

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh.Jang Singh (9814200121)
Son of Shri Rania Ram,
Village Badshahpur Kaleki
Tehsil Samanar, District Patiala

.....Complainant

..Vs

Public Information Officer,
O/o The Block Development and
Panchayat Officer, SAMANA, District. Patiala
Registered post
Remanded Back to
*First Appellate Authority-cum-
DDPO, Patiala*

.....Respondent

CC No. 880 of 2021

Present : (i) Sh. Jang Singh the complainant (in the Commission office)
(ii) For the respondent : Sh. Jagtar Singh, Tax Collector (9417874309) through
WEBEX

ORDER

1. The RTI application is dated 20.05.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.
3. The complainant states that no information has been given to him so far.
4. The respondent states that the information has already been sent to the complainant. He further states that the copy of the same has also been sent to the Commission through mail.
5. Copy of the information is handed over to the complainant today in the Commission. He has gone through the same and states that incomplete information has been given to him so far.



CC No. 880 of 2021

6. 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).

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.

7. 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.

8. 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

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



CC No. 880 of 2021

with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

9. 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.

10. 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**.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



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

.....Complainant

..Vs

Public Information Officer,
O/o Sub Registrar , Phillaur
Distt. Jalandhar
Registered post
First Appellate Authority
O/o Deputy Commissioner,
Distt. Jalandhar

.....Respondent

CC No. 909 of 2021

Present : (i) Sh. Jasbir Singh the complainant through Webex
(ii) None is present on behalf of the respondent

ORDER

The RTI application is dated 04.03.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 13.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.

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:-



CC No. 909 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.

4. 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.

5. 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.

6. 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.

7. 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**.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



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

.....Complainant

..Vs

Public Information Officer,
O/o Sub Registrar, Guraiya
Distt. Jalandhar
Remanded back to
First Appellate Authority
o/o Deputy Commissioner
Jalandhar

.....Respondent

CC No. 911 of 2021

Present : (i) Sh. Jasbir Singh the complainant through webex.
(ii) For the respondent : Sh. Ram Chand, Naib Tehsildar (9780012132)

ORDER

The RTI application is dated 09.07.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 13.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.

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:-



CC No. 911 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.

4. 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.

5. 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.

6. 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.

7. 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**.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh. Baljit Singh, S/o Sh. Mukhtiar Singh
VPO Saafoowala, District Moga

.....Appellant

..Vs

Public Information Officer,
O/o The Principal, MDAS Senior
Secondary School, Moga – 142001
Registered post
Remanded back to
First Appellate Authority
o/o DEO (SE), Moga - 142001

.....Respondent

CC No. 900 of 2021

Present : (i) Sh. Mangat Lal Advocate (8837805169) on behalf of the complainant through Webex
(ii) For the respondent : Sh. Parveen Kumar, Principal (9592308067)

ORDER

The RTI application is dated 27.01.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 12.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.
3. Sh. Mangat Lal Advocate is appearing on behalf of the complainant. He has sent his vakalatnama.

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. 900 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.

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.

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.

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**.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Smt. Bikramjeet Kaur, Wife of Jagmohan Singh
Ward No. 6, Village Mataur, Police Station Sri Anandpur Sahib
District Roopnagar (Ropar)

.....Appellant

..Vs

Public Information Officer,
O/o The Senior Superintendent of Police,
Ludhiana
Registered post
Remanded back
First Appellate Authority
o/o The Senior Superintendent of Police
Ludhiana

.....Respondent

CC No. 889 of 2021

Present : (i) None is present on behalf of the complainant
(ii) For the Respondent: Sh. Tarsem, ASI, (94632-02689)

ORDER

The RTI application is dated 25.08.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 08.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.

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:-



CC No. 889 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.

4. 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.

5. 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.

6. 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.

7. 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**.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh Sushil Gupta,
1410, Phase-1, Urban Estate
Dugri Road, Ludhiana - 141013

.....Complainant

..Vs

Public Information Officer,
O/o The Commissioner of Police
Ludhiana
Registered post
Remanded back to
First Appellate Authority,
O/o The Commissioner of Police
Ludhiana

.....Respondent

CC No. 888 of 2021

Present : (i) Sh. Sushil, the complainant through Webex
(ii) For the Respondent: Sh. Tarsem, ASI, (94632-02689)

ORDER

The RTI application is dated 02.06.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 08.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.

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:-



CC No. 888 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.

4. 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.

5. 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.

6. 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.

