

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. Jasbir Singh, (9888296107)

Guru Nanak Nagar,
Vill. Bholapur, Jhabewal,
PO Ramgarh,
Distt. Ludhiana -141123

Appellant

Versus

Public Information Officer
O/o Regional Transport Office,
Ferozepur

First Appellate Authority
O/o RTA, Ferozepur.

Respondent

Appeal Case No.: 538 of 2021
Through CISCO WEBEX

Present: (i) Appellant: Sh. Jasbir Singh.
(ii) Nobody on behalf of the respondent.

Order:

1. This order may be read with previous orders dated 8.3.2022 vide which appellant, Sh. Jasbir Singh, was advised to supply the information received from the RTA, Faridkot & Bathinda within seven days to the respondent PIO, O/o RTA Ferozepur. Accordingly, respondent PIO was directed to supply the information within seven days, once he received information from the appellant supplied by the office of RTA-Faridkot and Bathinda. Matter was adjourned for further hearing on 26.4.2022 i.e. today.
2. In today's hearing, the appellant, states that he has received the information as per his RTI application from the respondent department. He further requests the Commission to close this case.
3. In wake of above, no further cause of action is required in this case. Hence, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 26.04.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Jasbir Singh (9888296107)

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

Complainant

Versus

Public Information Officer

O/o State Transport Commissioner, Pb.,
Chandigarh

Remanded Back

First Appellate Authority

(Regd. Post) O/o State Transport Commissioner, Pb.,
Chandigarh

Encl. RTI application

Respondent

Complaint Case No.: 743 of 2021
Through CISCO WEBEX

Present: (i) Sh. Jasbir Singh, Appellant
(ii) For the respondent: Ms Kulwinder Kaur (PIO)

Order

1. The RTI application is dated 13.4.2021 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 9.6.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 09.03.2022 which was not heard and fixed for today i.e. 26.04.2022.
2. In today's hearing both the parties are present.
3. After going through the file, it is observed that this is the complaint 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).

Complaint Case No.: 743 of 2021
Through CISCO WEBEX

4. 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. 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.
6. 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.
7. 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: 26.04.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

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Sh. Manjit Singh s/o (8427498620)

Sh. Gurcharan Singh,
Vill. Manemajra,
Tehsil Chamkaur Sahib,
Distt. Ropar.

Appellant

Versus

Public Information Officer

O/o State Transport Commissioner, Pb.,
Chandigarh

First Appellate Authority

O/o State Transport Commissioner, Pb.,
Chandigarh

Respondent

Appeal Case No.: 2638 of 2021

Through CISCO WEBEX

Present:

- (i) None on behalf of the appellant.
- (ii) For the respondent: Ms Kulwinder Kaur

Order:

1. This order may be read with the reference of previous order dated 3.3.2022 vide which respondent, Ms. Kulwinder Kaur, PIO stated that information has already been supplied to the appellant on 01.04.2021, 06.04.2021 and 24.09.2021 and appellant was absent inspite of knowing date of hearing. The appellant was advised to point out the deficiencies, if any within ten days. Matter was adjourned for further hearing on 26.4.2022 i.e. today.
2. In today's hearing, respondent, Ms. Kulwinder Kaur, PIO is present; states that as per previous orders the appellant was advised for pointing out deficiency, if any, but till date he has not informed for the same.
3. Appellant is absent second time despite being aware about the date of hearing.
4. In view of absence of the appellant subsequent second time, it is presumed that the appellant has received the information and he has nothing to say with regard to the deficiencies, therefore, the present case needs no further course of action. Hence, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 26.4.2022

**(Anumit Singh Sodhi)
State Information Commissioner
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Sh. Sanjeev Goyal, (9814197689)

s/o Sh. Ashok Kumar,
H.No.148, Model Town,
Phase-I, Bathinda

Appellant

Versus

Public Information Officer

O/o A DC(Dev)., Bathinda

First Appellate Authority

O/o A DC(Dev)., Bathinda

Respondent

Appeal Case No.: 2801 of 2021

Through CISCO WEBEX

Present:

(i) Appellant- Sh. Sanjiv Goyal

(ii) For the respondent: Sh. Jaswinder Singh, PIO(9876193133)

Order

1. This order may be read with the reference to previous order dated 2.3.2022 vide which respondent, Sh. Jaswinder Singh was directed to supply the attested copy of requisite information as per RTI application to the appellant after showing the official record to the appellant on his visit to the respondent's office on 16.03.2022. Matter was adjourned for further hearing on 26.04.2022 i.e. today.
2. In today's hearing, the appellant, states that he has received the information as per his RTI application from the respondent department. He further requests the Commission to close this case.
3. In wake of above, no further cause of action is required in this case. Hence, this instant appeal case is **disposed of & closed**. Copy of the order be sent to the parties.

Dated: 26.04.2022

**(Anumit Singh Sodhi)
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Sh. Harpreet Singh (8102281022/9779104469)

s/o Sh. Amarjeet Singh
R/o Burj Ldha Singh Wala,
Tehsil Rampura Phul,
Distt. Bathinda 151206.

Appellant

Versus

Public Information Officer

O/o Secy, Regional Transport Authority,
Jalandhar

Respondent

Complaint Case No.: 730 of 2021
Through CISCO WEBEX

Present

- (i) Complainant - absent.
- (ii) For the respondent: Sh. Hari Om (JA)

Order

1. The RTI application is dated 26.04.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 08.06.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 09.03.2022 through CISCO Webex application, which was not heard and fixed for 26.04.2022 i.e. today.
3. In today's hearing, respondent states that complete information has been sent to the complainant on 12.5.2021 and 28.03.2022 (received by the undersigned Bench via email dated 04.04.2022) and no ambiguity has been pointed out by the complainant till date.
4. Complainant is absent despite being aware about the date of hearing.
5. After going through the file, it is observed that this is the complaint 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).
6. Despite of being a complaint case, respondent PIO supplied information twice to the complainant on 12.05.2021 and 28.03.2022. no communication is received from the complainant regarding his absence or for ambiguity even after the ample time has elapsed.
7. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties.

Dated: 26.04.2022

(Anumit Singh Sodhi)
State Information Commissioner
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Sh. Harpreet Singh (8102281022/9779104469)

s/o Sh. Amarjeet Singh
R/o Burj Ldha Singh Wala,
Tehsil Rampura Phul,
Distt. Bathinda 151206.

Complainant

Versus

Public Information Officer

O/o Secy, Regional Transport Authority,
Ferozepur

Respondent

Complaint Case No.: 732 of 2021
Through CISCO WEBEX

Present

- (i) Complainant - absent.
(ii) For the respondent: Sh. Neeraj, RTA Office, Ferozepur

Order

1. The RTI application is dated 26.04.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 08.06.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 09.03.2022 through CISCO Webex application, which was not heard and fixed for 26.04.2022 i.e. today.
3. In today's hearing, respondent states that complete information has been sent to the complainant on 18.02.2022 and copy of the same has been received in the Commission through email on 10.03.2022, which is taken on record and no ambiguity has been pointed out by the complainant till date.
4. Complainant is absent despite being aware about the date of hearing.
5. After going through the file, it is observed that this is the complaint 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).
6. Despite of being a complaint case, respondent PIO supplied information to the complainant on 18.02.2022. No communication is received from the complainant regarding his absence or for ambiguity even after the ample time has elapsed.
7. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties.

Dated: 26.4.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab