

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
**Ph: 0172-2864117, Email: - [psic27@punjabmail.gov.in](mailto:psic27@punjabmail.gov.in)**  
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**Helpline No. 0172-2864100**



Sh. Nikhil Saraf, (M-9872632670)  
Kansal Enclave, Near kansal Village,  
Distt- Mohali, 160103

.....Complainant

..Vs

**Public Information Officer,**  
O/o Home Affairs and Justice,Pb  
Civil Sectt, Chandigarh

.....Respondent

**CC No. 950 of 2020**

Present : (i) None for the Complainant  
(ii) For the Respondent: Smt Amritpal Kaur, Supdt.(814699-2028)  
Head Constable Rajwinder Kaur, O/o SSP Mohali(814699-2028)

**ORDER**

This order may be read with reference to the previous order dated 29.06.2021.

2. The Complainant is not present today.
3. Smt Rajwinder Kaur, Head constable appearing on behalf of PIO O/o SSP Mohali states that the complete information running into 5 pages has been provided to the Complainant and that no other information is pending in their official record.
4. The perusal of the file shows that the Complainant is not present today. He was not present on any of the previous hearings. He has not even bothered to inform the Commission about his absence. The Respondent states that the information has been provided to the Complainant. Hence, it may be presumed that the Complainant is satisfied with the information provided. In view of the above, no further cause of action is left. Hence, the Complaint case filed by the complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

**Dated :18.08.2021**

**Sd/-**  
**(Preety Chawla )**  
**State Information Commissioner**  
**Punjab**

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Sh Ramesh Kumar, S/o Sh Amar Nath,  
House No.4, Sardar Nagar, Opp. Old Central Jail,  
Amritsar-143008 (9855833536)

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Bureau of Investigation, Punjab  
Sector-9, Chandigarh

**First Appellate Authority,**  
O/o Bureau of Investigation, Punjab  
Sector-9, Chandigarh  
Public Information Officer  
o/o SSP, Rural, Amritsar

.....Respondent

**AC.No.3586 of 2020**

**Through CISCO-Webex**

Present: (i) Sh Ramesh Kumar, the Appellant

(ii) For the Respondent: Sh Ram Parshad, Sr Asstt (98554-64748) O/o Bureau of  
Investigation, Punjab (*In the Commission office*)

**ORDERS**

This order may be read with reference to the previous order dated 29.06.2021.

2. The Appellant states that the complete information has not been provided to him till date. The Appellant has filed his submissions vide Commission diary no. 15514 dated 14.07.2021 and Commission diary no. 17773 dated 11.08.2021. Copy of the same is taken on record.

3. The Respondent states that the information sought by the Appellant is not specific hence, the information could not be provided.

4. After hearing both the parties and perusing the case file, the Appellant is directed to point out specific information to the Respondent with a copy to the Commission.

5. Since, my term is expiring on 07.09.2021, the next date of hearing in this case cannot be fixed. Therefore, this case file is sent to Registry for further necessary action and re-allocation to some other bench.

Sd/-

**Dated: 18.08.2021**

**(Preety Chawla)**  
State Information Commissioner  
Punjab

CC: D.R. (with original case file)

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Sh Manjit Singh, (M-84274-98620)  
S/o Sh Gurcharan Singh,  
Village- Manemajra, Tehsil- Chamkaur Sahib,  
Distt- Ropar

.....Complainant

..Vs

**Public Information Officer,**  
O/o EO, Nagar Council, Kurali,  
Distt -Mohali

.....Respondent

**CC No. 968 of 2020**

Present : None for the parties.

**ORDER**

This order may be read with reference to the previous order dated 29.06.2021

2. Today neither the Complainant nor the Respondent is present.
3. The perusal of the file shows that both the parties are not present today. They were not present on any of the previous hearings. Hence, I am of the view that no useful purpose would be served by keeping this Complaint case pending for an indefinite period. Hence, the Complaint case filed by the Complainant is **disposed off and closed**.

