

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



Shri Harinderpal Singh,  
R/o H.No. 278, Near Purana Talab,  
Hira Mahal Colony, Nabha.

--Complainant.

Versus

**Public Information Officer**  
O/o District Education Officer(SE),  
Patiala.

Respondent

**Complaint Case No. 757 of 2021**

**Present:-** Shri Harinderpal Singh, complainant/applicant is present.  
Shri Sukhvir Singh, Jr. Asstt., O/o Distt. Education Officer(SE), Patiala is present.

**ORDER**

Sh. Harinderpal Singh, complainant/applicant filed RTI application dated 20.04.2021 and sought some information from the SPIO, O/o District Education Officer(SE), Patiala.

**Today the case was heard through CISCO WEBEX SOFTWARE.**

Both the parties are present today.

The complainant stated that the complete information has not been provided to him by the PIO.

On the other hand the Shri Sukhvir Singh, Jr. Assistnat who is present on behalf of the PIO stated that the sought for reply/information has already been sent to the applicant vide letter dated 15.11.2021

As the applicant has stated that complete information has not been provided to him by the PIO, so, the PIO is directed to provide the point-wise information by way of affidavit to the applicant and compliance be sent to the Commission. In case of non compliance of the order of the Commission strict action will be taken against the PIO on the next date of hearing. The respondent is also directed to file reply of the show cause notice before the next date of hearing.

Both the parties should personally come present on the next date of hearing i.e. **28.03.2022 at 12:00 Noon** in the Commission office for further proceedings.

Sd/-

**(A.P.S. SEKHON)**

**State Information Commissioner, Punjab.**

**Dated: 17.01.2022**

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Sh. Balwinder Singh, S/o Sh. Ajit Singh  
Tehsil Ajnala, Distt. Amritsar (9781461616)

.....Complainant

..Vs

**Public Information Officer,**  
O/o Home Secretary, Punjab  
Civil Sectt., Sector 1, Chandigarh

.....Respondent

**CC No. 1153 of 2021**

Present:- None for the parties.

**ORDER**

1. The RTI application is dated 27.02.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 14.09.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 17.01.2022 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).*

4. 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.



**CC No. 1153 of 2021**

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**.

*Sd/-*

**Dated : 17.01.2022**

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

Registered post:

First Appellate Authority  
o/o Home Secretary, Punjab  
Chandigarh

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Sh. Navjot Singh, S/o Sh. Lakhvir Singh  
Village Bulada Wala, PO Buladewala  
Bathinda 9490100026

.....Complainant

..Vs

**Public Information Officer,**  
O/o ADGP, Bureau of Crime  
Punjab Police Headquarter , Sector 9  
Chandigarh

.....Respondent

**CC No. 1170 of 2021**

Present:- (i) Sh. Navjot Singh the complainant  
(ii) For the respondent : Sh. Gurmit Singh, ASI ( 9417744546)

**ORDER**

The RTI application is dated 26.04.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 20.09.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

3. Notice was issued to the parties for hearing for 17.01.2022 i.e. today.

4. The Complainant Sh. Navjot Singh states that incomplete information has been given to him so far.

5. The respondent states that the information , as exists , in the record has been provided to the appellant.

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:-



**CC No. 1170 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).*

7. 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.

8. 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.

9. 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.

10. 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.

11. 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 : 17.01.2022**

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

Registered post:

First Appellate Authority  
o/o ADGP, Bureau of Crime, Punjab  
Punjab Police Headquarter, Sector 9,  
Chandigarh

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Sh. Madan Mohan Arya  
# 327 A, Namdev Nagar Shop  
Guru Glass House, Main Bazaar, Moga  
(9855291041)

..Vs

**Public Information Officer,**  
O/o Commissioner (enquiry)  
C/o Principal Secretary (Home)  
Punjab Civil Sectt., Sector 1, Chandigarh

.....Complainant

.....Respondent

**CC No. 1167 of 2021**

Present:- (i) Sh. Madan Mohan Arya the complainant (through CISCO Webex)  
(ii) None is present on behalf of the respondent

**ORDER**

The RTI application is dated 14.09.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 17.09.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 17.01.2022 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. 1167 of 2021**

4. 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**.