7. 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**.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh. Resham Ram, S/o Shri Saroop Nand
Village Lakhanpur, Tehsil Phillaur,
District Jalandhar- 144633

.....Complainant

..Vs

Public Information Officer,
O/o The District Registrar,
Birth and Death, Punjab
Jalandhar
Registered post
Remanded back to
First Appellate Authority-cum
Civil Surgeon, Jalandhar ,

.....Respondent

CC No. 879 of 2021

Present : (i) Sh. Resham Ram the complainant in the Commission
(ii) For the respondent : Ms. Meena, Suptd (9872146955) through Webex

ORDER

The RTI application is dated 15.09.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.

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:-



CC No. 879 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.

4. 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.

5. 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.

6. 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.

7. 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**.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh. Resham Ram, S/o Shri Saroop Nand
Village Lakhanpur, Tehsil Phillaur,
District Jalandhar- 144633

.....Complainant

..Vs

Public Information Officer,
O/o The Sub Divisional Magistrate
Phillaur, District Jalandhar
Registered post
Remanded back to
First Appellate Authority,
O/o Deputy Commissioner, Jalandhar

.....Respondent

CC No. 878 of 2021

Present : (i) Sh. Resham Ram the complainant in the commission office
(ii) For the respondent : Sh. Prabhjot Singh , ASDA, Phillaur (8427242029)

ORDER

The RTI application is dated 25.01.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 07.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.

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:-



CC No. 878 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.

4. 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.

5. 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.

6. 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.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



CC No. 878 of 2021

7. 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**.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh. Kulwant Singh, S/o Shri Pritam Shah
Village & Post Office Pohir
Tehsil and District Ludhiana - 141204

.....Complainant

..Vs

Public Information Officer,
O/o The Block Development and Panchayat Officer
Dehlon, District Ludhiana
Registered post
Remanded back to
First Appellate Authority,
O/o DDPO, District Ludhiana

.....Respondent

CC No. 873 of 2021

Present : (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Hardeep Singh, Panchayat Secretary (9915425589)

ORDER

The RTI application is dated 27.05.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 06.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.

3. The respondent states that the information, as exists, in the record has already been sent to the complainant.

4. The complainant 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. 873 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.

7. 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.

8. 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.

9. 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**.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh. Jatinder Singh, S/o Sh. Joginder Singh
110, Type E-1, Punjab
University Campus, Sector 14
Chandigarh - 160014

.....Complainant

..Vs

Public Information Officer,
O/o The District Education Officer (SE)
Gurdaspur
Registered post
Remanded back to
First Appellate Authority,
O/o DEO (SE), Mohali

.....Respondent

CC No. 901 of 2021

Present : (i) Sh. Jatinder Singh the complainant
(ii) For the respondent : Smt. Seema Vasudev, Principal, HSC Girls Sr. Secondary School, Gurdaspur (9915425589)

ORDER

The RTI application is dated 24.05.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 13.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 10.11.2021 through Webex.
3. The complainant S. Jatinder Singh states that he has received the information and is satisfied.
4. Since, the complainant has received the information and is satisfied, hence no cause of action is left. Therefore the complaint case filed by the complainant is **disposed of and closed**. Copy of the order be sent to the parties.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh Maninder Singh Deol, (9815160050)
S/o Sh Sudagar Singh, Village Khandoor,
Tehsil & Distt Ludhiana-141103

.....Appellant

..Vs

Public Information Officer,
O/o SHO, Police Station,
Sarabha Nagar, Ludhiana

First Appellate Authority,
O/o ACP (West) Ludhiana

.....Respondent

AC No. 3179 of 2021
(Through CISCO-Webex)

Present :(i) Sh Maninder Singh Deol, Appellant
(ii)None for the Respondent

ORDER

1. The RTI application is dated 06.04.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 10.11.2021 through CISCO-Webex (Video-conferencing application).
3. The appellant states that the complete information has not been provided to him so far.
4. No one has appeared on behalf of the Respondent today.
5. The perusal of the RTI Application of the Appellant ascertains that the Appellant has demanded third-party information which cannot be provided under the RTI Act, 2005. Hence, the instant Appeal filed by the Appellant is dismissed. Copy of the orders be sent to the parties.

