

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864120

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Sh. Jagdish Mitter, MCH 1/85A,
Street No. 3, Mohalla Ranjit Nagar
Rahimpur Road, Hoshiarpur

Appellant

Versus

Public Information Officer,
O/o MD, Cooperative Bank,
Hoshiarpur

First Appellate Authority
O/o MD, Cooperative Bank,
Hoshiarpur

Respondents

APPEAL CASE NO. 2978 of 2024

Present :- Sh.Jagdish Mitter the appellant
None for the respondent

ORDER

The RTI application is dated 31.05.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 19.04.2024 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 09.07.2026 in the Commission.

2. The appellant states that no information has been given to him so far.
3. Respondent is absent today. He has sent his reply to the appellant on 05.07.2023 that the respondent organization is not a 'public authority' within the meaning of Section 2 (h) of the RTI Act, 2005.
4. After hearing the appellant and going through the case file, it is observed that Hon'ble Punjab and Haryana High Court vide judgment dated 09.01.2025 in CM-19892-CWP-2024 in CWP-13580-2015 dated 09.01.2025 in the matter of The Punjab State Federation of Cooperative House Building Societies Limited vs The State Information Commission, Punjab and another and in CM-50-CWP-2025 in CWP-20904-2015 in the matter of The Punjab State Cooperative Bank Limited vs State Information Commission, Punjab and others held that :-



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“keeping in view the judgment in General Manager, The Kisan Sahkari Chini Mills (supra), qua the petitioner- HOUSEFED, the State has only 21% share and qua petitioner-Cooperative Bank, state has not more than 1% of share, which is not good enough to treat the petitioners as Public Authority so as to be amenable to the RTI Act 2005. Once, the Cooperative Societies have been kept apart from the definition of Public Authority and law has already been settled on the said issue by the Hon’ble Supreme Court of India, ignorance of said settled principle of law by the State Information Commission, Punjab in the impugned orders cannot be upheld.

Once , the writ petition is not maintainable against the Cooperative Societies, making the petitioners amenable to the right to Information Act, 2005 will be contrary to the settled principle of law by treating it as a Public Authority.

The State has a power to pass appropriate amendment so as to include the Cooperative Societies under the jurisdiction of RTI Act.

At this stage, learned counsel for the State has submitted that to her knowledge, no such amendment has been undertaken so far by the State so as to bring the petitioners under the jurisdiction of Right to Information Act, 2005.

Till the date any such amendment is made by the State, keeping in view the settled principle of law and the facts qua the petitioners notice hereinbefore, orders dated 20.05.2015 and 27.08.2015 passed by the State Information Commission, Punjab are contrary to settled principle of law and cannot be sustained and are set aside”.

5. In view of the above circumstances, no further cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the orders be sent to the parties.

Sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :09.07.2026

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Sh Manjit Singh, (M-84274-98620)
S/o ShGurcharan Singh,
R/o Village Manemajra,
Tehsil Chamkaur Sahib, DisttRopar

..... Appellant

Public Information Officer,
O/o MD, Milkfed, Pb
SCO 153-155, Sector -34A, Chandigarh

.Vs

First Appellate Authority
O/o MD, Milkfed, Pb
SCO 153-155, Sector -34A, Chandigarh

.....Respondent

AC No. 6716of 2025

Present :- (i) Sh. Manjit Singh the appellant
(ii) For the respondent : Sh. Ashwani Prashar, Advocate (8847235362)

ORDER

This order may be read with reference to the previous order dated 12.05.2026 vide which the Respondent raised a preliminary objection regarding the maintainability of the present appeal, contending that the respondent is not a 'public authority' within the meaning of Section 2(h) of the RTI Act, 2005. Accordingly, the appellant was granted an opportunity to file a rejoinder specifically addressing the said objection.

2. Today both the parties have reiterated their respective stands. The respondent states that they have already filed a detailed written reply contending that Milkfed Punjab does not fall within the definition of a "public authority" under Section 2(h) of the Right to Information Act, 2005 and, therefore, is not amenable to the provisions of the Act. The appellant has also filed detailed written submissions today asserting that Milkfed Punjab is a 'public authority' and is liable to furnish information under the RTI Act. Copy of the same is handed over to the respondent.

3. Having considered the rival submissions of both the parties, this Bench is of the considered opinion that the issue involved pertains to the determination of the legal status of Milkfed Punjab under Section 2(h) of the RTI Act, 2005, which is a significant question of law. Accordingly, it is considered appropriate that the matter be placed before the Hon'ble Double Bench for adjudication on the issue whether the respondent is a 'public authority' within the meaning of the RTI Act and for passing appropriate orders. Hence, this case file is sent to Deputy Registrar to be placed before Hon'ble CIC for further necessary action.

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :09.07.2026

CC: Deputy Registrar (alongwith original case file)

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Sh. Amritpal Singh, S/o Sh.
Harjinder Singh, Village Bhorsi Rajputan
Tehsil Baba Bakal Sahib,
Distt.Amritsar

Appellant

Versus

Public Information Officer,
O/o BDPO, Raiya, Distt.Amritsar

First Appellate Authority
O/o DDPO, Amritsar

Respondents

APPEAL CASE NO. 2974 of 2024

Present :- None for the parties

ORDER

The RTI application is dated 13.02.2024 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 19.04.2024 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 09.07.2026 in the Commission.

2. Today neither the appellant nor the respondent is present. An email has been received from the respondent mentioning therein that the information has been provided to the appellant. He has also sent the acknowledgment given by the Appellant in token of having received the information.

3. Since the appellant has received the information no further cause of action is left hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Date :09.07.2026

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Balveer Singh, S/o Sh. Govinda
Lutera Kalan, Near Gurudwara,
Tehsil Jalandhar -I -144030

Appellant

Versus

Public Information Officer,
O/o Tehsildar Jalandhar -I

First Appellate Authority
O/o SDM Jalandhar

Respondents

APPEAL CASE NO. 2979 of 2024

Present :- (i) None for the appellant
(ii) For the respondent : Sh. Bhola Singh, Patwari (8195982313)

ORDER

The RTI application is dated 02.02.2024 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 09.04.2024 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 09.07.2026 in the Commission.

2. The appellant is absent today. He has not informed the Commission about his absence for today's hearing.

3. Respondent states that the reply has already been sent to the appellant.

4. After hearing both the parties and going through the case file, it is observed that the respondent has sent reply to the appellant on 20.02.2024 that *"only such information is required to be supplied under the Act which already exists is held by the public Authority or held under the control of the public Authority. The PIO is not supposed to create information or to interpret information or to solve the problems raised by the applicants or to furnish replies to hypothetical questions."*

5. The above said objection of the respondent is upheld. The appellant may note that it is settled legal position that information that can be provided under the RTI Act is that which is already on record of the Public Authority. The PIO cannot be asked to create any record for answering the RTI questions. As per the Supreme Court decision in **Khanapuram Gandaiah vs Administrative Officer & Ors on 4 January, 2010** in SPECIAL LEAVE PETITION (CIVIL) NO.34868 OF 2009 the definition of information as given under Section 2(f) of the RTI Act 2005, shows that an applicant under Section 6 of the RTI Act can get any information which is already in existence and accessible to the public authority under law. Of course, under the RTI Act an applicant is entitled to

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APPEAL CASE NO. 2979 of 2024

get copy of the opinions, advices, circulars, orders, etc., but he cannot ask for any information as to why such opinions, advices, circulars, orders, etc. have been passed. Hence, the information sought by him cannot be supplied. The appeal is, therefore **dismissed**. Copies of the order be sent to the parties.

Date :09.07.2026

**sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab**

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Sh. Rajnish Bharara,
520, Preet Colony, Zirakpur-140603
(M-9918896100)

Appellant

Versus

Public Information Officer,
O/o Addl. SE, PSPCL, Zirakpur

First Appellate Authority
O/o Chief Engineer,
(South Zone) PSPCL, Patiala

Respondents

APPEAL CASE NO. 188 OF 2024

Present :- (i) None for the appellant
(ii) For the respondent : Er.Rakesh Bhatia, AE ,PSPCL, (9646110132)

ORDER

This order may be read with reference to the previous order dated 28.04.2026 vide which neither the appellant nor the respondent was present.

2. The appellant is again absent today.

3. Respondent states that the reply has already been sent to the appellant.

4. The Commission notes that the appellant is absent today. On the previous date of hearing as well, the appellant remained absent, through written submission had been received and taken on record. However, on the present date, neither has the appellant appeared nor have any fresh written submissions or request for adjournment been received, reflecting a lack of interest in pursuing the present appeal.

5. The respondent appeared and submitted that an appropriate reply has already been furnished to the appellant in accordance with the provisions of the RTI Act , 2005.

6. In view of the repeated non-appearance of the appellant, absence of any communication explaining such non-appearance, and the respondent's submissions that the requisite reply has already been provided, the Commission is of the considered view that no useful purpose would be served by keeping the matter pending indefinitely. Accordingly, the present appeal is hereby **disposed of and closed**. Copy of the order be sent to the parties.

Date :09.07.2026

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh.AnkitSehgal, C/o Bombay
Studio, Near Main Post Office Chowk
Pathankot

Appellant

Versus

O/o SMO, Civil Hospital, Samana
Distt.Patiala

First Appellate Authority
O/o Civil Surgeon, Patiala

Respondents

APPEAL CASE NO. 4795 of 2025

Present :- (i) None for the appellant
(ii) For the respondent : Dr. Sarabjeet Kaur, PIO (9872376567), Ms.Shalini Kaushik (8437920984)

ORDER

This order may be read with reference to the previous order dated 09.04.2026 vide which the appellant was not present and the respondent stated that the complete information regarding deficiencies pointed out by the appellant has been sent to the appellant.

1. Today again the appellant is absent . However, written submissions have been received from the appellant alleging that information on only one point has been furnished. The respondent submission that a point-wise reply has already been supplied to the appellant.

