

**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



Sh.Ravi Parkash Gaddu, S/o Sh. Roop Lal Gaddu,  
R/o Patti Dhuni Ki, Phagwara Road,  
VPO Jandiala, Tehsil Phillaur  
Distt. Jalandhar – (9815257448)

.....Complainant

..Vs

**Public Information Officer,**  
O/o BDPO, Nakodar , Distt. Jalandhar

.....Respondent

**CC No. 1114 of 2021**

Present : (I) Sh.Ravi Parkash Gaddu, the complainant through CISCO  
(ii) For the respondent : None is present on behalf of the respondent

**ORDER**

This order may be read with reference to the previous order dated 29.12.2021 vide which Video Conferencing facility in the office of Deputy Commissioner, Jalandhar was not available.

2. Today the Complainant states that no information has been given to him so far.

3. The respondent is absent today.

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 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*

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**CC No. 1114 of 2021**

*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.

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 : 23.02.2022

(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab

Registered post

First Appellate Authority

O/o

DDPO,

Nakodar,

Distt.

Jalandhar

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Sh. Prem Kumar Rattan,  
House No. 78/8, Park Road, Navi Mandi,  
Dhuri Distt. Sangrur (8509580002)

.....Appellant

..Vs

**Public Information Officer,**  
O/o ADGP, NRI Wing, Punjab,  
Phase-7, Mohali  
**First Appellate Authority,**  
O/o ADGP, NRI Wing, Punjab,  
Phase-7, Mohali

.....Respondent

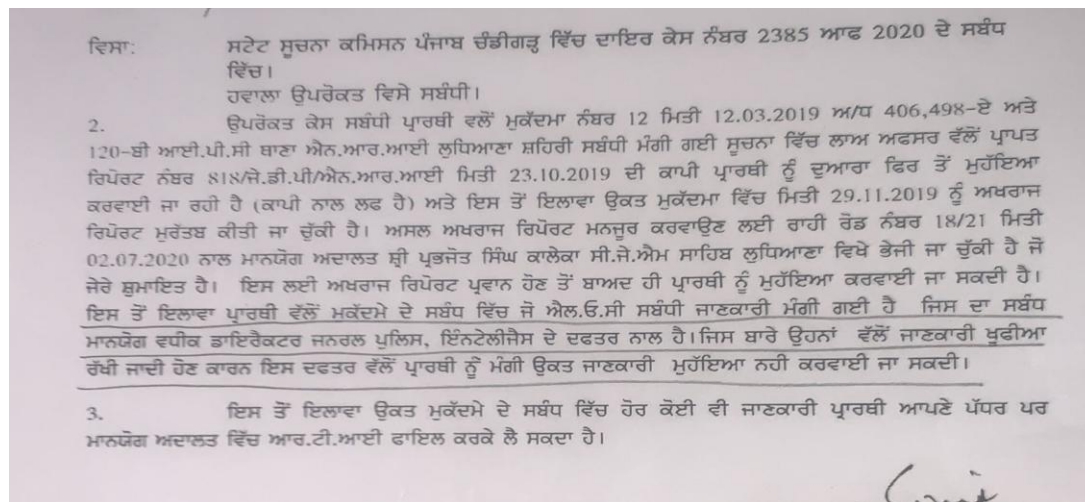
**AC No. 4359 of 2021**

Present : None for the parties

**ORDER**

This order may be read with reference to the previous order dated 05.01.2022.

2. Today neither the appellant nor the respondent is present. The appellant has sent a letter through mail.
3. The perusal of the file shows that the appellant is absent for second consecutive hearing. During the last hearing, the respondent has filed his proper reply, which was scanned in the last orders. The same is as under:



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**AC No. 4359 of 2021**

4. In view of the above reply filed by the respondent appears to be convincing, 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 : 23.02.2022

(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab

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Sh Akash Verma, #80,  
New officers Colony,  
Stadium Road, Patiala-147001 (95011-25474)

.....Appellant

..Vs

**Public Information Officer,**  
O/o AIG, Intelligence, Punjab  
O/o DGP, Intelligence, Sector-76, Mohali

**First Appellate Authority,**  
O/o IGP, Intelligence, Punjab  
O/o DGP, Intelligence, Sector-76, Mohali

.....Respondent

**AC No. 3060 of 2021**

Present : (I) None is present on behalf of the appellant  
(ii) For the respondent : Sh. Rajinder Singh, ASI (9779718110) , Sh. Bhasker Nath,  
Int. Assistant (9888028429) in the Commission office

**ORDER**

This order may be read with reference to the previous orders dated 05.01.2022 and 06.10.2021. During the hearing dated 06.10.2021, the appellant stated that no information has been given to him so far and the respondent stated that the information demanded by the appellant cannot be provided under Section 24(4) of the RTI Act 2005. But the respondent was directed to bring complete information in the Commission . On the next date of hearing i.e. 05.01.2022, the appellant was absent and the respondent filed his reply that “ *with due respect it is stated that the information/ complaints sought by the Applicant did not receive the Intelligence Wing*”. Further the respondent was directed to file his reply on affidavit.

2. Today again the appellant was not present.

3. The respondent sent his reply on affidavit mentioning therein that “ *That, apart from the above, it is also pertinent to mention here that as per record the Intelligence wing never*

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**AC No. 3060 of 2021**

*received any complaints seeking information from the appellant/applicant, hence resultantly did not transfer any such alleged complaints to Bureau of Investigation, Punjab.”*

*The same is taken on record. Copy of the affidavit be sent to the appellant alongwith these orders.*

4. In view of the above the reply filed by the respondent appears to be convincing, 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 : 23.02.2022

(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab

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Sh. Ramesh Kumar, S/o Late Sh. Amarnath,  
House No. U-1652, Sardar Nagar  
Opp Old Central Jail, Ajnala Road, Amritsar 143008 (9855833536)

.....Appellant

**..Vs**

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

**First Appellate Authority ,**  
O/o Bureau of Investigation, Punjab  
Punjab Police Headquarter , Sector 9  
Chandigarh

.....Respondent

**AC No. 3798 of 2021**

Present : None for the parties.

### **ORDER**

This order may be read with reference to the previous order dated 27.12.2021.

2. Today neither the appellant nor the respondent is present. The appellant has sent a letter that he has received the information and is satisfied. 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.

Sd/-

Dated : 23.02.2022

(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab