

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh Prabhjot Singh Gill,
S/o sh Jagjit Singh,
#329, VPO Doda Baja Patti,
Gidderbaha, Sri Mukatsar Sahib-152031
(M-8146007472)
(RTI application no. 63703)

..... Appellant

.Vs

Public Information Officer,
O/o Punjab State Council for Science & Technology,
MGSIPA Complex, Sector-26, Chandigarh

First appellate Authority,
Executive Officer
O/o Punjab State Council for Science & Technology,
MGSIPA Complex, Sector-26, Chandigarh

.....Respondent

AC No. 3928 of 2023

Present :- (i) None for the appellant
(ii) For the respondent- PIO- Sh Krishan Kant Singla, PSO (99157-72334)

ORDER

The RTI application is dated 02.05.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 19.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 18.11.2025 in the Commission.

2. The appellant is not present.

3. The respondent states that the information sought by the appellant through his RTI application is not specific and only certain suggestions have been given by him. He adds that the appellant also did not appeared in the hearing before the First Appellate Authority. The respondent has also filed his written reply today, which is taken on record.



AC No. 3928 of 2023

4. Having heard the respondent and on perusal of the available records, the Commission referred to the definition of information u/s Section 2 (f) of the RTI Act, 2005 which is reproduced below:

“information” means any material in any form, including records, documents ,memos , email, opinions, advices , press releases, circulars, orders , logbooks, contracts, report, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.”

5. At the outset the Commission observed that under the provision of the RTI Act 2005, only such information as is available and existing and held by the public authority or is under control of the public authority can be provided. The PIO is not supposed to create information that is not a part of the record. He is also not required to interpret information or furnish replies to hypothetical questions. The PIO is not supposed to have any material which is not before him; or any information he could have obtained under law. Under Section 6 of the RTI Act, an applicant is entitled to get only such information which can be accessed by the “public authority”.

6. Keeping in view the facts of the case and the submissions made by the respondent, no further intervention of the Commission is required in the matter. The Appeal stands **disposed** accordingly. Copy of the order be sent to the parties.

Date :18.11.2025

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

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Sh. Ashok Kumar, S/o Sh. Darshan Lal,
Street No 20, Ward no 2, Gandhi Nagar,
Tehsil Talwandi Saboo, Distt Bathinda-151301.
M:9876373990

Appellant

Versus

Public Information Officer,
O/o Director, Health & Family Welfare, PB,
Sector 34A, Chandigarh.

First Appellate Authority
O/o Director, Health & Family Welfare, PB,
Sector 34A, Chandigarh.

Respondents

APPEAL CASE NO. 5924 OF 2024

Present :- (i) Sh. Ashok Kumar, the appellant
(ii) For the respondent: Smt. Manjit Kaur, Sr. Assistant (8872276633)

ORDER

This order may be read with reference to the previous order dated 26.08.2025 vide which the appellant was asked to point-out specific information.

2. Today the appellant states that, as directed, he has sent the specific information in the Commission as well as to the Respondent .

3. Smt Manjit Kaur is appearing on behalf of the respondent today. She states that she has also sent her reply.

4. After hearing both the parties and going through the case file, it is observed that the appellant has demanded following information.



APPEAL CASE NO. 5924 OF 2024

| ਮੰਗੀ ਗਈ ਸੂਚਨਾ : | ਪੀ ਆਈ ਓ ਤੋਂ ਮਿਲਿਆ ਜਵਾਬ : |
|--|---|
| 1. ਰਿਟਾਇਰਡ ਕਰਮਚਾਰੀ ਦਰਸਨ ਲਾਲ ਪੁੱਤਰ ਤਾਰਾ ਚੰਦ ਦੀ ਪੈਨਸ਼ਨ ਦੀ ਰਕਮ ਕਿੰਨੀ ਮਿਲਦੀ ਹੈ। 2. ਪੈਨਸ਼ਨ ਕਿਹੜੇ ਪਤੇ ਤੇ ਭੇਜੀ ਜਾ ਰਹੀ ਹੈ। 3. ਕਿਹੜੇ ਬੈਂਕ ਖਾਤੇ ਵਿੱਚ ਪੈਨਸ਼ਨ ਜਾ ਰਹੀ ਹੈ। 4. ਪੈਨਸ਼ਨ ਸ਼ੁਰੂ ਹੋਣ ਦੀ ਤਾਰੀਖ। 5. ਪੈਨਸ਼ਨ ਕਿੰਨਾ ਸਮਾਂ ਤੋਂ ਮਿਲ ਰਹੀ ਹੈ। 6. ਪੈਨਸ਼ਨਰ ਦੀ ਸਰਵਿਸ ਬੁੱਕ ਦੀ ਕਾਪੀ। | 19/09/2024, 3:23 PM Reply Response By: SUMAN BALI Designation: DIRECTOR Email: drsumanbali84@gmail.com ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਤੀਜੀ ਧਿਰ ਨਾਲ ਸਬੰਧਤ ਹੋਣ ਕਾਰਨ ਮੁਹੱਈਆ ਨਹੀਂ ਕਰਵਾਉ ਜਾ ਸਕਦੀ। |

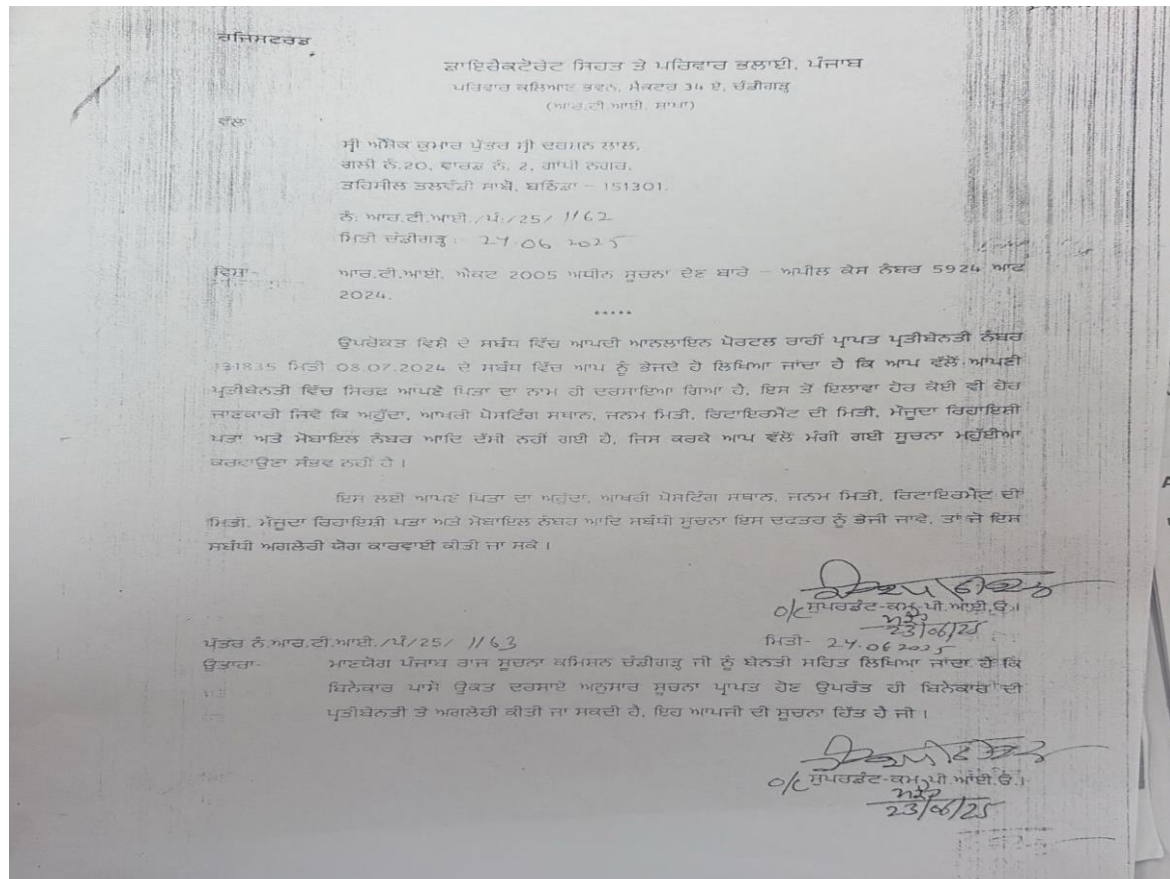
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APPEAL CASE NO. 5924 OF 2024

Further the respondent has sent her reply which is as under:-



5. After hearing both the parties and going through the above said, it is ascertained that as directed, the appellant has not been able to specify the information required by him. It has also been observed that the appellant is not aware of the details of his father-regarding whom he has sought information. Hence the Commission is of the view that, no useful purpose would be served in keeping this appeal case pending any further. Therefore, the appeal case filed by the appellant is **disposed of and closed**. Copy of the orders be sent to the parties.

Sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :18.11.2025

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Sh. Rahul Sharma, (M-88720-39302)
S/o ShRajinder Kumar,
#2945, Gali no. 2,
Azad Nagar, Putligarh,
Tehsil & Distt- Amritsar-143001

.Vs

..... Appellant

Public Information Officer,
O/o DC, Amritsar

First Appellate Authority
O/o DC, Amritsar

..... Respondent

AC No.482 of 2024

Present :- None for the parties

ORDER

This order may be read with reference to the previous order dated 04.09.2025 vide which the appellant was not present.

2. Today both the parties are absent without intimation. It is also a fact that a notice of hearing and the last order dated 04.09.2025 was sent to them through registered post but even though they are absent. The appellant has not informed about his absence for today's hearing also and no submissions have been received from the appellant, which appears that he has nothing to say in this regard in this case and/or he does not intend to pursue the case.

3. 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 :18.11.2025

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

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Sh. Rahul Sharma, (M-88720-39302)
S/o Sh Rajinder Kumar,
#2945, Gali no. 2,
Azad Nagar, Putligarh,
Tehsil & Distt- Amritsar-143001

..... Appellant

.Vs

Public Information Officer,
O/o DC, Amritsar

First Appellate Authority
O/o DC, Amritsar

.....Respondent

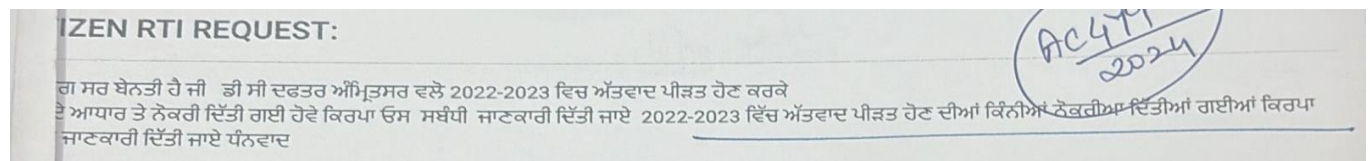
AC No.479 of 2024

Present :- (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Vijay Kumar, Clerk (7355276095)

ORDER

This order may be read with reference to the previous order dated 04.09.2025 vide which the appellant was not present and the respondent had sought time.

2. The appellant is not present today. He has not informed the Commission about his absence for today's hearing.
3. Respondent states that the reply has been sent.
4. Before stating anything further, it would be significant to reproduce the contents of the RTI application itself, which are as follows:-



Further the respondent has given following reply:-

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AC No.479 of 2024

ਲੋਕ ਸੂਚਨਾ ਅਫਸਰ-ਕਮ
ਜ਼ਿਲ੍ਹਾ ਮਾਲ ਅਫਸਰ, ਅੰਮ੍ਰਿਤਸਰ।
ਨੰਬਰ: ਆਰ.ਆਰ.ਏ/ਆਰ.ਸੀ.-3/ ੬.51
ਮਿਤੀ 30/10/2025

ਵਿਸ਼ਾ :- Appeal Case No. 479/2024.

ਹਵਾਲਾ :- ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰਬਰ ਆਰ.ਟੀ.ਆਈ./2025/1395 ਮਿਤੀ 09.10.2025 ਰਾਹੀਂ ਪੰਜਾਬ ਸਟੇਟ ਇਨਫਾਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨ, ਚੰਡੀਗੜ੍ਹ ਦੇ ਪੱਤਰ ਨੰ. PSIC/Legal/2025/20954 ਮਿਤੀ 08.09.2025 ਸਬੰਧੀ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲਾ ਅਧੀਨ ਪੱਤਰ ਅਤੇ ਸਹਿ-ਪੱਤਰਾਂ ਨੂੰ ਵਾਚਨ ਤੇ ਪਾਇਆ ਗਿਆ ਹੈ ਕਿ ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਸਾਲ 2022-23 ਦੌਰਾਨ ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਅੱਤਵਾਦ ਪੀੜਤ ਪਰਿਵਾਰਕ ਮੈਂਬਰਾਂ ਨੂੰ ਤਰਸ ਦੇ ਆਧਾਰ ਤੇ ਦਿੱਤੀਆਂ ਗਈਆਂ ਨੋਕਰੀਆਂ ਬਾਰੇ ਪੁੱਛਿਆ ਗਿਆ ਸੀ।

