

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



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Sh. Harpreet Singh,  
House No 3081 B,  
Sector 39 D, Chandigarh.  
M: 9463427971

Appellant

Versus

Public Information Officer,  
O/o Provincial Division,  
PWD B&R, Sector 17 D,  
Chandigarh.

First Appellate Authority,  
O/o Provincial Division,  
PWD B&R, Sector 17 D,  
Chandigarh.

Respondents

**APPEAL CASE NO. 4302 OF 2023**

Present :- (i) None is present on behalf of the appellant  
(ii) For the respondent: Sh. Vijay Bahadur, SDE (7508185522)

**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 10.01.2023 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 05.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for 28.10.2024. But on 28.10.2024, the above-said appeal case could not be heard and was postponed to be heard on 22.01.2025 i.e. today.

3. The appellant is absent today. He has not informed the Commission about his absence for today's hearing. Notice sent to the appellant was returned back from the postal authorities in the Commission office as "No such person in the Address". The appellant was also contacted on phone but he did not pick up the phone.

4. Respondent states that he has brought reply today in the Commission.

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**APPEAL CASE NO. 4302 OF 2023**

5. The perusal of the file shows that the appellant has demanded information i.e. action taken on his complaint dated 20.06.2022 . Further the respondent has brought reply today in the Commission which is as under:-

O/o The Sub Divisional Engineer, Provincial Sub Division No. 3, Punjab  
Public Works Department, Officers' Apartments, Sector 24-B, Chandigarh  
e-mail id: pppwd3@gmail.com

TO

Executive Engineer,  
Provincial Division, PWD B&R Br.,  
Chandigarh.

No. 449 Date: 05/11/24

Subject: Appeal Case No. 4302 of 2023.

Sir / Madam,

The subject cited case has been attended by the undersigned on 28.10.2024 at 11.30 am in the office of Dr. Bhupinder Singh Batth, State Information Commissioner, Punjab and further it is fixed for hearing on 22.01.2025.

In this context, the residence House No. 3081-B, Sector 39-D, Chandigarh was allotted to Sh. Harpreet Singh and he sent the complaint through letter to Executive Engineer on 20.06.2022 to repair the window & doors as the maintenance staff was denying to do so.

The resident wrote letter alongwith postal order of Rs. 50/- to Public Information Officer on dated 10.01.2023 to provide attested copies through post against filed complaint on 20.06.2022.

Due to non receiving of any reply from Public Information Officer, the resident filed the complaint in Punjab State Information Commissioner which was fixed for hearing on 08.01.2024 and further on 28.10.2024.

As per record of Maintenance Office, the house possession was taken over by the allottee on 01.06.2022 and vacated on 13.05.2024 and the house got white washed & painted on 07.06.2022 (register copy enclosed). The concerned Junior Engineer also stated that the repair of window and doors was done immediately after complaint received. (Present pictures of wooden joinery work of said house are enclosed)

No reply has been submitted to Punjab State Information Commissioner till date against this case. Hence, you are requested to send the report to the concerned office on priority basis.

DA/ As above

Sub Divisional Engineer,  
Provincial Sub Division No. 3,  
Punjab PWD (B&R),  
Chandigarh



**APPEAL CASE NO. 4302 OF 2023**

7. The Commission has examined the reply which adequately addresses the RTI application. After hearing the respondent and going through the reply filed by the respondent, the Commission is of the considered opinion that the Respondent has provided appropriate and permissible reply to the Appellant.. ***Copy of the reply as submitted by the respondent be sent to the appellant alongwith these orders.***

8. 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. ***However, the liberty is granted to the appellant to approach the Commission within one month***

Sd/-

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

**Date: 22.01.2025**

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Ms. Surinder Kaur, W/o Sh. Charanjit Singh,

R/o House No 1825/3, Near Sonalika  
Tractor Agency, Raikot Road, Near Kalyani Hospital,  
Jagroan, Distt Ludhiana.

Complainant

Versus

Public Information Officer,  
O/o XEN, PSPCL,  
Raikot, Distt Ludhiana.

First Appellate Authority,  
O/o Chief Engineer (Central),  
PSPCL, Ludhiana.

Respondents

**COMPLAINT CASE NO. 01 OF 2024**

Present :- (i) Sh. Varinder alongwith Sh. Kamaljeet Singh on behalf of the complainant  
(ii) For the respondent : Sh. Sandeep Kumar Garg, Divisional Superintendent  
(9988718524)

**ORDER**

The RTI application is dated 05.08.2023 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 12.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 in the Commission i.e. today.

3. Sh. Varinder is appearing on behalf of the complainant alongwith authority letter. He states that no information has been given to the complainant so far.