Copy of the orders be sent to the parties.

**Dated :18.08.2021**

**Sd/-**  
**(Preety Chawla )**  
**State Information Commissioner**  
**Punjab**

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Sh Satpal Singh No 503 PR, (Retd)  
Punjab Police Inspector, Ludhiana  
House No.1617, Sector 32A, Chandigarh Road,  
Ludhiana (9781100487)

.....Appellant

**Vs**

**Public Information Officer,**  
O/o AIGP (Pers-I)  
O/oDGP, Punjab Sector 9, Chandigarh

.....Respondent

**CC.No.973 of 2020**  
**Through CISCO-Webex**

Present: (i) None for the Appellant

(ii) For the Respondent: Smt Nirlep kaur, Sr Asstt (998760-60574)

**ORDERS**

This order may be read with reference to the previous order dated 29.06.2021

2. The Respondent states that the information sought by the Appellant is not available in their official record.
3. The Complainant is not present today. However, a letter has been received from the Complainant vide Commission diary no. 18090 dated 16.08.2021 stating that due to his ill-health he shall not be able to pursue the case any further. Hence, the case filed by him may be filed.
4. In view of the above, no further cause of action is left. Hence, the complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

**Dated: 18.08.2021**

**(Preety Chawla)**  
State Information Commissioner  
Punjab

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Sh Mohammad Hanif, (M-7009524584)  
Baldev Colony, Near K.V School,  
Alohrah Gate, Nabha, Distt Patiala

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Punjab Wakf Board,  
SCO 1062-63, Sector 22B, Chandigarh

**First Appellate Authority,**  
O/o Punjab Wakf Board,  
SCO 1062-63, Sector 22B, Chandigarh

.....Respondent

**AC.No.3517of 2020**  
**Through CISCO-Webex**

Present: (i)None for the Appellant

(ii)For the Respondent: Sh Tayab Hasan Falahi, PIO (97810-23786)

### **ORDERS**

This order may be read with reference to the previous order dated 29.06.2021.

2. The Appellant is not present today. However, he has sent an e-mail stating that he has not received the information pertaining to point no.3

3. The Respondent states that the available information has been provided to the Appellant. However, the information pertaining to point no. 3 cannot be provided as the photocopies of cheques/DD cannot be given.

4. Since, the available information has been provided to the Appellant therefore, 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: 18.08.2021**

**(Preety Chawla)**  
State Information Commissioner  
Punjab

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Sh Sushil Kumar, (M-98145-00575)  
H. No 1410, Phase-1,  
Urban Estate, Durgri Road, Ludhiana-141013

.....Appellant

**Vs**

**Public Information Officer,**

O/oADGP (IVC) Pb  
Sector 9 chandigarh

**Remanded back to**

**First Appellate Authority**

O/oADGP (IVC) Pb  
Sector 9 chandigarh

.....Respondent

**CC.No.940 of 2020**

**Through CISCO-Webex**

Present: (i) Sh Sushil Kumar,Appellant

(ii)For the Respondent: Smt Narinder Kaur, Sr Asstt (8725200755)

**ORDERS**

This order may be read with reference to the previous order dated 29.06.2021

2. The Appellant states that, as directed in the previous hearing, he had gone to inspect the record in the o/o Respondent and identified information required by him, but, the copies of the same were not provided to him. He has filed his submissions the same via e-mail(s).

3. The Respondent states that the information, as identified by the complainant, running into 107pages, has been sent to him through post. They have also filed their reply in this regard.

