



**Sh. Ajay Sharma, (8847545875)**

S/o Late Sh. Jagdish Sharma,  
Street No 42, Preet Nagar, Shimlapuri,  
Ludhiana-141003.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o SHO, Police Station, Shimlapuri,  
Ludhiana.

.....Respondent

**First Appellate Authority**

O/o cum Police Commissioner,  
Ludhiana.

**Appeal Case No.1041 of 2021**

RTI application filed on	:	28-11-2020
PIO replied on	:	-
First appeal filed on	:	30-12-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Sushil Kumar on behalf of Appellant

Respondent: Sh. Balkar Singh SHO Shimlapuri (On call) 7837018613

Sh. Jarnail Singh (ASI), 9507001518

**ORDER:**

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 05.07.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Sushil Kumar stated that no information has been received so far. Respondent, SHO Shimlapuri assured the Commission to file his reply/information pertaining to this RTI application by 05.10.2021 followed by affidavit. Sh. Sushil Kumar agreed on the same.
3. *The Commission is in receipt of email dated 06.10.2021 from the respondent authority wherein an affidavit is attached vide which it is mentioned that "complete information has been supplied to the appellant and no any other information is due".*
4. **ADJUNCT DECISION:** Keeping in view the facts of the case and submission made by both the parties and also the affidavit filed by the Respondent, no further intervention of the Commission is warranted in the matter. The case is disposed of accordingly.
5. The Respondent is however, cautioned to exercise due care in future to ensure that correct and complete information is furnished timely to the RTI applicant(s) as per provisions of the Act failing which penal proceedings under [Section 20](#) shall be initiated.

**Chandigarh**  
**Dated: 04.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**



**Smt. Kiran Sharma, (7973081420)**

W/o Late Sh. Jagdish Sharma,  
Street No 42, Preet Nagar, Shimlapuri,  
Ludhiana-141003.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o Police Commissioner,  
Ludhiana.

.....Respondent

**Complaint Case No.169 of 2021**

RTI application filed on : 25-12-2020  
PIO replied on : -

Present: Appellant: Sh. Sushil Kumar on behalf of Applicant  
Respondent: Absent

**ORDER:**

1. To be read in the continuity of previous order of the Commission 06.07.2021
2. 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.  
  
**In 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).**
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.
4. 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.
5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority. The case is disposed of accordingly, with the above observations.

**Chandigarh**  
**Dated: 04.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**



**Sh. Sushil Kumar, (9814500575)**

House No 1410, Phase-I, Urban Estate,  
Dugri Road, Ludhiana-141013.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o Police Commissioner,  
Ludhiana.

.....Respondent

**Complaint Case No.170 of 2021**

RTI application filed on : 15-12-2020  
PIO replied on : -

Present: Appellant: Sh. Sushil Kumar  
Respondent: Absent

**ORDER:**

1. To be read in the continuity of previous order of the Commission 06.07.2021.
2. 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.  
  
**In 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).**
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.
4. 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.
5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority. The case is disposed of accordingly, with the above observations.

**Chandigarh**  
**Dated: 04.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**



**Sh. Ajay Sharma, (8847545875)**

S/o Late Sh. Jagdish Sharma,  
Street No. 42, Preet Nagar,  
Shimlapuri, Ludhiana.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o SHO, Police Station,  
Shimlapuri, Ludhiana.

.....Respondent

**Complaint Case No.231 of 2020**

Present: Appellant: Sh. Sushil Kumar on behalf of Applicant  
Respondent: Sh. Balkar Singh SHO Shimlapuri (On call) 7837018613  
Sh. Jarnail Singh (ASI), 9507001518

**ORDER:**

1. To be read in the continuity of previous order of the Commission 06.07.2021.
2. 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.

**In 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).**

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.
4. 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.
5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority. The case is disposed of accordingly, with the above observations.

**Chandigarh**  
**Dated: 04.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**



**Smt. Kiran Sharma, (7973081420)**

W/o Late Sh. Jagdish Sharma,  
Street No. 42, Preet Nagar,  
Shimlapuri, Ludhiana.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o SHO, Police Station,  
Shimlapuri, Ludhiana.

.....Respondent

**Complaint Case No.232 of 2020**

Present: Appellant: Sh. Sushil Kumar on behalf of Applicant  
Respondent: Sh. Balkar Singh SHO Shimlapuri (On call) 7837018613  
Sh. Jarnail Singh (ASI), 9507001518

**ORDER:**

1. To be read in the continuity of previous order of the Commission 06.07.2021
2. 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.

**In 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).**

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.
4. 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.
5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority. The case is disposed of accordingly, with the above observations.

**Chandigarh**  
**Dated: 04.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**



**Smt. Kiran Sharma, (7973081420)**

W/o Late Sh. Jagdish Sharma,  
Street No. 42, Preet Nagar,  
Shimlapuri, Ludhiana.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o Police Commissioner,  
Ludhiana.

.....Respondent

**Complaint Case No.236 and 238 of 2020**

Present: Appellant: Sh. Sushil Kumar on behalf of Applicant  
Respondent: Absent

**ORDER:**

1. To be read in the continuity of previous order of the Commission 06.07.2021
2. 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.

**In 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).**

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.
4. 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.
5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority. The case is disposed of accordingly, with the above observations.

**Chandigarh**  
**Dated: 04.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**