

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



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

Appellant

Versus

Public Information Officer
O/o XEN, Provincial Division, PWD B&R,
Mohali (Punjab)

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

Respondents

APPEAL CASE NO. 2463 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 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) 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 23.10.2024 in the Commission. However, on 23.10.2024 the abovementioned case could not be heard and was postponed to be heard on 21.01.2025 i.e today

3. An email has been received from the appellant vide Commission diary no. 13057 dated 16.10.2024 stating that he has received the information.

4. Since, the appellant has received the information, 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: 21.01.2025

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

Appellant

Versus

Public Information Officer
O/o XEN, Provincial Division, PWD B&R,
Amritsar (Punjab)

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

Respondents

APPEAL CASE NO. 2464 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 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) 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 23.10.2024 in the Commission. However, on 23.10.2024 the abovementioned case could not be heard and was postponed to be heard on 21.01.2025 i.e today

3. An email has been received from the appellant vide Commission diary no. 13056 dated 16.10.2024 stating that he has received the information.

4. Since, the appellant has received the information, 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: 21.01.2025

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

Appellant

Versus

Public Information Officer
O/o XEN, Mechanical PWD B&R Division,
Jalandhar (Punjab)

First Appellate Authority
O/o Superintending Engineer,
Electrical Circle PWD B&R,
SAS Nagar (Punjab)

Respondents

APPEAL CASE NO. 2465 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 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) 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 23.10.2024 in the Commission. However, on 23.10.2024 the abovementioned case could not be heard and was postponed to be heard on 21.01.2025 i.e today

3. An email has been received from the appellant vide Commission diary no. 13058 dated 16.10.2024 stating that he has received the information.

4. Since, the appellant has received the information, 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: 21.01.2025

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

Appellant

Versus

Public Information Officer
O/o XEN, Mechanical PWD B&R Division,
Jalandhar (Punjab)

First Appellate Authority
O/o Superintending Engineer,
Electrical Circle PWD B&R,
SAS Nagar (Punjab)

Respondents

APPEAL CASE NO. 2466 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 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) 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 23.10.2024 in the Commission. However, on 23.10.2024 the abovementioned case could not be heard and was postponed to be heard on 21.01.2025 i.e today

3. An email has been received from the appellant vide Commission diary no. 13058 dated 16.10.2024 stating that he has received the information.

4. Since, the appellant has received the information, 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: 21.01.2025

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

Appellant

Versus

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

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

Respondents

APPEAL CASE NO. 2929 OF 2023

Present :- (i) None is present on behalf of the appellant
(ii) For the respondent: Sh. Navtej Singh, SDE (9646053309)

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) 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 23.10.2024 in the Commission. However, on 23.10.2024 the abovementioned case could not be heard and was postponed to be heard on 21.01.2025 i.e today

3. A letter has been received from the appellant stating that he has received the information.

4. Since, the appellant has received the information, 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: 21.01.2025

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

Appellant

Versus

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

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

Respondents

APPEAL CASE NO. 2930 OF 2023

Present :- (i) None is present on behalf of the appellant
(ii) For the respondent: Sh. Navtej Singh, SDE (9646053309)

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) 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 23.10.2024 in the Commission. However, on 23.10.2024 the abovementioned case could not be heard and was postponed to be heard on 21.01.2025 i.e today

3. A letter has been received from the appellant vide Commission diary no. 13055 dated 16.10.2024 stating that he has received the information.

4. Since, the appellant has received the information, 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: 21.01.2025

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Sh. Yogesh Mahajan,
S/o Late Sh. Kuldip Raj Mahajan,
President Anti Corruption Council,
Opp Water Tank, Municipal Market,
Mission Road, Pathankot(Punjab)
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. 2931 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 21.01.2025 in the Commission i.e. today.

3. Today neither the appellant nor the respondent is present. A letter has been received from the appellant that he has received the information and is satisfied.

4. Since the appellant has received the information and is satisfied, 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: 21.01.2025

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Sh. Lal Chand Bansal,
S/o Sh. Hukam Chand Bansal,
& 2795, Ward No 16, Gunga Mari Colony,
Kharar.
M : 9888008438

Complainant

Versus

Public Information Officer,
O/o Additional Deputy Commissioner (UD),
SAS Nagar.

Respondents

COMPLAINT CASE NO. 325 OF 2024

Present :- (i) Sh. Lal Chand Bansal the complainant
(ii) For the respondent : Sh.Malkiat Singh, Clerk (8054130382)

ORDER

The RTI application is dated 30.04.2024 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 07.08.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 in the Commission i.e. today.

3. The respondent states that the information has already been sent to the complainant. He further states that he has also brought copy of information today in the Commission. The same is handed over to the complainant. Sh. Lal Chand Bansal the complainant has gone through the same and states that he is satisfied with the information.

