



Ankit Sehgal  
C/o Bombay Studio,  
Near Post Office Chowk,  
Pathankot (Punjab)

....Appellant

V/s

Public Information Officer,  
O/o The Chairman,  
Improvement trust,  
Jalandhar(Punjab) (Punjab)

First Appellate Authority,  
O/o The Chairman,  
Improvement trust,  
Jalandhar(Punjab) (Punjab)

...Respondents

### Appeal Case No. 5176 of 2021

Present : Sh. Ankit Sehgal, the appellant in person.  
Sh. Jaswant Singh, Executive Engineer, in person.

#### ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022 before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 17.07.2021. First appeal is dated 24.09.2021. Second appeal has been received in the Commission on 16.11.2021.

Sh. Jaswant Singh, Executive Engineer, in person, who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information has already been supplied to the appellant vide letter no. 696 dated 17.06.2022 dated through registered post on today itself i. e. 20.12.2022 and also thorough an e-mail and a reply has also been sent to the Commission vide letter no. 697 dated 17.06.2022 through an e-mail. It, alongwith a copy of supplied information, is taken on record.

The appellant, Sh. Ankit Sehgal, who appeared in person in today's hearing, states that he has not received the above-said reply/ information till date.

As the information is sent by the respondent PIO to the appellant on 20.06.2022 and probably the same would be received by the appellant within coming two or three days.

An opportunity is also given to the appellant to confirm whether he has received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned and also send a copy of the same to the Commission.

The case is adjourned to 29<sup>th</sup> August, 2022 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Ms. Jaswinder Kaur  
W/o Sh. Mangal Singh,  
Prem Nagar, Mandi Mullanpur,  
Ludhiana(Punjab)

....Appellant

V/s

Public Information Officer,  
O/o The Station House Officer,  
Police Station – Jodhewal Basti,  
Distt. – Ludhiana (Punjab)

First Appellate Authority,  
O/o The Commissioner of Police,  
Ludhiana(Punjab)

...Respondents

### **Appeal Case No. 5187 of 2021**

Present : None on behalf of the appellant.  
None on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.  
The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022

before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 09.08.2021. First appeal is dated 17.0-9.2021. Second appeal has been received in the Commission on 16.11.2021.

The appellant, Ms. Jaswinder Kaur is not present in today's hearing.

After examining the documents placed on record, it is found that the respondent PIO through an e-mail dated 20.06.2022 signed by House Officer, Police Station – Jodhewal Basti, has intimated the Commission that that he is unable to attend today's hearing personally as he is pre-occupied in maintaining 'law and order' due to 'Bharat Bandh'. It is taken on record.

As the respondent PIO has neither sent any forwarding letter (through which the information has been sent to the appellant) nor sent copy of information supplied to the Commission, hence, an opportunity is given to the respondent PIO to send a copy of the supplied information (which was supplied to the appellant) to the Commission by the next date of hearing.

An opportunity is also given to the appellant to confirm whether he has received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed.

Nevertheless, another opportunity is also given to both the parties to represent this case in person or through their representative on the next date fixed through facility of Software/application 'CISCO Webex Meetings'

The case is adjourned to 13<sup>th</sup> September, 2022 (Tuesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

**Note :** Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Hardeep Singh Gill  
S/o Sh. Dilawar Singh,  
C/o Sukhjinder Singh  
S/o Sh. Dalbara Singh,  
Village – Baranhara,  
Near Saraswati School,  
Hambran Road,  
Ludhiana - 141008(Punjab)

....Appellant

V/s

Public Information Officer,  
O/o The Sr. Supdt. of Police,  
Jagraon, Distt. - Ludhiana (Punjab)

First Appellate Authority,  
O/o The Commissioner of Police,  
Ludhiana (Punjab)

...Respondents

### **Appeal Case No. 5588 of 2021**

Present : Sh. Rakesh Kumar Gupta, on behalf of the appellant.  
Sh. Iqbal Singh, A. S. I., on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022 before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 27.11.2021. First appeal is dated 03.12.2021. Second appeal has been received in the Commission on 14.12.2021.

