

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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Sh. Suresh Kumar Sharma,
New Sharma Furniture House,
Pratap Bazar, Chherata,
Distt. – Amritsar (Punjab)
(M.-9855890233)

.....Appellant

Vs

Public Information Officer,
O/o Municipal Corporation,
Amritsar (Punjab)

First Appellate Authority
O/o Municipal Corporation,
Amritsar (Punjab)

.....Respondents

Appeal Case No. 5191 of 2023

Present : Sh. Suresh Kumar Sharma, the appellant in person.
Sh. Sawraj Inderpal Walia (XEN) **and**
Sh. Tarunpreet Singh (Assistant Engineer) behalf of the respondent PIO.

FINAL ORDER

1. This order may be read with the reference of previous order of the commission dated 10.07.2025.
2. In today's hearing, both parties are present. The appellant has acknowledged that he has received the requisite information from the respondent PIO and has no further grievance.
3. In view of the above, the matter is **disposed of accordingly**.

Chandigarh
03.09.2025

(Sandeep Singh Dhaliwal)
State Information Commissioner, Punjab.

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Sh. Manjit Singh,
H. N. 2877,
Phase – 7, S.A.S. Nagar(Mohali) (Punjab)
(M.-9868578180)

....Appellant

V/s

Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
S.A.S. Nagar(Mohali) (Punjab)

...Respondents

Complaint Case No. 138 of 2024

Present : None on behalf of the Complainant.
None on behalf of the respondent.

ORDER

1. This order may be read with the reference of previous order of the commission dated 14.08.2025. Today, neither the complainant nor the respondent PIO, Office of Commissioner, Municipal Corporation, S.A.S. Nagar (Mohali), has appeared before the Commission. No intimation of absence has been received from either side.
2. From the record, it also emerges that the complainant has directly approached the Commission under Section 18 of the RTI Act, 2005, without availing the remedy before the First Appellate Authority (FAA). In such circumstances, and in the interest of justice, the matter is **remanded to the First Appellate Authority, Office of Commissioner, Municipal Corporation, S.A.S. Nagar (Mohali)** to look into the grievance of the complainant in accordance with the provisions of the RTI Act, 2005, and to pass a reasoned order after affording due opportunity of hearing to both parties.
3. The complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, in which no directions for providing further information can be given by the Commission.
4. The Hon'ble Supreme Court of India in its judgment dated 12.12.2011 in *Civil Appeal Nos. 10787–10788 of 2011* (arising out of SLP (C) No. 32768–32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, the Commissioners have no jurisdiction to pass an order providing access to the information.
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 Act by passing a detailed, well-reasoned speaking order, the Commission deems it appropriate to remit the matter.

Contd. Pg. No. 2

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Complaint Case No. 138 of 2024

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 **remanded** to the concerned First Appellate Authority along with a copy of the RTI application for ready reference. The FAA is directed to call the complainant, Sh. Manjit Singh, within **15 days** of receipt of this order and provide the information/reply pertaining to this RTI application. A **compliance report** of the same shall be sent to the Commission.
8. The complaint is **disposed of accordingly**, with the above observations and directions.

Chandigarh
03.09.2025

(Sandeep Singh Dhaliwal)
State Information Commissioner, Punjab.

Cc: **First Appellate Authority:**
O/o The Commissioner,
Municipal Corporation,
S.A.S. Nagar(Mohali) (Punjab)