੋਈ ਸੀ।

ਜਿਸ ਸਬੰਧੀ ਆਪ ਨੂੰ ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਪਹਿਲਾਂ ਹੀ ਸੂਚਿਤ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਮੁੱਲਾਪੁਣ ਵਿੱਖੇ ਕੋਈ ਵੀ ਬਲਾਕ ਵਿਕਾਸ ਤੇ ਪੰਚਾਇਤ ਅਫਸਰ, ਸਥਿਤ ਨਾ ਹੋਣ ਕਰਕੇ ਬਲਾਕ ਵਿਕਾਸ ਤੇ ਪੰਚਾਇਤ ਅਫਸਰ ਸੁਧਾਰ ਤੋਂ ਆਰ.ਟੀ.ਆਈ. ਦੀ ਨਵੀ ਦਰਖਾਸਤ ਦੇਕੇ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜਾਵੇ।

ਪ੍ਰੰਤੂ ਆਪ ਵੱਲੋਂ ਸੂਚਨਾ ਨਾ ਮਿਲਣ ਕਰਕੇ ਮਾਨਯੋਗ ਪੰਜਾਬ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨਰ ਚੰਡੀਗੜ੍ਹ ਜੀ ਪਾਸ ਅਪੀਲ ਦਾਇਰ ਕੀਤੀ ਗਈ ਹੈ। ਇਸ ਲਈ ਆਪ ਨੂੰ ਫਿਰ ਤੋਂ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਬਲਾਕ ਵਿਕਾਸ ਦੇ ਪੁੰਚਾਇਤ ਅਫਸਰ, ਸੁਧਾਰ ਨੂੰ ਨਵੇਂ ਸਿਰ ਤੋਂ ਦਰਖਾਸਤ ਦੇਕੇ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜਾ ਸਕਦੀ ਹੈ।

Appeal Case No. 3736 of 2021 (Cisco Webex Proceedings)

3. Accordingly, the Commission finds that the RTI application has been suitably replied and to the best extent. Moreover, the factual position has been brought to the notice of the appellant by the respondent for further query, if any.

Therefore, no cause of action is required in this case. Hence, the instant appeal case is disposed & closed.

Sd/-

Chandigarh Dated: 31.05.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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Sh. Parai	miit	Sinah.	(987655	1253)

S/o Sh. Kuldip Singh, # 47D, Punjab Avenue, Urban Estate - I,

Jalandhar.Appellant/Complainant

Versus

Public Information Officer

.....Respondent O/o Astt. Commissioner of State Tax.

Jalandhar.

First Appellate Authority

O/o Deputy Excise & Taxation Commissioner, Jalandhar Division, Jalandhar.

Appeal Case No. 3703 of 2021

(Cisco Webex Proceedings)

RTI application filed on 04-05-2021

PIO replied on

: 09-06-2021 First appeal filed on

First Appellate Authority order :

Present: None

ORDER (Second Hearing):

1. This order may be read in the continuity of previous order dated 21.02.2022 vide which the appellant was asked to point out deficiencies if any in the information so supplied by the appellant before the next date of hearing.

Information Sought: The appellant has sought following information:-

Surbri Armoung Carporation 2009-10, 2010-11, 2011-12

egge Industries

ALE 5410-11, 5002-10, 5008-02

- 2. Appellant is absent Moreover, he has not made any submissions regarding the deficiencies.
- 3. Accordingly, the Commission presumes that he is satisfied with the information/response filed by the respondent-Public Information Officer and he has nothing to say. So no further action is required to be taken in this case. Hence, the case is disposed of and closed. However, the liberty is granted to the appellant to approach the Commission within 10 days from the issue of this order in case of any further submissions.

Sd/-

Chandigarh (Maninder Singh Patti) Dated: 31.05.2022 State Information Commissioner, Pb.

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Sh. Baldev Singh, (9888614421)

S/o Sh. Teja Singh, Village Jaggo Chak Tanda, P.O Chabkra, Tehsil Dina Nagar, Distt Gurdaspur.