2. Upon consideration of the material available on the record and the submissions of the respondent, the Commission finds no further intervention warranted under the RTI Act. In the absence of the appellant despite repeated opportunities and as the respondent has furnished a point wise response, the present appeal stands **disposed of and closed**. Copy of the order be sent to the parties. ***However point-wise reply as sent by the respondent be sent to the appellant alongwith these orders.***

Date :09.07.2026

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Balwinder Singh, S/o Sh. Maluk Singh
292, Panchayati Gali, Tehsil Gurdaspur-
143521 (M-80542-11214)
(RTI application no. 107452)

Appellant

Versus

Public Information Officer,
O/o Excise Police, Hoshiarpur

First Appellate Authority
O/o Assistant Commissioner, Excise
Patiala

Respondents

APPEAL CASE NO. 2986 of 2024

Present :- (i) None for the appellant
(ii) For the respondent : PIO-Sh Preet Bhupinder Singh, Excise officer (96464-66222)

ORDER

The RTI application is dated 20.01.2024 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 19.04.2024 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 30.06.2026 in the Commission.

2. The appellant is not present today. He has not informed the Commission about his absence.
3. The respondent states that he has brought their reply/information today to be provided to the appellant.
4. Before stating anything further, it would be significant to reproduce the contents of the RTI application itself, which are as follows:-

"Shri Sukhwinder Singh jee.

I lodge a complaint for opening of wine shops before time which is violation of excise Act or rules and excise policy. Copy of the e-mail is attached herewith.

Kindly intimate me the action taken in this case."

The respondent has brought his reply/information as under:-

- " 1. No action has been initiated or taken against the concerned licensee on the basis of any such complaint
2. Further, the complaint pertains to the Financial Year 2023-24. The license granted for the said period has already expired and is no longer in force. Therefore, no retrospective action can be taken at this stage"

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APPEAL CASE NO. 2986 of 2024

After going through the abovesaid, it has been ascertained that the respondent has adequately addressed the RTI of the appellant. Hence, no further cause of action is left. However, the copy of information, as filed by the respondent is sent to the appellant, along with these orders. With this, the appeal case filed by the appellant is **disposed of and closed**. *However, liberty is granted to the appellant to approach the Commission within one month, if he so desires.* Copy of the order be sent to the parties.

Date :09.07.2026

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Balwinder Singh, S/o Sh. Maluk Singh
292, Panchayati Gali, Tehsil Gurdaspur-
143521 (M-80542-11214)
(RTI application no. 107458)

Appellant

Versus

Public Information Officer,
O/o Excise Police, Hoshiarpur

First Appellate Authority
O/o Assistant Commissioner, Excise
Patiala

Respondents

APPEAL CASE NO. 2985 of 2024

Present :- (i) None for the appellant

(ii) For the respondent : PIO-Sh Preet Bhupinder Singh, Excise officer (96464-66222)

ORDER

The RTI application is dated 20.01.2024 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 19.04.2024 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 30.06.2024 in the Commission.

2. The appellant is not present today. He has not informed the Commission about his absence.
3. The respondent states that he has brought their reply/information today to be provided to the appellant.
4. Before stating anything further, it would be significant to reproduce the contents of the RTI application itself, which are as follows:-

"Kindly refer to my e-mail dated 11.01.2024 copy attached herewith.

The wine shops in Dasuya, Gardiwal and Haryana was open before 9.00Am this is violation of the Excise Act and excise policy.

In the matter you requested to provide me the action taken report in the matter"

The respondent has brought his reply/information as under:-

- " 1. No action has been initiated or taken against the concerned licensee on the basis of any such complaint
2. Further, the complaint pertains to the Financial Year 2023-24. The license granted for the said period has already expired and is no longer in force. Therefore, no retrospective action can be taken at this stage"

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APPEAL CASE NO. 2985 of 2024

After going through the abovesaid, it has been ascertained that the respondent has adequately addressed the RTI of the appellant. Hence, no further cause of action is left. However, the copy of information, as filed by the respondent is sent to the appellant, along with these orders. With this, the appeal case filed by the appellant is **disposed of and closed**. *However, liberty is granted to the appellant to approach the Commission within one month, if he so desires.* Copy of the order be sent to the parties.

Date :09.07.2026

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Ms. KanchanLata, House No. 1739,
Main Bazar, Manimajra - 160101

Appellant

Versus

Public Information Officer,
O/o Tehsildar, Payal,
Distt. Ludhiana

First Appellate Authority
O/o SDM, Payal, Distt. Ludhiana

Respondents

APPEAL CASE NO.6129 of 2025

Present :- (i) Sh Gopal Bhalla, representative for the appellant
(ii) For the respondent :Sh Jagjeet Singh, JrAsstt. (74030-00068)

ORDER

This order may be read with reference to the previous order dated 22.04.2026 passed by the Commission.

2. The Respondent states that the information has been provided to the appellant
3. The representative of the appellant states that he has received the same and is satisfied with it and that the case may be closed.
4. Since, the appellant is satisfied with the information provided therefore, no further cause of action is left. Hence, the appeal case filed by the appellant is **disposed of and closed**. Copy of the orders be sent to the parties.

Date :09.07.2026

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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