

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100

Email: [psic20@punjabmail.gov.in](mailto:psic20@punjabmail.gov.in) Visit us: [www.infocommpunjab.com](http://www.infocommpunjab.com)

Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Sh. Jasbir Singh  
Guru Nanak Nagar,  
Village Bholapur Jhabewal,  
PO Ramgarh  
District Ludhiana 141123 9888296107

..Complainant

Vs

Public Information Officer  
o/o Deputy Commissioner,  
District Ludhiana

Public Information Officer  
o/o GLADA  
District Ludhiana

....Respondents

Complaint Case No. 666 of 2021

(Video Conference Proceedings)

Present:- None on behalf of the complainant.

Sh. Sunny, Clerk 9855531456 on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 13.9.2021.

2. The complainant has sought the following information:-

ਸਰਪੰਚ ਸ. ਦਲਵਿੰਦਰ ਸਿੰਘ ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਪਿੰਡ ਭੋਲਾਪੁਰ ਜਿਲਾ ਲੁਧਿਆਣਾ ਵੱਲੋਂ ਰਜਿਸਟਰਡ ਡਾਕ ਦੁਆਰਾ ਇੱਕ ਸ਼ਕਾਇਤ ਮਿਤੀ 9/2/2021 ਨੂੰ ਕੀਤੀ ਸੀ, ਉਸ ਤੇ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਸਬੰਧੀ ਸੂਚਨਾ ਲੈਣ ਦੇ ਬਾਰੇ।

3. The complainant is absent but he has sent the written submission with a request of information, which is taken on record with regard to the order dated 16<sup>th</sup> August, 2021 and the relevant portion of the same is reproduced below:-

"2....However, the representative of the respondents states that the matter relates to the GLADA and the RTI application of the appellant has already been transferred to the GLADA. Also a response has been received from the APIO vide No. 5399 dated 16.8.2021 vide which it has been requested to adjourn the case due to strike in the office.

3. Hon'ble Supreme Court of India in its order rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission, henceforth.

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. However, in case the complainant is interested in getting the

Contd..p/2

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visit us: [www.infocommpunjab.com](http://www.infocommpunjab.com)

Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Complaint Case No. 666 of 2021

-2-

information, the matter can be remanded back to the First Appellate Authority to take appropriate decision after hearing both the parties and examining the record brought on file within the prescribed time limit as per the provisions of the RTI Act, 2005.

3. Therefore, the complainant is advised to submit his response in this regard before the next date of hearing so that directions can be given to the concerned appropriate authority accordingly.

4. Also the Public Information Officer o/o GLADA is impleaded as necessary party in this case and the further directions will only be given after consideration of the response of the complainant, if filed. "

4. Keeping in view the above, the case of the complainant is remanded back to Sh. Gulshan Kumar, First Appellate Authority-cum-Estate Officer, GLADA, with the directions to consider the present case of the complainant as first appeal and pass the appropriate order after hearing both the parties by passing a speaking order within time frame fixed as per the provisions of the RTI Act, 2005. With these directions the case is disposed of and closed. However, liberty is granted to the complainant to file the 2<sup>nd</sup> appeal in this case within three months in case he is not satisfied with the decision of the First Appellate Authority.

sd

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

Dated: 18.10.2021

Sh. Gulshan Kumar, **Registered**  
First Appellate Authority  
-cum-Estate Officer,  
GLADA,  
District Ludhiana