SECTOR 16, CHANDIGARH.
Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975

Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)

Shri Bawa Bhulinder Singh, S/o Shri Dalip Singh, R/o Abadi Mata Ganga Ji Nagar, Gurdwara Bhai Manj Sahib, Tarn Taran Road, Amritsar.

.....Appellant

Versus

Public Information Officer

O/o Punjab State Power Corporation Ltd.(PSPCL), Amritsar.

First Appellate Authority

O/o Punjab State Power Corporation Ltd.(PSPCL), Amritsar.

...Respondents

AC No.3765 of 2021

Present: (i) Baba Bhupinder Singh, Appellant- cisco webex.

(ii) Shri Varinder Kumar, Sub Divisional Clerk, Sub Division, Ghee Mandi, PSPCL, Amritsar on behalf of the PIO/Respondent- in person.

ORDER

(Heard in person/through Cisco Webex)

- 1. This order may be read with reference to the order dated 14.07.2022 passed by this Bench on the previous hearing.
- 2. The case has been heard today. Shri Bawa Bhulinder Singh, appellant comes present to attend the hearing through cisco webex.
- 3. Shri Varinder Kumar, Sub Divisional Clerk, Sub Division, Ghee Mandi, PSPCL, Amritsar attends the hearing in person before the Bench. He states that as per directions of Hon'ble Bench, the appellant was called for inspection of records on 14.09.2022 but he did not come present and he was again called on 15.09.2022 when he did come present, however, he did not point out any deficiencies in the information already supplied. He left the office by saying that he will come again on 16.09.2022 but he did not turn up upto 4.00 PM on 16.09.2022. He further states that the information has already been provided to the appellant on 22.08.2021 by registered post and 08.10.2021 by hand by calling the appellant to the office and the appellant had also acknowledged receipt of information. The respondent also produces before the Bench an affidaviat dated 19.09.2022 duly attested by the Notary Public.

-2-

AC No.3765/2021

4. On the asking the Bench, the appellant states that the information as supplied earlier was again being given after inspection and hence, he is not fully convinced. The Bench apprises the appellant that the representative of PIO has produced before the Bench an affidavit dated 19.09.2022 and that the original

affidavit will be sent to him along with the order. The appellant agrees to it.

6. The Bench on perusal of the case file as also the affidavit produced before the Bench,

observes that the appellant has acknowledged receipt of information and the contents of the affidavit are in

order. As such, the Bench does not feel need for further intervention in the matter and the instant

appeal case is disposed off and closed. Copies of the order be sent to the concerned parties. Original

order be sent to the appellant along with the order.

Encl: Affidavit

Chandigarh 20.09.2022

PSIC SSS

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975 Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)

Shri R.C. Tandon #146, Urban Estate, PO Chachoki, Phagwara, District Kapurthala.

.....Appellant

Versus

Public Information Officer

O/o Jalandhar Development Authority, Jalandhar.

Assistant Public Information Officer

O/o Estate Officer (Regulatory), Jalandhar Development Authority, Jalandhar.

First Appellate Authority

O/o Estate Officer, Jalandhar Development Authority, Jalandhar.

....Respondents

AC No.3683 of 2021

Present: (i) Appellant- absent.

(ii) Shri Pawan Kumar, SDO/PIO, J.D.A. Jalandhar, Shri Swaran, Supdt. Regulatory Branch and Shri Amandeep Singh, Junior Engineer, B&E Branch, J.D.A., Jalandhar, in person.

ORDER

- 1. This order may be read with reference to the order dated 14.07.2022 passed by this Bench on the previous hearing.
- 2. The case has been heard today. Shri R.C. Tandon, appellant has not come present to attend the hearing in person before the Bench or through cisco webex. However, an e.mail has been received from him stating that as he has not received specific information and his absence may be excused.
- 3. Shri Pawan Kumar, SDO/PIO, Shri Swaran, Supdt. Regulatory Branch and Shri Amandeep Singh, Junior Engineer, B&E Branch, J.D.A., Jalandhar, come present in person before the Bench. The PIO states that the SDO (Building), J.D.A. Jalandhar vide letter dated 17.05.2022 has informed that that the information sought by the appellant is not available in the record of Building Branch and was related to the office of S.D.E. (B&E), J.D.A. Jalandhar. Accordingly, reply has been sent to the appellant vide letter dated 25.05.2022. The PIO also produces before the Bench original affidavit dated 13.09.2022 on non judicial stamp paper duly signed by the PIO and attested by the Notary Public, clarifying the position.

