

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864116, Helpline No. 0172-2864100
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Visit us: - www.infocommpunjab.com



Sh. Pardeep Choudhary, S/o Sh. Hans Raj Choudhary,
H. No. 9/D, Gobind Colony, Opp. Old Neelam Hospital,
Tehsil Rajpura - 140401, District Patiala(Punjab)
(M.9313093131) RTI application No.155918.

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council, Rajpura,
District Patiala(Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
Patiala(Punjab)

...Respondents

Appeal Case No. 766 of 2025

Present : (i) None on behalf of the appellant.
(ii) Ms. Sarika, Accountant(M.-7998600005) behalf of the respondent through (cisco webex)

ORDER

This Order may be read with reference to the previous order dated 03.03.2026 passed by the Commission.

2. The respondent PIO represented by Ms. Sarika, Accountant states that complete information as per official records stands supplied and no deficiencies have been received from the appellant, so far.

3. At today's hearing, the appellant is absent without intimation. From the perusal of the record, it is ascertained that despite due and adequate notice for hearing, the appellant is absent for the second consecutive hearing. However, the appellant is absent and nothing has been heard from him in regard to the information, which appears that he is satisfied with the supplied information and does not intend to pursue the case.

4. Keeping in view the prevailing circumstances, the Commission is of the view that, no further cause of action is required to be taken. As such, the present case is **disposed of & closed**. Copies of the order be sent to the parties.

Dated: 07th May, 2026

Sd/-
(Pooja Gupta)
State Information Commissioner
Punjab

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Sh. Gurwider Singh, S/o Sh. Jarnail Singh,
Preet Colony, Near New Bus Stand,
Bhiwanigarh, District Sangrur.
(M.7657815301)

....Complainant

Versus

Public Information Officer,
O/o The Executive Officer,
Nagar Council,(New Municipal Committee).
Bhiwanigarh, District Sangrur.

...Respondent

Complaint Case No. 331 of 2025

Present: (i) Sh. Gurwider Singh, the complainant.
(ii) Sh. Himanshu Nagpal, Junior Engineer on behalf of the respondent PIO.

ORDER:

The RTI application is dated 17.09.2025 vide which the Complainant has sought information as enumerated in his RTI application. The complaint was filed by the complainant in the Commission on 05.12.2025 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act). Notice of hearing was issued to the parties for today i.e.07.05.2026 by the Commission.

2. The complainant states that after the lapse of eight months, he has received a reply vide letter dated 05.05.2026, which is incomplete and requested that directions be issued to the respondent PIO to provide the complete information as per his RTI application.

3. The respondent PIO, represented by Sh. Himanshu Nagpal, Junior Engineer states that information as per official records stands supplied.

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. 331 of 2025

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. Additional Deputy Commissioner (Urban Development), 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.

Dated: 07th May, 2026

Sd/-
(Pooja Gupta)
State Information Commissioner
Punjab

Enclosed: RTI Application dated 17.09.2025.

(Regd.Post)

Remanded Back to

**First Appellate Authority i.e. Additional Deputy Commissioner (UD), Sangrur.
O/o ADC (UD), Sangrur**

(For compliance)