

**PUNJAB STATE INFORMATION COMMISSION  
RED CROSS BUILDING, NEAR ROSE GARDEN,  
SECTOR 16, CHANDIGARH.**



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**Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)**

Shri Prem Kumar Rattan,  
H.No.78/8, Park Road,  
Navi Mandi, Dhuri,  
District Sangrur

.....Appellant

Versus

**Public Information Officer**  
O/o Secretary, Regional  
Transport Authority,  
Patiala.

**First Appellate Authority,**  
O/o Secretary, Regional  
Transport Authority,  
Patiala.

...Respondents

**AC No.2383/2020**

**Present:** (i) **Appellant- absent.**  
(ii) **None on behalf of PIO, O/o Secretary, R.T.A. Patiala.**

**ORDER:**

**(Heard on mobile phone)**

1. This order may be read with reference to the order dated 15.12.2021 passed by this Bench on the previous date of hearing.
2. The case was scheduled to be heard today in Commission's office at Chandigarh. The appellant Shri Prem Kumar Rattan has not come present to attend the hearing in person or through Cisco Webex.
3. Neither the PIO Shri Sham Lal O/o Secretary, R.T.A. Patiala has come present to attend the hearing in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing.
4. The appellant is contacted on mobile phone. He states that as per directions of Hon'ble Commission, the PIO was to supply him affidavit which has not been supplied to him so far.
5. The Bench also contacts the PIO Shri Sham Lal on mobile phone. On enquiring from him regarding his absence from the hearing, he shows ignorance about today's hearing which is not appreciated. Then, he is apprised of the version of the appellant regarding filing of affidavit. He requests for giving some time to enable him to file affidavit.

Cont..P-2

6. The PIO is given 21 (twenty one ) days' time to file an affidavit on non-judicial stamp paper duly signed by the PIO and attested by the Notary Public, incorporating the detailed position regarding non-availability of four files relating to the information sought by the appellant, as has already been directed vide order dated 14.09.2021. The PIO assures to do the needful.

7. With the aforesaid directions, **the appeal case is disposed off and closed.**  
Copies of the order be sent to the concerned parties.

**Chandigarh  
08.03.2022**

**Sd/-  
((Lt Gen Ajae Kumar Sharma,(Retd))  
State Information Commissioner, Punjab**

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**Helpline No.0172-2864116(From 10.00 AM to 04.00PM on working days)**

Shri Ajay Kumar,  
# 1, Rose Avenue Colony.  
Near Improvement Trust Office,  
Malerkotla, Distt. Sangrur

.....Appellant

Versus

**Public Information Officer**  
O/o Secretary, Regional  
Transport Authority,  
Sangrur.

**First Appellate Authority-cum-**  
O/o State Transport Commissioner,  
Punjab, Sector-17, Chandigarh.

....Respondents

**AC No.2481 of 2020**

**Present:** (i) **Appellant - absent.**  
(ii) **Shri Ravinder Sharma, Junior Assistant, O/o Secretary, R.T.A. Sangrur, on behalf of the PIO/Respondent.**

**ORDER**

**(Heard through cisco webex/on mobile phone)**

1. This order may be read with reference to the order dated 15.12.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today in Commission's office at Chandigarh. The appellant, Shri Ajay Kumar has not come present to attend the hearing in person or through cisco webex.
3. Shri Ravinder Sharma, Junior Assistant O/o Secretary, R.T.A. Sangrur comes present to attend the hearing through cisco webex on behalf of the PIO. He states that the appellant has been supplied point-wise information vide letter dated 20.12.2021 and affidavit has also been filed.
4. The appellant is contacted on mobile phone. On the asking of the Bench, the appellant confirms receipt of information to his satisfaction as also the affidavit and also gives his consent to close the case.

Cont..P-2



-2-

**AC No.2481/2020**

5. In view of the above, no further cause of action is left in the matter. **The instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh  
08.03.2022

Sd/-  
((Lt Gen Ajae Kumar Sharma,(Retd))  
State Information Commissioner, Punjab

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Shri Tejinder Singh, Editor  
India's Justice,  
Civil Court, Tehsil Complex,  
Backside Sanjh Kender,  
Phillaur, District Jalandhar.

.....Appellant

Versus

**Public Information Officer**  
O/o Executive Officer,  
Municipal Council, Ropar

**First Appellate Authority-cum-**  
O/o Deputy Director,  
Local Bodies, Ludhiana.

....Respondents

**AC No.2982 of 2020**

**Present:** (i) **Shri Tejinder Singh, Appellant.**  
(ii) **Shri Navtej Singh, Computer Operator, M.C. Ropar in person,  
on behalf of the PIO.**

