

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



Sh Sukhdev Singh Manuke,
Distt President, Village Manuke,
Tehsil Jagraon, Distt Ludhiana-142034

.....Appellant

..Vs

Public Information Officer,
O/o Additional DGP, Internal Vigilance Cell, Punjab
Punjab Police Headquarters, Sector-9, Chandigarh

First Appellate Authority ,
O/o Additional DGP, Internal Vigilance Cell, Punjab
Punjab Police Headquarters, Sector-9, Chandigarh

.....Respondent

AC No. 2774 of 2021

Present : (i) None for the Appellant

(ii) For the Respondent: Sh Narinder Kaur, Sr Asstt. (8725000755) and Sh Simrat Pal Kaur, Sr Asstt.(7508147208)

ORDER

This order may be read with reference to the previous order dated 29.09.2021 vide which the respondent was directed to file an affidavit .

2. The Appellant is not present today.

3. As directed in the previous hearing, the Respondent has filed their affidavit vide Commission diary no. 24111 dated 26.10.2021 as under:-

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



AC No. 2774 of 2021

1. ਪ੍ਰਾਰਥੀ ਸ੍ਰੀ ਸੁਖਦੇਵ ਸਿੰਘ ਮਣੂਕੇ, ਜਿਲਾ ਪ੍ਰਧਾਨ, ਵਾਸੀ ਪਿੰਡ ਮਣੂਕੇ, ਤਹਿਸੀਲ ਜਗਰਾਓ, ਜਿਲਾ ਲੁਧਿਆਣਾ ਨੇ ਆਰ.ਟੀ.ਆਈ./ਐਕਟ ਤਹਿਤ ਦਿੱਤੀ ਦਰਖਾਸਤ ਮਿਤੀ 19-04-21 ਸਬੰਧੀ ਸਿਕਾਇਤ ਦੀ ਨਕਲ ਅਤੇ ਪੜਤਾਲ ਰਿਪੋਰਟ ਦੀਆਂ ਸਾਰੀਆਂ ਨਕਲਾਂ ਮੰਗੀਆਂ ਸਨ।
2. ਚੀਫ ਸੈਕਟਰੀ, ਪੰਜਾਬ ਵਲੋਂ ਪ੍ਰਾਰਥੀ ਸੁਖਦੇਵ ਸਿੰਘ ਦੀ ਇਕ ਦਰਖਾਸਤ ਮਿਤੀ 31-12-18 ਰਾਹੀਂ ਡੀ.ਜੀ.ਪੀ, ਪੰਜਾਬ ਦੇ ਦਫਤਰ ਵਿਚ ਪ੍ਰਾਪਤ ਹੋਣ ਤੇ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: 1092/ਆਈ.ਵੀ.ਸੀ, ਮਿਤੀ 31-12-20 ਰਾਹੀਂ ਆਈ.ਜੀ.ਪੀ/ਲੁਧਿਆਣਾ ਰੇਂਜ, ਲੁਧਿਆਣਾ ਤੋਂ ਰਿਪੋਰਟ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਸੀ ਜਿਨ੍ਹਾਂ ਨੇ ਮਾਮਲੇ ਦੀ ਪੜਤਾਲ ਐਸ.ਐਸ.ਪੀ/ਲੁਧਿਆਣਾ (ਦਿਹਾਤੀ) ਤੋਂ ਕਰਵਾ ਕੇ ਆਪਣੇ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ:1495/ਏ-5, ਮਿਤੀ 21-01-21 ਰਾਹੀਂ ਰਿਪੋਰਟ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਸੀ ਜਿਸ ਵਿਚ ਐਸ.ਐਸ.ਪੀ/ਲੁਧਿਆਣਾ (ਦਿਹਾਤੀ) ਵਲੋਂ ਦਰਖਾਸਤ ਦਾਖਲ ਦਫਤਰ ਕਰਨ ਦੀ ਸਿਫਾਰਸ਼ ਕੀਤੀ ਗਈ ਸੀ ਜਿਸ ਦੇ ਕੁੱਲ 11 ਵਰਕੇ ਬਣਦੇ ਸਨ ਜੋ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: 333/ਆਈ.ਵੀ.ਸੀ, ਮਿਤੀ 24-08-21 ਰਾਹੀਂ ਪ੍ਰਾਰਥੀ ਨੂੰ ਰਜਿਸਟਰ ਡਾਕ ਰਾਹੀਂ ਮੁਹੱਈਆ ਕਰਵਾਏ ਗਏ ਸੀ ਜਿਸ ਦੀ ਫੋਟੋ ਕਾਪੀ ਕਮਿਸ਼ਨ ਨੂੰ ਪਹਿਲਾਂ ਹੀ ਮੁਹੱਈਆ ਕਰਵਾਈ ਗਈ ਹੈ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਪ੍ਰਾਰਥੀ ਨੂੰ ਆਈ.ਜੀ.ਪੀ/ਲੁਧਿਆਣਾ ਵਲੋਂ ਭੇਜੇ ਪੱਤਰ ਨੰ: 29192/ਏ-5, ਮਿਤੀ 02-12-20 ਦੀ ਕਾਪੀ ਵੀ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: 141/ਆਈ.ਵੀ.ਸੀ, ਮਿਤੀ 09-04-21 ਰਾਹੀਂ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾ ਚੁੱਕੀ ਹੈ।
3. ਪ੍ਰਾਰਥੀ ਵਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ-2005 ਤਹਿਤ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਜੋ ਇਸ ਦਫਤਰ ਵਿਚ ਉਪਲੱਬਧ ਸੀ, ਉਹ ਉਸਨੂੰ ਮੁਹੱਈਆ ਕਰਵਾ ਦਿੱਤੀ ਗਈ ਹੈ। ਉਕਤ ਸੂਚਨਾ ਬਿਲਕੁਲ ਦਰੁੱਸਤ ਹੈ ਅਤੇ ਕੁਝ ਵੀ ਛੁਪਾਇਆ ਨਹੀਂ ਗਿਆ। ਇਸ ਲਈ ਇਹ ਕੇਸ ਦਾਖਲ ਦਫਤਰ ਕੀਤਾ ਜਾਵੇ ਜੀ।

Copy of the same is taken on record.

4. I have gone through the affidavit filed by the Respondent and have agreed with it. In view of the above, 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 : 22.12.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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



Sh.Mewa Singh, Kothi No. 477
Phase 6, Mohali (9814084044)

.....Complainant

..Vs

Public Information Officer,
O/o Nodal Officer, Rural Development Panchayat Department
Sarovar Path, Phase 8, Sector 62 , Mohali

.....Respondent

CC No.1088 of 2021

Present : None for the parties.

ORDER

1. The RTI application is dated 24.02.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 26.08.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 22.12.2021 in the Commission.
3. The complainant is absent today. He has sent a letter via email mentioning therein that he is unable to attend today's hearing.
4. The respondent is absent today
5. 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).

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



CC No.1088 of 2021

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.

6. 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.

7. 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.

8. 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.

9. 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 : 22.12.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Registered post:
First Appellate Authority
o/o Rural Development Panchayat Department
Sarovar Path, Phase 8, Sector 62, Mohali

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



Sh. Inderjeet Singh, S/o Sh. Pannu Ram
R/o House No. 1067, First Floor
Phase 10, Mohali (9417428787)

.....Complainant

..Vs

Public Information Officer,
O/o Director General School Education, Punjab
36, Sector 61, Sahibzada Ajit Singh Nagar,

.....Respondent

CC No. 1086 of 2021

Present : (i) Sh. Inderjeet Singh the complainant *in the commission*
(ii) None is present on behalf of the respondent

ORDER

The RTI application whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 25.08.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 22.12.2021 in the Commission.

3. The Complainant Sh. Inderjeet Singh states that he is not satisfied with the information provided by the respondent.

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:-

(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).

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



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 : 22.12.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Registered post
First Appellate Authority
o/o Director General School Education, Punjab
36, Sector 61, Sahibzada Ajit Singh Nagar,

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



Smt. Kuldeep Kaur, W/o Sh. Swaran Singh
R/o V. Goslan, Tehsil Samrala,
Distt. Ludhiana (9914925753)

.....Complainant

..Vs

Public Information Officer,
O/o Deputy Commissioner,
Distt. Fatehgarh Sahib

.....Respondent

CC No. 1077 of 2021

Present : (i) Sh. Kulwinder Singh on behalf of the complainant
(ii) For the respondent : Sh. Harwinder Singh, Jr. Assistant , o/o Nagar Panchayat,
Khamano (9780300275)

ORDER

The RTI application whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 20.08.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 22.12.2021 in the Commission.

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).

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



CC No. 1077 of 2021

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.

4. 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.

5. 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.

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 observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post.** **Sd/-**

Dated : 22.12.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Registered post
First Appellate Authority
o/o DC, Fatehgarh Sahib

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



Sh. Rajendra Singh Panwar
S/o Late Sh. Bhagat Singh Panwar
Village Pipola , PO Jakhnidhar
Distt. Tehari Garhwal, Uttarkhand

.....Complainant

..Vs

Public Information Officer,
O/o IGP (HQ) , Punjab Police Headquarter
Sector 9, Chandigarh

.....Respondent

CC No. 1050 of 2021

Present : (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Ram Parshad, Sr. Assistant (9855464748) , Sh. Manmehakpal Singh, Constable (7986973371)

ORDER

The RTI application is dated 29.05.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 11.08.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 22.12.2021 in the Commission.

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).

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



CC No. 1050 of 2021

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.

4. 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.

5. 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.

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 observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

Dated : 22.12.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

REGISTERED POST

First Appellate Authority

O/o IGP (HQ), Punjab

Punjab Police Headquarter, Sector 9

Chandigarh

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



Sh.Jasbir Singh, Guru Nanak Nagar

Village Bolapur, Jhabewal, Post Office Ramgarh,
District Ludhiana – 141123 (9888296107)

.....Appellant

..Vs

Public Information Officer,
O/o DC, SBS Nagar
First Appellate Authority
o/o DC, SBS Nagar

.....Respondent

AC No. 4641 of 2021
(in the commission)

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Jatinder Pal, Clerk (99155-23923)

ORDER

This order may be read with reference to the previous order dated 22.11.2021 vide which the respondent was directed to provide the information i.e. Joining date , retirement date, place of first appointment and salary scale to the appellant.

2. The appellant Sh. Jasbir Singh is absent today. He has informed on phone that he is unable to attend the hearing.

3. The respondent states that as per discussion in the last hearing, the information has been sent to the appellant through registered post.

4. After hearing the respondent and going through the case file, it is observed that as per directions in the last hearing, the respondent has sent the information .e. Joining date , retirement date, place of first appointment and salary scale to the appellant.

The appellant is absent today. Since, the order of the Commission has been complied with, 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.

Sd/-

Dated : 22.12.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab