

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Helpline No. 0172-2864100



Sh. Kimti Lal Kashyap,
(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 233 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124),
Sh.Dinesh Jot, Food Safety Officer (9988500719),

ORDER

The RTI application is dated 10.11.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 233 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 233 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar



Sh. Kimti Lal Kashyap, (President NRI & RTI Cell Shiv Sena)

S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 234 of 2022

Present : (i) Sh. Kimti Lal Kashyap the Complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant
(9872039124), Sh. Sarabjit Singh,

ORDER

The RTI application is dated 10.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. The appellant has given in writing that he has received the information and is satisfied.

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

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner

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Punjab

Sh. Kimti Lal Kashyap,
(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 235 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt.Jasvir Kumari, Sr. Assistant (9872039124)

ORDER

The RTI application is dated 02.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

1. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 235 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 235 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

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(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 236 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt.Jasvir Kumari, Sr. Assistant (9872039124)

ORDER

The RTI application is dated 02.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 236 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 236 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

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(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 237 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent:)Smt.Jasvir Kumari, Sr. Assistant (9872039124)

ORDER

The RTI application is dated 02.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 237 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 237 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar



Sh. Kimti Lal Kashyap, (President NRI & RTI Cell Shiv Sena)

S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 238 of 2022

Present : (i) Sh. Kimti Lal Kashyap the Complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant
(9872039124), Smt. Pooja Malik, AFSO (9888476831) and Sh. Jatinder Singh,
Inspector Food supply (8195916111)

ORDER

The RTI application is dated 02.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.
3. The appellant has given in writing that he has received the information and is satisfied.
4. Since the appellant has received the information, no cause of action is left, hence the complaint case filed by the complainant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner

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Sh. Kimti Lal Kashyap,
(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 239 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124),
Sh. Dinesh Jot, Food Safety Officer (9988500719), Sh. Amnesh Kumar, Clerk

ORDER

The RTI application is dated 02.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 239 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 239 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

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Sh. Kimti Lal Kashyap,

(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal Kashyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 240 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Sh. Harjinder Singh, Excise Inspector (9417744268)

ORDER

The RTI application is dated 16.12.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 240 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 240 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

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(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 241 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124),
Sh.Dinesh Jot, Food Safety Officer (9988500719)

ORDER

The RTI application is dated 02.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 241 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 241 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

PUNJAB STATE INFORMATION COMMISSION
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Helpline No. 0172-2864100



Sh. Kimti Lal Kashyap,
(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 242 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124),.

ORDER

The RTI application is dated 10.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 242 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 242 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Kimti Lal Kashyap,
(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 243 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124),
Sh. Dinesh Jot, Food Safety Officer (9988500719)

ORDER

The RTI application is dated 18.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 243 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 243 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Kimti Lal Kashyap,
(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 244 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124), Sh.
Amarjit Singh, ASI (9855124888)

ORDER

The RTI application is dated 25.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 244 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 244 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

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Sh. Kimti Lal Kashyap,
(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 245 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124)

ORDER

The RTI application is dated 02.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 245 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 245 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

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Sh. Kimti Lal Kashyap,

(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal Kashyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 246 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124), Sh.
Kuldeep Singh, APIO and Sh. Amin, Jr. Assistant

ORDER

The RTI application is dated 15.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 246 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 246 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

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Sh. Kimti Lal Kashyap,
(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 247 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124), Sh.
Davinder Singh, (8847394927) and Sh. Naresh Kumar, HC

ORDER

The RTI application is dated 16.08.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 247 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 247 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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O/o DC, SBS Nagar

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Sh. Kimti Lal Kashyap,

(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 249 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124), Sh.
Davinder Singh, (8847394927)

ORDER

The RTI application is dated 10.11.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 249 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 249 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

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Sh. Kimti Lal Kashyap,
(President NRI & RTI Cell Shiv Sena)
S/o Sh. Krishan Lal KAshyap,
R/o House no. 12, Street No.1, Teacher Colony
Nawanshahr (7589757100)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Respondent

CC No. 250 of 2022

Present : (i) Sh. Kimti Lal Kashyap the complainant
(ii) For the Respondent: Smt. Jasvir Kumari, Sr. Assistant (9872039124), Sh.
Davinder Singh, (8847394927)

ORDER

The RTI application is dated 10.11.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.04.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 250 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 250 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority-cum-ADC (G),
O/o DC, SBS Nagar

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Smt Seema Rani, W/o Sh. Davinder Singh,
Near Sangam Ice Cream Factory,
Ward No. 15, Mahindipur, Balachaur,
Distt. SBS Nagar (9888515354)

.....Complainant

..Vs

Public Information Officer,
O/o Red Cross Societies, DC, SBS Nagar

.....Respondent

CC No. 256 of 2022

Present : (i) Smt. Seema Rani, the complainant
(ii) For the Respondent: Sh. Harpal Singh, Sr. Assistant (7087160456)

ORDER

The RTI application is dated 09.03.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 02.05.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.

