

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh. Parminderjeet Singh (Nambardar),(98886-86039)
S/o Sh. Nahar Singh, R/o Village GalibKalan, Tehsil Jagraon,
Distt Ludhiana

.....Appellant

..Vs

Public Information Officer,
O/o District Controller, Food Civil Supplies and consumer Affairs, Ludhiana

First Appellate Authority
O/o Director, Food Civil Supplies and consumer Affairs, Pb
AnajMandi, Sector 39C, Chandigarh

.....Respondent

AC No.4484 of 2019

Through CISCO WEBEX

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Beant Singh, AFSO

ORDER

This order may be read with reference to the previous order dated 07.10.2020, vide which a show cause notice was issued to the respondent-PIO.

2. The appellant Sh. Parminderjit Singh is absent today.

3. Respondent Sh. Beant Singh states that the information has already been sent to the appellant. He has also sent a letter mentioning therein that the information has been provided to the appellant alongwith a photocopy of the letter showing acknowledgment by the appellant, the same has been taken on record.

Respondent has also sent the reply of show cause notice issued to him. Keeping in view all the facts mentioned in the reply the show cause notice is, hereby, dropped.

4. In view of the foregoing, no cause of action is left, hence the appeal filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated 11.01.2021

(PreetyChawla)
State Information Commissioner
Punjab

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Sh. Darshan Singh, (M:9815002426)
#84, New Jawahar Nagar,
Jalandhar.

.....Complainant

..Vs

Public Information Officer,
O/o Secretary, Governing Council,
Lyallpur Khalsa College, Jalandhar

.....Respondent

CC No. 180 of 2020
Through CISCO Webex

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated 05.11.2020.

2. Today neither the complainant nor the respondent is present. The perusal of the file shows that the respondent has sent point-wise reply to the commission office through mail. Copy of the same is taken on record.

3. After going through the file, it is observed that this is the complaint case and there is the judgment of the Hon'ble Supreme Court of India rendered dated 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, 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 which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

As such, since 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.

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

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CC No. 180 of 2020

speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a 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.

6. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

Dated 11.01.2021

(PreetyChawla)
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Dr. Dhaval Kumar Kirti kumar Patel
A-8, Gokul Flats, Near Akhbarnagar
B.R.T.S Bus stand, Nava Vadaj Ahmedabad
Gujarat – 380013 (9909704306)

.....Appellant

..Vs

Public Information Officer,
O/o Vishveshvarand VishwaBandhu Institute of Sanskrit and
Indological Studies, Panjab University Centre, Hoshiarpur
First Appellate Authority
O/o Vishveshvarand VishwaBandhu Institute of Sanskrit and
Indological Studies, Panjab University Centre, Hoshiarpur

.....Respondent

AC No. 1528 of 2020
(Through CISCO WEBEX)

Present : (i) Dr. Dhaval Kumar Kirtikumar Patel the appellant
(ii) For the Respondent: Sh Sudhanshu Kumar Sarangi, Chairperson
(7696523438)

ORDER

This order may be read with reference to the previous order dated 26.10.2020 vide which the respondent was directed to provide complete information to the appellant.

2. The appellant states that the information has yet not been provided to him by the respondent-PIO.

3. The respondent states that their Vishveshvarant VishwaBandhu Institute of Sanskrit and Indological Studies, is covered under Central Information Commission, New Delhi. He has given in writing that *"Since the Section 2(b) and Section 9 of the Punjab University Act of 1947 entails that governance of the University is under the control of Central Government therefore the appeals against the Panjab University are not maintainable before the State Information Commission, Punjab for want of jurisdiction."*

4. Accordingly, the Appellant is advised to file a fresh complaint with the Central Information Commission, New Delhi for seeking requisite information.

5. Accordingly, the instant case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated 11.01.2021

Sd/-
(Preety Chawla)
State Information Commissioner
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Sh. Lakhvir Singh, S/o Shri Nazar Singh,
R/o Village Mullowal, Tehsil Dhuri,
Distt.Sangrur (8360957950)

-----Appellant

..Vs

Public Information Officer,
o/o SSP, Sangrur

First Appellate Authority
O/o IGP, Patiala

.....Respondent

AC No.1038 of 2020
Through CISCO-Webex

Present: None for the parties

ORDERS

This order may be read with reference to the previous order dated 07.10.2020.

