

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Sector 16, Chandigarh.

Ph: 0172-2864110, Helpline 0172-2864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visit us: [www.infocommpunjab.com](http://www.infocommpunjab.com)

Whatsapp No. 62848-20189



Sh. Surinder Pal Singh  
s/o Baldev Singh,  
Village Bhandaal Buta Block Nurmahal,  
Jalandhar

.. complainant

Vs

Public Information Officer  
o/o Block Development and Panchayats Officer ,  
Jalandhar

..Respondents

Complaint case No. 74 of 2022  
(Video Conference Proceedings)

Present:- Sh. Balwant Singh Sohal on behalf of the appellant  
None on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 2.1.2023.

2. The complainant requested that the directions may be issued to the respondent-Public Information Officer to provide the complete information.

3. He was apprised with the decision of the Hon'ble Supreme Court of India dated 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) in which it has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. The further submits that he needs the information and the directions may be issued to the respondent-Public Information Officer to supply the complete information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. Since the complainant is interested in getting the information, therefore, the matter is remanded

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back to Ms Dhara Kakkar First Appellate Authority-cum-Block Development and Panchayats Officer to take appropriate decision in accordance with the provisions of the RTI Act within the prescribed timeline, after giving opportunity of hearing to all concerned by passing a speaking order. A copy of this complaint filed by the complainant is also **being sent** to him along with this order with the directions that the same may be treated as first appeal.

4. With these directions the case is disposed of and closed. However, the liberty is granted to the complainant to file the 2<sup>nd</sup> appeal in this case, if he is not satisfied with the decision of the First Appellate Authority.

Dated:9.1.2023

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

Ms Dhara Kakkar 7710440305

Block Development and Panchayats Officer ,  
Nurmahal, Jalandhar.