



Sh. Surjit Singh, (9855900321)

S/o Sh. Gokal Singh,
 VPO Jarg, Tehsil Payal, Distt Ludhiana – 141415

.....Appellant/Complainant

Versus

Public Information Officer

O/o Secretary, Education Department (Schools), Punjab,
 Mohali.

.....Respondent

Public Information Officer

O/o DEO, Fatehgarh Sahib.

First Appellate Authority

O/o Education Minister, Punjab,
 Chandigarh.

Appeal Case No.985 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 05-08-2020
 PIO replied on : -
 First appeal filed on : 08-09-2020
 First Appellate Authority order : -

Present: Appellant: Sh. Surjit Singh

Respondent: Sh. Tejveer Singh (Sr. Asst. O/o DEO office, Fatehgarh Sahib),
 9501311800, along with Sh. Kapil Kumar (Sr. Asst. O/o Secretary, Education
 Department (Schools), Pb) 9988009395

ORDER (Fourth Hearing):

1. This order may read with the reference of previous order dated 27.10.2021.

Information Sought :

5. Particulars of the information solicited
 a) Subjects Matter of information (*)
 b) the period to which information relates(**)
 c) specific Details of information required (***)
 1. दिवस 27.10.2021 को माही (मं.सि.) SASAM के
 वेबि मीटिंग के बारे में माहि मापवा की मा मेह पंजी ए मीटिंग के
 यज्ञ उपलब्धी की माहि मापवा की मा मेह पंजी ए मीटिंग के
 मापवा के माहि मापवा की मा मेह पंजी ए मीटिंग के
 455/11-18/127-15 मा (5) गिडी
 माहि मापवा की मा मेह पंजी ए मीटिंग के
 1.3-13-19 माहि मापवा की मा मेह पंजी ए मीटिंग के
 माहि मापवा की मा मेह पंजी ए मीटिंग के
 माहि मापवा की मा मेह पंजी ए मीटिंग के

d) Whether information is required by post
 or in person (the actual postal fees shall be
 included in additional fee in providing the information)
 e) in case by post (ordinary/registered
 or speed post)
 f) Is this information not made available by

2. Appellant, Sh. Surjit Singh stated that no information has been provided by the
 respondent PIO so far.

Appeal Case No.985 of 2021
(Cisco Webex Proceedings)

3. Respondent, Sh. Kapil Kumar pleaded that the information pertaining to this RTI application is related to DEO office Fatehgarh Sahib. Respondent no. 2 from the O/o DEO office Fatehgarh Sahib Sh. Tejveer Singh stated that sought information/reply has already been provided to the appellant dated 28.05.2021 & 30.07.2021 vide letter reference no. m-1/RTI/2021 & m-2/RTI/2021 respectively. He further added that no any other information pertaining to this RTI application is pending in his office.
4. After hearing both parties and going through the case file the Commission directed the PIO to furnish an affidavit within 20 days from issue of this order, providing therein the factual situation (as discussed above) and affirming the position that the information sought by the appellant has been supplied to best extent and no any other information is pending in the office record. In case the partial information is not available in the office record then an affidavit may also be filled in this regard to the appellant with a copy to the Commission therein mentioning the reasons for its non-availability.

The Appeal stands **disposed of** with the above direction.

Sd/-

Chandigarh
Dated: 23.02.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

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Sh. Surjit Singh, (9855900321)

S/o Sh. Gokal Singh,
 VPO Jarg, Tehsil Payal, Distt. Ludhiana – 141415

.....Appellant/Complainant

Versus

Public Information Officer

O/o Secretary, Education Department (Schools), Punjab,
 Mohali.

.....Respondent

Public Information Officer

O/o DEO, Fatehgarh Sahib.

First Appellate Authority

O/o Education Minister, Punjab,
 Chandigarh.