Sd/-

Dated : 10.11.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Shri Bikramjit Singh, (9463685670)
 S/o Sh Balkar Singh,
 Mohalla Rajpura, Ward No 4,
 Village & Post office RAHON,
 Tehsil SBS Nagar-144517

.....Appellant

..Vs

Public Information Officer,
 O/o DEO (SE) SBS Nagar

First Appellate Authority,
 O/o DEO (SE) SBS Nagar

.....Respondent

AC No. 3203 of 2021
(Through CISCO-Webex)

Present :(i) Sh Bikramjit Singh, Appellant
 (ii) None for the Respondent

ORDER

1. The RTI application is dated 13.11.2020 vide which the appellant has sought information as enumerated in his RTI application as under:-

ਸੂਚਨਾ ਅਧਿਕਾਰ ਐਕਟ 2005 ਤਹਿਤ ਸੂਚਨਾ ਲੈਣ ਸਬੰਧੀ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਪਾਸੋਂ ਸੂਚਨਾ ਅਧਿਕਾਰ ਐਕਟ 2005 ਤਹਿਤ ਆਪ ਜੀ ਦੇ ਦਫ਼ਤਰ ਦੇ ਅਧੀਨ ਸਕੂਲਾਂ ਵਿੱਚ ਹੋਣ ਲਿਖੀ ਜਾਣਕਾਰੀ ਮੰਗੀ ਜਾ ਰਹੀ ਹੈ। ਕਿਰਪਾ ਕਰਕੇ ਵਿਭਾਗੀ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਸਿੱਧੇ ਸਮੇਂ ਵਿੱਚ ਇਹ ਸ.ਸ.ਸ.ਸਕੂਲ ਕੁਰਣਾਨਾ, ਸ.ਸ.ਸ.ਸਕੂਲ ਬੰਗਾ, ਸ.ਸ.ਸ.ਸਕੂਲ ਜਾਬਲਾ ਅਤੇ ਸ.ਸ.ਸ.ਸਕੂਲ ਗੋਬਿੰਦਪੁਰ (ਸ਼ਹੀਦ ਭਗਤ ਸਿੰਘ ਨਗਰ) ਦੇ ਸਕੂਲਾਂ ਤੋਂ ਵਾਰਕਸ਼ਾਪ ਅਟੈਂਡੈਂਟ ਤੋਂ ਵੇਕੇਸ਼ਨਲ ਟੀਚਰ /ਵਾਰਕ ਐਕਸਪੀਰੀਐਂਸ ਟੀਚਰ ਇਹਨਾਂ ਦੀ ਪਹਿਲੀ ਨਿਯੁਕਤੀ ਦੇ ਆਰਡਰ ਦੀ (ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ), ਪਹਿਲੀ ਹਾਜ਼ਰੀ ਰਿਪੋਰਟ ਦੀ (ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ), ਪੰਦ ਉਨਤੀ ਦੇ ਆਰਡਰ ਦੀ (ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ), ਪੰਦ ਉਨਤੀ ਦੀ ਹਾਜ਼ਰੀ ਰਿਪੋਰਟ ਦੀ (ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ) , ਅਕਤੂਬਰ 2020 ਦੀ ਸੈਲਰੀ ਸਟੈਟਮੈਂਟ ਦੀ (ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ) ਅਤੇ ਸਰਵਿਸ ਬੁੱਕ (ਪਹਿਲੀ ਨਿਯੁਕਤੀ ਦੀ ਮਿਤੀ ਤੋਂ ਲੈ ਕੇ 31-10-2020 ਤੱਕ) ਦੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀਆਂ ਇੱਤੇ ਗਏ ਪਤੇ ਤੇ ਭੇਜਣ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਜੀ। ਇਹ ਸੂਚਨਾ ਸੂਚੀਅਰ ਤੋਂ ਸੀਨੀਅਰ ਦਾ ਲਾਭ ਲੈਣ ਸਬੰਧੀ ਲੱੜੀਦੀ ਹੈ। ਬਣਦੀ ਸੂਚਨਾ ਦੀ ਫੀਸ ਦੀ ਅਦਾਇਗੀ ਕਰ ਦਿੱਤੀ ਜਾਵੇਗੀ। ਇਹ ਸੂਚਨਾ ਮੇਰੇ ਵੱਲੋਂ ਦਸਤੀ ਰੂਪ ਵਿੱਚ ਫੋਨ ਰਾਹੀਂ ਸੂਚਨਾ ਦੇਣ ਤੇ ਪ੍ਰਾਪਤ ਕਰ ਲਈ ਜਾਵੇਗੀ।