Sh. Rakesh Kumar Gupta, who appeared on behalf of the appellant, Sh. Hardeep Singh Gill in today's hearing, states that no information has been given to the appellant by the respondent PIO till date

Sh. Iqbal Singh, A. S. I., who appeared on behalf of the respondent PIO in today's hearing, could not make himself audible to intimate the status of the instant appeal-case during the proceedings of the case.

After examining the documents placed on record, it is found that the respondent through a reply vide letter no. 44 dated 07.01.2022 signed by Sr. Supdt. of Police, Ludhiana (Rural), which has been received in the Commission vide Diary No. 705 dated 13.01.2022 and also another vide letter no. 1030 dated 12.05.2022, which has been received in the Commission vide Diary No. 10305 dated 17.05.2022, has intimated the Commission the RTI request has already been sent to the PIO office of Station House Officer, Police Station - Dakhan vide letter no. 43 dated 07.01.2022. Both the above-said replies are taken on record.

Contd...2/-

As the respondent PIO concerned has neither sent any forwarding letter or document, showing that copy of information is supplied to the appellant or not, hence, an opportunity is given to the respondent PIO to send a copy of the supplied information (which was/would be supplied to the appellant) to the Commission. A copy of this order be sent through registered post to Station House Officer, Police Station – Dakhan with the directions to represent this case in person or through his representative on the next date fixed through facility of Software/application 'CISCO Webex Meetings'.

An opportunity is also given to the appellant to confirm whether he has received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed.

The case is adjourned to 13<sup>th</sup> September, 2022 (Tuesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

(Regd. Post)

The Station House Officer,  
Police Station – Dakhan,  
Distt. - Ludhiana (Punjab)

Encl : RTI request

Hardeep Singh Gill  
S/o Sh. Dilawar Singh,  
C/o Sukhjinder Singh  
S/o Sh. Dalbara Singh,  
Village – Baranhara,  
Near Saraswati School,  
Hambran Road,  
Ludhiana - 141008(Punjab)

....Appellant

V/s

Public Information Officer,  
O/o The Station House Officer,  
Police Station,  
Dakha, Ludhiana (Punjab)

First Appellate Authority,  
O/o The Sr. Supdt. of Police,  
Jagraon,  
Distt. – Ludhiana (Punjab)

...Respondents

### **Appeal Case No. 5590 of 2021**

Present : Sh. Rakesh Kumar Gupta, on behalf of the appellant.  
Sh. Iqbal Singh, A. S. I., on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.  
The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022

before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 27.11.2021. First appeal is dated 03.12.2021. Second appeal has been received in the Commission on 14.12.2021.

Sh. Rakesh Kumar Gupta, who appeared on behalf of the appellant, Sh. Hardeep Singh Gill in today's hearing, states that no information has been given to the appellant by the respondent PIO till date

Sh. Iqbal Singh, A. S. I., who appeared on behalf of the respondent PIO in today's hearing, could not make himself audible to intimate the status of the instant appeal-case during the proceedings of the case.

After examining the documents placed on record, it is found that the respondent through a reply vide letter no. 48 dated 07.01.2022 signed by Sr. Supdt. of Police, Ludhiana (Rural), which has been received in the Commission vide Diary No. 707 dated 13.01.2022 and also another vide letter no. 1033 dated 12.05.2022, which has been received in the Commission vide Diary No. 10307 dated 17.05.2022, has intimated the Commission the RTI request has already been sent to the PIO office of Station House Officer, Police Station - Dakhan vide letter no. 47 dated 07.01.2022 . Both the above-said replies are taken on record.

Contd...2/-

As the respondent PIO concerned has neither sent any forwarding letter or document, showing that copy of information is supplied to the appellant or not, hence, an opportunity is given to the respondent PIO to send a copy of the supplied information (which was/would be supplied to the appellant) to the Commission. A copy of this order be sent through registered post to Station House Officer, Police Station – Dakhan with the directions to represent this case in person or through his representative on the next date fixed through facility of Software/application 'CISCO Webex Meetings'.