3. 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:-



CC No. 256 of 2022

(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.

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

5. 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. 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.

6. 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.

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CC No. 256 of 2022

7. 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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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First Appellate Authority,
Red Cross Societies, DC, SBS Nagar

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Sh Sukhmander Singh, S/o Sh Hukam Singh,
R/o House No. 604/6, B-12,
1356, Adarsh Nagar, Naya Gaon, Distt. Mohali

.....Complainant

..Vs

Public Information Officer,
O/o SSP, Mohali

.....Respondent

CC No. 268 of 2022

Present : (i) Sh. Sukhmander Singh the appellant
(ii) For the Respondent: Smt. Rajwinder Kaur , HC (8283060022)

ORDER

The RTI application is dated 08.03.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 05.05.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 01.06.2022 in the Commission.
3. The respondent states that the information cannot be provided to the complainant, as an enquiry is pending. The complainant states that he is not satisfied with the same.
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



CC No. 268 of 2022

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.

5. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

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. 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.

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.

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CC No. 268 of 2022

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/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority
O/o DIG, Ropar

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Sh. Deepak Kalia, # 31, Kailash Nagar,
Jalandhar

.....Appellant

Vs

Public Information Officer
O/o Deputy Commissioner, Jalandhar
First Appellate Authority
O/o Deputy Commissioner,
Jalandhar

.....Respondent

Appeal Case No. 4824 of 2021

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Ripu Dawan , Clerk (9780337190)

ORDER

This order may be read with reference to the previous orders passed by the commission.

2. The appellant is absent today. He has sent a letter for transfer for change of bench to some other bench.

3. Keeping in view, the contents of transfer application, facts of the case and case law on the subject, the transfer application is rejected.

4. During during the last hearing the respondent was directed to file an affidavit. Today the respondent has brought an affidavit. Original affidavit be sent to the appellant alongwith these orders. Copy of the same is taken on record. I have gone through the affidavit and have agreed with the same.

5. Since the order of the Commission has been complied with, hence no cause of action is left. Therefore the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab



Sh. Tejinder Singh, Advocate
Civil Court, Tehsil Complex
Backside Sanjh Kender, Phillaur

.....Appellant

Vs

Public Information Officer
O/o Sub Registrar, Jalandhar-I
First Appellate Authority
O/o SDM, Jalandhar-I

.....Respondent

Appeal Case No. 4853 of 2021

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Jatinder Singh, Junior Assistant (9876006052)

ORDER

This order may be read with reference to the previous orders passed by the Commission.

1. The appellant is absent today. He has sent an email mentioning therein that he is unable to attend today's hearing.
2. The respondent states that proper point-wise reply to the deficiencies pointed out by the appellant has already been sent to him with a copy to the Commission.
3. After hearing the respondent and going through the reply sent by the respondent, I am of the opinion that the reply sent by the respondent is convincing.
4. Since the respondent has given proper reply alongwith the information to the appellant, no cause of action is left, hence the appeal case filed by the appellant is **disposed of and closed..** *Copy of the reply as submitted by the respondent be sent to the appellant alongwith these orders* Copy of the order be sent to the parties.

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Sohan Singh, (Ex MC), S/o Sh. Rattan Singh
R/o Ward No. 12, Amlah, Distt. Fatehgarh Sahib
(9888213558)

