

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

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

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Visit us: - www.infocommpunjab.com



Sh. Jasbir Singh (9888296107)

Guru Nanak Nagar,
Village Jhabewal, PO Ramgarh,
Distt. Ludhiana 141123.

Appellant

Versus

Public Information Officer

O/o Secy. Regional Transport Authority,
Ludhiana

First Appellate Authority

O/o Secy. Regional Transport Authority,
Ludhiana

Respondent

Appeal Case No.: 2889 of 2021
Through CISCO WEBEX

Present: Appellant: Sh. Jasbir Singh
Respondent: Sh. Sukhjinder Singh (PIO)

ORDER

1. The RTI application is dated 12.12.2020 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 18.01.2021 and second appeal was filed in the Commission on 23.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was sent to both the parties for 22.03.2022 at 11.30 a.m.
2. In today's hearing, appellant states that he is satisfied with the supplied information and requests to close this case.
3. Respondent, Sh. Sukhjinder Singh is present for today's hearing.
4. In wake of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed**. Copies of order be sent to the parties.

Dated: 22.03.2022 (11:30 AM)

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Appellant

Versus

Public Information Officer

O/o Director, State Transport Authority, Pb.,
Chandigarh

First Appellate Authority

O/o Director, State Transport Authority, Pb.,
Chandigarh

Respondent

Appeal Case No.: 2867of 2021
Through CISCO WEBEX

Present: Appellant: Sh. Jasbir Singh
Respondent: Sh. Davinder Singh

ORDER

1. The RTI application is dated 23.12.2020 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 27.01.2021 and second appeal was filed in the Commission on 23.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was sent to both the parties for 22.03.2022 at 11.30 a.m.
2. In today's hearing, appellant states that he is satisfied with the supplied information and requests to close this case.
3. Respondent, Sh. Davinder Singh is present for today's hearing.
4. In wake of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed**. Copies of order be sent to the parties.

Dated: 22.03.2022 (11:30 AM)

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Sh. Jasbir Singh (9888296107)

Guru Nanak Nagar,
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Complainant

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Ludhiana

Respondent

Complaint Case No.: 934 of 2021
Through CISCO WEBEX

Present: Complainant: Sh. Jasbir Singh
Respondent: Sh. Sukhjinder Singh (PIO)

ORDER

1. The RTI application is dated 21.05.2021 vide which the appellant has sought information as enumerated in his RTI application. The complaint was filed in the Commission on 19.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was sent to both the parties for 22.03.2022 at 11.30 a.m.
2. In today's hearing, appellant states that he is satisfied with the supplied information and requests to close this case.
3. Respondent, Sh. Sukhjinder Singh is present for today's hearing.
4. In wake of above, no further cause of action is required. Therefore, this instant appeal case is **disposed of & closed**. Copies of order be sent to the parties.

Dated: 22.03.2022 (11:30 AM)

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Complainant

Versus

Public Information Officer

O/o Secy., Regional Transport Authority,
Ludhiana

Remanded Back

First Appellate Authority

(Regd. Post) O/o Secy., Regional Transport Authority,
Ludhiana

Encl. RTI application

Respondent

Complaint Case No.: 935 of 2021
Through CISCO WEBEX

Present: Appellant: Sh. Jasbir Singh
Respondent: Sh. Sukhjinder Singh (PIO)

ORDER

1. The RTI application is dated 31.05.2021 vide which the appellant has sought information as enumerated in his RTI application. The complaint was filed in the Commission on 19.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was sent to both the parties for 22.3.2022 at 11.30 a.m.
2. In today's hearing, both the parties are present. Complainant has no objection to remand back this case to the First Appellate Authority.
3. 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).

Complaint Case No.: 935 of 2021
Through CISCO WEBEX

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. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.
5. 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.
6. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties through **registered post**.

Dated: 22.03.2022 (11:30 AM)

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Ludhiana

Remanded Back

First Appellate Authority

(Regd. Post) O/o Secy., Regional Transport Authority,
Ludhiana

Encl. RTI application

Respondent

Complaint Case No.: 958 of 2021
Through CISCO WEBEX

Present: Appellant: Sh. Jasbir Singh
Respondent: Sh. Sukhjinder Singh (PIO)

ORDER

1. The RTI application is dated 31.05.2021 vide which the appellant has sought information as enumerated in his RTI application. The complaint was filed in the Commission on 23.07.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was sent to both the parties for 22.3.2022 at 11.30 a.m.
2. In today's hearing, both the parties are present. Complainant has no objection to remand back this case to the First Appellate Authority.
3. 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).

Complaint Case No.: 958 of 2021
Through CISCO WEBEX

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. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.
5. 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.
6. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties through **registered post**.

Dated: 22.03.2022 (11:30 AM)

(Anumit Singh Sodhi)
State Information Commissioner
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