4. Respondent states that the information sought by the Appellant cannot be supplied inasmuch as it is exempt from disclosure under Section 8(i) (j) RTI Act 2005. Further, the so called third-party has also given his consent not to provide his information to anyone

5. After hearing both the parties and examining the case file, it is observed that the information demanded by the complainant is third party information, hence cannot be provided under Section 8(1) (j) of the RTI Act 2005. This objection of the respondent is upheld.

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**COMPLAINT CASE NO. 01 OF 2024**

6. In view of the foregoing, no further cause of action is left, hence the above said appeal case filed by the complainant is **disposed of and closed**. Copy of the orders be sent to the parties.

Sd/-

(Dr.Bhupinder S Batth)  
State Information Commissioner  
Punjab

Date :22.01.2025

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Sh. Kuldip Kumar,  
S/o Sh. Lal Chand, # 107/C,  
Ravinder Nagar, PO Model Town,  
Jalandhar-144003.

Complainant

Versus

Public Information Officer,  
O/o Smart Wonders School,  
Sector 71, Mohali.

Respondents

**COMPLAINT CASE NO. 02 OF 2024**

Present :- None for the parties.

**ORDER**

The RTI application is dated 22.09.2023 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 12.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 in the Commission i.e. today.

3. Today neither the appellant 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:-



**COMPLAINT CASE NO. 02 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 :22.01.2025**

***Remanded back to***  
First Appellate Authority  
O/o DEO(SE),  
Punjab School Education Board,  
36, Sector 61, Sahibzada Ajit Singh

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Sh. Desa Singh,  
S/o Sh. Partap Singh,  
Village Dargapur,  
Tehsil & Distt Tarn Taran.

Complainant

Versus

Public Information Officer,  
O/o Agriculture Officer,  
Tarn Taran.

Respondents

**COMPLAINT CASE NO. 03 OF 2024**

Present :- (i) None is present on behalf of the complainant  
(ii) For the respondent : Sh, Sarbjit Singh, APIO (8727022077), Sh. Gurvinder Singh, ASI (9915933682) and Sh. Gurbinder Singh, (9878632825)

**ORDER**

The RTI application is dated 26.10.2023 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 12.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 in the Commission i.e. today.

3. Complainant is absent today. Respondent states that the reply 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. 03 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 :22.01.2025

Remanded back to  
First Appellate Authority  
Director Agriculture, Department of  
Agriculture and Farmers Welfare  
Plot No. 204, Phase 6, Near Dara Studio  
Kheti Bhawa, SAS Nagar

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Sh. Varun Malhotra,  
S/o Sh. Yash Pal Malhotra,  
# 3601/2, Sirhandi Bazar,  
Tehsil & Distt Patiala-147001.  
M: 9814246368

Appellant

Versus

Public Information Officer,  
O/o SSP, Patiala.

First Appellate Authority  
O/o ADGP, Patiala Range,  
Patiala.

Respondents

**APPEAL CASE NO. 277 OF 2024**

Present :- (i) Sh. Varun Malhotra the appellant  
(ii) For the respondent : Sh. Hakam Singh, ASI

**ORDER**

The RTI application is dated 01.10.2023 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 07.11.2023 and complaint case was filed in the Commission on 21.12.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 in the Commission i.e. today.

3. The appellant states that no information has been given to him so far. He has filed his submissions running into 57 pages; the same is taken on record.

4. Respondent states that the information, as sought by the Appellant through his RTI Application, cannot be provided, as the same is exempted u/s 8(1)(h) of the RTI Act. He further states that reply has already been sent to the Commission as well as to the appellant.

**APPEAL CASE NO. 277 OF 2024**

ਗਾਰਡਨ ਸੈਕਟਰ-16 ਚੰਡੀਗੜ੍ਹ।

ਨੰਬਰ:277 ਆਫ 2024-159ਏਸੀ 105 ਆਰ.ਟੀ.ਆਈ, ਮਿਤੀ 12.1.25

ਵਿਸ਼ਾ: ਸੂਚਨਾ ਅਧਿਕਾਰ ਐਕਟ-2005 ਤਹਿਤ ਕੇਸ:ਸ਼੍ਰੀ ਵਰੂਣ ਮਲਹੋਤਰਾ ਪੁੱਤਰ ਸ਼੍ਰੀ ਯਸਪਾਲ ਮਲਹੋਤਰਾ ਵਾਸੀ ਮਕਾਨ ਨੰ:3601/2 ਸਰਹਿੰਦੀ ਬਜ਼ਾਰ ਪਟਿਆਲਾ।

ਮਾਨਯੋਗ ਸ਼੍ਰੀ ਭੁਪਿੰਦਰ ਸਿੰਘ ਬਾਠ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਚੰਡੀਗੜ੍ਹ ਅਪੀਲ ਨੰਬਰ 277 ਆਫ 2024

