



Sh. Jasbir Singh, Guru Nanak Nagar  
Village Bolapur, Jhabewal, Post Office Ramgarh  
District Ludhiana – 141123 (9888296107)

.....Complainant

..Vs

**Public Information Officer,**  
O/o SDM, Kharar, Distt. Mohali

.....Respondent

**CC No. 560 of 2021**

**Through CISCO WEBEX**

Present: (i) Sh. Jasbir Singh the complainant  
(ii) For the respondent: Sh. Santokh Singh, Reader (81460-51116)

**ORDER**

1. The RTI application is dated 02.03.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 04.05.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 07.07.2021 through CISCO Webex.
3. The complainant Sh. Jasbir Singh states that no information has been given to him so far.
4. The perusal of the file shows that the complainant has requested for direction from SDM Kharar to concerned Patwari to register Intkal of Shop under document No. 2020-21/15/1/12522 dated 23.02.2021. The complainant may take note that the information which only exists in the record can be supplied. Moreover, the respondent Sh. Santokh Singh states that the Intkaal of the shop has been done, the complainant can collect the same from their office.
5. In view of the foregoing, no cause of action is left and the complaint case filed by the Complainant is **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Dated : 07.07.2021**

**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**



Sh. Sushil Kumar, # 1410  
Phase-I, Urban Estate Dugri  
Ludhiana – 141013  
(9814500575)

.....Complainant

..Vs

**Public Information Officer,**  
O/o Director General of Punjab,  
Punjab Police Headquarter, Sector 9, Chandigarh  
**Registered post**  
**Remanded back to**  
O/o Director General of Punjab,  
Punjab Police Headquarter, Sector 9, Chandigarh

.....Respondent

**CC No. 534 of 2021**  
**Through CISCO WEBEX**

Present : (i) Sh. Sushil Kumar the Complainant  
(ii) None is present on behalf of the respondent

**ORDER**

The RTI application is dated 25.03.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 04.05.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 07.07.2021 through CISCO Webex.

3. The complainant Sh. Sushil Kumar states that no information has been given to him so far.

4. The respondent is absent today.

5. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while 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. 534 of 2021**

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

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

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

7. 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.

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 : 07.07.2021

(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab



Ms. Satinder Kaur, D/o Sh. Amarjit Singh  
R/o HE-340, Phase 5, Mohali (9888299717)

.....Appellant/Complainant

**Versus**

Public Information Officer  
O/o SSP, Mohali

.....Respondent

**CC No. 474 of 2021**  
**Through CISCO WEBEX**

Present : (i) None is present on behalf of the complainant  
(ii) For the respondent : Sh. Pritpal Singh, S.I. (9780002435)

## ORDER

This order may be read with reference to the previous order dated 16.06.2021.

2. The complainant Smt. Satinder Kaur is absent today.
3. The respondent states that the information, as exists, in the record has been given to the complainant. He has also sent the acknowledgment given by the Complainant through mail.
4. The perusal of the file shows that the information, as exists, in the record has been sent to the complainant by the respondent. He has also sent the acknowledgment given by the Complainant in token of having received the information. Copy of the same is taken on record.
5. Since the complainant has received the information and is satisfied, therefore, 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 : 07.07.2021

(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab

**PUNJAB STATE INFORMATION COMMISSION**  
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