

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864115, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com



Ms. Amrit Kaur (8146615390)

W/o Shri Gurmeet Singh,

R/o Village and Post Office Ghungrali Sikhan,

Tehsil Samrala, District Ludhiana-141114

....Complainant

Versus

Public Information Officer,

O/o Gram Panchayat, Ghungrali Sikha,

Block Samrala, District Ludhiana.

...Respondent

COMPLAINT CASE NO. 0607 OF 2023

PRESENT: None for the parties.

ORDER:

The RTI application is dated 04.09.2023 vide which the complainant had sought information as enumerated in his RTI application. The complaint filed by the complainant in the Commission on 04.10.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act). Accordingly, the notice of hearing was issued to the parties for today i.e. 16.04.2025.

2. Both parties remained absent in the Court. However, the notice of hearing was sent to the complainant and the respondent has been returned with remarks that 'the recipient (complainant) had died and the same is being returned to the sender'. Copy of the same is placed on record.

3. Despite adequate notice for the hearing, the complainant was not come present in the Court, the complainant's case was called twice i.e. 11.00 a.m. to 12.00 noon 16.04.2025.

4. In the aforementioned circumstances, I am of the considered view that no purpose would be served by prolonging said matter/case any further and no genuine ground to plead in this case, hence, the instant complaint case is **disposed of and closed**.

5. Copies of the order be sent to the parties.

CHANDIGARH

16.04.2025

Sd/-

(HARPREET SINGH SANDHU)

State Information Commissioner, Punjab

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Shri Sona Singh,
S/o Shri Guddar Singh,
R/o Village Chak Kandhe Shah,
Tehsil Guruharsahai, Distt Ferozepur-152022

....Complainant

Versus

Public Information Officer,
O/o Additional Deputy Commissioner (D),
Ferozepur.

...Respondent

COMPLAINT CASE NO. 0608 OF 2023

PRESENT: Shri Sona Singh, Complainant.
None on behalf of the Respondent.

ORDER:

The RTI application is dated 16.08.2023 vide which the complainant had sought information as enumerated in his RTI application. The complaint filed by the complainant in the Commission on 04.10.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act). Accordingly, the notice of hearing was issued to the parties for today i.e. 16.04.2025.

2. The complainant stated that the information sought has not been provided to him, whereas the Respondent remained absented in court without any intimation to the Bench.

3. The Bench observes that the complainant has directly approached the Commission by preferring complaint in the Commission and the complainant has not availed an alternative and efficacious remedy of first appeal available 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.

4. The attention of the complainant is drawn to the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) – Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereby, 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.

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-02-

COMPLAINT CASE NO. 0608 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.

6. This case is **REMANDED BACK** to the First Appellate Authority who is directed to decide the RTI application of complainant (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act, 2005 after giving all concerned parties an opportunity to be heard.

7. In case, the complainant does not feel satisfied with the decision of the First Appellate Authority, he has the liberty to file a Second Appeal before the Commission under section 19 (3) of the RTI Act, 2005.

8. In view of the above, the instant complaint case is hereby, **disposed off and closed.**

9. Copies of the order be sent to the parties.

CHANDIGARH

16.04.2025

Sd/-

(HARPREET SINGH SANDHU)

State Information Commissioner, Punjab

Copy of above is forwarded to the following (Regd. Post):

The First Appellate Authority – cum –
Deputy Commissioner,
Ferozepur.

for information and necessary compliance. RTI application dated 16.08.2023 is enclosed.

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Shri Angrej Singh, (9463385335)

S/o Shri Maluk Singh,

R/o Village Basti, Sham Singh Wali (Swah Wala),

Tehsil Jalalabad, Distt Fazilka.

....Complainant

Versus

Public Information Officer,

O/o Block Development and Panchayat Officer,

Block Guruharshai, Ferozepur.

...Respondent

COMPLAINT CASE NO. 0609 OF 2023

PRESENT: None on behalf of the Complainant.

Shri Lakhwinder Singh, Panchayat Secretary (98154 75737) along with Shri Kulwant Singh, Ex-Sarpanch for the Respondent.

ORDER:

The RTI application is dated 29.05.2023 vide which the complainant had sought information as enumerated in his RTI application. The complaint filed by the complainant in the Commission on 04.10.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act). Accordingly, the notice of hearing was issued to the parties for today i.e. 16.04.2025.

2. The complainant is remained absent in today's court, whereas the respondent stated that requisite information has already been supplied to the complainant vide letter dated 15.11.2023 and again on 11.04.2025.

3. The Bench observes that the complainant has directly approached the Commission by preferring complaint in the Commission and the complainant has not availed an alternative and efficacious remedy of first appeal available 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.

4. The attention of the complainant is drawn to the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) – Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereby, 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.

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-02-

COMPLAINT CASE NO. 0609 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.

6. This case is **REMANDED BACK** to the First Appellate Authority who is directed to decide the RTI application of complainant (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act, 2005 after giving all concerned parties an opportunity to be heard.

7. In case, the complainant does not feel satisfied with the decision of the First Appellate Authority, he has the liberty to file a Second Appeal before the Commission under section 19 (3) of the RTI Act, 2005.

8. In view of the above, the instant complaint case is hereby, **disposed off and closed.**

9. Copies of the order be sent to the parties.

CHANDIGARH

16.04.2025

Sd/-

(HARPREET SINGH SANDHU)

State Information Commissioner, Punjab

Copy of above is forwarded to the following (Regd. Post):

**The First Appellate Authority – cum –
District Development and Panchayat Officer,
Ferozepur.**

for information and necessary compliance. RTI application dated 03.07.2023 is enclosed.