.....Appellant/Complainant

Versus

Public Information Officer O/o Deputy Commissioner, Gurdaspur.Respondent

Public Information Officer

O/o Housefed, Sidhu Market, Kahnuwan Chowk, Gurdaspur.

Complaint Case No. 19 of 2022 (Cisco Webex Proceedings)

RTI application filed on : 03-09-2021

PIO replied on : -

Present: Complainant: Sh. Baldev Singh (In person)

Respondent: Sh. Anil Kumar (Suptd. Revenue), 9465562163

ORDER:

- 1. This order may be read with the continuity of previous order of the Commission dated 21.02.2022.
- **2.** <u>Written Submission from respondent:</u> A email dated 30.05.2022 is received by the undersigned bench relevant portion of which is reproduced below:

ਉਪਰੋਕਤ ਵਿਸੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਪਾ੍ਰਬੀ ਸੀ ਬਲਦੇਵ ਸਿੰਘ ਪੁੱਤਰ ਸੀ ਤੇਜਾ ਸਿੰਘ ਨੇ ਮਕਾਨ ਉਸਾਰੀ ਵਾਸਤੇ 250000/- ਰੁਪਏ ਕਰਜ਼ਾ ਲਿਆ ਸੀ ਪਰੰਤੂ ਕਰਜ਼ਦਾਰ ਮੈਬਰ ਵੱਲੋਂ ਪੂਰਾ ਕਰਜ਼ਾ ਅਦਾ ਨਹੀਂ ਕੀਤਾ ਗਿਆ ਹੈ ਜਿਸ ਕਾਰਨ N.O.C ਜਾਰੀ ਨਹੀਂ ਕੀਤਾ ਜਾ ਸਕਦਾ ਹੈ।ਆਪ ਜੀ ਨੂੰ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ:13 ਮਿਤੀ:-11.04.2022 ਰਾਹੀ ਸੂਚਿਤ ਕਰ ਦਿਤਾ ਗਿਆ ਸੀ ਕਿ ਪਾ੍ਰਬੀ ਨੂੰ ਸੂਚਨਾ ਦੇਣ ਲਈ ਦੀ ਦੀਨਾਨਗਰ ਬਲਾਕ ਰੂਰਲ ਸਭਾ ਦੇ ਸਕੱਤਰ ਸੀ ਸੰਦੀਪ ਕੁਮਾਰ ਦੀ ਡਿਊਟੀ ਲਗਾਈ ਗਈ ਸੀ।ਸਭਾ ਸਕੱਤਰ ਨੇ ਨਿਮਨਹਸਤਾਖਰੀ ਦਫਤਰ ਲਿਖਤੀ ਸੂਚਿਤ ਕੀਤਾ ਹੈ ਕਿ ਮੈ ਸੀ ਬਲਦੇਵ ਸਿੰਘ ਪੁੱਤਰ ਸੀ ਤੇਜਾ ਸਿੰਘ ਵਾਸੀ ਪਿੰਡ ਜਗੋਂ ਚੱਕ ਟਾਂਡਾ,ਡਾਕਖਾਨਾ ਝਬਕਰਾ ਤਹਿਸੀਲ ਦੀਨਾਨਗਰ ਜਿਲ੍ਹਾ ਗੁਰਦਾਸਪੁਰ ਨੂੰ ਸੂਚਨਾ ਦੇਣ ਲਈ 2-3 ਵਾਰ ਉਸਦੇ ਘਰ ਗਿਆ ਪਰੰਤੂ ਉਹ ਘਰ ਨਹੀਂ ਮਿਲੇ,ਮੈਂ ਦੁਬਾਰਾ ਮਿਤੀ:-24.03.2022 ਨੂੰ ਸੀ ਬਲਦੇਵ ਸਿੰਘ ਜੀ ਦੇ ਘਰ ਗਿਆ ਉਹ ਘਰ ਵਿੱਚ ਹੀ ਸਨ ਪਰੰਤੂ ਉਹਨਾਂ ਪੱਤਰ ਪ੍ਰਾਪਤ ਕਰਨ ਤੋਂ ਇਨਕਾਰ ਕਰ ਦਿਤਾ ਮੇਰੇ ਵੱਲੋਂ ਨੰਬਰਦਾਰ ਨੂੰ ਤਸਦੀਕ ਕਰਨ ਨੂੰ ਕਿਹਾ ਗਿਆ ਪਰੰਤੂ ਉਹਨਾਂ ਵੀ ਇਨਕਾਰ ਕਰ ਦਿਤਾ।ਇਸ ਲਈ ਪ੍ਰਾਥੀ ਨੂੰ ਸੂਚਨਾ ਰਜਿਸਟਰਡ ਪੱਤਰ ਰਾਹੀ ਦੇ ਦਿਤੀ ਗਈ ਹੈ।ਇਹ ਆਪ ਜੀ ਦੀ ਸਚਨਾ ਅਤੇ ਲੋੜੀਦੀ ਕਾਰਵਾਈ ਹਿੱਤ ਹੈ ਜੀ।