PSIC Sales Of the American Comments of the Ame

-2-

AC No.3683/2021

- 4. The Bench, after perusing the contents of the affidavit produced before the Bench, observes that the contents of the affidavit are in order.
- 5. In view of the above, the Bench does not feel need for further intervention in the matter. As such, the instant appeal case is disposed off and closed. Copies of the order be sent to the concerned parties. The original affidavit be sent to the appellant along with the order.

Encl: Original Affidavit.

Chandigarh 20.09.2022

PSIC South

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975

Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)

Shri Darshan Singh, S/o Shri Maninder Singh, R/o Village Rameana, , Tehsil Jaito, Distt. Faridkot.

.....Appellant

Versus

Public Information Officer-cum-

Panchayat Secretary, Gram Panchayat, Rameana, Block Jaito, District Faridkot.

First Appellate Authority

O/o District Development and Panchayat Officer(DDPO), Faridkot...

...Respondents

AC No.5201 of 2021

Present: (i) Appellant- absent.

(ii) Shri Jagtar Singh, Panchayat Secretary, Gram Panchayat, Rameana, Block Jaito, District Faridkot, PIO/Respondent- in person.

ORDER

- 1. This order may be read with reference to the order dated 14.07.2022 passed by this Bench on the previous hearing.
- 2. The case has been heard today. Shri Darshan Singh, appellant has not come present to attend the hearing in person or through cisco webex.
- 3. Shri Jagtar Singh, PIO/Panchayat Secretary, Gram Panchayat, Rameana, Block Jaito, District Faridkot comes present in person before the Bench and states that the information as asked for by the appellant has been provided to him and the appellant has also acknowledged receipt of information to his satisfaction. He produces the acknowledgement of appellant for having received the information, before the Bench, which is taken on record.
- 4. In view of the above, no further cause of action is left in the matter. **The instant appeal case** is disposed off and closed. Copies of the order be sent to the concerned parties.

Chandigarh **20.09.2022**

PSIC Sold Mormation Color

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975

Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)

Shri Tejinder Singh,Advocate Civil Court, Tehsil Complex, Backside Sanjh Kender, Phillaur., Distt. Jalandhar. Pin-144410.

.....Appellant

Versus

Public Information Officer

O/o Sub Divisional Magistrate, Khadoor Sahib, Distt.Tarn Taran.

First Appellate Authority

O/o Sub Divisional Magistrate, Khadoor Sahib, Distt.Tarn Taran.

...Respondents

AC No.5354 of 2021

Present: (i) Shri Tejinder Singh, Appellant-cisco webex.

(ii) None on behalf of the PIO/Respondent.

ORDER

(Heard through cisco webex)

- 1. This order may be read with reference to the order dated 14.07.2022 passed by this Bench on the previous hearing.
- 2. The case has been heard today. Shri Tejinder Singh, appellant comes present to attend the hearing through cisco webex.
- 3. The PIO O/o Sub Divisional Magistrate, Khadoor Sahib, District Tarn Taran has neither come present in person nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO.
- 4. On the asking of the Bench, the appellant states that he has received information to his satisfaction and gives his consent to close the case.
- 5. In view of the above, no further cause of action is left in the matter. The instant appeal case is disposed off and closed. Copies of the order be sent to the concerned parties.

Chandigarh 20.09.2022



Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in
Visit us: - www.infocommpunjab.com Cisco Webex Meeting Code:15857-23975
Helpline No.0172-2864100(10.00 AM to 04.00 PM on working days)

Shri Tejinder Singh, Advocate Civil Court, Tehsil Complex, Backside Sanjh Kender, Phillaur, District Jalandhar.

.....Appellant

Versus

Public Information Officer

O/o Greater Ludhiana Area Development Authority(GLADA) Ludhiana.

First Appellate Authority-cum-O/o Addl. Chief Administrator, Greater Ludhiana Area Development Authority(GLADA) Ludhiana...

....Respondents

AC No.1177 of 2021

Present: (i) Shri Tejinder Singh, Appellant- cisco webex.

(ii) Shri Narinder Singh, ClerkO/o GLADA, Ludhiana, on behalf of the PIO/Respondent- in person.

ORDER

(Heard in person/through Cisco Webex)

- 1. This order may be read with reference to the order dated 28.02.2022 passed by this Bench on the previous hearing.
- 2. The case has been heard today. Shri Tejinder Singh, appellant comes present to attend the hearing through cisco webex.
- 3. Shri Narinder Singh, Clerk O/o GLADA, Ludhiana, comes present to attend the hearing on behalf of the PIO in person before the Bench. He states that the information regarding 30 colonies being developed in 30 villages has been sought by the appellant which has been supplied vide letter dated 22.06.2021 and letter dated 25.03.20222 by registered post. He further states that no survey has been conducted by GLADA regarding the colonies in villages under the jurisdiction of GLADA, Ludhiana after 2018.
- 4. The appellant reiterates his statement as made during previous hearing and states that he has not received the rectified information after removal of deficiencies. He further states that he had visited the office of PIO GLADA, but he was not entertained and was subjected to harassment. He is apprised of the version of representative of PIO that no survey of colonies has been conducted by GLADA after the year 2018.



