

PUNJAB STATE INFORMATION COMMISSION

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Sh. Rajinder Kumar (7973272931)

s/o Kewal Krishan,
Vill. Rupowali Bahmana,
Sialka, Distt. Amritsar 143119

Complainant

Versus

Public Information Officer

O/o Director, State Transport Pb,
Chandigarh

Respondent

Complaint Case No.: 695 of 2021

Heard through CISCO WEBEX

Present:

(i) Appellant: Absent.

(ii) Respondent:

Sh. Ripan Chauhan (JA) (9646400464)

Sh. Darshan Singh

Ms. Amarjeet Kaur (clerk) (9888111613)

Sh. Deepak Ghai (Clerk, Moga)

ORDER:

1. The RTI application is dated 02.03.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 05.04.2021 and second appeal was filed in the Commission on 16.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing through CISCO WEBEX on 02.03.2022 at 11.30 a.m. i.e. today.
2. In today's hearing, respondents, Sh. Ripan Chauhan, Sh. Darshan Singh, Ms. Amarjeet Kaur and Sh. Deepak Ghai states that the requisite information has already been sent to the appellant on 08.11.2021 and 14.12.2021 through registered post.
3. Complainant is absent despite being aware about date of hearing. It is also observed that there is no communication from the complainant to the Commission regarding his absence or about the requisite information. Respondents also intimate the Commission that complainant did not point out deficiency so far.
4. The complainant failed to avail the opportunity to represent this 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).*
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. In view of above, no further cause of action is required. Therefore, this instant Complaint Case is **disposed of & closed**. Copies of order be sent to the parties

Dated: 02.03.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab