

**PUNJAB STATE INFORMATION COMMISSION**  
Red Cross Building, Near Rose Garden,  
Sector 16, Chandigarh.  
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Helpline No. 0172-2864100



Sh. Balwinder Singh  
House No. 42/2, Sector 41, A  
Chandigarh (9888947946)

.....Appellant

..Vs

**Public Information Officer,**  
O/o Chief Director Vigilance Bureau, Punjab  
Sector 68, Mohali

**First Appellate Authority ,**  
O/o Chief Director Vigilance Bureau, Punjab  
Sector 68, Mohali

.....Respondent

**AC No. 266 of 2022**

Present : (i) Sh. Balwinder Singh the appellant  
(ii) For the Respondent: Smt. Amandeep Kaur, APIO-cum-Inspector

**ORDER**

This order may be read with reference to the previous order dated 08.07.2022.

2. Today the appellant Sh. Balwinder Singh has sent a letter that he has received the information and is satisfied.

3. Since the appellant has received the information , no cause of action is left. Therefore the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Dated: 10.08.2022**

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

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Sh. Punnu Ram, # 141,  
Azad Nagar, Ferozepur City (9872009470)

..Vs

.....Appellant

**Public Information Officer,**  
O/o Director Information & Public Relation Department  
Punjab Civil Secretariat, Chandigarh

**First Appellate Authority ,**  
O/o Director, Information and Public Relation Department  
Punjab Civil Secretariat, Chandigarh

.....Respondent

**AC No. 395 of 2021**

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

(ii) For the Respondent: Sh. Manvinder Singh, Deputy Director-cum-PIO  
( 9815916179)

**ORDER**

This order may be read with reference to the previous order dated 08.07.2022.

2. The appellant is absent today.

3. Today the respondent states that he has brought the reply of show cause notice in the Commission. He further states that the information, as exists, in the record has already been sent to the appellant. I have gone through the reply of the Respondent and agree with the reply of the Respondent resultantly, the proceedings under Section 20 of the RTI are dropped. The respondent has also filed an affidavit mentioning therein that the information has been provided to the appellant and *except no information is left in the record which has been provided to Sh. Punnu Ram. The said information as sought by the Sh. Punnu Ram through RTI which was provided by the deponent to him is true, complete and correct.*

4. In view of the foregoing, no cause of action is left hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Dated: 10.08.2022**

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

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Sh Akash Verma, (M-9501125474)  
#80, New officers Colony,  
Stadium Road, Patiala-147001

.....Appellant

..Vs

**Registered post:**      **Public Information Officer,**  
O/o Intelligence Wing, Pb  
Sector 77, Mohali

**First Appellate Authority,**  
O/o Intelligence Wing, Pb  
Sector 77, Mohali

.....Respondent

**AC No. 3400 of 2021**

Present : (i) Sh. Akash Verma the appellant  
(ii) For the Respondent: Sh Jaskarandeep Singh, Sub Inspector ( 7888536506),  
Sh . Bhasker Nath , Int. Assistant ( 9888028429)

**ORDER**

- This order may be read with reference to the previous order dated 11.07.2022.
2. As directed during the last hearing, the respondent has brought an affidavit, which is handed over to the appellant.
  3. The appellant has gone through the same and states that he is satisfied with the same. He has also given in writing that he is satisfied.
  4. In view of the foregoing, no cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Dated: 10.08.2022**

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

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

.....Appellant

..Vs

**Public Information Officer,**  
O/o Principal Secretary,  
Finance Department (finance and treasury Branch)  
Plot No. 28, Sector 33A, Chandigarh

**First Appellate Authority**  
O/o Principal Secretary,  
Finance Department (finance and treasury Branch)  
Plot No. 28, Sector 33A, Chandigarh

**Public Information Officer**  
o/o Deputy Controller (finance and accounts)  
Internal Audit , Ludhiana

.....Respondent

**AC No. 5387 of 2021**

Present : (i) None is present on behalf of the appellant  
(ii) For the Respondent: Sh. Nasib singh, Auditor (9501377728)

**ORDER**

This order may be read with reference to the previous order dated 04.07.2022 passed by the Commission.

2. Today the appellant Sh. Jasbir Singh has sent an e-mail stating that he has received the information and is satisfied.

3. Since the appellant has received the information , no cause of action is left. Therefore the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

**Dated: 10.08.2022**

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

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Sh.Bharat BhushanMattu, (M-9779928472)  
# 322, Maskeen Nagar, PO Central  
Post Office, Ludhiana-141008

.....Appellant

**..Vs**

**Public Information Officer,**  
O/o Finance Department, Finance  
Pension,PolicyBranchPb  
Civil Secretariate-1Chandigarh

**First Appellate Authority**  
O/o Secretary Finance Department  
Finance Pension,Policy BranchPb  
Civil Secretariate-1Chandigarh

.....Respondent

**AC No. 1374 of 2022**

Present : (i) None is present on behalf of the appellant  
(ii) For the Respondent: Sh Gursharan Singh, Sr. Assistant –cum-APIO ( 7589322541)

**ORDER**

This order may be read with reference to the previous order dated 04.07.2022 vide which neither the appellant nor the respondent was present.

2. Today again the appellant is not present. He has sent his submissions via mail which is taken on record.

3. The respondent that the information has already been sent to the appellant. He has also filed his reply in the Commission.

4. In view of the above, the reply filed by the respondent appears to be convincing, hence no further cause of action is left. Therefore the above said appeal case filed by the appellant is disposed of and closed. However copy of reply, as submitted by the respondent be sent to the appellant alongwith these orders. Copy of the order be sent to the parties.

**Sd/-**

**Dated: 10.08.2022**

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

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Sh Ravi, (M-8284933007)  
C/o Sh Pashi Lal,  
House No 153C, Bathindia Mohalla,  
Nabha, Distt Patiala-147201

.....Appellant

..Vs

**Public Information Officer,**  
O/o DC, Mohali

**First Appellate Authority,**  
O/o DC, Mohali

.....Respondent

**AC No. 2306 of 2022**

Present : (i) None is present on behalf of the appellant  
(ii) For the Respondent: Sh. Gurcharan Singh, Suptd-cum-APIO ( 9779009467)

### **ORDER**

This order may be read with reference to the previous order dated 01.07.2022 vide which neither the appellant nor the respondent was present.

2. The appellant is absent today. He has sent an email mentioning therein that "*I am withdrawing my complaint against DC office Mohali.*"

3. Accordingly, the appeal case filed by the appellant is **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

**Dated: 10.08.2022**

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

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Sh. Manish Kumar, S/o Sh. Tara Chand  
R/o Ward No. 1, Khanna Road, Opposite  
Punj Aab Kheti Store, Amloh  
Distt. Fatehgarh sahib (9888965909)

.....Complainant

**Vs**

**Public Information Officer,**  
O/o EO, Nagar Council, Amloh,  
Distt. Fatehgarh Sahib

.....Respondent

**CC.No. 421 of 2022**

Present : None for the parties.

### **ORDER**

1. The RTI application is dated 03.05.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 09.06.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 01.08.2022 in the Commission. But on 01.08.2022, the case was postponed and fixed to be heard on 10.08.2022 i.e, today.
3. Today neither the appellant nor the respondent is present.
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:-



**CC.No. 421 of 2022**

*(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. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

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**CC.No. 421 of 2022**

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/-

(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab

**Dated: 10.08.2022**

Registered post

**First Appellate Authority**  
o/o ADC (Urban Development)  
Fatehgarh Sahib



Sh. Rajendera Singh Panwar,  
S/o Late Sh. Bhagat Singh Panwar,  
Village Pipola, PO Jhaknidhar  
Distt. Tehari Garhwal, Uttrakhand

.....Complainant

**Vs**

**Public Information Officer,**  
O/o SP(HQ) C/o SSP  
Kapurthala

.....Respondent

**CC.No. 432 of 2022**

Present : (i) Sh. Rajendera Singh Panwar the complainant  
(ii) For the Respondent: Sh. Surjit Singh, Sub Inspector ( 9815990028)

### **ORDER**

1. The RTI application is dated 24.05.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 01.07.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 01.08.2022 in the Commission. But on 01.08.2022, the case was postponed and fixed to be heard on 10.08.2022 i.e, today.
3. 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:-

*(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).*



**CC.No. 432 of 2022**

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. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) 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. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

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..

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**CC.No. 432 of 2022**

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: 10.08.2022

(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab

**Registered post**  
**First Appellate Authority**  
**DIG, Jalandhar**

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Sh.Gajinder Kumar  
S/o Sh. Naresh Kumar Sharma  
Kanina Mandi, Ward No. 7  
Mohindergarh, Haryana -123027

.....Appellant

..Vs

**Public Information Officer,**  
O/o DSP, Mohali  
**First Appellate Authority**  
O/o SSP, Mohali

.....Respondent

**AC No. 1229 of 2022**

Present : (i) Sh. Gajinder Kumar the appellant (telephonically)  
(ii) None is present on behalf of the respondent

**ORDER**

This order may be read with reference to the previous order dated 01.07.2022 vide which neither the appellant nor the respondent was present.

2. Today again neither the appellant nor the respondent is present. The appellant has sent his submissions via mail, which is taken on record.

3. The perusal of the file shows that the respondent o/o SSP, Mohali has sent a letter vide dated 25.07.2022, that the information demanded by the appellant cannot be provided, as the matter is under enquiry. Copy of the same is taken on record.

4. Copy of the letter, as submitted, by the respondent to the Commission be sent to the appellant along with these orders.

5. In view of the above reply filed by the respondent appears to be convincing, hence no further cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

**Sd/-**

**Dated: 10.08.2022**

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