AC No.1177/2021

5. Post deliberations, the PIO is directed to file an affidavit on e-Stamp paper, within 21 (Twenty one) days, duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.1177/2021 has been supplied to the appellant and that no survey of colonies in the villages has been conducted by GLADA, Ludhiana within its jurisdiction after the year 2018. It be further stated that nothing has been concealed therein and the statement made is true and correct. The original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

-2-

6. With the aforesaid directions, **the instant appeal case is disposed off and closed.** Copy of the order be sent to the parties.

Chandigarh 20.09.2022

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR 16, CHANDIGARH.

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com, CISCO WEBEX CODE:15857-23975 Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)



Shri Dharamjit Singh,

District Pradhan Lok Justice Party, Sri Muktsar Sahib.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer Municipal Council, Sri Muktsar Sahib.

First Appellate Authority-cum-

Regional Deputy Director, Local Government, Bathinda...

...Respondents

AC No.4759/2021

- Present: (i) Shri Dharamjit Singh, appellant- cisco webex.
 - (ii) Shri Rajnish Kumar, Executive Officer/PIO and Shri Pardeep Kumar, Junior Engineer, Municipal Council, Sri Muktsar Sahib.- in person.

ORDER

- 1. This order may be read with reference to the order dated 26.07.2022 passed by this Bench on the previous hearing.
- 2. The case has been heard today. The appellant comes present to attend the hearing through cisco webex.
- 3. Shri Rajnish Kumar, Executive Officer/PIO and Shri Pardeep Kumar, Junior Engineer, Municipal Council, Sri Muktsar Sahib come present to attend the hearing in person before the Bench. The PIO states that the information has been provided to the appellant by hand on 19.09.2022 and produces a copy of letter acknowledging receipt of information by the appellant.
- 4. The appellant Shri Dharamjit Singh admits receipt of information, however, states that the addresses mentioned therein are not complete and the information has been delayed considerably. On the asking of the Bench, the PIO states that the addresses have been mentioned as are available on the Government of India portal. The appellant is apprised of the version of the PIO.
- 5. The Bench, on perusal of the information supplied, is convinced that the requisite information stands supplied to the appellant.
- 6. In view of the above, no further intervention of the Bench is called for. The instant appeal case is disposed off and closed. Copies of the Order be sent to the concerned parties.

Chandigarh 20.09.2022



Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975
Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)

Shri Gulshan Kumar, # 1525/1, Street No.33, Preet Nagar, Shimlapuri, Ludhiana.

.....Appellant

Public Information Officer

O/o Commissioner, Municipal Corporation, Ludhiana.

First Appellate Authority

O/o Commissioner, Municipal Corporation, Ludhiana.

....Respondents

AC No.2363 of 2020

Versus

Present: (i) Shri Gulshan Kumar, Appellant-in person.

(ii) Shri Kirandeep Singh, Building Inspector, Zone-A, Municipal Corporation, Ludhiana, on behalf of PIO/Respondent- in person.

ORDER:

- 1. This order may be read with reference to the order dated 26.07.2022 passed by this Bench on the previous hearing.
- 2. The case has been heard today. Shri Gulshan Kumar, appellant comes present to attend the hearing in person before the Bench. He states that he has not been supplied requisite information.
- 3. Shri Kirandeep Singh, Building Inspector, Zone-A, Municipal Corporation, Ludhiana comes present in person before the Bench to attend the hearing on behalf of PIO. He produces before the Bench copy of letter dated 15.09.2022 whereby the information has been supplied to the appellant and that earlier also, the information was supplied to the appellant on 28.09.2020. He also produces before the Bench an affidavit dated 19.09.2022 to this effect. On the asking of the Bench, he hands over original affidavit to the appellant.
- 4. The appellant peruses the contents of affidavit and expresses his dis-satisfaction over the information supplied and states that the information has been delayed inordinately.
- 5. The Bench, on perusal of the case file and also going through the contents of affidavit, observes that adequate information has been supplied to the appellant and the contents of the affidavit are in order.
- 6. In view of the above, the Bench does not feel need for further intervention in the matter. **The instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh 20.09.2022



Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in
Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975
Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)

Shri Gulshan Kumar, # 1525/1, Street No.33, Preet Nagar, Shimlapuri, Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner, Municipal Corporation, Ludhiana.

