

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
Ph: 0172-2864117, Email: - [psic27@punjabmail.gov.in](mailto:psic27@punjabmail.gov.in)  
Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)



Sh. Raghuvir Singh (Ex Sarpanch)  
S/o Sh. Ram Chand, Village Majra,  
PO Taragarh, Dist. Pathankot (9465073012)

.....Complainant

..Vs

**Public Information Officer,**  
O/o DGP, Vigilance Bureau,  
Vigilance Bhawan, Sector 68,  
SAS Nagar

**Registered post:**

**Remanded Back to**  
*First Appellate Authority*  
O/o DGP, Vigilance Bureau,  
Vigilance Bhawan, Sector 68,  
SAS Nagar

.....Respondent

**CC No. 428 of 2020**

**Through CISCO WEBEX**

Present: Sh. Raghubir Singh the complainant in the Commission office  
For the respondent : Sh. Rajesh Kumar, SI (9888805859)

**ORDER**

1. The RTI application is dated 18.04.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.07.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 21.09.2020 i.e. today.
3. The Complainant Sh. Raghubir Singh states that no information has been given to him so far.
4. The Respondent states that the Complainant has not availed the provision of the 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.
5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the Complainant has failed to

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avail the same in the instant case. Consequently, the First Appellate Authority (FAA) has not had the chance to review the PIO's decision as envisaged under the RTI Act.

6. In view of the aforesaid, the instant matter is remanded to the FAA. 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.

7. The FAA is directed to peruse all the relevant documents during the hearing and examine whether the information provided by the PIO is complete, relevant and correct. Where the FAA is satisfied that the information provided by the PIO is as per the records, the First Appeal shall be disposed of. In the event, there are any deficiencies in the information provided by the PIO, the FAA shall direct the PIO to provide the complete information in reply to the RTI application to the Complainant.

8. 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.

9. 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**.

**Dated : 21.09.2020**

Sd/-  
**( Preety Chawla )**  
State Information Commissioner  
Punjab

CC: Copy of RTI application dated 18.04.2020