ਕਰਮਚਾਰੀ ਦਾ ਨਾਂ	ਪਿਤਾ ਦਾ ਨਾਂ	ਬਤੌਰ ਵਾਰਕਸ਼ਾਪ ਅਟੈਂਡੈਂਟ ਦੀ ਪਹਿਲੀ ਨਿਯੁਕਤੀ ਦੀ ਮਿਤੀ	ਬਤੌਰ ਵਾਰਕਸ਼ਾਪ ਅਟੈਂਡੈਂਟ ਦੀ ਪਹਿਲੀ ਹਾਜ਼ਰੀ ਦੀ ਮਿਤੀ	ਪੰਦ ਉਨਤੀ ਦੀ ਮਿਤੀ	ਜਿਸ ਟ੍ਰੇਡ ਵਿੱਚ ਪੰਦ ਉਨਤੀ ਹੋਈ ਹੈ	ਬਤੌਰ ਵੇਕੇਸ਼ਨਲ ਟੀਚਰ/ਵਾਰਕਐਕਸਪੀਰੀਐਂਸ ਟੀਚਰ ਪਹਿਲੀ ਹਾਜ਼ਰੀ ਦੀ ਮਿਤੀ	ਬਤੌਰ ਵੇਕੇਸ਼ਨਲ ਟੀਚਰ/ਵਾਰਕਐਕਸਪੀਰੀਐਂਸ ਟੀਚਰ ਨਿਯੁਕਤੀ ਦਾ ਸਥਾਨ	ਜਿਲ੍ਹਾ	31-10-2020 ਅਨੁਸਾਰ ਪੇ ਸਕੇਲ-ਗ੍ਰੇਡ ਪੇ ਅਤੇ ਬੇਸਿਕ ਪੇ	ਸੰਪਰਕ ਨੰਬਰ

First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



AC No. 3203 of 2021

2. Notice of hearing was issued to the parties for 10.11.2021 through CISCO-Webex (Video-conferencing application).
3. No one has appeared on behalf of the Respondent today.
4. The Appellant states that no information has been provided to him till date.
5. The perusal of the RTI Application shows that the Appellant had demanded third-party information which cannot be provided. Further, he has also demanded information in a specific format which has to be created. The Appellant may take note that under the RTI Act, 2005 the PIO is not supposed to create information that is not a part of the record.
6. It has also been observed that the information demanded by the Appellant is related to more than one PIO's. The appellant may take note that Under-section 6(1)(a) a person seeking information has to apply to the concerned public authority. It is not the job of one PIO to collect and therefore collate this information from different PIOs of different Public Authorities and thereafter supply the same to the appellant. I find no merit in the appeal and the same is **dismissed**. The appellant may however approach the concerned PIOs with fresh application/s if he wants the information. Copy of the orders be sent to the parties.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh Avtar Singh, (9478610577)
S/o Sh Gurdev Singh, Village & Post Office Rakhara,
Tehsil & District Patiala

.....Appellant

..Vs

Public Information Officer,
O/o BDPO, Patiala
First Appellate Authority,
O/o DDPO, Patiala

.....Respondent

AC No. 3209 of 2021

Present :(I) Sh Avtar Singh, Appellant (in the Commission office)
(ii) For the Respondent: Sh Bhupinder Singh, Panchayat Secy (8054005107)

ORDER

1. The RTI application is dated 09.03.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 14.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 10.11.2021 through CISCO-Webex (Video-conferencing application).
3. The Appellant states that he has not received the information so far.
4. The Respondent states that the information has been sent to the Appellant. Further, he also filed a copy of the same in the Commission office via e-mail. Copy of the same is handed over to the appellant today in the Commission office. The Appellant has gone through the information and is satisfied with it.
5. In view of the foregoing, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Dated : 10.11.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab



Sh Hardeep Singh, (95920374749)

S/o Shri Gurbachan Singh,

Village Fatehpur Maniawala, Tehsil Malout,

District Sri Mukatsar Sahib

.....Appellant

..Vs

Public Information Officer,

O/o Panchayat Secretary, Gram Panchayat ,

Fatehpur Mania, Tehsil Malout, Distt. Sri Mukatsar Sahib

First Appellate Authority,

O/o DDPO, Sri Mukatsar Sahib

.....Respondent

AC No. 3235 of 2021
(through CISCO-Webex)

Present : (i) Sh Hardeep Singh, Appellant

(ii) None for the Respondent

ORDER

1. The RTI application is dated 19.01.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 15.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 10.11.2021 through CISCO-Webex (Video-conferencing application).
3. No one has appeared on behalf of the Respondent today.
4. The Appellant states that he has received information pertaining to point no 1 and 5. Rest of the information has not been provided to him.
5. No one has appeared on behalf of the Respondent today. The Appellant has received the information pertaining to point no. 1 and 5. The perusal of the RTI ascertains that the Appellant has raised many queries for which no information can be supplied, as the information

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



AC No. 3235 of 2021

which only exists in the record can be supplied, and the queries are not to be replied. Hence, no further action is required. Therefore, the appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Dated : 10.11.2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab