

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



**Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in**

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

Shri Sarabjit Singh  
S/o Late Shri Harbans Singh,  
H.No.292, Nagar Improvement  
Trust Colony, Scheme No.5,  
Gurdaspur.

.....Appellant

Versus

**Public Information Officer**

O/o Deputy Commissioner,  
Gurdaspur.

**First Appellate Authority**

O/o Deputy Commissioner,  
Gurdaspur.

**Public Information Officer**

Sadar Kanungo Branch  
O/o Deputy Commissioner,  
Gurdaspur.

....Respondents

**AC No.3117 of 2020**

- Present:**
- (i) Appellant- absent.
  - (ii) Shri Anil Kumar, Superintendent/APIO, on behalf of the PIO, O/o D.C. Gurdaspur, in person.
  - (iii) Shri Waryam Singh, Revenue Patwari, Kahnuwan-I, Distt. Gurdaspur, in person.
  - (iv) Shri Rajesh Sharma, Patwari, Sadar Kanungo Branch, DC Office, Gurdaspur, in person.
  - (v) Shri Sanjeev Kumar, Patwari, Kahnuwan-2, Distt. Gurdaspur, in person.

**ORDER:**

**(Heard in person/on mobile phone)**

1. This order may be read with reference to the order dated 09.11.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant comes present to attend the hearing through cisco webex. He states that he has not been provided the complete information and he has also sent deficiencies vide his letter dated 21.10.2021 to the respondents.
3. Shri Anil Kumar, Superintendent/APIO O/o D.C. Gurdaspur, Shri Waryam Singh, Revenue Patwari, Kahnuwan-I, Distt. Gurdaspur, Shri Rajesh Sharma, Patwari, Sadar Kanungo Branch, DC Office, Gurdaspur and Shri Sanjeev Kumar, Patwari, Kahnuwan-2, Distt. Gurdaspur, come present to attend the hearing in person before the Bench. The representatives of the PIO state



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**AC No.3117/2020**

that the information such as copies of Jamabandi, Girdawari, Aksh Sajra etc. as asked for by the appellant, duly attested, have been given to the appellant on 16.11.2021 by calling him to the office. The same has been done after removing the deficiencies pointed out by the appellant.

4. The appellant is contacted on mobile phone. On the asking of the Bench, he states that on certain points, the information is still incomplete. Then, on the asking of the Bench, the APIO Shri Anil Kumar, Superintendent states that the information as available in the official records has been supplied to the appellant and no other inputs related to the RTI application are available.

5. Post deliberations, the Bench now directs the PIO O/o Deputy Commissioner, Gurdaspur to file an affidavit on non-judicial stamp paper within 21 (twenty one ) days, duly signed by the PIO and attested by the Notary Public to the effect that the appellant was called to office and after inspection of the relevant official records by him, the information as available in the official records in AC No.3117 of 2020 has been provided 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 copy 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  
10.05.2022**

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

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

Shri Jagjit Singh(RTI Activist),  
R/o Aman Nagar, Street No.3  
Backside Green Land School,  
Near Jalandhar Bypass,  
Ludhiana.

.....Appellant

Versus

**Public Information Officer**

O/o Grater Ludhiana Area Development  
Authority (GLADA), Ludhiana.

**First Appellate Authority**

O/o Chief Administrator,  
Grater Ludhiana Area Development  
Authority(GLADA), Ludhiana.

....Respondents

**AC No.1900 of 2021**

**Present:** (i) **Appellant- absent.**  
(ii) **Shri Ashok Kumar, Assistant Estate Officer/APIO, GLADA,  
Ludhiana, 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 09.11.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. However, the appellant Shri Jagjit Singh has not come present to attend the hearing in person before the Bench or through cisco webex.
3. Shri Ashok Kumar, APIO O/o GLADA, Ludhiana comes present to attend the hearing through cisco webex. He states that the information has been supplied to the appellant vide letter dated 04.05.2022 by registered post.
4. Shri Jagjit Singh, appellant is contacted on mobile phone. He confirms receipt of information. However, he states that the information has been delayed inordinately and as such, this information does not and will not serve the purpose for which it was sought mainly with a view to expose the corrupt practices being indulged in by GLADA officials.

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**AC No.1900/2021**

5. It is brought to the notice of Principal Secretary to Government of Punjab, Department of Housing & Urban Development that GLADA officials are casual and unresponsive, especially in their dealings with the public related to provision of information under the RTI Act. The appellants feel aggrieved. It is suggested that the Departments be appropriately advised/counselled.

6. The Bench, after perusal of the case file and deliberations with the APIO, withdraws the show cause notice. The information stands supplied to the appellant. However, the Bench observes that the appellant has been subjected to considerable harassment in getting the information as his RTI application is of 08.10.2020 vintage. Such delays are not acceptable and make a mockery of the RTI Act. The Bench, thus, feels that it is a just case for the award of compensation and awards a compensation of Rs.5,000/-(Rupees Five thousand only) to the appellant. The compensation amount must be paid by the respondent PIO O/o GLADA, Ludhiana through cheque or demand draft in favour of Jagjit Singh from the account of the public authority and not from the individual's account. He is also directed to send a photocopy of the cheque or draft to the Commission.

7. In view of the above, **the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
10.05.2022**

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

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

- 1) Principal Secretary to Government of Punjab, Department of Housing & Urban Development, Punjab Civil Secretariat-2, Sector-9, Chandigarh.**
- 2) Chief Administrator, Greater Ludhiana Area Development Authority, Ludhiana.**

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Shri Kamal Sharma,  
C/o Shri Mukesh Shukla  
House No.359C,  
East Guru Nanakpura,  
Jalandhar.