4. Since, the complainant is satisfied with the information , no further cause of action is left, hence the above said complaint case filed by the complainant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

(Dr.Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

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Sh. Lal Chand Bansal,
S/o Sh. Hukam Chand Bansal,
& 2795, Ward No 16, Gunga Mari Colony,
Kharar.
M : 9888008438

Complainant

Versus

Public Information Officer,
O/o Director Local Bodies, Pb,
Plot No. 3, Dakshin Marg,
Sector 35-A, Chandigarh.

Respondents

COMPLAINT CASE NO. 327 OF 2024

Present :- (i) Sh.Lal Chand Bansal the complainant
(ii) For the respondent : None is present on behalf of the respondent

ORDER

The RTI application is dated 30.04.2024 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 07.08.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 in the Commission i.e. today.

3. Complainant states that no information has been given to him so far. Respondent is absent today.

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:-



COMPLAINT CASE NO. 327 OF 2024

(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.

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.



COMPLAINT CASE NO. 327 OF 2024

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/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

**Remanded back to
First Appellate Authority**
O/o Director Local Bodies, Pb,
Plot No. 3, Dakshin Marg,
Sector 35-A, Chandigarh.

Note : Sh. Sandeep Kumar, Sr. Assistant appeared before the Commission after the hearing was over. He was read out the above order.

Sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

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Sh. Lakhvir Singh, S/o Sh. Surinder Pal Singh,
R/o Bhairpura, Tehsil Phul, Distt Bathinda-151106.
M : 9041520400

Complainant

Versus

Public Information Officer,
O/o Executive Officer, Municipal Committee,
Rampura Phul, Distt Bathinda.

Respondents

COMPLAINT CASE NO. 199 OF 2024

Present :- None for the parties.

ORDER

The RTI application is dated 18.03.2024 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 09.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 in the Commission i.e. today.
3. Today neither the complainant nor the respondent is present.
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).

COMPLAINT CASE NO. 199 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**.

Date :21.01.2025

Remanded back to
First Appellate Authority
Director Local Govt
Plot No 3, Dakshin Marg, Sector 35A,
Chandigarh - 160022

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

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Sh. Pallwinder Singh, S/o Sh. Kaka Singh,
VPO Thui, Tehsil Nabha, Distt Patiala-147201.
M : 7529805500

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Office,
Nabha, Distt Patiala.

Respondents

COMPLAINT CASE NO. 200 OF 2024

Present :- (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Jaswant Singh, Panchayat Secretary

ORDER

The RTI application is dated 22.03.2024 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 09.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 in the Commission i.e. today.

3. The complainant is absent today.

4. Respondent states that the information has already been sent to the complainant. He has submitted a photocopy of the letter showing acknowledgment by the Complainant, the same has been taken on record.

5. Since, the complainant has received the information, no further cause of action is left, hence the above said complaint case filed by the complainant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date : 21.01.2025

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Sh. Kharaiti Lal Narang,
House No B XXI-12066, Street No 26,
Ram Nagar , Main Market, Near Sangeet Cinema,
Ludhiana-141003.
M ; 9878058314

Complainant

Versus

Public Information Officer,
O/o Establishment Branch-I,
Punjab Civil Secretariat, Chandigarh.

Respondents

COMPLAINT CASE NO. 203 OF 2024

Present :- (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Vaneet Goyal, APIO (7009588500)

ORDER

The RTI application is dated 28.01.2023 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 25.04.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 in the Commission i.e. today.

3. Complainant is absent today. He has sent a letter that he is unable to attend today's hearing. Respondent states that the information has already been sent to the complainant.

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:-

COMPLAINT CASE NO. 203 OF 2024

(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.

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/-

(Dr.Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

Remanded back to
First Appellate Authority,
O/o Establishment Branch-I,
Punjab Civil Secretariat, Chandigarh.

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Sh. Satpal Ravi, S/o Sh. Ram Parkash (Retd. SBI Manager),
Village Manguwal, VPO Kahma,
Tehsil Nawanshahar, Distt SBS Nagar.
M : 9876593589

Complainant

Versus

Public Information Officer,
O/o Chief Engineer,
HRD, PSPCL, Patiala.

Respondents

COMPLAINT CASE NO. 204 OF 2024

Present :- (i) None is present on behalf of the Complainant
(ii) For the respondent : Sh. Gurpreet Singh, APIO (9646119438) and Sh.
Rajesh Kumar, PIO (964611134)

ORDER

The RTI application is dated 18.01.2024 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 21.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 in the Commission i.e. today.

