

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864120



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Sh. Nitin Kumar Garg,
C/o Police Public Dairy, 15 A,
Shastari Nagar Model Town,
Ludhiana.
M: 7814322100

Appellant

Versus

Public Information Officer,
O/o Medical Superintendent,
Guru Nanak Medical College & Hospital,
Amritsar.

First Appellate Authority,
O/o Deputy Director,
Health & Family Welfare Punjab,
Sector 34, Chandigarh.

Respondents

APPEAL CASE NO. 4324 OF 2023

Present :- None for the parties.

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The RTI application is dated 03.03.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) on 08.04.2023 and second appeal was filed in the Commission on 06.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. The appellant is absent today. He has sent a letter that he has received the information and is satisfied.

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

Sd/-

Date :02.01.2025

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Nitin Kumar Garg,
C/o Police Public Dairy, 15 A,
Shastari Nagar Model Town,
Ludhiana.
M : 7814322100

Appellant

Versus

Public Information Officer,
O/o Executive Engineer,
Construction Division No.1, PWD B&R,
Hoshiarpur.

First Appellate Authority,
O/o Superintending Engineer,
Construction Circle, PWD, B & R, Hoshiarpur.

Respondents

APPEAL CASE NO. 4326 OF 2023

Present :- (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Pawan Kumar, JE

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The RTI application is dated 01.04.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) on 08.05.2023 and second appeal was filed in the Commission on 06.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. The appellant is absent today.

4. Respondent states that the information has been sent to the appellant. He has also submitted a letter showing acknowledgment given by the Appellant.

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

Sd/-

Date :02.01.2025

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Suresh Kumar Sharma,
R/o New Sharma Furniture House,
Pratap Bazaar, Chheharta,
Distt Amritsar-143105.
M : 9855890233

Appellant

Versus

Public Information Officer,
O/o Executive Engineer,
Central Works Division No 2, PWD,B&R,
Amritsar.

First Appellate Authority,
O/o Superintending Engineer,
Construction Circle, PWD B&R,
Amritsar.

Respondents

APPEAL CASE NO. 4399 OF 2023

Present :- (i) Sh. Suresh Kumar Sharma the appellant
(ii) For the respondent : None is present on behalf of the respondent

ORDER

The above said appeal case was earlier allocated to Sh. Maninder Singh Patti, SIC. After his retirement, the said appeal case was reallocated to the undersigned. The RTI application is dated 03.04.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) on 09.05.2023 and second appeal was filed in the Commission on 07.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. Respondent is absent today.

4. The appellant Sh. Suresh Kumar Sharma has given in writing that he has received the information and is satisfied.

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

Sd/-

(Dr. Bhupinder S Bath)
State Information Commissioner
Punjab

Date :02.01.2025

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Ph: 0172-2864120



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Sh. Ankit Sehgal,

C/o Bombay Studio Near Main Post Office Chowk,

Pathankot.

Appellant

Vs

Public Information Officer-cum-Sub Divisional Officer,

Construction Sub Division No 1,

Public Works Department, B&R , Jalandhar.

First Appellate Authority -cum- Superintending Engineer,

Construction Circle No 1, Public Works Department,

B&R, Jalandhar.

Respondents

APPEAL CASE NO. 4852 OF 2023

Present :- (i) Sh. Ankit Sehgal the appellant

(ii) For the respondent : Sh. Nabhdeep Bansal, SDE-cum-PIO

ORDER

This order may be read with reference to the previous order dated 25.09.2024 vide which the appellant Sh. Ankit Sehgal was asked to point out deficiencies.

2. Today the respondent states that the information regarding deficiencies has been provided to the appellant. He has also filed his reply which is as under:

APPEAL CASE NO. 4852 OF 2023

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Sector 16, Chandigarh.
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ਉਪ ਮੰਡਲ ਇੰਜੀਨੀਅਰ, ਉਸਾਰੀ ਉਪ ਮੰਡਲ ਨੰ.1, ਲੋ.ਨਿ.ਵਿ.ਭਤੇਮ ਸਾਖਾ ਜਲੰਧਰ ਫਾਉਣੀ।

ਸੇਵਾ ਵਿਖੇ

Ankit Sehgal,
 C/o Bombay Studio
 Near main Post Office Chowk
 Pathankot.