Appeal Case No.987 of 2021
(Cisco Webex Proceedings)

RTI application filed on	:	02-11-2020
PIO replied on	:	-
First appeal filed on	:	29-12-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Surjit Singh

Respondent: Sh. Tejveer Singh (Sr. Asst. O/o DEO office, Fatehgarh Sahib),
 9501311800, along with Sh. Kapil Kumar (Sr. Asst. O/o Secretary, Education
 Department (Schools), Pb) 9988009395

ORDER (Fourth Hearing):

1. This order may read with the reference of previous order dated 27.10.2021.

Information Sought :

c) specific Details of information required (***)

1. ਦਿੱਖਾ ਕੇ ਕਿ ਸੇਵਾ ਯੋਗਿਕ ਕੋਡ - ਸਿੱਟੇ 17-10-2020 ਸਕਾਪ (1)
ਪੁਸ਼ਟੀਕਰਨ ਪ੍ਰਕਿਰਮੇ ਦੀ ਸਕਰੀਨ ਸ਼ਾਮਲ ਕਰਨ ਦੀ ਸੇਵਾ ਮਾਰਪਾਟ
ਵੇਬ ਸਿਟੀ ਤੇਰੇ ਕੋਡੇ ਦੀ ਸਕਰੀਨ 309 ਸਕਾਪ ਪ੍ਰਕਿਰਮੇ ਦੇ ਅਧੀਨ ਕੀ
ਕੀ ਪੀ. ਐਚ. ਐਚ. (ਮੀ. ਸੀ.) 545 ਨਗਰਲੇ 3/ ਸਕਾਪ - ਪੰਜਾਬ
ਕੋਡੇ ਸਿੱਟੇ 17-10-2020 ਸਕਾਪ (1) ਵਿੱਚ ਮਾਫ 1992

d) Whether information is required by post
 or in person (the actual postal fees shall be
 included in additional fee in providing the information)

e) in case by post (ordinary/registered
 or speed post)

6. Is this information not made available by
 public authority under voluntary disclosure?

7. Do you agree to pay the required fee?

8. Have you deposited application fee?
 (attach proof of bank deposit)

13-11-2020 ਤੇ ਨਵੀਂ ਸਿੱਟੇ ਸਕਾਪ (1)
 ਦਿੱਖਾ ਕੇ ਕਿ ਪ੍ਰਕਿਰਮੇ ਤੇ ਕਰਨ
 ਸਕਾਪ ਮਾਰਪਾਟ ਦੀ ਸੇਵਾ ਕਰਨ ਦੀ
 ਸਕਾਪ ਮਾਰਪਾਟ ਦੇ ਮਾਰਪਾਟੇ ਸਕਾਪ: ਸਕਾਪ
 2/ ਸਿੱਟੇ ਸਿੱਟੇ ਸਕਾਪ ਸਕਾਪ
 ਕੋਡੇ ਸਕਾਪ ਸਕਾਪ ਸਕਾਪ
 51. 835-804- ਸਕਾਪ

2. Appellant, Sh. Surjit Singh stated that no information has been provided by the
 respondent PIO so far.

Appeal Case No.987 of 2021
(Cisco Webex Proceedings)

3. Respondent, Sh. Kapil Kumar pleaded that the information pertaining to this RTI application is related to DEO office Fatehgarh Sahib. Respondent no. 2 from the O/o DEO office Fatehgarh Sahib Sh. Tejveer Singh stated that sought information/reply has already been provided to the appellant dated 28.05.2021 & 30.07.2021 vide letter reference no. m-1/RTI/2021 & m-2/RTI/2021 respectively. He further added that no any other information pertaining to this RTI application is pending in his office.
4. After hearing both parties and going through the case file the Commission directed the PIO to furnish an affidavit within 20 days from issue of this order, providing therein the factual situation (as discussed above) and affirming the position that the information sought by the appellant has been supplied to best extent and no any other information is pending in the office record. In case the partial information is not available in the office record then an affidavit may also be filled in this regard to the appellant with a copy to the Commission therein mentioning the reasons for its non-availability.