3. The complainant is absent today.

4. Respondent states that he has brought information today in the commission to deliver it to the complainant.

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



COMPLAINT CASE NO. 204 OF 2024

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, 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/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

***Remanded back to
First Appellate Authority-cum-Chief
Engineer, HRD, PSPCL, Head Office,
The Mall Patiala – 147001***

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



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Ms Reetu, Revenue Accountant, PSPCL,
D/o Kailash Chander, B-7, H No 156,
Shukla Niwas, Mohalla Pathkan,
Distt Nawanshahar-144514
M : 9988331589

Complainant

Versus

Public Information Officer,
O/o Deputy Chief Engineer / Employee Development,
PSPCL, Patiala.

First Appellate Authority,
O/o Chief Engineer,
HRD, PSPCL, Patiala.

Respondents

COMPLAINT CASE NO. 205 OF 2024

Present :- (i) None is present on behalf of the complainant
(ii) For the respondent : Er. Gurpreet Singh, ASE (9646119438)

ORDER

The RTI application is dated 28.02.2024 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 03.04.2024 and complaint case was filed in the Commission on 21.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 in the Commission i.e. today.
3. Complainant is absent today. He has not informed the Commissioner about her absence for today's hearing.
4. Respondent states that the reply has already been sent to the complainant
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



COMPLAINT CASE NO. 205 OF 2024

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, 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.



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COMPLAINT CASE NO. 205 OF 2024

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/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

Remanded back to
First Appellate Authority-cum-Chief
Engineer, HRD, PSPCL, Head Office,
The Mall Patiala – 147001

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Sector 16, Chandigarh.
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Sh. Ravinder Kumar, S/o Krishan Lal,
1990, Godia Press, Sri Muktsar Sahib.
M : 9592213456

Complainant

Versus

Public Information Officer,
O/o District Education Officers (Secondary Education)
Sri Muktsar Sahib.

Respondents

COMPLAINT CASE NO. 206 OF 2024

Present :- (i) Sh. Ravinder Kumar the complainant
(ii) For the respondent : None is present on behalf of the Respondent

ORDER

The RTI application is dated 22.02.2024 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 21.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 in the Commission i.e. today.

3. Complainant states that no information has been given to him so far. Respondent is absent today. Respondent is absent today.

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:-



COMPLAINT CASE NO. 206 OF 2024

(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.

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/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

Remanded back to
First Appellate Authority'
Punjab School Education Board,
Sector 62, Sahibzada Ajit Singh Nagar,
Punjab 160062

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



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Sh. Sabar Shah, S/o Sh. Khushi Mohammad ,
Villge Bagli Kalan, Tehsil & Block Samrala &
Distt Ludhiana.

M : 9781339192

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Office,
Samrala, Distt Ludhiana.

Respondents

COMPLAINT CASE NO. 207 OF 2024

Present :- (i) None is present on behalf of the Complainant
(ii) For the respondent : Sh. Lakhwinder Singh, APO (941231911) and Sh.
Rajinder Singh, VDO (9914910283)

ORDER

The RTI application is dated 15.06.2023 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 03.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 in the Commission i.e. today.

3. Complainant is absent today. Respondent states that the information is ready with them, complainant can collect on any working day.

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:-



COMPLAINT CASE NO. 207 OF 2024

(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.

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.



COMPLAINT CASE NO. 207 OF 2024

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/-

(Dr.Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

Note : Sh. Sabar Shah the complainant appeared before the Commission after the hearing was over. He was read out the above order.

Sd/-

(Dr.Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

Remanded back to
First Appellate Authority
o/o DDPO, Ludhiana

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Sector 16, Chandigarh.
Ph: 0172-2864120



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Sh. Hardeep Singh, S/o S. Sukha Singh,
Village Rikhia, PO Talwandi Lal Singh,
Tehsil Batala Distt Gurdaspur-143507.
M : 9417633227

Complainant

Versus

Public Information Officer,
O/o Assistant Labour Commissioner,
Industrial Area, Batala, Distt Gurdaspur.

Respondents

COMPLAINT CASE NO. 208 OF 2024

Present :- (i) None is present on behalf of the Complainant
(ii) For the respondent : Sh. Arun Kumar, Labour Inspector-cum-APIO
(9653205151)

ORDER

The RTI application is dated 21.02.2024 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 26.04.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.01.2025 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. Respondent states that the information demanded by the complainant is third party information , hence cannot be provided.

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:-

COMPLAINT CASE NO. 208 OF 2024

(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, 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/-

(Dr.Bhupinder S Batth)
State Information Commissioner
Punjab

Date :21.01.2025

***Remanded back to
First Appellate Authority
o/o Labour Commissioner
Labour Bhawan Model Welfare Centre,
Phase 10, Ajit Singh Nagar, Punjab***