**ORDER:**

**(Heard in person /through cisco webex)**

1. This order may be read with reference to the order dated 21.12.2021 passed by the Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Tejinder Singh, the appellant comes present through cisco webex. He states that he has not received information after rectifying the deficiencies pointed out by him.
3. Shri Navtej Singh, Computer Operator, comes present in person on behalf of the PIO O/o Executive Officer, MC, Ropar. He states that he has brought along the requisite information comprising 130 pages for handing over the same to the appellant.
4. The appellant is apprised of the version of the representative of the PIO and is also made to talk to him. The representative of PIO explains to him the details of information brought along. The Bench also apprises the appellant that the PIO is being directed to send him the information by registered post today itself, as also to file an affidavit. He agrees to it.
5. Post deliberations, the PIO is directed to file an affidavit, within 21 (twenty one ) days, on non judicial stamp paper duly signed by the PIO and attested by the Notary Public to the

Cont..P-2

effect that the information as available in the official records in AC No.2982 of 2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

6. With the aforesaid directions, **the appeal case is disposed off and closed.**  
Copies of the order be sent to the concerned parties.

**Chandigarh  
08.03.2022**

**Sd/-  
(Lt Gen Ajae Kumar Sharma, (Retd))  
State Information Commissioner, Punjab**

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Shri R.K. Verma,  
#326, New Shimlapuri,  
Ludhiana-141003.

.....Complainant

Versus

**Public Information Officer**  
O/o Commissioner of Police,  
Ludhiana.

**Remanded Back**  
**First Appellate Authority**  
O/o Commissioner of Police,  
Ludhiana.

....Respondents

**CC No.1296/2021**

**Present:** (i) **Shri R.K. Verma, Complainant.**  
(ii) **ASI Ramesh Kumar, I/c RTI Cell, O/o Commissioner of Police,  
Ludhiana, on behalf of PIO/Respondent.**

**ORDER**

1. The RTI application is dated 14.07.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 26.11.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.03.2022 in Commission's Office at Chandigarh. Accordingly, the case was scheduled to be heard today. Shri R.K. Verma, complainant comes present to attend the hearing through cisco webex.
3. ASI Ramesh Kumar I/c RTI Cell O/o Commissioner of Police, Ludhiana comes present to attend the hearing through cisco webex and states that the RTI application of the complainant has not been received in their office. On the asking of the Bench, the complainant states that he had sent RTI application on 14.07.2021 and again on 14.02.2022.
4. The Bench observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant. The attention of the Complainant is drawn to the decision of the judgment of Hon'ble Supreme Court of India rendered on 12.12.2011 in Information Commissioner and another Versus State of Manipur and another in para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the

Cont..P-2

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 Hon'ble 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 provisions of Section 18 of the RTI, 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 complaint case and the First Appellate Authority has not had the occasion to review the decision of PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

6. The instant matter is remanded back to the **First Appellate Authority i.e. Shri Gurpreet Singh Bhullar, Commissioner of Police, Ludhiana**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) 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.

7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal before Punjab State Information Commission Section 19(3) of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh  
08.03.2022**

**Sd/-  
(Lt Gen Ajae Kumar Sharma (Retd))  
State Information Commissioner, Punjab**

**Copy to (By Regd. Post)**

**First Appellate Authority, Sh.Gupreet Singh Bhullar, Commissioner of Police,  
Ludhiana.**

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Shri Jaswinder Singh  
S/o Shri Ram Rattan,  
R/o Village Aakari, PO Sehra,  
Tehsil Rajpura, Distt. Patiala.

.....Complainant

Versus

**Public Information Officer**  
O/o Block Development and  
Panchayat Officer (BDPO),  
Shambhu, District Patiala.

**Remanded Back**  
**First Appellate Authority**  
O/o District Development and  
Panchayat Officer, Patiala.

...Respondents

**CC No.1307/2021**

**Present:** (i) **Shri Jaswinder Singh, Complainant.**  
(ii) **None on behalf of PIO/Respondent.**

**ORDER**

1. The RTI application is dated 13.10.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 10.12.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.03.2022 in Commission's Office at Chandigarh. Accordingly, the case was scheduled to be heard today. Shri Jaswinder Singh, complainant comes present to attend the hearing in person before the Bench.
3. Neither the PIO O/o BDPO Shambhu, District Patiala has come present nor he has deputed any of his representatives to attend the hearing in person nor any information has been supplied to the complainant.
4. The Bench observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant. The attention of the Complainant is drawn to the decision of the judgment of Hon'ble Supreme Court of India rendered on 12.12.2011 in Information Commissioner and another Versus 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

Cont..P-2

the information which is as under:-

31. We uphold the said contention and do not find any error in the impugned judgment of the Hon'ble 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 provisions of Section 18 of the RTI, 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 complaint case and the First Appellate Authority has not had the occasion to review the decision of PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

6. The instant matter is remanded back to the **First Appellate Authority i.e. Shri Roop Singh, District Development & Panchayat Officer, Patiala**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) 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.

7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal before Punjab State Information Commission Section 19(3) of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh  
08.03.2022**

**Sd/-  
(Lt Gen Ajae Kumar Sharma (Retd))  
State Information Commissioner, Punjab**

**Copy to (By Regd. Post)**

**First Appellate Authority, Sh. Roop Singh, District Development & Panchayat Officer, Patiala.**

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Shri Jaswinder Singh  
S/o Shri Ram Rattan,  
R/o Village Aakari, PO Sehra,  
Tehsil Rajpura, Distt. Patiala.

