

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864116, Helpline No. 0172-2864100
Email: - psic21@punjabmail.gov.in
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Sh. Parwinder Singh, S/o Sh. Balkar Singh,
Village Chamarkeri, Post Office Kheri,
Mandlan, Tehsil and District Patiala.
(M.94653452079)

....Complainant

V/s

Public Information Officer,
O/o Director of Public Instruction (Sec. Edu),
PSEB Complex, Phase-VIII,
Mohali.

...Respondents

Complaint Case No.229 of 2024

Present: None on behalf of the parties.

ORDER:

1. The RTI application is dated 23.10.2023 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed by the complainant in the Commission on 04.06.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act). Notice of hearing was issued to the parties for 04.04.2025 by the Commission.
2. The complainant is absent at today's hearing. However, he has informed the Bench that due to some personal reason, he cannot attend today's hearing and has requested that his case may please be disposed off. The respondent is also absent at today's hearing without intimation.
3. Keeping in view the above, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is **disposed of & closed**. Copies of the order be sent to the parties.

Dated: 04th April, 2025

Sd/-
(Pooja Gupta)
State Information Commissioner
Punjab



Sh. Deepak Kumar, S/o Sh. Dev Raj,
B-6-608, Mehmood Pura,
Islamia School Road, Ludhiana.
(M.7717507915).

....Complainant

V/s

Public Information Officer,
O/o Nagar Council,
Shaheed Bhagat Singh Nagar.

...Respondents

Complaint Case No. 234 of 2024

Present: (i) Sh. Deepak Kumar, the complainant, in person.
(ii) None on behalf of the respondent PIO.

ORDER:

1. The RTI application is dated 22.11.2023 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed by the complainant in the Commission on 31.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act). Notice of hearing was issued to the parties for 04.04.2025 by the Commission.
2. The complainant is present in person and states that noting has been received from the respondent PIO, so far and has requested that the directions be issued to the respondent PIO to provide the information.
3. The respondent is absent at today's hearing without intimation. It is also a fact that notice of hearing was sent to the respondent PIO through registered post in spite of that, he is absent.
4. Post deliberations, the Bench observes 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. 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."

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Complaint Case No. 234 of 2024

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. Sh. Rajesh Verma, PSC O/o Additional Deputy Commissioner (G), Nawanshahar**. 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 give an early date to hear the complainant and decide the matter.

7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he 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.

Sd/-

(Pooja Gupta)
State Information Commissioner
Punjab

Dated: 04th April, 2025

Enclosed: RTI Application dated 22.11.2023

(Regd.Post)

Remanded Back to
Sh. Rajesh Verma, PCS
First Appellate Authority
O/o Additional Deputy Commissioner(G),
Nawanshahar.

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Sh. Kamal Anand, S/o Late Sh. Om Parkash Anand,
Telephone Exchange Rod, Near Sainik Rest House,
Sangrur.

....Complainant

V/s

Public Information Officer,
O/o Executive Officer,
Municipal Council, Sunam Road,
Sangrur.

...Respondents

Complaint Case No. 230 of 2024

Present: None for the parties.

ORDER:

1. The RTI application is dated 09.04.2024 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed by the complainant in the Commission on 05.06.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act). Notice of hearing was issued to the parties for 04.04.2025 by the Commission.
2. The complainant is absent at today's hearing. However, he has sent an email dated 31.05.2025 to the Commission mentioning therein that no information has been provided to him, till date.
3. The respondent is also absent at today's hearing without intimation. It is also a fact that notice of hearing was sent to the respondent PIO through registered post in spite of that, he is absent.
4. Post deliberations, the Bench observes 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. 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."

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Complaint Case No. 230 of 2024

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. Sh. Amit Bamby, PCS O/o ADC(G), Sangrur**. 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 give an early date to hear the complainant and decide the matter.

7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he 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.

Sd/-

(Pooja Gupta)
State Information Commissioner
Punjab

Dated: 04th April, 2025

Enclosed: RTI Application dated 09.04.2024.

(Regd.Post)

Remanded Back to
Sh. Amit Bamby, PCS
First Appellate Authority
O/o Additional Deputy Commissioner(G),
Sangrur.



