

**PUNJAB STATE INFORMATION COMMISSION**  
Red Cross Building, Near Rose Garden,  
Sector 16, Chandigarh.  
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Sh. Ravindar Singh, S/o Sh. Gurdeo Singh,  
C/o Sh. Darshan Singh # Freedom Fighter,  
# Village Harchiwal, Tehsil Batala,  
Distt Gurdaspur.  
M : 8826462038

Appellant

Versus

Public Information Officer,  
O/o Deputy Commissioner,  
Gurdaspur.

First Appellate Authority,  
O/o Punjab State Information Commission,  
Sector-16, PB, Chandigarh.

Respondents

**APPEAL CASE NO. 3888 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 22.05.2023 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 24.05.2023 and second appeal was filed in the Commission on 16.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. Today neither the appellant nor the respondent is present. An email has been received from the respondent vide Commission diary no. 98 dated 27.11.2024 that the information has been sent to the appellant. He has also sent photocopy of the acknowledgment given by the Appellant in token of having received the information. The same is taken on record.

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**APPEAL CASE NO. 3888 OF 2023**

4. Since, the information has been received by the appellant, 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: 27.11.2024**

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Sh. Gurmeet Singh,  
S/o Sh. Surmukh Singh,  
# 2072, Bhai Mastan Singh Nagr,  
Sri Muktsar Sahib-152026.  
M : 9501421959

Appellant

Versus

Public Information Officer  
O/o Executive Officer,  
Construction Division (B&R),  
Malerkotla.

First Appellate Authority  
O/o Superintending Engineer,  
Construction Division (B&R),  
Sangrur.

Respondents

**APPEAL CASE NO. 4104 OF 2023**

Present :- (i) None is present on behalf of the appellant  
(ii) For the respondent: Sh. Yadvir Singh, SDE (9517800042)

**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 17.02.2023 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 10.05.2023 and second appeal was filed in the Commission on 27.06.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. Respondent states that the complete information has already been sent to the appellant.

4. The appellant Sh. Gurmeet Singh is absent today. He has sent a letter vide Commission diary no. 12996 dated 14.10.2024 stating that he has received the information.

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**APPEAL CASE NO. 4104 OF 2023**

5. 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: 27.11.2024**

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Sh. Satish Kumar Sobti,  
Retd Maths Master,  
# 292/1, Kanchera, PO Pratap Nagar,  
Nangal Dam, Ropar-140125.  
M : 9417524056

Complainant

Versus

Public Information Officer,  
O/o Chief Secretary,  
New Secretariat, Sector 1,  
PB, Chandigarh.

Respondents

**COMPLAINT CASE NO. 15 OF 2024**

Present :- (i) Sh. Satish Kumar Sobti, the Complainant  
(ii) For the respondent: None is present on behalf of the respondent

**ORDER**

The RTI application is dated 17.10.2023 vide which the complainant has sought information as enumerated in his RTI application and second appeal was filed in the Commission on 19.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. Today, the Complainant Sh. Satish Kumar Sobti states that he has filed four similar RTIs with different departments. Two cases are listed in today's hearing i.e. CC:15 of 2024 (Satish Kumar Sobti vs PIO, o/o Chief Secretary Punjab) and CC:14 of 2024 (Satish Kumar Sobti vs PIO, o/o DPI(SE), Punjab Mohali). Sh. Satish Kumar Sobti further states that both the cases are related with the PIO, o/o DPI(SE) Punjab, Mohali. Therefore he does not want to pursue the above case i.e. CC: 15 of 2014.

4. After examining the above case-files, it is observed that RTI filed by the complainant in CC:14 of 2024 and CC:15 of 2024 are same. It is mere repetition. The complainant also does not want to pursue this case. Hence, the Commission is of the view that CC: 14 of 2024

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**COMPLAINT CASE NO. 15 OF 2024**

be taken up and the CC: 15 of 2024 is not required to be taken. The complainant has also raised no objection over the same. As no cognizance is required to be taken in this case, hence the present case is announced as **disposed of and closed.** Copy of the order be sent to the parties.

Sd/-

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

**Date: 27.11.2024**

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Sh. Paramjit Singh,  
# 475, Street No 1,  
Kartar Nagar Khanna,  
Distt Ludhiana.

Complainant

Versus

Public Information Officer,  
O/o Nodel Officer,  
Directorate school education (secretary) Punjab,  
Punjab School Education, Punjab,  
Block E , 5th Floor, Phase-8,  
SAS Nagar (Mohali)

Respondents

**COMPLAINT CASE NO. 16 OF 2024**

Present :- (i) Sh. Paramjit Singh the complainant alongwith Sh. Gurpreet Singh  
(ii) For the respondent: Sh. Gurdarshan Singh, Clerk

**ORDER**

The RTI application is dated 17.10.2023 vide which the appellant has sought information as enumerated in his RTI application and second appeal was filed in the Commission on 19.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. Respondent states that the information has been sent to the complainant on 26.11.2024 i.e. yesterday itself.

4. The complainant states that no information has been given to him so far.

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. 16 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. 16 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: 27.11.2024

**Remanded back to :**

First Appellate Authority  
O/o DPI(SE), Punjab School Education,  
Block E, 5<sup>th</sup> Floor, Phase -8, SAS Nagar

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Sh. Vijay Kumar Dutta,  
# 140, Phase 2, Ekta Nagar,  
Rama Mandi, Jalandhar-5-144005.  
M : 9463709152

Complainant

Versus

Public Information Officer,  
O/o Director, State Transport,  
Sector 17, PB, Chandigarh.

Respondents

**COMPLAINT CASE NO. 17 OF 2024**

Present :- (i) None is present on behalf of the complainant  
(ii) For the respondent: Smt. Harvinder Kaur, Senior Assistant (6239678635)

**ORDER**

The RTI application is dated 12.06.2023 vide which the Complainant has sought information as enumerated in his RTI application and second appeal was filed in the Commission on 12.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 in the Commission i.e. today.

3. The complainant Sh. Vijay Kumar Dutta has sent a letter vide Commission diary no. 13410 dated 24.10.2024 that he has received the information and is satisfied.

4. 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

**Dated: 27.11.2024**

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Sh. Gurmeet Singh,  
S/o Late Sh. Darshan Singh,  
Village Badal, Tehsil Malout,  
Distt Sri Muktsar Sahib.

Complainant

Versus

Public Information Officer,  
O/o Secretary,  
Technical Education and Industrial Training Department,  
Plot No. 1-A, Sector 36-A, PB, Chandigarh.

Respondents

**COMPLAINT CASE NO. 18 OF 2024**

Present :- None for the parties.

**ORDER**

The RTI application is dated 07.11.2023 vide which the appellant has sought information as enumerated in his RTI application and second appeal was filed in the Commission on 20.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 27.11.2024 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:-

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**COMPLAINT CASE NO. 18 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.

3. 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.

4. 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.

5. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

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**COMPLAINT CASE NO. 18 OF 2024**

6. 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: 27.11.2024**

**Remanded back to**

**First Appellate Authority**

o/o Secretary Technical Education and Industrial  
Training Department, Punjab, Plot No.1-A, Sector 36A,  
Chandigarh