- The complainant has approached the Commission under the provision of Section 18
 of the RTI Act, 2005, in which no directions for providing further information can be
 given by the Commission.
- 4. 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.

Complaint Case No. 19 of 2022 (Cisco Webex Proceedings)

5. 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.

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.

7. 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. Baldev Singh 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.

Sd/-

Chandigarh

Dated: 31.05.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

First Appellant Authority:

O/o Deputy Commissioner, Gurdaspur.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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.....Respondent

Sh. Pawan Kumar, (7508780269)

S/o Sh. Shiv Lal, Village Rupana,

Tehsil & Distt Sri Muktsar Sahib - 152032Appellant/Complainant

Versus

Public Information Officer

O/o Block Development and Panchayat Officer,

Sri Muktsar Sahib.

First Appellate Authority

O/o District Development and Panchayat Officer, Sri Muktsar Sahib.

Appeal Case No. 3712 of 2021

(Cisco Webex Proceedings)

RTI application filed on : 03-06-2021

PIO replied on :

First appeal filed on : 03-07-2021

First Appellate Authority order : -

Present: NONE

ORDER:

1. This order may be read with reference of previous order of the Commission dated 22.02.2022.

Information Sought:

- ਇਹ ਕਿ ਪ੍ਰਧਾਨ ਮੰਤਰੀ ਆਵਾਸ ਯੋਜਨਾ ਤਹਿਤ ਮਿਤੀ 01/01/2017 ਤੋਂ 31/03/2021 ਤੱਕ ਪਿੰਡ ਚੱਕ ਤਾਮਕੋਟ ਕਿਹੜੇ ਕਿਹੜੇ ਲੋਕਾਂ ਨੂੰ ਇਸ ਯੋਜਨਾ TT MIN ਮਿਲਿਆ। ਲਾਭਪਾਤਰੀਆਂ ਦੀ ਮੁਕੰਮਲ ਤਸਦੀਕਸ਼ੁਦਾ ਦਿੱਤੀ ਜਾਵੇ। ਇਹ ਕਿ ਮਿਤੀ 01/01/2017 ਤੋਂ 31/03/2021 ਤੱਕ ਪਿੰਡ ਚੈਂਕ ਤਾਮਕੋਟ ਦੇ ਕਿਹੜੇ ਕਿਹੜੇ ਲੋਕਾਂ ਨੂੰ ਸਵੇਂਸ਼ ਭਾਰਤ ਸਕੀਮ ਅਧੀਨ ਲੈਂਟਰੀਨ ਬਣਾਉਣ ਦਾ ਲਾਭ ਮਿਲਿਆ, ਲਾਭਪਾਤਰੀਆਂ ਦੀ ਮੁਕੰਮਲ ਲਿਸਟ 2) ਮਿਲਿਆ, ਲਾਭਪਾਤਰੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਦਿੱਤੀ ਜਾਵੇ। ਇਹ ਕਿ ਮਿਤੀ 01/01/2017 ਤੋਂ 31/03/2021 ਤੱਕ ਪਿੰਡ ਚੱਕ ਤਾਮਕੇਂਟ ਦੀ ਪੰਚਾਇਤੀ ਜਮੀਨ ਦਾ ਸਲਾਨਾ ਠੋਕ ਕਿੰਨਾ ਆਇਆ ਹੈ ਅਤੇ ਇਸ ਦੀ ਆਮਦਨ ਕਿਸ 3) ਖਾਤੇ ਵਿੱਚ ਜਮਾਂ ਹੁੰਦੀ ਹੈ, ਬੈਂਕ ਖਾਤੇ ਦਾ ਵੇ ਸਟੇਟਮੈਂਟ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਵੇਰਵਾ ਅਤੇ ਇਹ ਕਿ ਪਿੰਡ ਚੱਕ ਤਾਮਕੋਟ ਦੀ ਪੰਚਾਇਤੀ ਜਮੀਨ ਕਿੰਨੀ ਹੈ ਉਸਦਾ ਤਸਦੀਕਸ਼ੁਦਾ ਵੇਰਵਾ ਦਿੱਤਾ ਜਾਵੇ। ਉਕਤ ਪਿੰਡ ਦੀ ਜਮੀਨ ਦਾ ਜਿਹੜਾ ਠੇਕਾ ਆਉਂਦਾ ਹੈ 4) ਉਹ ਕਿਥੇ ਕਿਥੇ ਵਰਤਿਆ ਜਾਂਦਾ ਹੈ, ਵਰਤੀ ਹੋਈ ਰਕਮ ਦੀ ਬਿੱਲਾਂ ਸਮੇਤ ਵੇਰਵਾ ਤਸਦੀਕਸ਼ਦਾ ਦਿੱਤਾ ਜਾਵੇ।
 - 2. Appellant Sh. Pawan Kumar has acknowledged the receiving of sought information through telephone call.
 - As the information stands supplied therefore, no cause of action is required in this case. Hence, the instant complaint/appeal case is disposed & closed