22.01.2025 ਸਵੇਰੇ 11:30 ਵਜੇ ਸੁਣਵਾਈ ਲਈ ਲਗਾ ਹੈ

ਨਿਮਰਤਾ ਸਹਿਤ ਬੇਨਤੀ ਹੈ ਅਪੀਲਕਰਤਾ ਵਲੋਂ ਦਰਖਾਸਤ ਨੰਬਰੀ 2878-ਓ.ਪੀ ਮਿਤੀ 24.07.23 ਸਬੰਧੀ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਸੀ। ਅਪੀਲਕਰਤਾ ਵਲੋਂ ਮੰਗੀ ਗਈ ਦਰਖਾਸਤ ਸਬੰਧੀ ਇੰਨਚਾਰਜ ਸਿਕਾਇਤ ਸਾਖਾ ਡੀ.ਪੀ.ਓ ਪਟਿਆਲਾ ਦੇ ਪੱਤਰ ਨੰਬਰ 132/ਪੀ.ਸੀ ਮਿਤੀ 08.01.25 ਰਾਹੀਂ ਰਿਪੋਰਟ ਇਸ ਦਫਤਰ ਨੂੰ ਮੌਜੂਦ ਹੋਈ ਹੈ। ਅਪੀਲਕਰਤਾ ਦੀ ਦਰਖਾਸਤ ਸੂਚਨਾ ਅਧਿਕਾਰ ਐਕਟ 2005 ਤਹਿਤ ਦੀ ਜੇਰੇ ਧਾਰਾ 8-1(ਐਚ) ਤਹਿਤ ਉਪ ਕਪਤਾਨ ਪੁਲਿਸ ਰਾਜਪੁਰਾ ਪਾਸ ਵਿਚਾਰ ਅਧੀਨ ਹੋਣ ਕਰਕੇ ਅਪੀਲਕਰਤਾ ਨੂੰ ਇਹ ਸੂਚਨਾ ਮੁਹਈਆ ਨਹੀਂ ਕਰਵਾਈ ਜਾ ਸਕਦੀ। ਸੋ ਕਿਰਪਾ ਕਰਕੇ ਅਪੀਲਕਰਤਾ ਦੀ ਅਪੀਲ ਦਾਖਲ ਦਫਤਰ ਕਰਨ ਦੀ ਕਿਰਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਜੀ।

ਕਪਤਾਨ ਪੁਲਿਸ ਸਥਾਨਕ  
ਕਮ-ਸਹਾਇਕ ਲੋਕ ਸੂਚਨਾ  
ਅਧਿਕਾਰੀ, ਜਿਲ੍ਹਾ ਪਟਿਆਲਾ।

ਨੰਬਰ:277-ਆਫ 2024-159ਏ.ਸੀ ਆਰ.ਟੀ.ਆਈ, ਮਿਤੀ

ਉਤਾਰਾ: 1 ਸ਼੍ਰੀ ਵਰੂਣ ਮਲਹੋਤਰਾ ਪੁੱਤਰ ਸ਼੍ਰੀ ਯਸਪਾਲ ਮਲਹੋਤਰਾ ਵਾਸੀ ਮਕਾਨ ਨੰ:3601/2 ਸਰਹਿੰਦੀ ਬਜ਼ਾਰ ਪਟਿਆਲਾ ਪਾਸ ਸੂਚਨਾ ਹਿੱਤ ਰਾਹੀਂ ਰਜਿਸਟਰ ਪੋਸਟ (ਸੇ:ਨੰ:98142-46368)।

ਕਪਤਾਨ ਪੁਲਿਸ ਸਥਾਨਕ  
ਕਮ-ਸਹਾਇਕ ਲੋਕ ਸੂਚਨਾ  
ਅਧਿਕਾਰੀ, ਜਿਲ੍ਹਾ ਪਟਿਆਲਾ।

5. After hearing the respondent and examining the case file, it is observed that the information demanded by the appellant cannot be provided under Section 8(1)(h) of the RTI Act 2005. This objection of the respondent is upheld. Copy of the same is handed over to the appellant in the Commission.

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/-

(Dr. Bhupinder S Batth)  
State Information Commissioner  
Punjab

Date :22.01.2025

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Sh. Dilbagh Singh Bhella, S/o Sh. Dhian Singh,  
VPO Mehtabpur, Tehsil Mukerian,  
Distt Hoshiarpur.144306  
M : 6284984701; 9464317879

Complainant

Versus

Public Information Officer,  
O/o XEN, Drainage cum Mining Division,  
Gurdaspur.

Respondents

**COMPLAINT CASE NO. 209 OF 2024**

Present :- None for the parties.

**ORDER**

The RTI application is dated 17.10.2023 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 08.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 in the Commission i.e. today.

3. Today neither the complainant nor the respondent is present. The complainant has sent his written submissions, which is taken on record.