ਨੰਬਰ: ਮਿਤੀ:

ਵਿਸ਼ਾ:- **Appeal Case No. 4852/ 2023**

ਹਵਾਲਾ:- **ਇਸ ਦਫਤਰ ਦਾ ਪੱਤਰ ਨੰ. 14 ਮਿਤੀ 05.06.2023**

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਹਵਾਲੇ ਅਧੀਨ ਆਪ ਜੀ ਨੂੰ ਪਹਿਲਾਂ ਹੀ ਭੇਜੀ ਜਾ ਚੁੱਕੀ ਹੈ ਅਤੇ ਆਪ ਜੀ ਵਲੋਂ ਮੰਗੇ ਗਏ ਰਿਕਾਰਡ ਦੀ ਸੂਚਨਾ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਭੇਜੀ ਜਾਂਦੀ ਹੈ:-

ਇਸ ਵਿਸ਼ੇ 'ਤੇ ਇਕਾਈ ਦੇਕ 2232 ਨੰ 23 ਤੋਂ ਸੂਚਨਾ ਉਲਘਾ ਹੀ 3

ਲੜੀ ਨੰ.	ਸੂਚਨਾ	ਵਿਸ਼ੇਸ਼ ਕਥਨ
1.	Attested Copies of Hand Receipt for the D.F.R. (P.W) 26- Hand Receipt (See Rule 7.20 of D.F.R) fund Received from Division office from Period 01.01.2020 to 26.04.2023	1) ਇਸ ਦਫਤਰ ਵਲੋਂ ਪਹਿਲਾਂ ਭੇਜਿਆ ਗਿਆ ਜਵਾਬ ਨਾਲ ਨੱਥੀ ਹੈ। 2) ਰੈੱਡ ਰਸੀਦਾਂ ਪੰਨਾ ਨੰ. 1 ਤੋਂ ਪੰਨਾ ਨੰ. 122 ਤੱਕ ਨਾਲ ਨੱਥੀ ਹੈ।

ਨੱਥੀ/ਨਿੱਲ

ਉਪ ਮੰਡਲ ਇੰਜੀਨੀਅਰ
 ਉਸਾਰੀ ਉਪ ਮੰਡਲ ਨੰ:1, ਲੋ.ਨਿ.ਵਿ. ਭਤੇਮ ਸਾਖਾ,
 ਜਲੰਧਰ ਫਾਉਣੀ।

ਪਿ.ਅੰ.ਨੰ. 335 ਮਿਤੀ. 31/12/2024

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਸਟੇਟ ਇੰਨਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨ, ਰੈੱਡ ਕਰਾਸ ਬਿਲਡਿੰਗ ਨੇੜੇ ਰੋਜ਼ ਗਾਰਡਨ, ਸੈਕਟਰ-16, ਚੰਡੀਗੜ੍ਹ ਜੀ ਨੂੰ ਉਹਨਾਂ ਦੇ ਦਫਤਰ ਦਾ ਪੱਤਰ ਨੰ. 12568 ਮਿਤੀ 26.09.2024 (Appeal Case No. 4852/ 2023) ਦੇ ਸਬੰਧ ਵਿੱਚ ਸੂਚਨਾ ਅਤੇ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਇੰਤ ਪੇਸ਼ ਹੈ ਜੀ।

ਨੱਥੀ/ਨਿੱਲ

ਉਪ ਮੰਡਲ ਇੰਜੀਨੀਅਰ
 ਉਸਾਰੀ ਉਪ ਮੰਡਲ ਨੰ:1, ਲੋ.ਨਿ.ਵਿ. ਭਤੇਮ ਸਾਖਾ,
 ਜਲੰਧਰ ਫਾਉਣੀ।

ਪਿ.ਅੰ.ਨੰ. ਮਿਤੀ.