First Appellate Authority

O/o Commissioner, Municipal Corporation, Ludhiana.

....Respondents

AC No.2366 of 2020

Present: (i) Shri Gulshan Kumar, Appellant-in person.

(ii) Shri Kirandeep Singh, Building Inspector, Zone-A, Municipal Corporation, Ludhiana, on behalf of PIO/Respondent- in person.

ORDER:

- 1. This order may be read with reference to the order dated 26.07.2022 passed by this Bench on the previous hearing.
- 2. The case has been heard today. Shri Gulshan Kumar, appellant comes present to attend the hearing in person before the Bench. He states that he has not been supplied requisite information.
- 3. Shri Kirandeep Singh, Building Inspector, Zone-A, Municipal Corporation, Ludhiana comes present in person before the Bench to attend the hearing on behalf of PIO. He produces before the Bench copy of letter dated 15.09.2022 whereby the information has been supplied to the appellant and that earlier also, the information was supplied to the appellant on 16.08.2021. He also produces before the Bench an affidavit dated 19.09.2022 to this effect. On the asking of the Bench, he hands over original affidavit to the appellant.
- 4. The appellant peruses the contents of affidavit and expresses his dis-satisfaction over the information supplied and states that the information has been delayed inordinately.
- 5. The Bench, on perusal of the case file and also going through the contents of affidavit, observes that adequate information has been supplied to the appellant and the contents of the affidavit are in order.
- 6. In view of the above, the Bench does not feel need for further intervention in the matter. **The instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh 20.09.2022



Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975 Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)

Shri Amarjit Singh Dhamotia, RTI Activits, President, Whistle Blower, NCAG Office, Ludhiana #1331-5, Street No.5, Near Vishawkarma Bhawan, Down Canal Road, Shimlapuri, Ludhiana-141003.

.....Appellant

Versus

Public Information Officer O/o Chief Administrator, GLADA, Ludhiana.

First Appellate Authority O/o Chief Administrator, GLADA, Ludhiana.

....Respondents

AC No.5066 of 2021

Present: (i) Shri Amarjit Singh Dhamotia, Appellant- cisco webex.

(ii) Shri Narinder Singh, Clerk O/o GLADA, Ludhiana, on behalf of

PIO/Respondent- in person.

ORDER

(Heard in peson/through cisco webex)

- 1. This order may be read with reference to the order dated 10.05.2022 passed by this Bench on the previous hearing.
- 2. The case was scheduled to heard today. Shri Amarjit Singh Dhamotia, appellant come present to attend the hearing in person before the Bench and states that no information has been received by him.
- 3. Shri Narinder Singh, Clerk, PIO O/o GLADA, Ludhiana comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that information has been sent to the appellant vide letter dated 19.09.2022 by registered post, wherein a reference to letter dated 13.05.2022 has been made vide which the information was supplied to the appellant in another Appeal Case No.721/2022. The representative of PIO further states that after 2018, no survey of the colonies within the jurisdiction of GLADA, Ludhiana has been conducted and thus, no record of unauthorised colonies is available in the official records.
- 4. The Bench apprises the appellant of the contents of letter dated 19.09.2022 and that a copy of the same would be sent to him along with the order.



-2- <u>AC No.5066/2021</u>

- 5. The Bench is convinced that adequate information stands supplied to the appellant and no further intervention of the Bench is called for.
- 6. In view of the above, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh 20.09.2022

SECTOR 16, CHANDIGARH.
Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in



Shri Suresh Chand VPO Usmanpur, Tehsil & Distt. Nawanshahar (SBS Nagar).

....Appellant

Versus

Public Information Officer O/o Deputy Chief Engineer, P&M, PSTCL, Jalandhar.

First Appellate Authority O/o Chief Engineer, PSTCL, Ludhiana.

....Respondents

AC No.3306 of 2022

Present: (i) Shri Suresh Chand, Appellant- in person.

(ii) Shri Manpreet Singh, Sr. XEN, PSCTL P&M Division, Jamsher,

District Jalandhar, on behalf of PIO/Respondent.