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. 209 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 :22.01.2025

*Remanded back to  
First Appellate Authority  
o/o XEN, Drainage cum Mining Division,  
Gurdaspur*

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Sh. Gursharan Singh, S/o Sh. Jeet Singh,  
R/o Village Bur Wala, Block Guruharsahai,  
Tehsil Jalalabad, Distt Fazilka.  
M : 8872100014

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Office,  
Guruharsahai.

Respondents

**COMPLAINT CASE NO. 210 OF 2024**

Present :- None for the parties.

**ORDER**

The RTI application is dated NIL vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 15.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 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:-



**COMPLAINT CASE NO. 210 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 :22.01.2025

Remanded back to  
First Appellate Authority  
O/o DDPO, Distt. Fazilka

**PUNJAB STATE INFORMATION COMMISSION**  
Red Cross Building, Near Rose Garden,  
Sector 16, Chandigarh.  
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Sh. Surjit Singh, S/o Sh. Joginder Singh,  
R/o MCB- Z-5-09361, Street No 3, Joganand Road,  
Amarpura Nagar, Bathinda.151001  
M : 9417363940

Complainant

Versus

Public Information Officer,  
O/o Principal, Sr. Sec School, School,  
Paras Ram Nagar , Bathinda.

Respondents

**COMPLAINT CASE NO. 211 OF 2024**

Present :- (i) None is present on behalf of the complainant  
(ii) For the respondent : Sh. Pushpesh Kumar, PIO (9463755455) and Sh. Vinod Kumar

**ORDER**

The RTI application is dated 18.03.2024vide which the appelland has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 20.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 in the Commission i.e. today.

3. Complainant is absent today. He has sent his written submissions which are taken on record. Respondent states that he has brought information today in the Commission except third party information.

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. 211 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/-*

**Date :22.01.2025**

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

***Remanded back to  
First Appellate Authority  
O/o Principal, Sr. Sec School,  
Paras Ram Nagar , Bathinda.***

**PUNJAB STATE INFORMATION COMMISSION**  
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Sector 16, Chandigarh.  
Ph: 0172-2864120



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Sh. Satish Kumar, S/o Sh.Gian Chand,  
# 312, Phase 2, Urban Estate,  
Patiala.147002  
M : 6283208660

Complainant

Versus

Public Information Officer,  
O/o Punjab Urban Planning and Development Authority,  
Jalandhar.

Respondents

**COMPLAINT CASE NO. 212 OF 2024**

Present :- (i) None is present on behalf of the Complainant  
(ii) For the respondent : Sh. Vijay Pal Singh, PIO (7011722181)

**ORDER**

The RTI application is dated 19.03.2024 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 22.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 in the Commission i.e. today.

3. The complainant is absent today. Respondent states that the reply 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. 212 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/-*

**Date :22.01.2025**

**Remanded back to  
First Appellate Authority  
o/o E.O, PUDA Jalandhar**

**(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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Ms Kavita Thakur, W/o Sh. Satish Kumar,  
# 312, Phase-2, Urban Estate,  
Falauli, Patiala. 147002  
M : 6283208660

Complainant

Versus

Public Information Officer,  
O/o Sub Registrar, Sultanpur Lodhi,  
Distt Kapurthala.

Respondents

**COMPLAINT CASE NO. 213 OF 2024**

Present :- (i) None is present on behalf of the Complainant  
(ii) For the respondent : Sh. Majinder Singh, Clerk (9569202500)

**ORDER**

The RTI application is dated 28.03.2024 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 22.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 in the Commission i.e. today.

3. The complainant is absent today. Respondent states that the reply 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. 213 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/-*

Date :22.01.2025

(Dr.Bhupinder S Batth)  
State Information Commissioner  
Punjab

***Remanded back to  
First Appellate Authority  
O/o Tehsildar, Sultanpur Lodhi  
Distt. Kapurthala***

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Sector 16, Chandigarh.  
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Sh. Kuldeep Singh, S/o Sh. Bant Singh,  
R/o Village Dharak Khurd,  
Distt SAS Nagar-140307

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Office,  
,Kharar, Distt Mohali.

Respondents

**COMPLAINT CASE NO. 214 OF 2024**

Present :- (i) Sh. Kuldeep Singh the complainant  
(ii) For the respondent : Smt. Rani Goyal, Panchayat Secretary(6280820549),  
Sh. Kuldeep Singh, Sarpanch (9872759937)

**ORDER**

The RTI application is dated NIL vide which the complainant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 08.05.2024 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.01.2025 in the Commission i.e. today.

3. Today the Complainant states that no information has been given to him so far. Respondent states that the information has already been sent to the complainant through registered post.

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. 214 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 :22.01.2025

Remanded back to  
First Appellate Authority  
O/o DDPO, Mohali