.....Appellant

Versus

**Public Information Officer**

O/o Principal Secretary,  
Science, Technology & Environment,  
Punjab, Chandigarh.

**Public Information Officer,**

Pushpa Gujral Science City,  
Jalandhar Kapurthala Road,  
Kapurthala.

**First Appellate Authority**

O/o Principal Secretary,  
Science, Technology & Environment,  
Punjab, Chandigarh.

....Respondents

**AC No.2487 of 2021**

**Present:** (i) **Shri Kamal Sharma, Appellant (through cisco webex).**  
(ii) **Shri Aman Sharma, Admn. Officer/APIO, Pushpa Gujral Science City, Jalandhar, (through cisco webex).**

**ORDER**

**(Heard in person/on mobile phone)**

1. This order may be read with reference to the order dated 09.11.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. The appellant Shri Kamal Sharma, comes present to attend the hearing through cisco webex.
3. Shri Aman Sharma, Administrative Officer/APIO, Pushpa Gujral Science City, Jalandhar comes present to attend the hearing through cisco webex. He states that the information has already been provided to the appellant and that in compliance with the directions of Hon'ble Bench, an affidavit dated 15<sup>th</sup> January, 2022 has been sent to the appellant, with a copy to the Hon'ble Bench.

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**AC No.2487/2021**

4. On the asking of the Bench, the appellant admits the receipt of affidavit, however, he refers to his letter dated 28.01.2022 sent in this context and states that the affidavit is not in order as the same should have been filed by the PIO O/o Principal Secretary to Govt. of Punjab, Department of Science & Technology.

5. After hearing the version of appellant and representative of PIO, Pushpa Gujral Science City, Kapurthala as also going through the case file and the contents of the affidavit, the Bench observes that the information stands supplied to the appellant and the contents of the affidavit are in order. So far as the contention of the appellant regarding filing of affidavit by PIO O/o Principal Secretary to Govt. of Punjab, Department of Science & Technology, is concerned, the Bench observes that since the RTI application has been transferred to the PIO O/o Pushpa Gujral Science City, Kapurthala, filing of affidavit by the PIO O/o Pushpa Gujral Science City, Kapurthala is justified. As such, this contention of the appellant is not tenable and turned down.

6. In view of the above, the Bench does not feel any need of further intervention in the matter. **The instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
10.05.2022**

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

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



Shri Karan Luthra,  
R/o D-30, Silver Heights,  
Near Wadala Chowk,  
Jalandhar.

.....Appellant

Versus

**Public Information Officer**

O/o Jalandhar Development Authority,  
Jalandhar.

**First Appellate Authority**

O/o Jalandhar Development Authority,  
Jalandhar.

....Respondents

**AC No.5067 of 2021**

**Present:** (i) **Appellant- absent.**  
(ii) **Shri Pawan Kumar, SDO Public Health, J.D.A. Jalandhar/PIO,  
in person.**

**ORDER**

**(Heard in person/on Mobile Phone)**

1. The RTI application is dated 13.07.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 01.09.2021 and the second appeal was filed in the Commission on 01.11.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 10.05.2022 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Karan Luthra, appellant has neither come present to attend the hearing in person nor through Cisco Webex.
3. Shri Pawan Kumar, SDO, Public Health, Jalandhar Development Authority, Jalandhar comes present to attend the hearing in person before the Bench. He states that the information as received from the APIO O/o Estate Officer (Regulatory), J.D.A. Jalandhar vide his letter dated 07.01.2022 has been sent to the appellant vide letter dated 12.01.2022 by registered post and that the appellant is also satisfied with the information supplied.
4. The appellant is contacted on mobile phone. On repeated attempts made by the Bench to contact him, he does not respond, but subsequently, the appellant himself contacts the Bench and confirms the receipt of information to his satisfaction and gives his consent to close the case.

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**AC No.5067/2021**

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  
10.05.2022**

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



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Shri Satish Kamal  
S/o Shri Tarsem Lal,  
#1055, Phase-5, Mohali.

..... Complainant

Versus

**Public Information Officer**

O/o Tehsildar,  
Sri Muktsar Sahib.

**Remanded Back**

**First Appellate Authority**

District Revenue Officer,  
Sri Muktsar Sahib.

....Respondents

**CC No.1260/2021**

**Present:** (i) **Shri Satish Kamal, Complainant in person.**  
(ii) **Shri Gurpreet Singh, Patwari, Gram Panchayat, Udaikaran and  
Gram Panchayat, Chak Badhai, on behalf of the PIO/respondent,  
In person.**

**ORDER**

1. The RTI application is dated 05.08.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 01.11.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 10.05.2022. The case has been heard today. Shri Satish Kamal, complainant comes present to attend the hearing in person before the Bench.
3. Shri Gurpreet Singh, Patwari, Gram Panchayat, Udaikaran and Gram Panchayat, Chak Badhai, comes present in person before the Bench to attend the hearing on behalf of the PIO/respondent. He states that the reply has been given to the complainant by PIO-cum-Tehsildar, Sri Muktsar Sahib vide letters dated 07.09.2021 and 01.10.2021.
4. On the asking of the Bench, the complainant states that he has received information which is not to his satisfaction.
5. 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:-

Cont..P-2

“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.

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 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.

7. The instant matter is remanded back to the **First Appellate Authority i.e. Shri Balkaran Singh, District Revenue Officer, Sri Muktsar Sahib..** 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.

8. 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.

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

Chandigarh  
10.05.2022

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

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

**First Appellate Authority, Shri Balkaran Singh,  
District Revenue Officer, Sri Muktsar Sahib.**

