

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in
Visit us: - www.infocompunjab.com Helpline no. 0172-2864100



Sh. Jai Chand Kataria (M.-9855098333)

S/o Sh. Ram Ditta Kataria,
Village – Harwan, P. O. – Nainwan,
Tehsil – Gahrshankar,
Distt. – Hoshiarpur (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Block Development
and Panchayat Officer,
Garhshankar, Distt. – Hoshiarpur (Punjab)

...Respondents

Complaint Case No. 271 of 2024

1/2

Present : Complainant : Sh. Jai Chand Kataria.
Respondent: Sh. Jiwan Lal, Superintendent

ORDER

- This order may be read with reference to the previous order of the Commission dated 20.01.2026.**
- Today, both parties are present.** Sh. Jiwan Lal, Superintendent, on behalf of the Respondent, submits that the information available on record **comprising 263 pages** has already been supplied to the complainant by Sh. Gurchetan Ram, Panchayat Secretary. He further submits that, in compliance with the last order, a **detailed written submission has been furnished vide letter No. 1611 dated 09.04.2026**, wherein it has been clarified, inter alia, that the relevant information regarding the query raised by the complainant has been addressed and correspondence in this regard has already been made with the office of District Development and Panchayat Officer, Hoshiarpur. **The said written submission along with supporting enclosures is taken on record.** A copy of the same has been handed over to the complainant, who appeared late during the course of hearing.
- The complainant, however, contends that the reply furnished by the Respondent is **incomplete and misleading** and insists that complete information has not been provided.
- The Commission has carefully considered the submissions made by both parties and perused the record available on file. **It is observed that the present matter has been instituted under Section 18 of the RTI Act, 2005.** In this regard, it is pertinent to note that the Hon'ble Supreme Court of India, in its judgment dated 12.12.2011 in Civil Appeal Nos. 10787–10788 of 2011 (arising out of SLP (C) No. 32768-32769 of 2010), has categorically held that **while dealing with a complaint under Section 18 of the RTI Act, the Commission does not have the jurisdiction to direct disclosure of information.**
- Further, it is evident that **an efficacious statutory remedy of filing a First Appeal under Section 19(1) of the RTI Act, 2005 is available to the complainant**, which has not been availed in the present case. Consequently, the First Appellate Authority has not had the occasion to examine the matter and pass a reasoned order as envisaged under the provisions of the RTI Act.

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Complaint Case No. 271 of 2024

2/2

6. **In view of the above, the instant complaint is remanded to the concerned First Appellate Authority i.e. District Development and Panchayat Officer, Hoshiarpur, along with a copy of the RTI application for ready reference. The First Appellate Authority is directed to **afford an opportunity of hearing to the complainant, namely Sh. Jai Chand Kataria, and to pass a speaking order within 15 days** from the date of receipt of this order. The Respondent PIO shall extend full cooperation in this regard.**
7. **The First Appellate Authority shall also ensure that a compliance report is sent to the Commission within the stipulated period.**
8. The complainant is at liberty to approach this Commission by way of **Second Appeal under Section 19(3) of the RTI Act, 2005**, in case he remains aggrieved by the decision of the First Appellate Authority.
9. **The complaint is disposed of accordingly with the above observations and directions.**

Chandigarh
21.04.2026

Sd/-
(Sandeep Singh Dhaliwal)
State Information Commissioner, Punjab.

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Ms. Neha,
H. No. 180, Vardhman Park,
Chandigarh Road,
Ludhiana (Punjab)
(M.-9888756583)

.....Appellant

Vs

Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab)

First Appellate Authority
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab)

.....Respondents

Appeal Case No. 1822 of 2023

1/2

Present : NONE

ORDER

1. This order may be read with reference to the Commission's previous orders dated 12.11.2025 and 20.01.2026, whereby the Respondent PIO was granted a final opportunity to issue the renewed cheque towards the compensation awarded to the appellant and the matter regarding waiver of penalty was kept pending, subject to full compliance.
2. Today, neither the appellant nor the Respondent PIO has appeared before the Commission. Further, no fresh compliance report has been placed on record regarding issuance of the renewed cheque.
3. The Commission has, however, perused the material available on record and taken note of the letter bearing reference No. 1106 dated 16.01.2024 submitted by the Respondent PIO seeking waiver of penalty. It is observed that an affidavit has also been filed on record and the RTI application in question stands adequately and substantially dealt with.
4. In view of the above and considering the overall facts and circumstances of the case, the penalty amount of ₹15,000/- imposed vide order dated 11.12.2023 is hereby **waived off**.
5. As regards the compensation, since both parties are absent and no latest status is available on record regarding issuance of the renewed cheque, the Respondent PIO is hereby directed to ensure that, if the same has not already been issued, the compensation amount is duly remitted to the appellant forthwith through appropriate lawful means, under due intimation to the appellant. However, in view of the overall facts and circumstances and substantial compliance on record, the matter is not being kept pending on this limited aspect.

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Appeal Case No. 1822 of 2023

2/2

6. In view of the continued non-appearance of both parties and the fact that the matter has been substantially addressed, no further intervention of the Commission is required in the present case.
7. Accordingly, the present case is **disposed of**, with the above directions.

Chandigarh
21.04.2026

Sd/-
(Sandeep Singh Dhaliwal)
State Information Commissioner, Punjab.