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ, ਉਸਾਰੀ ਮੰਡਲ ਨੰ.1, ਲੋ.ਨਿ.ਵਿ. ਭਤੇਮ ਸਾਖਾ, ਜਲੰਧਰ ਫਾਉਣੀ ਜੀ ਨੂੰ ਉਹਨਾਂ ਦੇ ਦਫਤਰ ਦਾ ਪੱਤਰ ਨੰ. 214 ਮਿਤੀ 15.06.2023 ਅਤੇ ਪੱਤਰ ਨੰ. 863 ਮਿਤੀ 08.10.2024 ਦੇ ਸਬੰਧ ਵਿੱਚ ਸੂਚਨਾ ਅਤੇ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਇੰਤ ਪੇਸ਼ ਹੈ ਜੀ।

ਨੱਥੀ/ਨਿੱਲ

ਉਪ ਮੰਡਲ ਇੰਜੀਨੀਅਰ
 ਉਸਾਰੀ ਉਪ ਮੰਡਲ ਨੰ:1, ਲੋ.ਨਿ.ਵਿ. ਭਤੇਮ ਸਾਖਾ,
 ਜਲੰਧਰ ਫਾਉਣੀ।

3. Copy of the same is handed over to the appellant. The appellant has gone through the same and states that he is satisfied with the same. Since, the appellant is satisfied, no further cause of action is left. Therefore, the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :02.01.2025

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Sh. Shabdesb Kumar,
22A/593, Basant Nagar,
Majitha Road, Amritsar.
M : 9872295695

Complainant

Versus

Public Information Officer,
O/o Tehsildar Office
Amritsar-2

Respondents

COMPLAINT CASE NO. 25 OF 2024

Present :- (i) Dr. Narinder Pal Sharma on behalf of the complainant
(ii) For the respondent: None is present on behalf of the respondent

ORDER

The RTI application is dated 11.12.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 21.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. Dr. Narinder Pal Sharma is appearing on behalf of the complainant with authority letter. He states that no information has been given to him so far.

4. Respondent is absent today. He has not informed the Commission about his absence for today's hearing.

5. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 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:-

COMPLAINT CASE NO. 25 OF 2024

(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.

6. 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. 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.

7. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

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**.

Sd/-

(Dr.Bhupinder S Batth)
State Information Commissioner
Punjab

Date :02.01.2025

Remanded back to
First Appellate Authority
O/o SDM, Amritsar-II

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Sh. Shabdesh Kumar,
22A/593, Basant Nagar,
Majitha Road, Amritsar.
M : 9872295695

Complainant

Versus

Public Information Officer,
O/o Tehsildar Office,
Amritsar-2

Respondents

COMPLAINT CASE NO. 26 OF 2024

Present :- (i) Dr. Narinder Pal Sharma on behalf of the complainant
(ii) For the respondent: None is present on behalf of the respondent

ORDER

The RTI application is dated 11.12.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 21.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. Dr. Narinder Pal Sharma is appearing on behalf of the complainant with authority letter. He states that no information has been given to him so far.

4. Respondent is absent today. He has not informed the Commission about his absence for today's hearing.

5. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 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:-

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COMPLAINT CASE NO. 26 OF 2024

(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.

6. 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. 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.

7. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

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.** *Sd/-*

Date :02.01.2025

(Dr.Bhupinder S Bathh)
State Information Commissioner
Punjab

Remanded back to
First Appellate Authority
O/o SDM, Amritsar-II

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Sh. Harmesh Singh (Retd. S.I./ L.R. no 2921/PAP)

S/o Sh. Darshan Singh,

R/o # 448, VPO Littara, Tehsil Nakodar,

Distt Jalandhar-144043

M : 8872677700; 6283291117

Complainant

Versus

Public Information Officer,

O/o Inspector General of Police, PAP-1,

Jalandhar.

Respondents

COMPLAINT CASE NO. 27 OF 2024

Present :- (i) Sh. Harmesh Singh the complainant
(ii) For the respondent : Sh. Rakesh , DSP (8699928291)

ORDER

The RTI application is dated 03.05.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 18.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

4. Complainant Sh. Harmesh Singh states that he has not received any information so far.

5. Respondent states that the information has already been sent to the Complainant. He further states that he has brought another copy of information today in the Commission. The same is handed over to the Complainant. Complainant Sh. Harmesh Singh has gone through the same and states that he is satisfied with the same. He has also given in writing in this regard.

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

Sd/-

Date :02.01.2025

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Santokh Singh,
S/o Sh. Sajjan Singh Gill,
VPO Kot Khahira, Via Tarsika,
Tehsil Baba Bakala, Distt Amritsar-143116.
M :9872067194

Complainant

Versus

Public Information Officer,
O/o District Development & Panchayat Officer,
Amritsar.