Sh. Kamal Anand, S/o Late Sh. Om Parkash Anand,
Telephone Exchange Rod, Near Sainik Rest House,
Sangrur.

....Complainant

V/s

Public Information Officer,
O/o Principal Secretary,
Local Government, Punjab,
Plot No.3 Sector:35/A, Dakshin Marg,
Chandigarh.

...Respondents

Complaint Case No. 231 of 2024

Present: (i) The complainant is absent.
(ii) Sh. Prabhjot Singh, Senior Assistant, on behalf of the respondent PIO.

ORDER:

The RTI application is dated 31.05.2024 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed by the complainant in the Commission on 05.06.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act). Notice of hearing was issued to the parties for 04.04.2025 by the Commission.

2. The complainant is absent at today's hearing. However, he has sent an email dated 31.03.2025 to the Commission mentioning therein that no information has been provided to him, till date.

3. At today's hearing, Sh. Prabhjot Singh, Senior Assistant is appearing on behalf of the respondent PIO and states that he has recently assumed the charge of the RTI Branch and is not aware about the facts of this case.

4. Post deliberations, the Bench observes 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. 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."

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Complaint Case No. 231 of 2024

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. Tejveer Singh, IAS, Additional Chief Secretary, O/o Local Government, Punjab**. 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 give an early date to hear the complainant and decide the matter.

7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he 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.

Sd/-

(Pooja Gupta)
State Information Commissioner
Punjab

Dated: 04th April, 2025

Enclosed: RTI Application dated 31.05.2024.

(Regd. Post)

Remanded Back to
Sh. Tejveer Singh, IAS
First Appellate Authority-cum
Additional Chief Secretary,
Deptt of Local Government, Punjab,
Sector:35/A, Chandigarh.



Sh. Deepak Kumar, S/o Sh. Dev Raj,
B-6-608, Mehmood Pura,
Islamia School Road, Ludhiana.
(M.7717507915)

....Complainant

V/s

Public Information Officer,
O/o Superintending Engineer,
Distribution Division, PSPCL, Banga
Nawanshahar.

...Respondents

Complaint Case No. 236 of 2024

Present: (i) Sh. Deepak Kumar, the complainant, in person.
(ii) Sh. Inderjit Pal, Senior XEN, (M.9646116031) along with Sh. Gurbax Ram, SDO (M.9646116117) on behalf of the O/o PSPCL, Banga, the respondent PIO.

ORDER:

1. The RTI application is dated 24.08.2023 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed by the complainant in the Commission on 03.06.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act). Notice of hearing was issued to the parties for 04.04.2025 by the Commission.
2. The complainant is present in person and states that complete information has still not been provided to him by the respondent PIO till date and requested that the directions be issued to the respondent PIO to provide the complete information.
3. At today's hearing, Sh. Inderjit Pal, Sr. XEN is appearing on behalf of the O/o PSPCL, Banga and states that the RTI application of the complainant was received in their office on 13.9.2023 from the O/o PSPCL, Jalandhar vide which the complainant has sought the information of Sh. Ved Parkash, who is a third party and a consent letter was issued on 02.11.2023 to him, as per Section 11 of the RTI Act, who did not give his consent and a letter has been received from the postal authority with the remarks that the addressee is 'deceased'. As such, the information has been declined under Section 8(1) (j) of the RTI Act, 2005.
4. Post deliberations, the Bench observes 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. 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:-

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Complaint Case No. 236 of 2024

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. Sh. Rajeev Prashar, Chief Engineer, North, PSPCL, Jalandhar Division, Jalandhar**. 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 give an early date to hear the complainant and decide the matter.

7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he 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.

Dated: 04th April, 2025

Sd/-
(Pooja Gupta)
State Information Commissioner
Punjab

Enclosed: RTI Application dated 24.08.2023.

(Regd.Post)

Remanded Back to

**Sh. Rajeev Prashar, Chief Engineer,
First Appellate Authority
O/o Chief Engineer, North,
PSPCL, Shakti Nagar, Jalandhar.**