An opportunity is also given to the appellant to confirm whether he has received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed.

The case is adjourned to 13<sup>th</sup> September, 2022 (Tuesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

(Regd. Post)

The Station House Officer,  
Police Station – Dakhan,  
Distt. - Ludhiana (Punjab)

Encl : RTI request

Hardeep Singh Gill  
S/o Sh. Dilawar Singh,  
C/o Sukhjinder Singh  
S/o Sh. Dalbara Singh,  
Village – Baranhara,  
Near Saraswati School,  
Hambran Road,  
Ludhiana - 141008(Punjab)

....Appellant

V/s

Public Information Officer,  
O/o The Sr. Supdt. of Police,  
Jagraon, Distt. - Ludhiana (Punjab)

First Appellate Authority,  
O/o The Inspector General of Police,  
Ludhiana Range,  
Ludhiana (Punjab)

...Respondents

### Appeal Case No. 5589 of 2021

Present : Sh. Rakesh Kumar Gupta, on behalf of the appellant.  
Sh. Iqbal Singh, A. S. I., on behalf of the respondent.

#### ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022

before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 27.11.2021. First appeal is dated 03.12.2021. Second appeal has been received in the Commission on 14.12.2021.

Sh. Rakesh Kumar Gupta, who appeared on behalf of the appellant, Sh. Hardeep Singh Gill in today's hearing, states that no information has been given to the appellant by the respondent PIO till date

Sh. Iqbal Singh, A. S. I., who appeared on behalf of the respondent PIO in today's hearing, could not make himself audible to intimate the status of the instant appeal-case during the proceedings of the case.

After examining the documents placed on record, it is found that the respondent through a reply vide letter no. 46 dated 07.01.2022 signed by Sr. Supdt. of Police, Ludhiana (Rural), which has been received in the Commission vide Diary No. 706 dated 13.01.2022 and also another vide letter no. 1033 dated 12.05.2022, which has been received in the Commission vide Diary No. 10306 dated 17.05.2022, has intimated the Commission the RTI request has already been sent to the PIO office of Station House Officer, Police Station - Dakhan vide letter no. 45 dated 07.01.2022. Both the above-said replies are taken on record.

Contd...2/-

As the respondent PIO concerned has neither sent any forwarding letter or document, showing that copy of information is supplied to the appellant or not, hence, an opportunity is given to the respondent PIO to send a copy of the supplied information (which was/would be supplied to the appellant) to the Commission. A copy of this order be sent through registered post to Station House Officer, Police Station – Dakhan with the directions to represent this case in person or through his representative on the next date fixed through facility of Software/application 'CISCO Webex Meetings'.

An opportunity is also given to the appellant to confirm whether he has received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed.

The case is adjourned to 13<sup>th</sup> September, 2022 (Tuesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

(Regd. Post)

The Station House Officer,  
Police Station – Dakhan,  
Distt. - Ludhiana (Punjab)

Encl : RTI request



Arun Kumar  
S/o Sh. Chandul Pal,  
H. No. 3505, Street – 02,  
Shaheed Ajit Singh Colony,  
# 33 Foot Road, Giaspura,  
Ludhiana - 141016(Punjab)

.... Complainant

V/s

Public Information Officer,  
O/o The Commissioner of Police,  
Ludhiana (Punjab)

...Respondents

### **Complaint Case No. 1284 of 2021**

Present : Sh. Arun Kumar , the complainant in person.  
Sh. Ramesh Kumar, A. S. I., on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022 before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 30.01.2020. The complaint has been received in the Commission on 15.11.2021.

Sh. Ramesh Kumar, A. S. I., who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information has already been supplied to the complainant vide letter no. 4662 dated 30.11.2021 and a reply has also been sent to the Commission vide letter dated 12.05.2022 through an e-mail. It, alongwith annexure, is taken on record.

The complainant, Sh. Arun Kumar , who appeared in person in today's hearing, could not make himself audible to intimate the status of the instant appeal-case during the proceedings of the case.

