

**PUNJAB STATE INFORMATION COMMISSION**

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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 XEN, Construction Division No 2,

PWD B&R, Hoshiarpur.

**First Appellate Authority,**

O/o Superintending Engineer,

PWD B&R Construction Circle, Hoshiarpur.

Respondents

**APPEAL CASE NO. 2270 OF 2023**

Present : (i) Sh. Nitin Kumar Garg the appellant

(ii) For the respondent: (i) 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 23.12.2022 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 01.02.2023 and second appeal was filed in the Commission on 05.04.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.

3. The appellant Sh. Nitin Kumar Garg has given in writing 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/-

**(Dr. Bhupinder S. Batth)**

**State Information Commissioner  
Punjab**

**Date: 04.12.2024**

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**Sh. Ankit Sehgal**, C/o Bombay Studio,  
Near Main Post Office Chowk,  
Pathankot.

Appellant

Versus

**Public Information Officer**,  
O/o Sub Divisional Officer,  
Construction Sub Division No 1,  
PWD B& R Amritsar.

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

Respondents

**APPEAL CASE NO. 2277 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 09.01.2023 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 25.01.2023 and second appeal was filed in the Commission on 05.04.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.

3. Today neither the appellant nor the respondent is present. An email has been received from the appellant – Sh. Ankit Sehgal mentioning therein that he has received the information.

4. Since, the appellant has received the information, 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.

**Date: 04.12.2024**

Sd/-  
**(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 XEN, Central Works Division No 2,  
PWD, Amritsar.

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

Respondents

**APPEAL CASE NO. 2457 OF 2023**

Present : (i) Sh. Nitin Kumar Garg 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 23.12.2022 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 01.02.2023 and second appeal was filed in the Commission on 12.04.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.

3. The appellant Sh. Nitin Kumar Garg has given in writing 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.

**Date: 04.12.2024**

Sd/-  
**(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 XEN, Construction Division,

PWD B&R, Moga.

**First Appellate Authority,**

O/o Superintending Engineer,

Construction Circle, PWD B&R,

Faridkot.

Respondents

**APPEAL CASE NO. 2458 OF 2023**

Present : (i) Sh. Nitin Kumar Garg the appellant  
(ii) For the respondent: Sh. Kuldeep Singh, 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 23.12.2022 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 01.02.2023 and second appeal was filed in the Commission on 12.04.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.

3. The appellant Sh. Nitin Kumar Garg states that he has received the information and is satisfied. He has also given in writing in this regard.

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: 04.12.2024**

**(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 XEN, Provincial PWD B&R, Division No 1,  
Patiala.

**First Appellate Authority,**  
O/o Superintending Engineer,  
PWD B&R, Construction Circle No 1,  
Patiala.

Respondents

**APPEAL CASE NO. 2459 OF 2023**

Present : (i) Sh. Nitin Kumar Garg 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 23.12.2022 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 10.02.2023 and second appeal was filed in the Commission on 12.04.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.

3. The appellant Sh. Nitin Kumar Garg has given in writing 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: 04.12.2024**

**(Dr. Bhupinder S. Batth)**  
State Information Commissioner  
Punjab

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Sh. Yogesh Mahajan, S/o Late Sh. Kuldip Raj Mahajan ,  
President of Anti Corruption Council,  
Opp. Water Tank, Municipal Market,  
Mission Road, Pathankot.  
M : 9814354649

Appellant

Versus

Public Information Officer,  
Centre Works Division,  
PWD B&R, Ferozepur

First Appellate Authority,  
O/o Superintending Engineer,  
Centre Works Circle, PWD B&R,  
Ferozepur

Respondents

**APPEAL CASE NO. 2934 OF 2023**

Present : (i) None is present on behalf of the appellant  
(ii) For the respondent: (i) Sh. Rakesh Kumar, JE (9417048673)

**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 01.02.2023 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 09.03.2023 and second appeal was filed in the Commission on 04.05.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.
3. Respondent states that the information has already been sent to the appellant.
4. The appellant is absent today. An email has been received from the appellant- Sh. Yogesh Mahajan dated 02.12.2024 that he has received the information and is satisfied.
5. Since, the appellant has received the information, 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.

**Date: 04.12.2024**

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

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Sh. Yogesh Mahajan,  
S/o Late Sh. Kuldip Raj Mahajan ,  
President of Anti Corruption Council,  
Opp. Water Tank, Municipal Market,  
Mission Road, Pathankot.  
M : 9814354649

Appellant

Versus

Public Information Officer,  
O/o XEN, Centre Works, Division, PWD B&R,  
Ferozepur.

First Appellate Authority,  
O/o Superintending Engineer,  
Center Works Circle, PWD B&R,  
Ferozepur.

