

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864113, Helpline No. 0172-2864100

Email: - psic22@punjabmail.gov.in

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Sh. George Subh(9814100191)

Complainant

S/o Sh. Rustam Masih,
R/o Begowal, W.No.12,
Tehsil Bholath, Distt. Kapurthala 144621

Vs

Public Information Officer (By Name)

(Regd. Post) O/o SSP, Mansa

Respondent

Complaint Case No.: 171 of 2021
Through CISCO WEBEX

Present: Complainant: Sh. George Subh.

Respondent: Sh. Amritpal Singh, ASI (9780009839).

ORDER:

1. This order may be read with previous orders dated 27.05.2021 and 08.09.2021 where respondent department was absent and the case adjourned to 08.03.2022 i.e. today.
2. In today's hearing, both the parties are present.
3. The complainant requests the Commission for intervention for supply of information as per RTI application.
4. The respondent department states that the information relates to Sh. Tarsem Masih, DSP which is 3rd party that cannot be provided. He further states that Sh. Tarsem Masih, DSP has been transferred to Tarn Taran.
5. After hearing both the parties, the Commission is of the view that the information can be delivered and SSP, Mansa should write a letter to SSP, Kapurthala for supply of information.
6. 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.

7. In view of above, the Commission does not see any further course of action required in the present case; therefore, this instant Complaint Case is **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 08.03.2022 (11:00 A.M.)

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Appellant

Sh. Manjit Singh, (8427498620)
s/o Sh. Gurcharan Singh,
Vill. Manemajra, Tehsil Chamkaur Sahib,
Distt. Ropar

Versus

Public Information Officer
O/o Director, State Transport
Pb, Chandigarh

Respondent

Complaint Case No. 967 of 2020
Through CISCO WEBEX

Present: Complainant: Sh. Manjit Singh.

Respondent: Sh. Ikjot Singh, EO (7739677758) along with Sh. Darshan Singh

ORDER:

1. This order may be read with previous orders dated: 08.09.2021 vide which respondent department stated that information with regard to point No.5, 6, 7 & 10 was pending as the same was to be provided by Director, State Transport Pb. Chandigarh. The hearing was further fixed to 08.03.2022 i.e. today.
2. In today's hearing, both the parties are present.
3. Respondent, Sh. Ikjot Singh states that information relate with 18 depots and pending information relates with point no. 5, 6, 7 and 10 that has already been supplied to the complainant. He presented a copy of the supplied information vide letter no. 3542-43 dated 13.11.2020 during the hearing. He is advised to submit a copy of the same to the Commission.
4. After discussing with both the parties, the Commission orders to provide the information to the complainant or complainant can collect the same from the Commission on any working day within 20 days after receipt of this order.
5. After discussing with both the parties and examining the case file, the Bench, is of the view that sufficient information has already been provided to the complainant. The Bench, as per observations made above, is of the view that the appellant cannot seek information on single RTI application from multiple authorities. A full Bench of State Information Commission, Punjab in Complaint Case No. 2903 of 2011 has decided on 13.01.2012, which is as under:-

"We hold that under Section (3) of the Act ibid, the legal obligation of a PIO who receives a request for information under Section 6(1) of the Act is limited to transfer this request to only one public authority that holds the information. This obligation does not extend to transfer to multiple authorities.

6. The Bench advises the appellant to go for seeking information by filing RTI application before a specific public authority that has separate PIO.

Complaint Case No. 967 of 2020
Through CISCO WEBEX

7. The attention of the Complainant is also 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).

8. 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.
9. In wake of above, no further cause of action is required. Therefore, this instant Complaint Case is **disposed of & closed.**

Dated: 08.03.2022 (11:00 A.M.)

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Jaspal Singh(9779124213)

S/o Sh. Surjit Singh,
H.No.157, Street No.8A, Manjit Nagar,
Bhadson Road, Patiala 147001

Appellant

Vs

Public Information Officer

O/o M.D., PEPSU Road Transport
Corporation, Patiala

First Appellate Authority

O/o State Transport Deptt., Punjab,
Chandigarh.

Respondent

Appeal Case No.: 830 of 2021
Through CISCO WEBEX

Present: Appellant: Absent.

Respondent: Sh. Dharun (9815055499) through CISCO Webex and Sh. Jaspal Singh (SA) (783755571) at PSIC office.

Order:

1. This order may be read with previous orders dated: 08.09.2021 vide which appellant stated that he has filed RTI application to the respondent PIO, O/o Principal Secretary, Punjab Government, Transport Department, Punjab Chandigarh and there is no role of the PRTC. He also mentions that requisite information is still pending from the respondent PIO.

Respondent, Sh. Jaspal Singh stated that RTI application was received on 20.10.2020 and information in connection with point no. 1 has already been sent to the appellant by the PRTC. He added that rest of the information cannot be provided as the case is under consideration by the higher authorities.

It was observed that RTI application was transferred to the respondent PIO, O/o MD, PRTC, Patiala under section 6(3) of the RTI Act, 2005 dated 03.11.2020 and a copy of this reply was also sent to the appellant vide letter no. 1215 dated 03.11.2020, so respondent PIO, O/o MD, PRTC, Patiala is the concerned respondent PIO and notice of hearing was also sent to him by the Commission.

Respondent PIO was directed either to supply the point-wise information within one week or file an affidavit as per queries raised by the appellant in his RTI application.

Appeal Case No.: 830 of 2021
Through CISCO WEBEX

Matter was adjourned for further hearing on 08.03.2022 i.e. today.

2. In today's hearing, respondent, Sh. Dharun states that requisite information was sent to appellant on his address through registered post on 19.10.2021 but undelivered with the remarks "no such person in this address". He submits copy of the appellant (undelivered information-vide Memo No. TRAN-TRP2015/1/2020-5T2/3T2/1320 dated 19.10.2021) with the envelope, which is taken on record.
3. Appellant is absent despite being aware about the date of hearing. A copy of previous order was sent to him through registered post. He is failed to avail this opportunity, which means he has nothing to say in this regard.
4. In wake of above, no further cause of action is required. Therefore, this instant Complaint Case is **disposed of & closed.**

Dated: 08.03.2022 (11:00 A.M.)

(Anumit Singh Sodhi)
State Information Commissioner
Punjab