An opportunity is also given to the complainant to confirm whether he has received the information or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned .

The case is adjourned to 13<sup>th</sup> September, 2022 (Tuesday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'**

Rohit Bhardwaj,  
34/1, Harnam Dass Pura,  
Opp. Vasal Hospital,  
Jalandhar (Punjab)

.... Complainant

V/s

Public Information Officer,  
O/o The Chairman,  
Improvement trust,  
Jalandhar(Punjab)

...Respondents

### **Complaint Case No. 1320 of 2021**

Present : Sh. Rohit Bhardwaj, the complainant in person.  
i) Sh. Jaswant Singh, Executive Engineer ;  
ii) Sh. Amarjit Singh, Senior Assistant, on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022 before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 14.09.2020. The complaint has been received in the Commission on 14.12.2021.

The complainant, Sh. Rohit Bhardwaj, who appeared in person in today's hearing, states that no information has been given to him by the respondent PIO till date.

Sh. Jaswant Singh, Executive Engineer and Sh. Amarjit Singh, Senior Assistant, who appeared in today's hearing, request for an adjournment in this case as the information demanded through RTI request is very old and efforts are being put to trace-out the relevant official record so that the required information could be supplied to the complainant a reply has also been sent to the Commission vide letter no. 699 dated 17.06.2022, through an e-mail. It is taken on record.

After hearing both the parties and examining the documents placed on record, it emerges that the complainant has not exhausted the channel of approaching First Appellate Authority under Section 19 of the RTI Act.

Moreover, according to para 30 and 31 of the judgment passed by the Hon'ble Supreme Court of India in Civil Appeal no. 10787 to 10788 of 2011 in a case ; Chief Information Commissioner & another V/s State of Manipur and another before Ld. Judges - Sh. Asok Kumar Ganguly and Gyan Sudha Misra, the Commission could not allow to information seeker(complainant) to have access of the information under Section 18 of the RTI Act, 2005 ;

Accordingly, the Commission could not allow access to the information to the Information seeker in a complaint case as the only remedy available to the information-seeker is given in Section 19 of the RTI Act.

Hence, the instant complaint case is remanded to First Appellate Authority, who is Additional Deputy Commissioner (Urban Development), Jalandhar, with the directions to decide the case as per provisions of the RTI Act, after giving due opportunity to the parties concerned, examining the evidences, documents placed on record/submitted by the parties concerned and subsequently pass a speaking order within forty five days from the receipt of this order. A copy of the RTI request of the applicant be also enclosed for ready reference of First Appellate Authority, who will treat it as first appeal. A copy of this order be sent to him through registered post

If concerned First Appellate Authority will not announce any order in the instant complaint case within forty five days or if the complainant would not be satisfied with the decision/announcement (which would be announced) by the First Appellate Authority, he is at liberty to approach the Commission by way of second appeal.

With this, the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

CC :

(Regd. Post)                      First Appellate Authority-cum-  
Additional Deputy Commissioner  
(Urban Development),  
Jalandhar (Punjab)

Encl : RTI Request

Jeewan Sharma  
S/o Sh. Sukhdev Sharma,  
Ward No. 13,  
Mohalla Vikas Nagar,  
Shahkot, Distt. - Jalandhar(Punjab)

.... Complainant

V/s

Public Information Officer,  
O/o The Tehsildar,  
Shahkot,  
Distt. - Jalandhar(Punjab)

...Respondents

### **Complaint Case No. 1325 of 2021**

Present : None on behalf of the complainant in person.  
None on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022 before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 19.10.2021. The complaint has been received in the Commission on 14.12.2021.

The complainant, Sh. Jeewan Sharma is not present in today's hearing

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 591 dated 23.05.2022 through an e-mail, has intimated the Commission that office-record was inspected by the complainant but he has not identified any information to supply. It is taken on record.

Nevertheless, another opportunity is also given to both the parties to represent this case in person or through their representative on the next date fixed through facility of Software/application 'CISCO Webex Meetings' so that facts of this case could be cleared.