Respondents

**APPEAL CASE NO. 2935 OF 2023**

Present : (i) None is present on behalf of the appellant  
(ii) For the respondent: (i) Sh. Rakesh Kumar, JE (9417048673)

**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 01.02.2023 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 09.03.2023 and second appeal was filed in the Commission on 04.05.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.
3. Respondent states that the information has already been sent to the appellant.
4. The appellant is absent today. An email has been received from the appellant- Sh. Yogesh Mahajan dated 02.12.2024 that he has received the information and is satisfied.
5. Since, the appellant has received the information, 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.

**Date: 04.12.2024**

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

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Sh. Yogesh Mahajan, S/o Late Sh. Kuldip Raj Mahajan ,  
President of Anti Corruption Council,  
Opp. Water Tank, Municipal Market,  
Mission Road, Pathankot.  
M : 9814354649

Appellant

Versus

Public Information Officer,  
O/o XEN, Center Works Division No 2,  
PWD B&R, Amritsar.

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

Respondents

**APPEAL CASE NO. 2936 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 01.02.2023 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 09.03.2023 and second appeal was filed in the Commission on 04.05.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.

3. Today neither the appellant nor the respondent is present. An email has been received from the appellant- Sh. Yogesh Mahajan dated 02.12.2024 that he has received the information and is satisfied.

4. In view of the foregoing, 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.

**Date: 04.12.2024**

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



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**Sh. Yogesh Mahajan, S/o Late Sh. Kuldip Raj Mahajan ,**

President of Anti Corruption Council,

Opp. Water Tank, Municipal Market,

Mission Road, Pathankot.

M : 9814354649

Appellant

Versus

**Public Information Officer,**

O/o XEN, Provincial Division,

PWD B&R , Mohali.

**First Appellate Authority,**

O/o Superintending Engineer,

PWD B&R, Construction Circle, Chandigarh.

Respondents

**APPEAL CASE NO. 2937 OF 2023**

Present : (i) None is present on behalf of the appellant

(ii) For the respondent: (i) Sh. Khushwant Bir Singh, APIO

**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 06.01.2023 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 03.03.2023 and second appeal was filed in the Commission on 04.05.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.

3. Respondent states that the information has already been sent to the appellant.

4. The appellant is absent today. An email has been received from the appellant- Sh. Yogesh Mahajan dated 02.12.2024 that he has received the information and is satisfied.

5. Since, the appellant has received the information, 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: 04.12.2024**

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**Sh. Yogesh Mahajan**, S/o Late Sh. Kuldip Raj Mahajan ,  
President of Anti Corruption Council,  
Opp. Water Tank, Municipal Market,  
Mission Road, Pathankot.M : 9814354649

Appellant

Versus

**Public Information Officer**,  
O/o XEN, Construction Division No 1,  
PWD B&R, Ferozepur.

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

Respondents

**APPEAL CASE NO. 2938 OF 2023**

Present : (i) None is present on behalf of the appellant  
(ii) For the respondent: (i) Sh. Lovepreet Singh, JE (9501375957)

**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 01.02.2023 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 18.02.2023 and second appeal was filed in the Commission on 04.05.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.
3. Respondent states that the information has already been sent to the appellant.
4. The appellant is absent today. An email has been received from the appellant- Sh. Yogesh Mahajan dated 02.12.2024 that he has received the information and is satisfied.
5. Since, the appellant has received the information, 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.

**Date: 04.12.2024**

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

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Sh. Yogesh Mahajan,  
S/o Late Sh. Kuldip Raj Mahajan ,  
President of Anti Corruption Council,  
Opp. Water Tank, Municipal Market,  
Mission Road, Pathankot.  
M : 9814354649

Appellant

Versus

Public Information Officer,  
O/o XEN, Construction Divison No 2,  
PWD B&R, Amritsar.

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

Respondents

**APPEAL CASE NO. 2939 OF 2023**

Present : (i) None is present on behalf of the appellant  
(ii) For the respondent: (i) Sh. Gurmit Singh, SDE (9855257006)

**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 01.02.2023 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 09.03.2023 and second appeal was filed in the Commission on 04.05.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.
3. Respondent states that the information has already been sent to the appellant.
4. The appellant is absent today. An email has been received from the appellant- Sh. Yogesh Mahajan dated 02.12.2024 that he has received the information and is satisfied.
5. Since, the appellant has received the information, 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.