..Vs

Public Information Officer,
O/o EO, Mc, Amlah, Distt. Fatehgarh Sahib

First Appellate Authority ,
O/o Local Govt, Fatehgarh sahib

.....Appellant

.....Respondent

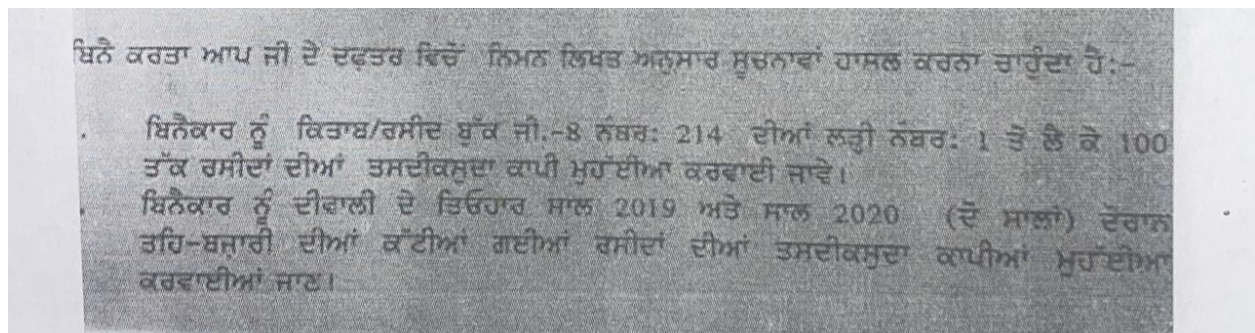
AC No. 47 of 2022

Present : None for the parties.

ORDER

This order may be read with reference to the previous order passed by the Commission.

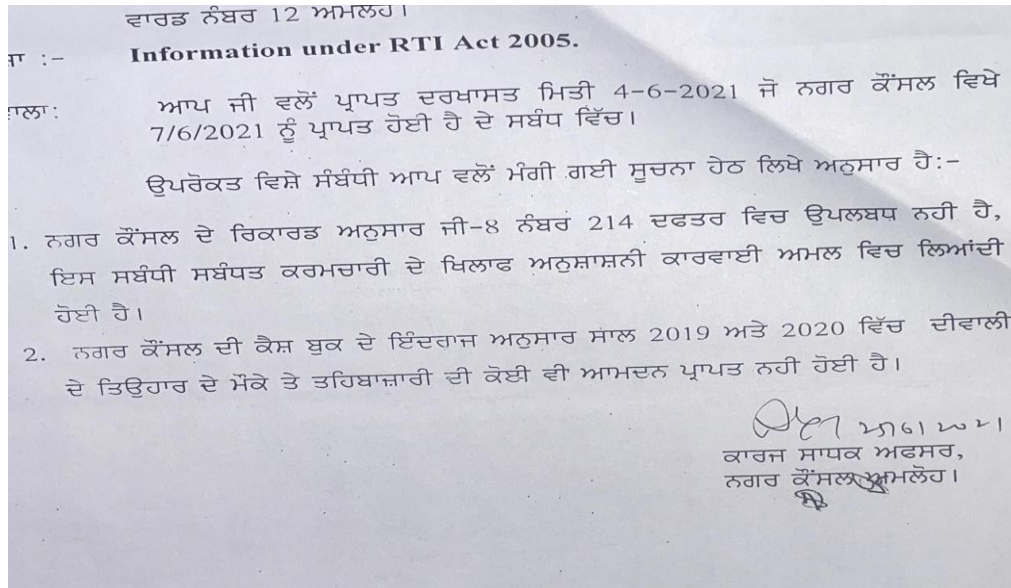
2. Today neither the appellant nor the respondent is present.
3. The perusal of the file shows that the appellant demanded information , which is as under:-



4. Further the respondent has given reply which is as under:-



AC No. 47 of 2022



5. I have gone through the reply of the respondent. It has been observed that the information stands provided to the appellant by the respondent.

6. In view of the foregoing, no cause of action is required, the appeal is therefore **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Rajesh Kumar, (M-9815148139)
S/o Sh K ewal Kumar,
Flat No 11A, Sri Deva Ji Residency,
Kishanpura, Dhakoli,
Zirakpur, Distt SAS Nagar

.....Appellant

..Vs

Public Information Officer,
O/o EO, MC, Kharar

First Appellate Authority
O/o ADC Mohali

.....Respondent

AC No. 4508 of 2021

Present : (i) Sh. Rajesh Kumar the appellant
(ii) For the respondent : Sh. Rajnish Sood, EO (9780410300), Sh.
Sukhwinder, APIO (9914500075) and Sh. Jaswinder Singh, Draftsman (8295271122)

ORDER

This order may be read with reference to the previous orders passed by the Commission.

2. The appellant states that no information has been given to him so far.
3. The respondent states that the information has already been sent to the appellant. He further states that he has brought an affidavit today in the Commission.
4. Original affidavit be sent to the appellant alongwith these orders. Copy of the same is taken on record. In view of the above affidavit filed by the respondent appears to be convincing, hence no further cause of action is left. Therefore the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Amar Singh, (M-9872606747)
S/o Sh kehar Singh, Village Hambran,
Tehsil & Distt Ludhiana-141110

.....Appellant

..Vs

Public Information Officer,
O/o BDPO, Ludhiana-I

First Appellate Authority,
O/o DDPO, Ludhiana

.....Respondent

AC No. 3399 of 2021

Present : None for the parties.