The case is adjourned to 5<sup>th</sup> September, 2022 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

**Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'**

Surinder Kumar  
S/o Sh. Nauria Ram,  
Ward No. 03,  
Mohalla Bawian,  
Shahkot,  
Distt. - Jalandhar(Punjab)

.... Complainant

V/s

Public Information Officer,  
O/o The Executive Officer,  
Nagar Panchayat,  
Shahkot,  
Distt. - Jalandhar (Punjab)

...Respondents

### **Complaint Case No. 1326 of 2021**

Present : None on behalf of the complainant.  
None on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022 before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 22.10.2021. The complaint has been received in the Commission on 14.12.2021.

Neither the complainant, Sh. Surinder Kumar nor the respondent is present in today's hearing. They have also not sent any intimation regarding their non-availability.

The respondent PIO has not sent any forwarding letter (if the information has been sent to the complainant), hence, an opportunity is given to the respondent PIO to send a copy of the supplied information (was/would be supplied to the complainant) to the Commission by the next date of hearing

Moreover, the complainant has also not sent any intimation whether he received the information or not.

Nevertheless, last and final opportunity is given to both the parties to represent this case in person or through their representative on the next date fixed through facility of Software/application 'CISCO Webex Meetings' to intimate the status of the instant appeal-case or the case would be decided on merits.

The case is adjourned to 5<sup>th</sup> September, 2022 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Arun Kumar  
S/o Sh. Chandul Pal,  
H. No. 3505, Street – 02,  
Shaheed Ajit Singh Colony,  
# 33 Foot Road, Giaspura,  
Ludhiana - 141016(Punjab)

.... Complainant

V/s

Public Information Officer,  
O/o The Commissioner of Police,  
Ludhiana (Punjab)

...Respondents

### **Complaint Case No. 1285 of 2021**

Present : Sh. Arun Kumar , the complainant in person.  
None on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022 before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 03.01.2020. The complaint has been received in the Commission on 15.11.2021.

The complainant, Sh. Arun Kumar, who appeared in person in today's hearing, could not make himself audible to intimate the status of the instant appeal-case during the proceedings of the case.

After examining the documents placed on record, it is found that the respondent PIO through an e-mail dated 20.06.2022 signed by PIO-cum-Joint Commissioner of Police(Local), Ludhiana, has intimated the Commission that that he is unable to attend today's hearing personally as he is pre-occupied in maintaining 'law and order' due to 'Bharat Bandh'. It is taken on record.

After examining the documents placed on record, it emerges that the complainant has not exhausted the channel of approaching First Appellate Authority under Section 19 of the RTI Act.

Moreover, according to para 30 and 31 of the judgment passed by the Hon'ble Supreme Court of India in Civil Appeal no. 10787 to 10788 of 2011 in a case ; Chief Information Commissioner & another V/s State of Manipur and another before Ld. Judges - Sh. Asok Kumar Ganguly and Gyan Sudha Misra, the Commission could not allow to information seeker(complainant) to have access of the information under Section 18 of the RTI Act, 2005 ;

Contd...2/-

Accordingly, the Commission could not allow access to the information to the Information seeker in a complaint case as the only remedy available to the information-seeker is given in Section 19 of the RTI Act.

Hence, the instant complaint case is remanded to First Appellate Authority office of Commissioner of Police, Ludhiana, with the directions to decide the case as per provisions of the RTI Act, after giving due opportunity to the parties concerned, examining the evidences, documents placed on record/submitted by the parties concerned and subsequently pass a speaking order within forty five days from the receipt of this order. A copy of the RTI request of the applicant be also enclosed for ready reference of First Appellate Authority, who will treat it as first appeal. A copy of this order be sent to him through registered post

If concerned First Appellate Authority will not announce any order in the instant complaint case within forty five days or if the complainant would not be satisfied with the decision/announcement (which would be announced) by the First Appellate Authority, he is at liberty to approach the Commission by way of second appeal.