ਜਿਸ ਦੇ ਸਬੰਧ ਵਿੱਚ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਸਾਲ 2022-23 ਦੌਰਾਨ ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਅੱਤਵਾਦ ਪੀੜਤ ਪਰਿਵਾਰਕ ਮੈਂਬਰਾਂ ਨੂੰ ਤਰਸ ਦੇ ਆਧਾਰ ਤੇ ਕੋਈ ਵੀ ਨੋਕਰੀ ਨਹੀਂ ਦਿੱਤੀ ਗਈ।

ਇਹ ਸੂਚਨਾ ਆਪ ਜੀ ਨੂੰ ਅਗਲੇਰੀ ਲੇਖੀ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ ਜੀ।

ਵਾਸਤੇ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ
ਅੰਮ੍ਰਿਤਸਰ

856/RTI
26-11-2025

5. The Commission has examined the above-said reply which adequately addresses the RTI application. Since, the respondent has given appropriate and permissible reply, therefore, 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 :18.11.2025

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

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Ms HarvinderKaur Minty, D/o Sh. Manmohan,
489, New Jawahar Nagar,
Tehsil & Distt Jalandhar-I-144001.
M : 7696677100

Appellant

Versus

Public Information Officer,
O/o Secretary, Regional Transport Authority,
Faridkot.

First Appellate Authority,
O/o Deputy Commissioner,
Faridkot.

Respondents

APPEAL CASE NO. 35 OF 2024

Present :- (i) Sh. Harnek singh on behalf of the appellant without authority letter
(ii) For the respondent: Sh. Sukhjinder singh, Clerk (9501475600)

ORDER

This order may be read with reference to the previous order dated 01.07.2025 vide which neither the appellant nor the respondent was present .

2. Today representative of the appellant states that no information has been given by the respondent.

3. The Respondent states that the information demanded by the appellant is third party information.

4. After hearing both the parties and going through the case file, it is observed that the appellant through her RTI application has demanded the following information:-

“ Kindly provide the photocopy of the supporting documents used to issue driving license no 31950/NDL to 31960/NDL issued in the year 2008”

5. Further the respondent has given his reply that the information demanded by the applicant could not be supplied to her as it is confidential and the same is exempted from disclosure under Section 8(1)(j) of the RTI Act 2005. The same is taken on record.

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APPEAL CASE NO. 35 OF 2024

6. After hearing both the parties and examining the case file, it is observed that the information demanded by the appellant is third party information. Hence, the contention of the respondent is upheld. 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 :18.11.2025

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

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Sh. Jagjit Singh Sohi,
#956-D, Model Town Extn,
Dugri Road, Ludhiana.
M:9463747332

Appellant

Versus

Public Information Officer,
O/o Tehsildar, Khanna, Distt Ludhiana.

First Appellate Authority
O/o SDM, Ludhiana.

Respondents

APPEAL CASE NO. 6056 OF 2024

Present :- None for the parties.

ORDER

This order may be read with reference to the previous order dated 26.08.2025 vide which neither the appellant nor the respondent was present and last opportunity was given to both the parties to appear before the Commission and state their case.

2 Today again neither the appellant nor the respondent is present. They have even not informed the Commission about their absence for today's hearing. It is also a fact that last orders dated 26.08.2025 was sent to them through registered post but even though they are absent and no submissions have been received from the appellant, which appears that he has nothing to say in this regard in this case and/or he does not intend to pursue the case.

3. 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 :18.11.2025

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

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Sh Manjit Singh, (M-8427498620)
S/o Sh Gurcharan Singh,
Village Manemajra, Tehsil Chamkaur Sahib,
Distt-Ropar

Appellant

Versus

Public Information Officer,
O/o Director,
State Transport Department,
Sector-17, Chandigarh

First Appellate Authority
O/o Director,
State Transport Department,
Sector-17, Chandigarh

Respondents

APPEAL CASE NO. 4708 OF 2024

Present :- (i) Sh Manjit Singh, appellant
(ii) For the respondent- PIO_Sh Ikjot Dhawan, Enquiring officer
Ms Harmohan Kaur, Jr Asstt

ORDER

This case was earlier allocated to Sh Anumit Singh Sodhi. After his retirement, the said case was reallocated to the bench of the undersigned. The RTI application is dated 26.05.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 18.11.2025 in the Commission

2. The appellant states that he has not received the complete information pertaining to point no. 3 and 6 of his RTI application. Rest of the information stands provided. He adds that he has communicated the same in writing to the respondent.