ORDER

This order may be read with reference to the previous orders passed by the Commission. Today neither the appellant nor the respondent is present. The respondent has sent a letter that the information has already been given to the appellant and has also sent the acknowledgment given by the appellant in token of having received the information.

2. Since the appellant has received the information, no further cause of action is left. Therefore the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Hari Ram, S/o Sh. Kaka Singh
Village Mohalla Dr. Baghwari,
Distt. Malerkotla

.....Appellant

..Vs

Public Information Officer,
O/o BDPO, Malerkotla-I
First Appellate Authority
O/o SDM, Malerkotla

.....Respondent

AC No. 3947of 2021

Present : None for the parties.

ORDER

This order may be read with reference to the previous orders passed by the Commission. During the hearing dated 25.02.2022, the respondent was directed to provide the information on point no. 3. On the next hearing i.e. 25.04.2022, due to poor network connectivity the case was not heard.

2. Today neither the appellant nor the respondent is present.

3. The perusal of the file shows that the appellant has demanded information on three points. Information regarding point no. 1 has already been sent to the appellant. Regarding point no. 2, the appellant demanded information in shape of question. Regarding point no. 3, the respondent was directed to send the information. Today, neither the appellant nor the respondent is present. The respondent has sent information on point no. 3 to the Commission office. *Copy of the same be sent to the appellant alongwith the orders.* It is observed that the appellant is absent today. He has even not informed the Commission about his absence for today's hearing.

4. Since, the complete information has been given by the respondent, no further cause of action is left, hence the appeal case filed by the appellant is **disposed of and closed.** Copy of the order be sent to the parties.

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Jasbir Singh, (M-9888296107)
Guru Nanak Nagar, Village Bolapur,
Jhabewal, PO Ramgarh,
Distt Ludhiana-141123

.....Appellant

..Vs

Public Information Officer,
O/o SDM, Amlah, Distt Fatehgarh Sahib
First Appellate Authority ,
O/o SDM, Amlah, Distt Fatehgarh Sahib
Registered post
Public Information Officer
O/o SDM, Fatehgarh Sahib

.....Respondent

AC No. 3254 of 2021

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Major Singh, Junior Assistant, APIO
(9780007917)

ORDER

This order may be read with reference to the previous orders passed by the Commission.

2. The appellant is absent today. He has sent his submissions via mail, which is taken on record.
3. The respondent states that he has brought complete information today in the Commission to deliver it to the appellant.
4. Since the appellant is absent today, the information is taken on record. The appellant can collect the same from Commission office on any working day. The perusal of the file shows that the appellant is absent for fourth consecutive hearing. Hence I am of the opinion that it is not appropriate to prolong this matter any further.

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AC No. 3254 of 2021

5. In view of the foregoing, no cause of action is left, hence the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Amanjot Singh, R/o House NO. 5-b,
Bhan colony, Nabha Road, Patiala-147001

.....Appellant

..Vs

Public Information Officer,
O/o Director, Bureau of Investigation,
Punjab Police Headquarters, Sector 9, Chandigarh

First Appellate Authority,
O/o Director, Bureau of Investigation,
Punjab Police Headquarters, Sector 9, Chandigarh

Public Information Officer,
O/o DIG, Patiala

.....Respondent

AC No. 3185 of 2021

Present : (i) Sh. Amanjot Singh the appellant
(ii) For the respondent : Sh. Chamkaur Singh, ASI (9413154454) and Sh. Venus Mittal, Sr. Assistant (9814313238)

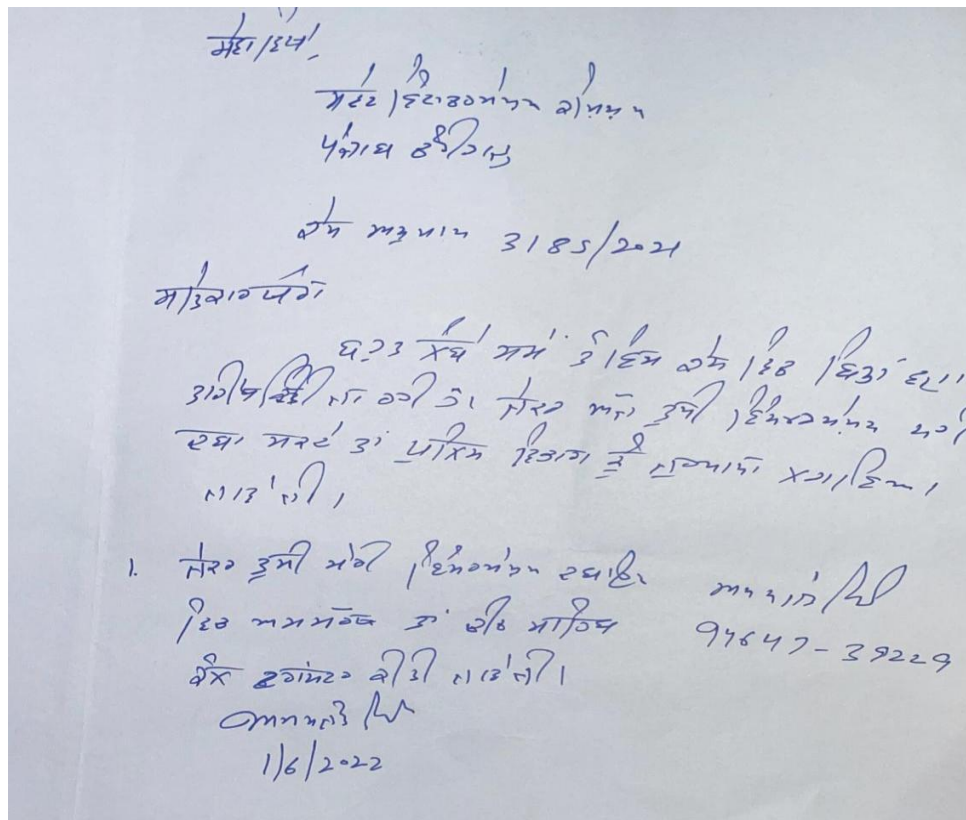
ORDER

This order may be read with reference to the previous order passed by the Commission.

1. The appellant Sh. Amanjot Singh states that no information has been given to him so far.
2. Sh. Chamkaur Singh, ASI , o/o Thana Kotwali, Nabha states that he has brought original record today in the Commission.
3. The appellant has gone through the same and states that he is not satisfied with the same. For this the appellant demands that the Respondent be penalized. Further he has also submitted a letter which is as under:-



AC No. 3185 of 2021



Without commenting anything on the merits of the case or otherwise, accepting the prayer of the applicant-complainant, the case file is directed to be sent to the Deputy Registry who shall allocate the case to another Bench with due concurrence of the Competent Authority, where-after fresh notice of hearing be issued to the parties. **The case file in original be sent to the Registry along with a copy of this order.** Copies of order be sent to the parties.

Sd/-

Dated: 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Deputy Registrar

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Smt. Kiran Sharma, W/o Late Sh. Jagdish Sharma,
Street No. 42, Preet Nagar, Shimlapuri,
Ludhiana -141003 (7973081420)

.....Appellant

Vs

Public Information Officer,
O/o Director General of Punjab
Punjab Police Headquarter, Sector 9
Chandigarh

First Appellate Authority,
O/o Director General of Punjab
Punjab Police Headquarter, Sector 9
Chandigarh

Public Information Officer
O/o Commissioner of Police, Ludhiana

.....Respondent

AC.No. 4741 of 2021

Present: (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Baljinder Singh, HC O/o P.S Dugri and
Sh Maninder Singh, HC (94639-52430)

ORDER

This order may be read with reference to the previous order dated 18.04.2022 vide which an opportunity was given to the Appellant to appear before the Commission and state her case failing which, appropriate orders in her absence shall be passed.

2. The Appellant is not present today. However, she has filed her submissions via e-mail(s) Copies of the same are taken on record. Further, she has also informed through her e-mail that the Appellant's representative is not feeling well these days and shall not be able to attend the hearing today.

3. The Respondent states that the available information has been provided to the Appellant.

4. The perusal of the file shows that, today neither the Appellant nor her representative is present. The Respondent has again filed their reply today, the same is taken on record. Copy of the reply as submitted by the respondent be sent to the appellant alongwith these orders.

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AC.No. 4741 of 2021

5. Since, the requisite information stands provided to the Appellant therefore, no further cause of action is left. Hence, the appeal case filed by the Appellant is disposed off and closed. Copy of the orders be sent to the parties.

Sd/-

Dated : 01.06.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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