Sd/-

Chandigarh (Maninder Singh Patti)
Dated: 31.05.2022 State Information Commissioner, Pb.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

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Versus



R/o Aman Nagar, Street No 3,

B/s Green Land School, near Jalandhar By Pass,

Ludhiana.

.....Appellant/Complainant

.....Respondent

Public Information Officer

O/o Municipal Corporation,

Jalandhar.

First Appellate Authority

O/o Commissioner, MC, Jalandhar.

Appeal Case No. 3692 of 2021

(Cisco Webex Proceedings)

RTI application filed on : 15-05-2021

PIO replied on : -

First appeal filed on : 23-06-2021

First Appellate Authority order : -

Present: Appellant: Absent

Respondent: Sh. Rajesh Kumar (Asst.), 9112000013

ORDER (Second Hearing):

- 1. This order may be read with reference of previous order of the Commission dated 22.02.2022.
- 2. Written Submission From respondent: An email dated 30.05.2022 is recived by the undersigned bench the relevant portion of which is reproduced below:

ਉਪਰੋਕਤ ਦੇ ਸੰਬੰਧ ਵਿਚ ਆਪ ਵੱਲੋਂ ਆਰ.ਟੀ.ਆਰੀ 360 ਮਿਤੀ 17.05.2021 ਰਾਹੀਂ ਨਗਰ ਨਿਗਮ, ਜਲੰਧਰ ਵਿਚ ਕੰਮ ਕਰ ਰਹੇ ਦਰਜਾ– ਏ.ਬੀ.ਸੀ. ਦੇ ਕਰਮਚਾਰੀਆਂ ਦੀ ਸੂਚਨਾ ਮੰਗੀ ਗਈ ਹੈ। ਆਪ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਨਗਰ ਨਿਗਮ, ਜਲੰਧਰ ਦੇ ਕਰਮਚਾਰੀਆਂ ਦੀ ਸੇਵਾ–ਪੱਤਰੀ ਵਿਚ ਦਰਜ਼ ਹੈ, ਜੋ ਕਿ ਮਾਨਯੌਗ ਸੁਪਰੀਮ ਕੋਰਟ ਵੱਲੋਂ ਅਪੀਲ ਨੰ:10044 ਆਫ 2010 ਸੰਬੰਧੀ ਮਿਤੀ 13.11.2019 ਨੂੰ ਦਿੱਤੇ ਗਏ ਫੈਸਲੇ ਅਨੁਸਾਰ ਸੂਚਨਾ ਤੀਜੀ ਧਿਰ ਨਾਲ ਸੰਬੰਧਤ ਹੈ। ਇਸ ਲਈ ਇਹ ਸੂਚਨਾ ਮੁਹੱਇਆ ਨਹੀਂ ਕਰਵਾਈ ਜਾ ਸਕਦੀ।