3. The respondent states that he has brought the complete information pertaining to point no's 3 and 6 today. The same is handed over to the appellant. He has gone through the same and states that he is satisfied with it and that the case may be closed.

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APPEAL CASE NO. 4708 OF 2024

4. Since the appellant is satisfied therefore, no further cause of action is left. Therefore, the appeal case filed by the appellant is **disposed of and closed**. Copy of the orders be sent to the parties.

Date :18.11.2025

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

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Sh Manjit Singh, (M-8427498620)
S/o Sh Gurcharan Singh,
Village Manemajra, Tehsil Chamkaur Sahib,
Distt-Ropar

Appellant

Versus

Public Information Officer,
O/o General Manager,
Punjab Roadways, Ludhiana

First Appellate Authority
O/o Director, State Transport Department,
Sector-17, Chandigarh

Respondents

APPEAL CASE NO. 4933 OF 2024

Present :- (i) Sh Manjit Singh, appellant
(ii) For the respondent- Sh Indu Shekhar, Sr Asstt. (78148-49683)

ORDER

This case was earlier allocated to Sh Anumit Singh Sodhi. After his retirement, the said case was reallocated to the bench of the undersigned. The RTI application is dated 26.05.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 18.11.2025 in the Commission.

2. The appellant states that the information has not been provided to him.
3. The respondent states that the information sought by the appellant is third-party information. Hence, the same cannot be provided.



APPEAL CASE NO. 4933 OF 2024

4. After hearing both the parties and perusing the documents placed on record, it is ascertained that part of the information, sought by the appellant is third-party information and rest of the information is in the form of question/queries. The appellant may note that it is settled legal position that information that can be provided under the RTI Act is that which is already on record of the Public Authority. The PIO cannot be asked to create any record for answering the RTI questions. As per the Supreme Court decision in **Khanapuram Gandaiah vs Administrative Officer & Ors on 4 January, 2010 in SPECIAL LEAVE PETITION (CIVIL) NO.34868 OF 2009** the definition of information as given under Section 2(f) of the RTI Act 2005, shows that an applicant under Section 6 of the RTI Act can get any information which is already in existence and accessible to the public authority under law. Of course, under the RTI Act an applicant is entitled to get copy of the opinions, advices, circulars, orders, etc., but he cannot ask for any information as to why such opinions, advices, circulars, orders, etc. have been passed. Hence, the contention of the respondent is upheld. Therefore, the appeal case filed by the appellant is disposed of and closed. Copy of the order be sent to the parties.

Date :18.11.2025

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

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Sh Manjit Singh, (M-8427498620)
S/o Sh Gurcharan Singh,
Village Manemajra, Tehsil Chamkaur Sahib,
Distt-Ropar

Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Transport Department,
Sector-17, Chandigarh

First Appellate Authority
O/o Principal Secretary,
Transport Department,
Sector-17, Chandigarh

Respondents

APPEAL CASE NO. 4714 OF 2023

Present :- (i) Sh Manjit Singh, appellant
(ii) for the respondent- PIO- Ms Rajkumari, Sr Asstt. (98150-45082)
Ms Harmohan Kaur, Jr Asstt and Sh Ravinder Singh, Clerk

ORDER

This case was earlier allocated to Sh Anumit Singh Sodhi. After his retirement, the said case was reallocated to the bench of the undersigned. The RTI application is dated 02.05.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 21.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 18.11.2025 in the Commission.

2. The appellant states that no information has been provided to him.
3. The respondent states that the appellant has demanded information through his RTI application regarding a news article published in Jagbani newspaper. He adds that the said



APPEAL CASE NO. 4714 OF 2023

news article was neither published by their department nor they have any official record regarding the same.