Respondents

COMPLAINT CASE NO. 28 OF 2024

Present :- None for the parties.

ORDER

The RTI application is dated 21.10.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 22.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.
3. Today neither the complainant nor the respondent is present.
4. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 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

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COMPLAINT CASE NO. 28 OF 2024

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.

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. 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.

6. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

7. 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.

8. 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/-*

Date :02.01.2025

(Dr.Bhupinder S Batth)
State Information Commissioner
Punjab

Remanded back to
First Appellate Authority
O/o DDPO, Amritsar

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Sector 16, Chandigarh.
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Sh. Sanjeev Kaushal, S/o Sh. Narinder Kumar,
C/o Shop No 4, Mehta Market, Near LIC Office,
G.T. Road, Tehsil & Distt Gurdaspur.
M:- 9814370003

Complainant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Gurdaspur.

Respondents

COMPLAINT CASE NO. 30 OF 2024

Present :- (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Ajay Rajan, ASI (9780800742)

ORDER

The RTI application is dated 04.11.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 29.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 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).

COMPLAINT CASE NO. 30 OF 2024

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 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. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

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 **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :02.01.2025

Remanded back to
First Appellate Authority
O/o SSP, Gurdaspur

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864120



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Sh. Pala Singh,
S/o Sh. Munsha Singh,
Village Khapiya Wali,
VPO Sri Muktsar Sahib.
M : 9814893014; 9463871541

Complainant

Versus

Public Information Officer,
O/o Civil Surgeon, Fazilka.

First Appellate Authority
O/o Civil Surgeon, Fazilka.

Respondents

COMPLAINT CASE NO. 32 OF 2024

Present :- (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Manish Kumar, Computer Operator (9041852144)

ORDER

1. The RTI application is dated 01.09.2023 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 01.01.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. Complainant is absent today. He has not informed the Commission about his absence for today's hearing.

4. Respondent states that he has brought reply today in the Commission.

The same is taken on record. ***Copy of the reply, as submitted by the respondent be sent to the complainant alongwith these orders.***

5. The Commission has examined the reply which adequately addresses the RTI application. After hearing the respondent and going through the reply filed by the respondent, the Commission is of the considered opinion that the Respondent has provided appropriate and permissible reply to the Appellant.

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COMPLAINT CASE NO. 32 OF 2024

6. In view of the foregoing, no further cause of action is left, hence the above said complaint case filed by the complainant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :02.01.2025

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Sector 16, Chandigarh.
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Sh. Vipam Grover (Journalist),
Fatehgarh Panjtoor, Distt Moga.
M : 9877086735

Complainant

Versus

Public Information Officer,
O/o BDPO, Makhu Ferozepur.

Respondents

COMPLAINT CASE NO. 33 OF 2024

Present :- None for the parties.

ORDER

The RTI application is dated 15.11.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 01.01.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. Today neither the complainant nor the respondent is present. An email has been received from the complainant mentioning therein that no information has been given to him so far. He further request that his case should be remanded back to the First Appellate Authority.

4. Hence, the above complaint case filed by the complainant remanded back to the First Appellate Authority. The Commission has also relied upon the judgment of the Hon'ble Supreme Court of India rendered on 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:-

COMPLAINT CASE NO. 33 OF 2024

(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.

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. 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.

6. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

7. 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.

8. 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/-

Date :02.01.2025

(Dr.Bhupinder S Batth)
State Information Commissioner
Punjab

Remanded back to

First Appellate Authority
o/o DC, Ferozepur

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Sector 16, Chandigarh.
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Sh. Vipam Grover (Journalist),
Fatehgarh Panjtoor, Distt Moga.
M : 9877086735

Complainant

Versus

Public Information Officer,
O/o DC, Ferozepur.

Respondents

COMPLAINT CASE NO. 34 OF 2024

Present :- None for the parties.

ORDER

The RTI application is dated 15.11.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 01.01.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. Today neither the complainant nor the respondent is present. Complainant has sent a letter that no information has been given to him so far. He further request that his case should be remanded back to the First Appellate Authority.

