

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in, RTI Helpline - 0172-2864100



FINAL ORDER

Sh. Parmod Kumar, Advocate,
S/o Sh. Bharat Kumar, R/o 836/4, B-14,
Istam Garg, Ludhiana, Office Chamber No.232,
District Court, Ludhiana.

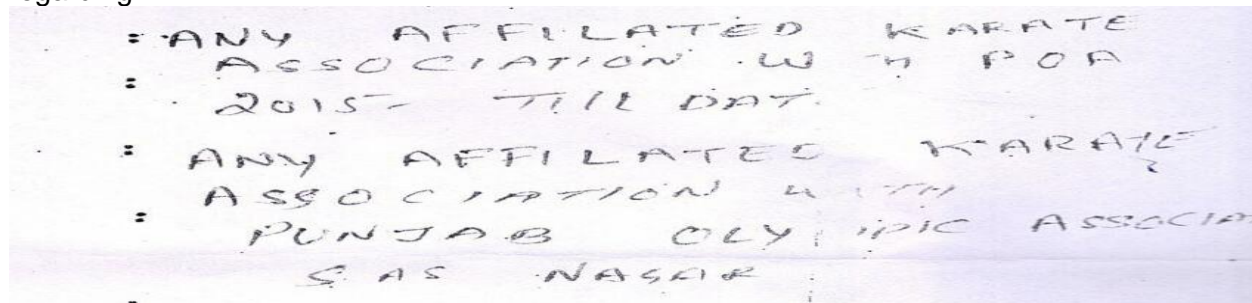
Versus

Public Information Officer-
O/o Punjab Olympic Bhawan,
Phase-8, Mohali.

Complaint Case No. 346 of 2023

ORDER:

1. The RTI application is dated **11.05.2023** vide which the complainant has sought information regarding:



as enumerated in his RTI application. The complaint was filed in the Commission on **29.05.2023** under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). This case was last heard on 01.12.2023.

2. This order was reserved on 01.12.2023. At the last Hearing on 01.12.2023, the complainant was absent but had informed the Commission vide an email Dated 01.12.2023, about his inability to attend this hearing. The respondent PIO was represented by Sh. Ankur Gupta, Advocate, who had submitted, a reply Dated 29.11.2023, wherein, he had cited an order of this Commission passed in CC No.148/2020 that Punjab Olympic Association is not a Public Authority, as defined under Section 2(h) of the RTI Act, 2005.

3. The representative of the respondent PIO has submitted reply Dated 29.11.2023, which is also appended below:

1. That the application submitted by Appellant has been fairly and rightly refused as No Addressee as mentioned in RTI Application exists.
2. That the Present Appeal is not maintainable before this Hon'ble Commission as This Hon'ble Commission has already decided in Case Titled "JASPREET SINGH SIDHU VS. PUBLIC INFORMATION OFFICER, O/O SECRETARY GENERAL, PUNJAB OLYMPIC ASSOCIATION" bearing Complaint No. 148 of 2020 has decided on dated 30.11.2021 that "THIS COMMISSION HERewith UPHOLD THE RESPONDENT'S CONTENTION THAT THE PUNJAB OLYMPIC ASSOCIATION IS IN FACT NOT A PUBLIC AUTHORITY AS DEFINED BY THE ACT". Hence, the Respondent is not required to give reply whatsoever as Respondent does not comes in ambit of RTI Act, 2005. Copy of Order Dated 30.11.2021 is annexed herewith as Annexure R-A.
3. That, moreover, till date as per Knowledge of Respondent, the above mentioned order of this Hon'ble Commission has not been challenged till date and has attained finality.

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4. In the aforesaid Complaint Case (CC:148/2020), the respondent Public Authority i.e. Punjab Olympic Association, had clearly established that it was not in receipt of any grant-in-aid or other funds from the Punjab Government, during the years, 2016-17, 2017-18 and 2018-19. The association received Rs. 50.00000.00 (Rupees Fifty Lakhs) as grant from the Secretary, Sports, Government of Punjab in the year 2015 but this was only for disbursement to 25 sports associations across the Punjab. It has already been established in Complaint Case No. 148/2020 that Punjab Olympic Association does not qualify as Public Authority as defined under Section 2(h) of the RTI Act, 2005, which reads as under:-

"public authority" means any authority or body or institution of self- government established or constituted—

- (a) by or under the Constitution;*
- (b) by any other law made by Parliament;*
- (c) by any other law made by State Legislature;*
- (d) by notification issued or order made by the appropriate Government, and includes any—*
 - (i) body owned, controlled or substantially financed;*
 - (ii) non-Government organization substantially financed, directly or indirectly by funds provided by the appropriate Government;"*

5. In view of the above, there is no further cause for action. The complaint case is **Disposed of.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
06.06.2024