4. After hearing both the parties and perusing the documents placed on record, it is ascertained that the appellant has demanded information based on a news article published in Jagbani newspaper on 04.04.2023. The respondent states that they have no official record regarding the same. The appellant may note that it is settled legal position that information that can be provided under the RTI Act is that which is already on record of the Public Authority. The PIO cannot be asked to create any record for answering the RTI questions. As per the Supreme Court decision in **Khanapuram Gandaiah vs Administrative Officer & Ors on 4 January, 2010 in SPECIAL LEAVE PETITION (CIVIL) NO.34868 OF 2009** the definition of information as given under Section 2(f) of the RTI Act 2005, shows that an applicant under Section 6 of the RTI Act can get any information which is already in existence and accessible to the public authority under law. Of course, under the RTI Act an applicant is entitled to get copy of the opinions, advices, circulars, orders, etc., but he cannot ask for any information as to why such opinions, advices, circulars, orders, etc. have been passed. Hence, the information sought by him cannot be supplied. The appeal is, therefore **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :18.11.2025

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Sh Manjit Singh, (M-8427498620)
S/o Sh Gurcharan Singh,
Village Manemajra, Tehsil Chamkaur Sahib,
Distt-Ropar

Appellant

Versus

Public Information Officer,
O/o Director,
State Transport Department,
Sector-17, Chandigarh

First Appellate Authority
O/o Director,
State Transport Department,
Sector-17, Chandigarh

Respondents

APPEAL CASE NO. 4936 OF 2024

Present :- (i) Sh Manjit Singh, appellant
(ii) For the respondent- PIO_Sh Ikjot Dhawan, Enquiring officer
Ms Harmohan Kaur, Jr Asstt

ORDER

This case was earlier allocated to Sh Anumit Singh Sodhi. After his retirement, the said case was reallocated to the bench of the undersigned. The RTI application is dated 19.04.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 18.11.2025 in the Commission

2. The respondent states that the information has been provided to the appellant.
3. The appellant states that the information has been provided to him and he is satisfied with it and that his case may be closed.
4. Since the appellant is satisfied therefore, no further cause of action is left. Therefore, the appeal case filed by the appellant is **disposed of and closed**. Copy of the orders be sent to the parties.

Sd/-

Date :18.11.2025

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864120



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Sh P.D Bansal,
President Lok Sewa Club,
94, City Homes colony,
Near Spring Dale School,
Khanna-141401 (M-98557-83747)

..... complainant

.Vs

Public Information Officer,
O/o SDM, Khanna, Distt- Ludhiana

.....Respondent

CC No. 94 of 2025

Present :- (i) Sh P.D Bansal, complainant

(ii) For the respondent- Ms Manpreet Kaur, Clerk (9779279220)

ORDER

The RTI application is dated 01.03.2025 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.04.2025 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 18.11.2025 in the Commission.

3. The respondent states that the information sought by the complainant is third-party information. Hence, the same cannot be provided.

4. The complainant states that the information provided by the respondent is not third-party information and the same can be provided to him.

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



CC No. 94 of 2025

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).

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, 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.

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

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CC No. 94 of 2025

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**.

Date :18.11.2025

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

Remanded back to :-
First Appellate Authority,
O/o SDM, Khanna, Distt- Ludhiana

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Sh P.D Bansal, (M-98557-83747)
President Lok Sewa Club,
94, City Homes colony,
Near Spring Dale School,
Khanna-141401

..... Complainant

.Vs

Public Information Officer,
O/o SMO, Civil Hospital, Khanna

.....Respondent

CC No. 93 of 2025

Present :- (i) Sh P.D Bansal, complainant
(ii) For the respondent- Dr Akash Goel, Medical Officer (9814220103) and
Sh Harish Kumar, Sr. Asstt. (7973800026)

ORDER

The RTI application is dated 02.02.2025 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 02.04.2025 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 18.11.2025 in the Commission.

3. The respondent states that the information sought by the complainant has already been provided to him in a PIL filed before the Hon'ble Punjab and Haryana High Court.

4. The complainant states that the information provided by the respondent relates to a different period and the present RTI is related to a different time period. Hence, the information be provided to him.

5. After hearing both the parties, it is ascertained that the information sought by the complainant has not been provided to him. However, after going through the file, it is



CC No. 93 of 2025

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).

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, 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.

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CC No. 93 of 2025

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**.

Date :18.11.2025

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

**Remanded back to :-
First Appellate Authority,
O/o SMO, Civil Hospital, Khanna**