*Sd/-*

**Dated : 17.01.2022**

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

Registered post:

First Appellate Authority  
O/o Commissioner (enquiry)  
C/o Principal Secretary (Home)  
Punjab Civil Sectt., Sector 1, Chandigarh

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Sh. Lal Chand Bansal, S/o Sh. Hukam Chand Bansal,  
# 2795, Ward No. 16, Gunga Mari Colony, Kharar – 140301  
(9888008438)

..Vs

**Public Information Officer,**  
O/o EO, Nagar council, Kharar

.....Complainant

.....Respondent

**CC No. 1163 of 2021**

Present:- (i) Sh. Lal Chand Bansal the complainant (through Webex)  
(ii) None is present on behalf for the respondent

**ORDER**

The RTI application is dated 05.08.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 17.01.2022 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).*

4. 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.





**CC No. 1163 of 2021**

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**.

*Sd/-*

**Dated: 17.01.2022**

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

Registered post:

First Appellate Authority  
O/o ADC (Urban Development)  
Distt. Mohali

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Sh. Sanjeev Kumar, S/o Late Sh. Kumar  
House No. 298, Ward No. 2, Morinda  
Distt. Ropar – 140101 (9465000490)

.....Appellant

..Vs

**Public Information Officer,**  
O/o SSP, Fatehgarh Sahib  
**First Appellate Authority ,**  
O/o SSP, Fatehgarh Sahib

.....Respondent

**AC No. 4262 of 2021**

Present:- (i) None is present on behalf of the appellant  
(ii) for the respondent : Sh. Amandeep Singh, Senior Assistant (8728872400) and  
Sh. Ranjeet Singh, ASI (8360834611)

**ORDER**

The RTI application is dated 21.06.2021 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 31.05.2021 and second appeal was filed in the Commission on 20.09.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 17.01.2022 i.e. today.
3. The appellant has sent a letter that he has received the information and is satisfied.
4. The respondent states that the information, as exists, in the record has been provided to the appellant.
5. Since, the appellant has received the information and is satisfied, hence 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.

**Dated: 17.01.2022**

**Sd/-**  
**Amrit Partap Singh Sekhon**  
**State Information Commissioner, Punjab.**

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Helpline No. 0172-2864100



Dr Poonam Sharma, (M-9779666057)  
#83, Golden City, Near APJ School,  
Mundi Kharar-140301

.....Appellant

..Vs

**Public Information Officer,**  
O/o Tehsildar, kharar  
**First Appellate Authority,**  
O/o SDM, kharar

.....Respondent

**AC No. 2695 of 2021**  
**(Through CISCO-Webex)**

Present : (i) Dr Poonam Sharma, the Appellant  
(ii) For the Respondent: Sh Santokh Singh, Reader (81460-51116)

## **ORDER**

This order may be read with reference to the previous order dated 15.12.2021 vide which the respondent was directed to file point wise reply.

2. Today, the Appellant Dr Poonam Sharma states that the complete information has not been provided to her till date.

3. The Respondent states that the information, as available, in their official record has been provided to the Appellant. They have also filed their affidavit regarding the same on the previous date of hearing. Further, the Respondent states that the information demanded by the Appellant pertaining to point no. 2 to 6 are in question form. Hence, they cannot be provided.

4. After hearing both the parties and perusing the case file, it is ascertained that the Respondent has provided the information, as available in their official record. Further, the Appellant has demanded information in question form. However, the Appellant may take note that no questions/queries are to be answered under the RTI Act. Further, it is also ascertained that the Respondent has filed their reply to the show-cause notice on the previous date of hearing. I have gone through the same and have agreed with it. Resultantly, the proceedings u/s 20(1) of the RTI Act, 2005 are, hereby, dropped.

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Helpline No. 0172-2864100



**AC No. 2695 of 2021**

5. Since, the information has been provided to the appellant, hence no further cause of action is left. Therefore, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

**Dated : 17.01.2022**

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