2. Today neither the Appellant nor the Respondent is present.
3. The perusal of the file shows that the Appellant is not present today. He was not present on the previous date of hearing also. He has not even bothered to inform the Commission about his absence. Hence, it may be presumed that the Appellant is satisfied with the information provided. Therefore, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Dated : 11.01.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Ms Avneet Kaur, (M-9878875184)
House No 8, Swiss City, Phase-3,
Gumtala Mahal, By pass, Amritsar

.....Appellant

..Vs

Public Information Officer,
O/o Guru Nank Dev University, Amritsar

First Appellate Authority-cum-
O/o Guru Nank Dev University, Amritsar

.....Respondent

AC No. 3138 of 2020
Through CISCO-Webex

Present: (i) Ms Avneet Kaur, Appellant alongwith Sh Satbir Singh
(ii) For the Respondent : Sh Manjit Singh, Assistant Registrar(M-94178-54691)

ORDERS

This order may be read with reference to the previous order dated 25.11.2020 vide which the abovementioned appeal case was adjourned to be heard on 10.12.2020. However, on 10.12.2020 the case could not be heard hence, the appeal case was postponed to be heard on 27.01.2021 but on the request of the Appellant, the appeal case was preponed to be heard on 11.01.2021 i.e today.

2. The Appellant states that, as directed in the previous hearing, she had gone to inspect the record in the office of the Respondent but the complete information was not provided to her. The Appellant has also filed her submission through e-mail(s) which are taken on record.

3. The Respondent states that the complete information pertaining to the RTI application of the Appellant, as available in their official record has been provided to the Appellant. They have also filed their affidavit as under:-

" 2. That in the Appeal Case No. 3138 of 2020, the documents which were available and was part of the file in relation to letter no. 2271/VC and letter no. 2762/VC were supplied/provided to the appellant as per the provisions of the RTI Act 2005.

3. That all the documents which were part of the file in relation to letter 2271/VC and letter no.2762/VC as inspected by appellant are provided to her and except the documents provided to the appellant, no other document in relation to letter 2271/VC and letter no.2762/VC are available in the file."

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AC No. 3138 of 2020

Copy of the same is taken on record.

4. In view of the above the reply filed by the respondent appears to be convincing, hence, no cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed of and closed**.
Copy of the orders be sent to the parties.

Sd/-

Dated : 11.01.2021

(Preety Chawla)
State Information Commissioner
Punjab

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Sh Satbir Singh, (9878875184),
S/o Sh Kulwant Singh,
5, Ghanapur Road, Chehratta, Amritsar

.....Appellant

..Vs

Public Information Officer,
O/o Guru Nank Dev University, Amritsar

First Appellate Authority-cum-

O/o Vice Chancellor, Guru Nanak Dev University, Amritsar

.....Respondent

AC No. 2722 of 2020
Through CISCO-Webex

Present: (i), Sh Satbir Singh ,Appellant alongwith Ms Avneet Kaur
(ii) For the Respondent : Sh Manjit Singh, Assistant Registrar (M-94178-54691)

ORDERS

This order may be read with reference to the previous order dated 24.11.2020 vide which the above-mentioned appeal case was adjourned to be heard on 10.12.2020. However, on 10.12.2020 the case could not be heard hence, the Appeal case was postponed to be heard on 27.01.2021 but on the request of the Appellant, the appeal case was preponed to be heard on 11.01.2021 i.e today.

2. Today, the Appellant states that, as directed in the previous hearing, he had gone to inspect the record in the office of the Respondent but the complete information was not provided to him. The Appellant has also filed his submission through e-mail(s), which are taken on record.

3. The Respondent states that the complete information pertaining to the RTI application of the Appellant, as available, in their official record has been provided to the Appellant. They have also filed their affidavit in this regard which is as under:-

“ That in the Appeal Case. No.2722 of 2020, the documents which were available and was part of the file in relation to letter no.2271/VC were supplied/provided to the appellant as per the provisions of RTI Act 2005.

3. That all the documents which were part of the file in relation to letter 2271/VC as inspected by appellant are provided to him and except the documents provided to appellant, no other document in relation to letter 2271/VC are available in the file.”

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AC No. 2722 of 2020

4. In view of the above the reply filed by the respondent appears to be convincing, hence, no cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed of and closed**.
Copy of the orders be sent to the parties.

Sd/-

Dated : 11.01.2021

(Preety Chawla)
State Information Commissioner
Punjab