ORDER:

- 1. The RTI application is dated 31.08.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 09.03.2022 and the second appeal was filed in the Commission on 15.07.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. The notice of hearing was issued to the parties for 20.09.2022. Accordingly, the case has been heard today.
- 3. Shri Manpreet Singh, Sr. XEN, P&M Division, Jamsher, District Jalandhar comes present to attend the hearing in person before the Bench. He states that the appellant was supplied information vide letter dated 24.09.2021 and the information has been again sent to the appellant vide letter dated 14.09.2022 with a copy to the Hon'ble Commission. He further states that the appellant had filed an appeal against the final assessment regarding penalty of Rs.89699/- imposed and vide order passed by the Appellate Authority of PCTCL, it was upheld and copy of order was provided to the appellant. The appellant was also sent letter dated 05.02.2022 explaining the position in this regard and was informed that his representation made to the Chief Minister, Punjab was received at Sub Division, PSTCL, Jadla, District Nawanshahar and has been addressed and filed.
- 4. The appellant states that he is aggrieved by the assessment order vide which the above penalty alleging un-authorised use of power was imposed on him. He had sent a representation to the Chief

-2- <u>AC No.33062022</u>

Minister in this regard requesting for cancellation of this final assessment order issued by Assistant Engineer/

Assessing Officer, Sub Division, Jadla, PSTCL, Nawanshahar by getting the matter looked into and that action

was required to be taken by the Chairman & Managing Director, PSTCL. He alleges that his representation

has not been dealt with at appropriate level and his grievance is still unaddressed. He insists that the action

on his complaint should have been taken at the level of CMD PSTCL and not at any level below him.

5. The Bench, on perusal of the reply given to the appellant and after examining the relevant

documents, observes that the information has been supplied by the PIO, the receipt of which the appellant

admits. The Bench further observes that the appellant has grievance for the penalty imposed on him, and so

far as the information sought by the appellant is concerned, the Bench is convinced that requisite information

stands supplied to the appellant. The insistence of appellant to expect the action on his representation at the

level of CMD, PSTCL is not justified as the action has been taken by the subordinates of PSTCL on behalf of

CMD, PSTCL.

6. With the aforesaid observations, the Bench does not feel that there is any need of further

intervention in the matter and thus, is not inclined to proceed further in the matter. The instant appeal case is

disposed off and closed. Copies of the order be sent to the concerned parties.

Chandigarh 20.09.2022

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpuniab.com CISCO Webex Meeting Code: 15857-

23975

Helpline No. 0172-2864100 (10:00 AM to 04.00 PM on working days)

Ms. Ranjna Kukkar, Phase-1, Civil Lines, Fazilka-152123.

..... Complainant

PSIC

Versus

Public Information Officer.

O/o Tehsildar Revenue Department, Jalalabad (W), Distt. Fazilka.

Remanded Back

First Appellate Authority,

O/o Sub Divisional Magistrate, Fazilka.

.....Respondent

CC No.458 of 2022

Complainant- absent. Present:

(ii) Shri Sandeep Singh, Clerk, O/o Tehsildar, Jalalabad (West), District Fazilka,

- in person.

ORDER

- 1. The RTI application is dated 08.04.2021 vide which the Complainant has sought information as enumerated in her RTI application. Complaint was filed in the Commission on 15.072022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
- 2. The notice of hearing was issued to the parties for 20.09.2022. The case has been heard today. Ms. Ranjna Kukkar, complainant has not come present in person before the Bench or through cisco webex.
- 3. Shri Sandeep Singh, O/o Tehsildar, Jalalabad (West), District Fazilka comes present to attend the hearing in person before the Bench. He states that the record relating to the information sought by the appellant is very old and is not traceable and that efforts are being made to trace the said records for supplying the information to the complainant.
- The Bench observes that the complainant has directly approached the Commission by 4. preferring complaint in the Commission. The Bench further observes that the complainant has not availed the provision of Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant. The attention of the Complainant is drawn to the decision of the judgment of Hon'ble Supreme Court of India rendered on 12.12.2011 in Information Commissioner and another Versus 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 Hon'ble 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 provisions of Section 18 of the RTI, 2005, no directions for providing further information can be given by the Commission.

- 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 complaint case and the First Appellate Authority has not had the occasion to review the decision of PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.
- 6. The instant matter is remanded back to the **First Appellate Authority i.e. Shri Ravinder Singh, Sub Divisional Magistrate, Fazilka.** The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to hear the complainant within ten days and decide the matter.
- 7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), she is at liberty to file second appeal before Punjab State Information Commission Section 19(3) of the RTI Act, 2005.
- 8. In view of the above, **the case is disposed off and closed.** Copy of the order be sent to the parties.

Chandigarh 20.09.2022

Sd/-(Lt Gen Ajae Kumar Sharma (Retd)) State Information Commissioner, Punjab

Copy to (By Regd. Post):

First Appellate Authority, Shri Ravinder Singh, Sub Divisional Magistrate, Fazilka.