.....Complainant

Versus

**Public Information Officer**

O/o Director, Rural Development and  
Panchayat Department, Punjab,  
Vikas Bhawan, Sector-62, Mohali.

**Remanded Back**

**First Appellate Authority**

Director, Rural Development and  
Panchayat Department, Punjab,  
Vikas Bhawan, Sector-62, Mohali.

...Respondents

**CC No.1306/2021**

**Present:**

- (i) **Shri Jaswinder Singh, Complainant.**
- (ii) **Shri Gian Singh, Supdt. O/o Director, Rural Development & Panchayat, Punjab, Mohali, on behalf of PIO/Respondent.**

**ORDER**

**(Heard in person/through cisco webex)**

1. The RTI application is dated 13.10.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 30.11.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.03.2022 in Commission's Office at Chandigarh. Accordingly, the case was scheduled to be heard today. Shri Jaswinder Singh, complainant comes present to attend the hearing in person before the Bench. He states that the land of five villages in Shambhu Block was acquired and there has been a land scam in this acquisition process. He has sought information with regard to the enquiries conducted which has not been provided.
3. Shri Gian Singh, Superintendent O/o Director, Rural Development & Panchayat, Punjab, Mohali, comes to attend the hearing on behalf of PIO/Respondent. He states that information has been given to the appellant on 04.01.2022 by hand. On the asking of the Bench, the complainant states that copy of report of Special Investigation Team constituted in this regard has not been provided to him so far.

Cont..P-2

4. The Bench observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant. The attention of the Complainant is drawn to the decision of the judgment of Hon'ble Supreme Court of India rendered on 12.12.2011 in Information Commissioner and another Versus 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:-

31. We uphold the said contention and do not find any error in the impugned judgment of the Hon'ble 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 provisions of Section 18 of the RTI, 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 complaint case and the First Appellate Authority has not had the occasion to review the decision of PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

6. The instant matter is remanded back to the **First Appellate Authority i.e. Shri Manpreet Singh Chhatwal, Director, Rural Development & Panchayat, Punjab, Vikas Bhawan, Sector-62, Mohali**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) 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.

7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal before Punjab State Information Commission Section 19(3) of the RTI Act, 2005.



8. In view of the above, **the case is disposed off and closed.** Copy of the order be sent to the parties.

**Chandigarh  
08.03.2022**

**Sd/-  
(Lt Gen Ajae Kumar Sharma (Retd))  
State Information Commissioner, Punjab**

**Copy to (By Regd. Post)**

**First Appellate Authority, Sh. Manpreet Singh Chhatwal, Director, Rural Development & Panchayat Department, Punjab, Vikas Bhawan, Sector-62, Mohali..**

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Shri Paramjit Singh  
S/o Shri Puran Singh,  
R/o Village Lamochar Kalan,  
Tehsil Jalalabad, Distt.Fazilka.

.....Complainant

Versus

**Public Information Officer**  
O/o District Development and  
Panchayat Officer (DDPO),  
Shambhu, District Patiala.

**Remanded Back**

**First Appellate Authority**

O/o Addl. Dy. Commissioner (Development )  
Fazilka.

...Respondents

**CC No.1304/2021**

**Present:** (i) **Shri Paramjit Singh, Complainant.**  
(ii) **None on behalf of PIO/Respondent.**

**ORDER**

1. The RTI application is dated 10.09.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 29.11.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.03.2022 in Commission's Office at Chandigarh. Accordingly, the case was scheduled to be heard today. Shri Paramjit Singh, complainant comes present to attend the hearing in person before the Bench. He states that the information supplied to him is not as per his RTI application and the same is partial information.
3. Neither the PIO O/o DDPO, Fazilka has come present nor he has deputed any of his representatives to attend the hearing in person nor any information has been supplied to the complainant.
4. The Bench observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant. The attention of the Complainant is drawn to the decision of the judgment of Hon'ble Supreme Court of India rendered on 12.12.2011 in Information Commissioner and another Versus State of Manipur and another in

Cont..P-2

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:-

31. We uphold the said contention and do not find any error in the impugned judgment of the Hon'ble 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 provisions of Section 18 of the RTI, 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 complaint case and the First Appellate Authority has not had the occasion to review the decision of PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

6. The instant matter is remanded back to the **First Appellate Authority i.e. Shri Sagar Setia, Addl. Deputy Commissioner (Development), Fazilka**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) 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.

7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal before Punjab State Information Commission Section 19(3) of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh  
08.03.2022**

**Sd/-  
(Lt Gen Ajae Kumar Sharma (Retd))  
State Information Commissioner, Punjab**

**Copy to (By Regd. Post)**

**First Appellate Authority, Shri Sagar Setia, Addl. Deputy Commissioner (Development), Fazilka.**