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.940 of 2020**

*(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. 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 above, no further cause of action is left. Hence, the complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

**Dated: 18.08.2021**

**(Preety Chawla)**  
State Information Commissioner  
Punjab

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Smt Kiran Sharma, (M-7973081420)  
W/o late Sh Jagdish Sharma,  
Street No.42, Preet Nagar, Shimlapuri, Ludhiana-141013 .....Appellant  
**Vs**

**Public Information Officer,**  
O/oADGP (IVC) Pb  
Sector 9 chandigarh  
**Remanded back to**  
**First Appellate Authority**  
O/oADGP (IVC) Pb  
Sector 9 chandigarh

.....Respondent

**CC.No.939 of 2020**

**Through CISCO-Webex**

Present: (i) Sh Sushil Kumar, representative for the Complainant  
(ii) For the Respondent: Smt Narinder Kaur, Sr Asstt (8725200755)

**ORDERS**

This order may be read with reference to the previous order dated 29.06.2021

2. Sh Sushil Kumar, representative for the Appellant states that, as directed in the previous hearing, he had gone to inspect the record in the o/o Respondent and identified information required by him, but, the copies of the same were not provided to him. He has filed his submissions via e-mail(s).

3. The Respondent states that the information, as identified by the complainant, running into 107 pages, has been sent to him through post. They have also filed their reply in this regard.

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.939 of 2020**

*(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. 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 above, no further cause of action is left. Hence, the complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

**Dated: 18.08.2021**

**(Preety Chawla)**  
State Information Commissioner  
Punjab

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Helpline No. 0172-2864100



Sh Rajinder kumar, S/o Sh Mehar Chand (M-9646390671) (**registered post**)  
Ward No.2, Supreme Enclave,  
Near Vishawkarma Bhawan, Link Road, Mansa .....Appellant  
**Vs**

**Public Information Officer,**  
O/o SSP, Vigilance Bureau,  
Bathinda Range, Bathinda

**First Appellate Authority,**  
O/o Chief Director-cum-ADGP,  
Vigilance Bureau, Pb Mohali .....Respondent

**AC.No.2796 of 2020**  
**Through CISCO-Webex**

Present: (i)Sh Rajinder kumar, Appellant  
(ii)For the Respondent: Inspector Sukhprem Singh, and Inspector Sukhminder Singh, (98782-00382)

**ORDERS**

This order may be read with reference to the previous order dated 29.06.2021.

2. The Appellant states that the complete information has not been provided to him so far.

3. As directed in the previous hearing, the Respondent has filed an affidavit vide Commission diary no. 18201 dated 17.08.2021.

4. I have gone through the affidavit filed by the Appellant and have agreed with the same. 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.

**The original affidavit, as filed by the respondent, is sent to the Appellant alongwith the orders.**

**Dated: 18.08.2021**

**Sd/-**  
**(Preety Chawla)**  
State Information Commissioner  
Punjab

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Sh Rajinder kumar, S/o Sh Mehar Chand (M-9646390671) (**registered post**)  
Ward No.2, Supreme Enclave,  
Near Vishawkarma Bhawan, Link Road, Mansa .....Appellant  
**Vs**

**Public Information Officer,**  
O/o SSP, Vigilance Bureau,  
Bathinda Range, Bathinda

**First Appellate Authority,**  
O/o Chief Director-cum-ADGP,  
Vigilance Bureau, Pb Mohali .....Respondent

**AC.No.2795 of 2020**  
**Through CISCO-Webex**

Present: (i)Sh Rajinder kumar, Appellant  
(ii)For the Respondent: Inspector Sukhprem Singh, and Inspector Sukhminder Singh, (98782-00382)

**ORDERS**

This order may be read with reference to the previous order dated 29.06.2021.

2. The Appellant states that the complete information has not been provided to him so far.

3. As directed in the previous hearing, the Respondent has filed an affidavit vide Commission diary no. 18202 dated 17.08.2021.

4. I have gone through the affidavit filed by the Appellant and have agreed with the same. 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.

**The original affidavit, as filed by the respondent, is sent to the Appellant alongwith the orders.**

**Sd/-**

**Dated: 18.08.2021**

**(Preety Chawla)**  
State Information Commissioner  
Punjab