- Accordingly, the Commission referred to the decision of the Hon'ble Supreme Court of India in Girish Ramchandra Deshpande vs. Central Information Commission & ors. SLP(C) No. 27734 of 2012 dated 03/10/2012 wherein it was held as under:
 - "13.....The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right."

Appeal Case No. 3692 of 2021 (Cisco Webex Proceedings)

4. FINAL DECISION:

Keeping in view the facts of the case and the submissions made by both the parties and in the light of above referred judgments, the Commission reveals that the disclosure of such information is not in the public interest as the appellant has asked for the information for promotion of his personal interest. Therefore, the PIO is justified in denying the information sought, u/s 8(1)(j) of the Act.

Hence this case is Disposed of and closed.

Sd/-

Chandigarh Dated: 31.05.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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Sh. Kulwant Singh, (9878973610)

S/o Sh. Pritam Singh, VPO Pohir, Backside Peerkhana, Distt Ludhiana - 14120

.....Appellant/Complainant

.....Respondent

Versus

Public Information Officer

O/o Police Commissioner, Ludhiana.

Complaint Case No. 181 of 2022 (Cisco Webex Proceedings)

RTI application filed on : 06-12-2021

PIO replied on : -

Present: Complainant: Absent

Respondent: Sh. Ramesh Kumar (ASI), 991560300

ORDER:

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 05.06.2022. 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, in which no directions for providing further information can be given by the Commission.
- 3. 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.
- 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. 181 of 2022

(Cisco Webex Proceedings)

6. 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. Kulwant Singh 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.

Sd/-

Chandigarh Dated: 31.05.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

First Appellant Authority:

O/o Inspector General of Police, Ludhiana Range, Ludhiana.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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Sh. Kulwant Singh, (9878973610)

S/o Sh. Pritam Singh, VPO Pohir, Backside Peerkhana, Distt Ludhiana - 14120

.....Appellant/Complainant

Versus

Public Information Officer O/o Police Commissioner, Ludhiana.Respondent

Complaint Case No. 183 of 2022 (Cisco Webex Proceedings)

RTI application filed on : 11-02-2022

PIO replied on : -

Present: Complainant:

Respondent: Sh. Ramesh Kumar (ASI), 991560300

ORDER:

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 05.06.2022. 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, in which no directions for providing further information can be given by the Commission.
- 3. 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.
- 5. 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. 183 of 2022 (Cisco Webex Proceedings)

6. 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. Kulwant Singh 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.

Sd/-

Chandigarh Dated: 31.05.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

First Appellant Authority:

O/o Inspector General of Police, Ludhiana Range, Ludhiana.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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Sh. Bant Singh, (9815025224)

S/o Sh. Chinta Singh, # 134, Street No. 6, Gulmohar Nagar, Amloh Road, Khanna, Distt Ludhiana.

.....Appellant/Complainant

Versus

Public Information Officer O/o Police Commissioner, Ludhiana.Respondent

Complaint Case No. 191 of 2022 (Cisco Webex Proceedings)

RTI application filed on : 12-06-2018

PIO replied on : -

Present: Complainant: Absent

Respondent: Sh. Ramesh Kumar (ASI), 991560300

ORDER:

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 04.06.2022. 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, in which no directions for providing further information can be given by the Commission.
- 3. 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.
- 5. 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. 191 of 2022

(Cisco Webex Proceedings)

6. 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. Kulwant Singh 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.

Sd/-

Chandigarh Dated: 31.05.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

First Appellant Authority:

O/o Inspector General of Police, Ludhiana Range, Ludhiana.