The Appeal stands **disposed of** with the above direction.

Sd/-

(Maninder Singh Patti)
State Information Commissioner, Pb.

Chandigarh
Dated: 23.02.2022

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Appeal Case No.1012 of 2021
(Cisco Webex Proceedings)

4. Appellant himself remained absent during the last three hearings consecutively i.e. 01.06.2021, 02.08.2021 and 27.10.2021. He is again absent today without any intimation to the Commission.

5. In view of the fact that the appellant neither bothered to attend any hearing or communicate in any other manner with this Commission or the respondent PIO, the Commission sees, no further cause for action and this appeal case is herewith CLOSED on merits. The show cause proceedings against the respondent PIO stand dropped.

Sd/-

Chandigarh
Dated: 23.02.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Madan Singh, (9855779055)
 S/o Sh. Ram Partap,
 Village KalarBhaini, P.O Jhandi ,Distt Patiala.

.....Appellant/Complainant

Versus

Public Information Officer
 O/o Block Development and Panchayat Officer,
 Block Sirhind, Distt. Fatehgarh Sahib.

.....Respondent

First Appellate Authority
 O/o District Development and Panchayat Officer,
 Fatehgarh Sahib.

Appeal Case No.1039 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 01-12-2020
 PIO replied on : -
 First appeal filed on : 02-01-2021
 First Appellate Authority order : -

Present: Appellant: Absent
 Respondent: Sh. Rajinder Singh (Panch. Secy.), 9781372372

ORDER (Fourth Hearing):

1. This order may read with the reference of previous order dated 27.10.2021

Information Sought :

1) ਇੱਥੋਂ ਦੀ ਰੂਪ ਵਿੱਚ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ ਕਿ 2019-20 ਵਿੱਚ ਜੋ ਮੌਜੂਦਾ ਪੰਚਾਇਤ
 ਕਮੇਟੀ ਹੈ, ਉਸ ਦੇ ਸਰਕਾਰੀ ਡਾਕੂਮੈਂਟਾਂ ਦੀਆਂ ਮਿਤੀ 1-12-2020 ਤੋਂ ਪਹਿਲਾਂ
 ਦੀਆਂ ਅਸਲੀਆਂ ਸੂਚਨਾ ਰਾਖੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।
 2) ਕਾਨਕਾ ਦਿੱਤੀ ਜਾਵੇ, ਮੌਜੂਦਾ ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਨੇ ਪਿੰਡ ਵਿੱਚ ਕੋਈ ਨਵੀਂ
 ਸਕੂਲ ਜਾਂ ਹੋਰ ਸਹੂਲਤਾਂ, ਜੋ ਸਕੂਲ ਦੇ ਕਮਰੇ ਬਣਾਏ ਹਨ, ਸਿੱਖ ਸਕੂਲਾਂ ਤੇ
 ਹਿੰਦੂ ਸਕੂਲਾਂ, ਬਸਰੀ, ਮੀਮਿਟ ਮਾਂਝਿ ਖਰੀਦਿਆ ਗਿਆ, ਉਨ੍ਹਾਂ ਦੇ ਵਿਚਕਾਰ ਦੀਆਂ
 ਤਸਵੀਰਾਂ ਰਾਖੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ ਅਤੇ ਇਹ ਵੀ ਦੱਸਿਆ ਜਾਵੇ ਕਿ ਕੋਈ ਵੀ
 ਟਿੱਕ ਦਿੱਤੀ ਤੇ ਸਰਕਾਰੀ ਸਿੱਖਿਆ ਸਕੂਲ ਲਈ ਗ੍ਰਾਂਟ ਮਾਫੀ ਕੀਤੀ ਜਾਵੇ
 ਵੇਰਵਾ ਦੱਸਿਆ ਜਾਵੇ ਅਤੇ ਗ੍ਰਾਂਟ ਦੇ ਖੈਰ ਦੀ ਅਸਲੀਆਂ ਰਾਖੀ ਦਿੱਤੀ ਜਾਵੇ।
 3) ਮੌਜੂਦਾ ਪੰਚਾਇਤ ਦੀ ਖੁਯਾਨਗੀ ਵਿੱਚ ਜੋ ਪਿੰਡ ਲਈ Dustbin ਖਰੀਦੇ ਜਾਣੇ
 ਸੂਚਨਾ ਦਿੱਤੀ ਮਿਤੀ ਦੇ ਸਮੇਂ ਮੌਜੂਦਾ, ਉਨ੍ਹਾਂ Dustbin ਦੇ ਬਿਲ੍ਹੇ ਦੀਆਂ
 ਰਾਖੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ ਅਤੇ ਇਹ ਵੀ ਦੱਸਿਆ ਜਾਵੇ ਕਿ ਕੋਈ ਖਰੀਦੇ ਜਾਣੇ Dustbin
 ਦਿੱਤੇ ਜਾਣ, ਉਨ੍ਹਾਂ ਦੀ ਖਰੀਦ ਮੁਕਾਬਲੇ ਵਿੱਚ ਹੋਈ ਜਾਵੇ।
 ਆਪਣੇ ਕਾਰਨ ਦੀ ਮੈਲਟ ਟੈਸਟ ਰਾਖੀ ਕਾਨਕਾ ਯੋਗ ਤੇ।