With this, the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

CC :

(Regd. Post)                      First Appellate Authority  
O/o The Commissioner of Police,  
Ludhiana (Punjab)

Encl : RTI Request

Sanjay Dubey  
S/o Sh. Chaman Lal,  
Uttam Garden colony,  
Manwal,  
Teh. & Distt. – Pathankot (Punjab)

.... Complainant

V/s

Public Information Officer,  
O/o The Block Development  
and Panchayat Officer ,  
Pathankot(Punjab)

...Respondents

### **Complaint Case No. 1274 of 2021**

Present : Sh. Sanjay Dubey, the complainant in person.  
None on behalf of the respondent.

#### **ORDER**

Heard through facility of Software/application 'CISCO Webex Meetings'.

The above-mentioned appeal case was earlier fixed for hearing on 22.02.2022 before the Commission. Hon'ble Chief Information Commissioner vide Office Order dated 21.01.2022, has re-allocated the case to the Bench of the undersigned for further hearing/hearings. Accordingly, the case was fixed for hearing on 30.05.2022, which could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 13.08.2021. The complaint has been received in the Commission on 10.11.2021.

The complainant, Sh. Sanjay Dubey ,who appeared in person in today's hearing, states that no information has been given to him by the respondent PIO till date.

Neither the respondent PIO nor any of his representative is present in today's hearing.

After hearing both the parties and examining the documents placed on record, it emerges that the complainant has not exhausted the channel of approaching First Appellate Authority under Section 19 of the RTI Act.

Moreover, according to para 30 and 31 of the judgment passed by the Hon'ble Supreme Court of India in Civil Appeal no. 10787 to 10788 of 2011 in a case ; Chief Information Commissioner & another V/s State of Manipur and another before Ld. Judges - Sh. Asok Kumar Ganguly and Gyan Sudha Misra, the Commission could not allow to information seeker(complainant) to have access of the information under Section 18 of the RTI Act, 2005 ;

Accordingly, the Commission could not allow access to the information to the Information seeker in a complaint case as the only remedy available to the information-seeker is given in Section 19 of the RTI Act.

Contd...2/-



Hence, the instant complaint case is remanded to First Appellate Authority, who is District Development and Panchayat Officer , Pathankot, with the directions to decide the case as per provisions of the RTI Act, after giving due opportunity to the parties concerned, examining the evidences, documents placed on record/submitted by the parties concerned and subsequently pass a speaking order within forty five days from the receipt of this order. A copy of the RTI request of the applicant be also enclosed for ready reference of First Appellate Authority, who will treat it as first appeal. A copy of this order be sent to him through registered post

If concerned First Appellate Authority will not announce any order in the instant complaint case within forty five days or if the complainant would not be satisfied with the decision/announcement (which would be announced) by the First Appellate Authority, he is at liberty to approach the Commission by way of second appeal.

With this, the case is announced as disposed of and closed.

Copies of the orders be sent to the parties.

Date 20<sup>th</sup> June, 2022

**(Sanjiv Garg)**  
State Information Commissioner  
Punjab

CC :

(Regd. Post)                      First Appellate Authority-cum-  
District Development  
and Panchayat Officer ,  
Pathankot(Punjab)

Encl : RTI Request

Malkiat Ram  
S/o Sh. Wariam Ram,  
Village – Jattiwal,  
P. O. – Panj Garaiya,  
Tehsil – Samrara,  
Distt.- Ludhiana(Punjab)

....Appellant

V/s

Public Information Officer,  
O/o The Block Development  
and Panchayat Officer,  
Macchiwara,  
Distt. - Ludhiana(Punjab)

First Appellate Authority,  
O/o The District Development  
and Panchayat Officer,  
Ludhiana (Punjab)

...Respondents

### Appeal Case No. 4207 of 2021

Present : Sh. Malkiat Ram , the appellant in person.  
Sh. Raghbir Singh, Panchayat Secretary, on behalf of the respondent.

#### ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.  
The hearing in the instant appeal-case, which was fixed to be heard on 30.05.2022,  
could not held due to technical fault in connection of network and the case was adjourned for  
today i. e. 20.06.2022.

The RTI request is dated 07.01.2021. First appeal is dated 03.03.2021. Second  
appeal has been received in the Commission on 15.09.2021.

Sh. Raghbir Singh, Panchayat Secretary, who appeared on behalf of the PIO in  
today's hearing, states that the requisite information of six pages has already been supplied to the  
appellant vide letter dated 16.05.2022 and a reply vide letter no. Spl-1 dated 16.05.2022 has also  
been sent to the. It, alongwith a copy of supplied information, is taken on record.

The appellant, Sh. Malkiat Ram, who appeared in person in today's hearing, states  
that incomplete information has been given to him by the respondent PIO as information at point  
no. 02 and 04 is still pending and he has pointed out deficiencies in the supplied information  
through a letter dated 23.05.2022, which has been received in the Commission vide Diary No.  
11140 dated 25.05.2022. It is taken on record.

Last opportunity is given to the respondent PIO concerned to supply the certified  
copies of the remaining information at point no. 02 and 04 of the RTI request to the appellant  
through registered post with a copy to the Commission by the next date of hearing.

An opportunity is also given to the appellant to confirm whether he has received  
the information or not

The case is adjourned to 29<sup>th</sup> August, 2022 (Monday) at 11:00 A. M. for hearing  
through facility of Software/application 'CISCO Webex Meetings'.

Copies of the orders be sent to the parties.

Date : 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

Note : Install → CISCO WEBEX Meetings → Click on Join Meeting → Enter Meeting Code ID No. i. e. is '1589136034'

Harnek Singh S/o Sh. Karora Singh,  
Village – Gandiyan, P. O. – Shambhu,  
Tehsil – Rajpura, Distt. – Patiala (Punjab)

....Appellant

V/s

Public Information Officer,  
O/o The Panchayat Secretary,  
Gram Panchayat - Gandiyan,  
P. O. – Shambhu, Tehsil – Rajpura,  
Distt. – Patiala (Punjab)

First Appellate Authority,  
O/o The District Development  
and Panchayat Officer,  
Patiala (Punjab)

...Respondents

### Appeal Case No. 4263 of 2021

Present : Sh. Harnek Singh, the appellant in person.  
Sh. Shamsher Singh, Panchayat Secretary, on behalf of the respondent.

#### ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The hearing in the instant appeal-case, which was fixed to be heard on 30.05.2022, could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 30.04.2021. First appeal is dated 02.06.2021. Second appeal has been received in the Commission on 20.09.2021.

The appellant, Sh. Harnek Singh, who appeared in person in today's hearing, states that no information has been given to him by the respondent PIO till date.

Sh. Shamsher Singh, Panchayat Secretary, who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information would be supplied to the appellant positively.

Nevertheless, an opportunity is given to the respondent PIO concerned to bring a copy of the information with the relevant official record in the office of State Information Commission, Punjab before the bench of the undersigned so that the same could be handed over to the appellant during the hearing.

If the respondent PIO would not appear before the Commission to attend the hearing, action would be taken against him as per provisions of the RTI Act.

The appellant is also directed to remain present during the proceedings of the instant appeal-case on the next date of hearing fixed.

If the appellant would not attend the hearing fixed, it would be assumed that he is not willing to pursue the case further and the case would be decided on merits.

The case is adjourned to 6<sup>th</sup> July, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date : 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab



Suresh Kumar S/o Sh. Bachna Ram,  
Village – Gandiyan, P. O. – Shambhu,  
Tehsil – Rajpura, Distt. –Patiala (Punjab)

....Appellant

V/s

Public Information Officer,  
O/o The Panchayat Secretary,  
Gram Panchayat - Gandiyan,  
P. O. – Shambhu, Tehsil – Rajpura,  
Distt. –Patiala (Punjab)

First Appellate Authority,  
O/o The District Development  
and Panchayat Officer,  
Patiala (Punjab)

...Respondents

### Appeal Case No. 4264 of 2021

Present : None on behalf of the appellant in person.  
Sh. Shamsher Singh, Panchayat Secretary, on behalf of the respondent.

#### ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The hearing in the instant appeal-case, which was fixed to be heard on 30.05.2022, could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 30.04.2021. First appeal is dated 02.06.2021. Second appeal has been received in the Commission on 20.09.2021.

The appellant, Sh. Suresh Kumar, is not present in today's hearing.

Sh. Shamsher Singh, Panchayat Secretary, who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information has already supplied to the appellant.

Nevertheless, an opportunity is given to the respondent PIO concerned to bring a copy of the information supplied with the relevant official record in the office of State Information Commission, Punjab before the bench of the undersigned.

If the respondent PIO would not appear before the Commission to attend the hearing, action would be taken against him as per provisions of the RTI Act.

The appellant is also directed to remain present during the proceedings of the instant appeal-case on the next date of hearing fixed.

If the appellant would not attend the hearing fixed, it would be assumed that he is not willing to pursue the case further and the case would be decided on merits.

The case is adjourned to 6<sup>th</sup> July, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date : 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab

Gurnam Singh  
S/o Sh. Joginder Singh,  
Village – Todarwal,  
P.O. – Babarpur, Tehsil – Nabha,  
Distt. – Patiala (Punjab)

....Appellant

V/s

Public Information Officer,  
O/o The Sub Divisional Engineer,  
Punjab Water Supply  
And Sanitation,  
Sub Division -Nabha,  
Distt. – Patiala (Punjab)

First Appellate Authority,  
O/o The Executive Engineer,  
Punjab Water Supply  
and Sanitation Division,  
Patiala (Punjab)

...Respondents

### Appeal Case No. 2841 of 2021

Present : Sh. Gurnam Singh, the appellant in person.  
Sh. Khushpal Singh, S. D. O., on behalf of the respondent.

#### ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The hearing in the instant appeal-case, which was fixed to be heard on 30.05.2022, could not held due to technical fault in connection of network and the case was adjourned for today i. e. 20.06.2022.

The RTI request is dated 01.02.2021. First appeal is dated 12.03.2021. Second appeal has been received in the Commission on 21.06.2021.

On an earlier date of hearing, held on 07.03.2022 ;

- i) The appellant, Sh. Gurnam Singh, was not present .
- ii) Sh. Khushpal Singh, S. D. O., stated that information at point no. 05, 06, 07, 08, 09 and 11 of the RTI request was supplied to the appellant vide letter no. 434 dated 08.03.2021 and rest of the information at point no. 01, 02, 03, 04 and 10 of the RTI request is 'third party' information, hence, could not supplied to the appellant.
- iii) After going through the queries raised by the appellant through RTI request, it was found that the information demanded by the appellant at point no. 01, 02, 03, 04 and 10 through RTI request is not 'third party' information, hence, directions were hereby given to the respondent PIO to supply the required information demanded by the appellant at point 01, 02, 03, 04 and 10 of RTI request to him under intimation to the Commission.
- iv) An opportunity was given to the appellant to confirm whether he received the information, which would be supplied to him by the respondent PIO and to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent PIO concerned.

Contd...2/-

Sh. Khushpal Singh, S. D. O, who appeared on behalf of the respondent PIO in today's hearing, states that the appellant visited the office of the respondent but refused to take the information (which was ready to be supplied).

The appellant, Sh. Gurnam Singh, who appeared in person in today's hearing, states that information was not as per queries raised by him through RTI request..

Nevertheless, an opportunity is given to the respondent PIO concerned to bring a copy of the information with the relevant official record in the office of State Information Commission, Punjab before the bench of the undersigned so that the facts of the case could be cleared and the information could be handed over to the appellant during the hearing.

If the respondent PIO would not appear before the Commission to attend the hearing, action would be taken against him as per provisions of the RTI Act.

The appellant is also directed to remain present during the proceedings of the instant appeal-case on the next date of hearing fixed.

If the appellant would not attend the hearing fixed, it would be assumed that he is not willing to pursue the case further and the case would be decided on merits.

The case is adjourned to 20<sup>th</sup> July, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date : 20<sup>th</sup> June, 2022

(Sanjiv Garg)  
State Information Commissioner  
Punjab