

**PUNJAB STATE INFORMATION COMMISSION**  
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.  
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**Advocate, Sh. Rakesh Kumar Gupta, (9814924851)**

R/o 8/237, Jagraon Road, MandiMullanpur,  
District- Ludhiana. 141101.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o Deputy Commissioner of Police  
Mini Secretariat, Ludhiana.

.....Respondent

**Public Information Officer**

O/o Thana Salem Tabri,  
Ludhiana.

**First Appellate Authority**

O/o Police commissioner  
Mini Secretariat, Ludhiana.

**Appeal Case No.2593 of 2019**

Present: Appellant: Absent

Respondent: Sh. Jagjit Singh (ASI), 9915734423

**ORDER:**

1. This order may be read with the reference of previous order dated 19.05.2021 and 07.07.2021.
2. Appellant **is absent**. While he has informed the Commission of his inability to attend this hearing.
3. Respondent, Sh. Jagjit Singh has filed an affidavit before the court with the compliance of the order dated 19.05.2021.

*The commission has directed the respondent to send the copy of the same to the appellant through post as he is not present today.*

4. Keeping in view the facts of the case and submission made by both the parties and also the affidavit filed by the Respondent, no further intervention of the Commission is warranted in the matter. The case is disposed of accordingly.
5. The Respondent is however, cautioned to exercise due care in future to ensure that correct and complete information is furnished timely to the RTI applicant(s) as per provisions of the Act failing which penal proceedings under [Section 20](#) shall be initiated.

**Chandigarh**  
**Dated: 11.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**



**Sh. Lajpat Rai, (9814230616)**

S/o Sh. Harbans Lal,  
House No. B-3/287, Romana Street,  
Jaito, Distt Faridkot.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o EO, Nagar Panchayat,  
Sri Chamkaur Sahib, District Ropar.

.....Respondent

**Complaint Case No.365 of 2020**

Present: Appellant: Absent

Respondent: Sh. Avtar Chand (EO), 9646107505

Sh. Harjeet Singh (Clerk), 9914229111

**ORDER:**

1. This order may be read with the reference of previous order dated 19.05.2021 and 07.07.2021.

2. 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.

**In 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).**

3. 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.

4. 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.

5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority. The case is disposed of accordingly, with the above observations.

**Chandigarh**  
**Dated: 04.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**



**Sh. Lajpat Rai, (9814230616)**

S/o Sh. Harbans Lal,  
House No. B-3/287, Romana Street,  
Jaito, Distt Faridkot.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o SHO, Police Station, Jaito,  
Distt Faridkot.

.....Respondent

**Complaint Case No.72 of 2021**

Present: Appellant: Absent

Respondent: Sh. Rajesh Kumar (SHO), 7527017026, (On telephone call)

**ORDER:**

1. This order may be read with the reference of previous order dated 19.05.2021 and 07.07.2021.
2. 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.

**In 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).**

2. 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.
3. 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.
4. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority. The case is disposed of accordingly, with the above observations.

**Chandigarh**  
**Dated: 11.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**

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**Sh. Surinder Kumar, (9463165327)**

Ward No 8, FatehgarhChurian,  
Tehsil Batala, DisttGurdaspur.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

.....Respondent  
O/o EO, Nagar Palika, FatehgarhChurian,  
DisttGurdaspur.

**First Appellate Authority**

O/o cum Deputy Director, Local Bodies,  
Amritsar.

**Appeal Case No.1056 of 2021**

RTI application filed on : 04-10-2020  
PIO replied on : 09-10-2020  
First appeal filed on : 11-11-2020  
First Appellate Authority order : -

Present: Appellant: Sh. Surinder Kumar (on telephone call)  
Respondent: Sh. Harjinder Singh (Clerk), 9646872065

**ORDER:**

1. This order may be read with the reference of previous order dated 31.05.2021 and 07.07.2021.
2. Appellant, Sh. Surinder Kumar acknowledge the receiving of the requisite information and further requested to close the case.
3. According to the submissions made by the appellant, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

**Chandigarh**  
**Dated: 11.10.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**