3. Respondent, Sh. Rajinder Singh stated that with the compliance of the previous order of the Commission the appellant was called for the record inspection but he never turned up.

Appeal Case No.1039 of 2021
(Cisco Webex Proceedings)

4. Appellant himself remained absent during the last three hearings consecutively i.e. 01.06.2021, 02.08.2021 and 27.10.2021. He is again absent today without any intimation to the Commission.

5. In view of the fact that the appellant neither bothered to attend any hearing or communicate in any other manner with this Commission or the respondent PIO, the Commission sees, no further cause for action and this appeal case is herewith CLOSED on merits. The show cause proceedings against the respondent PIO stand dropped.

Sd/-

Chandigarh
Dated: 23.02.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Parveen Kumar, (9530991083)

S/o Sh. Babu Ram,
R/o Arniwala Wazira, P.O PhulluKhera,
Tehsil Malout, Distt. Sri Muktsar Sahib-152114.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Principal,
Guru Nank Sikh Girls Pathshala, Fazilka.

.....Respondent

First Appellate Authority

O/o Principal,
Guru Nank Sikh Girls Pathshala, Fazilka.

Appeal Case No.1033 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 06-03-2020
PIO replied on : -
First appeal filed on : 15-10-2020
First Appellate Authority order : -

Present: Appellant: Sh. Parveen Kumar
Respondent: Absent

ORDER (Fourth Hearing):

1. This order may read with the reference of previous order dated 27.10.2021

Information Sought :

- 1.) ਇਹ ਹੈਂ ਕਿ ਆਪ ਜੀ ਦੇ ਸਕੂਲ ਦੇ ਦਾਖਲਾ ਖਾਰਜ ਰਜਿਸਟਰ ਦੇ ਸਾਲ 1993-94, 94-95, ਅਤੇ 95-96, ਦੇ ਇਹਨਾਂ ਸਾਲਾਂ ਵਿੱਚ ਜਿੰਨੇ ਵੀ ਦਾਖਲੇ ਹਾਈਏ ਕਲਾਸ (9ਵੀਂ) ਵਿੱਚ ਹੋਏ ਹਨ। ਇਹਨਾਂ ਹੋਏ ਦਾਖਲੇ ਦੇ ਸਾਰੇ ਸਾਲਾਂ ਦੇ ਦਾਖਲਾ ਖਾਰਜ ਰਜਿਸਟਰ ਦੇ ਸਾਰੇ ਪੇਂਜਾ ਦੀਆਂ ਸਰਟੀਫਾਈਡ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।
- 2.) ਜਿੰਨਾਂ ਵਿਦਿਆਰਥੀਆਂ ਨੇ ਸਾਲ 95-96, ਵਿੱਚ (10ਵੀਂ) ਕਲਾਸ ਕੀਤੀ ਹੈ ਉਨਾਂ ਵਿਦਿਆਰਥੀਆਂ ਦੇ ਰਿਜਲਟ ਰਜਿਸਟਰ ਦੀਆਂ ਕਾਪੀਆਂ ਦੀ ਪੂਰੀ ਸੂਚਨਾ ਸਰਟੀਫਾਈਡ ਕਾਪੀਆਂ ਤੇ ਦਿੱਤੀ ਜਾਵੇ।
- 3.) ਇਨ੍ਹਾਂ ਸਾਰੇ ਦਸਤਾਵੇਜ਼ਾਂ ਦੇ ਸਾਲ ਵਾਲੇ ਰਜਿਸਟਰ ਦੇ ਸਭ ਤੋਂ ਪਹਿਲਾਂ ਪੇਜ, ਰਜਿ. ਜਿਲਤ, ਜਿਸ ਤੇ ਸਾਲ ਕਿਥੋ ਤੋਂ, ਕਿਥੋ ਤੱਕ ਲਿਖਿਆ ਹੰਦਾ ਹੈ, ਉਸ ਰਜਿ. ਜਿਲਤ ਪੇਜ ਦੀਆਂ ਕਾਪੀਆਂ ਜਰੂਰ ਦਿੱਤੀਆਂ ਜਾਣ।
- 4.) 10 ਵੀਂ ਕਲਾਸ ਦੇ ਗਜਟ ਦੀਆਂ ਕਾਪੀਆਂ ਦੀ ਪੂਰੀ ਸੂਚਨਾ ਸਰਟੀਫਾਈਡ ਕਾਪੀਆਂ ਤੇ ਦਿੱਤੀ ਜਾਵੇ
- 5.) ਇਹਨਾਂ ਸਾਲਾਂ ਦੇ ਸਕੂਲ ਦੇ ਮੌਜੂਦਾ ਪ੍ਰਿੰਸੀਪਲ ਦਾ ਪੂਰਾ ਨਾਮ-ਪਤਾ, ਮੋ: ਨੰ, ਆਦਿ ਪੂਰੀ ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਜਾਵੇ।
- 6.) ਇਹ ਹੈਂ ਕਿ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਦੇ APIO/PIO, ਦਾ ਨਾਮ, ਆਹੁਦਾ, ਪੂਰਾ ਪਤਾ, ਸਰਕਾਰੀ ਮੋਬਾਇਲ ਨੰ: ਆਦਿ ਦੀ ਪੂਰੀ ਜਾਣਕਾਰੀ ਸਰਟੀਫਾਈਡ ਕਾਪੀਆਂ ਤੇ ਦਿੱਤੀ ਜਾਵੇ।
- 7.) ਇਹ ਹੈਂ ਕਿ ਆਪ ਜੀ ਅਪੀਲੈਂਟ ਅਥਾਰਟੀ ਦਾ ਨਾਮ, ਆਹੁਦਾ, ਪੂਰਾ ਪਤਾ, ਸਰਕਾਰੀ ਮੋਬਾਇਲ ਨੰ: ਆਦਿ ਦੀ ਪੂਰੀ ਜਾਣਕਾਰੀ ਸਰਟੀਫਾਈਡ ਕਾਪੀਆਂ ਤੇ ਦਿੱਤੀ ਜਾਵੇ।

2. **Grounds for filing Second Appeal:** The PIO has not provided the desired information on some of the points stated above by seeking exemption u/s 8(1)(j) of the RTI Act.

Appeal Case No.1033 of 2021
(Cisco Webex Proceedings)

3. Submissions made by Appellant and Respondent during Hearing: The appellant submitted that he is not satisfied with the reply of the PIO who in his reply has claimed exemption u/s 8(1)(j) of the RTI Act. The desired information should be provided to him.

The Commission is in receipt of an email from the PIO, Shri Shallinder Singh wherein he has stated that due to some urgent work he would not be able to appear in the honorable Commission. He has prayed for an adjournment of the case. Since the Commission has the necessary replies and the other related documents on its record and in view of the emergency situation that has occurred in the office of the PIO, the presence of the PIO is dispensed with and the Commission will decide the case on the basis of the available documents.

Observations:

From a perusal of the relevant case records, it is noted that the appellant is contesting the reply of the PIO on points no. 1,2, 3,4 & 5. The PIO in his reply had claimed exemption u/s 8(1)(j) of the RTI Act on all these points. The Commission agrees with the contention of the PIO that such information is purely in the nature of personal information and no larger public interest has been shown. For remaining points i.e. 6 & 7 the respondent has furnished the reply as per RTI act 2005.

Reference is drawn to the decision dated 13.11.2019 of the Hon'ble Supreme Court in the matter of Central Public Information Officer... vs Subhash Chandra Agarwal, the relevant paras relating to interpretation of personal information reads as follows:

36. If one's right to know is absolute, then the same may invade another's right to privacy and breach confidentiality, and, therefore, the former right has to be harmonised with the need for personal privacy, confidentiality of information and effective governance.....

59. Reading of the aforesaid judicial precedents, in our opinion, would indicate that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited,

Appeal Case No.1033 of 2021
(Cisco Webex Proceedings)

findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive.

With regard to the copy of the application form of the 2nd rank holder, the decision taken in File no.:CIC/IITRP/A/2019/647639 , order dated 15.07.2020 will squarely apply to the information sought. Hence , no further action lies.

Decision:

In view of the above observations and also the judicial dicta mentioned above, the Commission is not inclined to direct disclosure of information. The reply of the PIO dated 22.02.2022 is considered proper. No further action is required in the matter.

The appeal is disposed of accordingly.

Chandigarh
Dated: 23.02.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. R.K. Verma, (9914221910)
326, New Shimlapuri,
Ludhiana – 141003

.....Appellant/Complainant

Versus

Public Information Officer
O/o Supdt. Central Jail,
Ludhiana.

.....Respondent

Complaint Case No.33 of 2022

(Cisco Webex Proceedings)

RTI application filed on : 25-08-2021
PIO replied on : -

Present: Appellant: Sh. R.K. Verma
Complainant: Sh.Smar Surtehj (DSP)

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 05.01.2022. Accordingly, the cases are fixed for today.

Information Sought:

01. Whether any wages due for the applicant?
02. Why the said wages can't be paid till date?
03. RTI fee Rs 10/- go no 53F 646603 dt 25/8/21

2. Appellant, Sh. R.K. Verma stated that he has received the sought information from respondent authority and has requested to close the case.
3. As the information stands supplied therefore no case of action is left in this case accordingly the case is closed and disposed of.

Sd/-

Chandigarh
Dated: 23.02.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Iknor Singh, (9780161200)

S/o Sh. Harsunjit Singh,
R/o Village Khanpur Thiara,
P.O Meghowal Ganjian, Distt. Hoshiarpur.

.....Appellant/Complainant

Versus

Public Information Officer

O/o PWD (B&R),
Hoshiarpur.

.....Respondent

Complaint Case No.45 of 2022
(Cisco Webex Proceedings)

RTI application filed on : 29-11-2021
PIO replied on : -

Present: Complainant: Sh. Iknor Singh
Respondent: Absent

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 05.01.2022. Accordingly, the cases are fixed for today.
2. 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).
3. 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.

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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.

In view of the observations noted above, the instant case is disposed of.

Sd/-

Chandigarh
Dated: 23.02.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

First Appellant Authority
O/o Superintending Engineer , PWD (B&R),
Hoshiarpur.