

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**

**Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in**

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**Helpline no. 0172-2861100**



Sh Rajinder Kumar, S/o Sh Tarsem Lal, (8872276660)

R/o Village Man Kaur Singh,

Pandhori Road, Tehsil and Distt. Gurdaspur-143521

.....Complainant

**..Vs**

**Public Information Officer,**

O/o SSSB, Van Bhawan,

Sector 68, SAS Nagar (Mohali)

**First Appellate Authority,** (Registered)

O/o SSS Board, Pb

Van Bhawan, Sector 68, SAS Nagar (Mohali)

.....Respondent

**CC No. 429 of 2020**  
**Through CISCO-Webex**

**Present:** (i) Sh Rajinder Singh, Complainant

(ii) None for the Respondent

**ORDER**

This order may be read with reference to the previous order dated 21.09.2020 vide which the abovementioned case was adjourned to be heard on 15.12.2020. However, on 15.12.2020 the abovementioned case could not be heard and was postponed to be heard on 04.02.2021, i.e, today.

2. No one has appeared on behalf of the Respondent today.

3. The Appellant states that the complete information has not been provided to him.

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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**CC No. 429 of 2020**

*(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).*

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

5. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

6. 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. Hence, the instant Complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Dated: 04.02.2021

**(Preety Chawla)**  
State Information Commissioner  
Punjab

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Sh. Ashok Kumar,  
Ward No.4, Near Pingalwara,  
Budhlada (98722-87842)

.....Appellant

**..Vs**

**Public Information Officer,**  
O/o Nagar Council, Budhlada, Distt Mansa

**First Appellate Authority**  
O/o Deputy Director, Local Govt., Bathinda

.....Respondent

**AC No. 1767 of 2020**  
**Through CISCO-Webex**

**Present:** None for the parties.

**ORDER**

This order may be read with reference to the previous order dated 21.09.2020 vide which the abovementioned case was adjourned to be heard on 15.12.2020. However, on 15.12.2020 the abovementioned case could not be heard and was postponed to be heard on 04.02.2021, i.e, today.

2. Today neither the Appellant nor the Respondent is present. They were not present on the previous date of hearing also. They have not even bothered to inform the Commission about their absence. Therefore, I am of the opinion that no useful purpose would be served in keeping the case pending any further. In view of the above, the abovementioned appeal case is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Dated: 04.02.2021

**(Preety Chawla)**  
State Information Commissioner  
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Sh Trilochan Singh, S/o Late Sh Gurbachan Singh,  
848A, MIG Flat, Jamalpur Colony,  
Ludhiana- 141010 (94636-58200)

.....Complainant

..Vs

**Public Information Officer,**  
O/o SSP, Vigilance Bureau, Ludhiana

.....Respondent

**CC No. 431 of 2020**  
**Through CISCO-Webex**

**Present:** (i) None for the Complainant  
(ii) For the Respondent: ASI Anil Kumar, (94179-63146)

**ORDER**

This order may be read with reference to the previous order dated 21.09.2020 vide which the abovementioned case was adjourned to be heard on 15.12.2020. However, on 15.12.2020 the abovementioned case could not be heard and was postponed to be heard on 04.02.2021, i.e, today.

2. The complainant is not present today. However, he has sent his submissions vide e-mail which is taken on record.

3. The Respondent states that the matter sought by the complainant is under enquiry. Hence, the information cannot be provided. The Respondent has also filed their reply vide Commission diary no. 1422 dated 19.01.2021. Copy of the same is taken on record

4. The perusal of the file ascertains that the complainant is not present today. The Respondent has filed his reply mentioning that the information sought by the Complainant is under enquiry.

5. Since, the information sought by the complainant is under enquiry, no cause of action is left. Therefore, the Complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Dated: 04.02.2021

Sd/-  
**(Preety Chawla)**  
State Information Commissioner  
Punjab

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Sh. Amarjit Singh Dhamotia, Whistle Blower Social Worker  
Distt president Ludhiana-NCAG,  
House no.60-35-P-376-1, Street No.8,  
Maha Singh Nagar, PO Dhandari Kalan, Ludhiana-141014  
(M-9888710031)

.....Appellant

**..Vs**

**Public Information Officer,**  
O/o SSP, Vigilance Bureau, Ludhiana  
**First Appellate Authority**  
O/o SSP, Vigilance Bureau, Ludhiana

.....Respondent

**AC No. 1602 of 2020**  
**Through CISCO-Webex**

**Present:** (i) Sh Amarjit Singh Dhamotia, Appellant  
(ii) For the Respondent: ASI Anil Kumar, (94179-63146)

**ORDER**

This order may be read with reference to the previous order dated 06.10.2020 vide which the abovementioned case was adjourned to be heard on 15.12.2020. However, on 15.12.2020 the abovementioned case could not be heard and was postponed to be heard on 04.02.2021, i.e, today.

2. The Appellant states that the complete information has not been provided to him so far.
3. As directed in the previous hearing, the Respondent has filed an affidavit as under:-

2. ਇਹ ਕਿ ਪ੍ਰਾਰਥੀ ਨੂੰ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰਬਰ 1426, ਮਿਤੀ 06.03.2020 ਰਾਹੀਂ ਪਹਿਲਾਂ ਹੀ ਸੂਚਿਤ ਕੀਤਾ ਜਾ ਚੁੱਕਾ ਹੈ ਕਿ ਸ਼ਿਕਾਇਤ ਪੜਤਾਲ ਅਧੀਨ ਹੋਣ ਕਰਕੇ ਉਸ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ, ਸੂਚਨਾ ਅਧਿਕਾਰ ਐਕਟ ਦੀ ਧਾਰਾ 8(1) ਐਚ ਤਹਿਤ ਮੁਹੱਈਆ ਨਹੀਂ ਕਰਵਾਈ ਜਾ ਸਕਦੀ।

4. I have gone through the affidavit filed by the Respondent and have agreed with the same. In view of the above, 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: 04.02.2021

**(Preety Chawla)**

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Smt Karamjit Kaur, (M- 98724-21401)

W/o ShRavinder Singh Dhillon,

#227/2A, EktaVihar, Tripri, Patiala

.....Appellant

..Vs

**Public Information Officer,**

O/o DC, Mansa

**First Appellate Authority**

O/o ADC(General),Mansa

.....Respondent

**AC No. 1663 of 2020**  
**Through CISCO WEBEX**

Present: (i) None is present on behalf of the appellant

(ii) For the Respondent: Sh. Birbal Singh, SadarKanugo (94177-08491)

**ORDER**

This order may be read with reference to the previous order dated 28.10.2020 vide which the respondent was directed to send complete information to the Complainant.

2. Today the appellant is not present.

3. The respondent states that the information, as available, in the office record has been sent to the appellant.

4. The appellant is absent today and the information has been sent to him by the respondent. Even the appellant has not informed the Commission about his absence; hence it is presumed that he is satisfied with the information provided by the respondent.

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

Dated: 04.02.2021

**Sd/-**  
**(Preety Chawla)**  
State Information Commissioner  
Punjab