4. Hence, the above said complaint case filed by the complainant remanded back to the First Appellate Authority. The commission has also relied upon the judgement of the Hon'ble Supreme Court of India rendered on 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).

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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.

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. 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.

6. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

7. 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.

8. 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/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :02.01.2025

Remanded back to

First Appellate Authority
o/o DC, Ferozepur

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Sector 16, Chandigarh.
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Sh. Kanwaljit Singh, S/o Sh. Massa Singh,
R/o Village Khasa, Tehsil & Distt Amritsar.

Complainant

Versus

Public Information Officer,
O/o BDPO, Attari,
Distt Amritsar.

Respondents

COMPLAINT CASE NO. 35 OF 2024

Present :- (i) Sh. Kanwaljit Singh the complainant
(ii) For the respondent : Sh. Rubinderpal Singh, Panchayat Secretary-cum-PIO
(8146816288)

ORDER

The RTI application is dated 05.10.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 01.01.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. The complainant states that no information has been given to him so far.

4. Respondent states that the reply has already been sent to the complainant.

5. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 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).

COMPLAINT CASE NO. 35 OF 2024

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.

6. 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. 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.

7. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

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**.

Sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :02.01.2025

Remanded back to
First Appellate Authority
DDPO, Amritsar

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Sector 16, Chandigarh.
Ph: 0172-2864120



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Sh. Shri Niwas, S/o Sh. Satpal,
Patiala Road, Sangrur.
M : 9094596000

Complainant

Versus

Public Information Officer,
O/o Divisional Forest Officer,
Sangrur.

Respondents

COMPLAINT CASE NO. 39 OF 2024

Present :- (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Sandeep Singh, Clerk

ORDER

The RTI application is dated 13.07.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 22.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. The complainant is absent today. He has not informed the Commission about his absence for today's hearing.

4. Respondent states that the reply has been sent to the complainant.

5. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 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:-

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COMPLAINT CASE NO. 39 OF 2024

(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.

6. 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. 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.

7. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

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.** **Sd/-**

Date :02.01.2025

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Remanded back to
First Appellate Authority
O/o Consumer of Forests
South Circle Patiala, Near Central Jail, Patiala

PUNJAB STATE INFORMATION COMMISSION

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Sector 16, Chandigarh.

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Sh. Prem Singh, S/o Sh. Ajain Singh,
R/o Village Gaggar Majra,
Tehsil Khanna, Distt Ludhiana-141401.
M : 8146137394

Complainant

Versus

Public Information Officer,
O/o BDPO, Khanna,
Distt Ludhiana.

Respondents

COMPLAINT CASE NO. 41 OF 2024

Present :- (i) Sh. Prem Singh Singh, Complainant alongwith Sh. Sukhdev Singh
(ii) For the respondent : None is present on behalf of the respondent

ORDER

The RTI application is dated 20.10.2023 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 04.01.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.

3. Complainant states that no information has been given to him.

4. Respondent is absent today.

5. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 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).

COMPLAINT CASE NO. 41 OF 2024

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.

6. 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. 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.

7. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

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.

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/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :02.01.2025

Remanded back to
First Appellate Authority
O/o DDPO, Ludhiana

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Sh. Harjit Singh, S/o Sh. Bhagwant Singh,
Sh. Kakikker Singh, S/o Sh. Bhajan Singh,
R/o Village Kup Khurd, Dilawargarh,
Tehsil Ahmedgarh, Distt Malerkotla.

Complainant

Versus

Public Information Officer,
O/o BDPO, Ahmedgarh,
Distt Malerkotla.

Respondents

COMPLAINT CASE NO. 176 OF 2024

Present :- None for the parties.

ORDER

The RTI application is dated 29.02.2024 vide which the appellant has sought information as enumerated in his RTI application. Second appeal was filed in the Commission on 18.04.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.01.2025 in the Commission i.e. today.
3. Today neither the complainant nor the respondent is present in the Commission
4. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 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).

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COMPLAINT CASE NO. 176 OF 2024

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.

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. 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.

6. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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 give an early date to hear the complainant and decide the matter.

7. 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.

8. 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/-

(Dr. Bhupinder S Bath)
State Information Commissioner
Punjab

Date :02.01.2025

Remanded back to:
First Appellate Authority
O/o DDPO, Malkerkotla