**Date: 04.12.2024**

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

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**Sh.Manjit Singh Advisor,**

Punjab Anti Corruption Youth

4780, Shiva Ji Nagar,

Ludhiana (M: 9855302896)

Complainant

Versus

**Public Information Officer,**

O/o Police Commissioner, Ludhiana

Respondents

**Complaint case no.04 of 2024**

Present : (i) None is present on behalf of the complainant  
(ii) For the respondent: Sh. Tarsem Singh, ASI (9463202689), Sh. Kuldeep Singh,  
(9988658134)

**ORDER**

1. The RTI application is dated 05.08.2023 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 13.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 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. 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. 04 OF 2023**

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: 04.12.2024**

**Remanded back to**  
**First Appellate Authority]**  
**o/o Commissioner of Police,**  
**Ludhiana**

**(Dr. Bhupinder S. Batth)**  
**State Information Commissioner**  
**Punjab**

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**Sh.Avtar Singh, S/o Sh. Jhanda Singh**

R/o Village Fategarh Channa

PO Gajewas, Tehsil Samana,

Distt. Patiala – 147101 M:8054480321

Complainant

Versus

**Public Information Officer,**

O/o Director, Rural Development and Panchayat

Sarovar Path, Phase 8, Sector 62,

Sahibzada Ajit Singh Nagar, 160062

Respondents

**COMPLAINT CASE NO. 05 OF 2024**

Present : (i) Sh. Avtar Singh the complainant  
(ii) For the respondent: Sh. Baldev Singh, APIO ( 9872214173)

**ORDER**

The RTI application is dated 31.10.2023 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 14.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.

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

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).*

**PUNJAB STATE INFORMATION COMMISSION**

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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**COMPLAINT CASE NO. 05 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/-*

**Date: 04.12.2024**

**(Dr. Bhupinder S. Batth)**  
**State Information Commissioner**  
**Punjab**

**Remanded back to**

**First Appellate Authority]**

**o/o Director, Rural Development and Panchayat**

**Sarovar Path, Phase 8, Sector 62,**

**Sahibzada Ajit Singh Nagar, 160062**

**PUNJAB STATE INFORMATION COMMISSION**  
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Sh. Shankar Lal Retd.,  
Sweeper, S/o Sh. Pallu Ram,  
R/o Ward No. 3, Balmik Basti  
Street No. 22, Rama, Distt. Bathinda - 151301

Complainant

Versus

Public Information Officer,  
O/o EO, Nagar Council,  
Rama, Distt. Bathinda

Respondents

**COMPLAINT CASE NO. 06 OF 2024**

Present : (i) None is present on behalf of the complainant  
(ii) For the respondent: Sh. Baba Singh, JA (9915199892)

**ORDER**

The RTI application is dated NIL whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint 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 04.12.2023 in the Commission i.e. today.

3. Complainant is absent today.

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

5. After hearing the respondent and going through the case file, it is ascertained that the information has already been sent to the Complainant. The respondent has also sent the acknowledgment given by the Complainant in token of having received the information.

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: 04.12.2024**

**(Dr. Bhupinder S. Batth)**  
State Information Commissioner  
Punjab



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**Sh.Nasib Singh, S/o Sh. Sawan Singh**

Near Old Police Station,

Sohana, Mohali

Complainant

Versus

**Public Information Officer,**

O/o SE/DS Circle, PSPCL,

Phase -7, Mohali

Respondents

**COMPLAINT CASE NO. 07 OF 2023**

Present : (i) Sh. Nasib Singh the complainant  
(ii) For the respondent: Sh. Bawa Singh, AEE-cum-APIO ( 9646110150)

**ORDER**

The RTI application is dated 12.09.2023 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 19.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 in the Commission i.e. today.

3. Respondent states that the reply has already been sent to the complainant that the information demanded by him is third party information.

4. Complainant states that he is not satisfied with the reply of the respondent.

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).*

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**COMPLAINT CASE NO. 07 OF 2023**

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: 04.12.2024**

**(Dr. Bhupinder S. Batth)**  
**State Information Commissioner**  
**Punjab**

**Remanded back to**  
**First Appellate Authority]**  
**o/o Chief Engineer (South)**  
**Shakti Vihar, PSPCL, Patiala**

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**Sh.Satish Kumar Sobti,**

Retd Maths Master, # 292,

Kanchera, PO Pratap Nagar

Nangla Dam-140125

Complainant

Versus

**Public Information Officer,**

O/o DEO(S), Ropar

Respondents

**COMPLAINT CASE NO. 08 OF 2023**

Present : (i) None is present on behalf of the complainant  
(ii) For the respondent: Sh. Harpreet Singh, Clerk (9815226320) and Sh. Sandeep Bhatt, Clerk (96460-09094)

**ORDER**

The RTI application is dated 17.10.2023 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 19.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.12.2023 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. 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. 08 OF 2023**

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: 04.12.2024**

**(Dr. Bhupinder S. Batth)**  
State Information Commissioner  
Punjab

**Remanded back to**  
**First Appellate Authority]**  
**o/o District Education Officer (SE),**  
**Ropar**