

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864113, Visit us @ www.infocommpunjab.com,
Email: psic22@punjabmail.gov.in



Ms. Jaspreet Kaur,

W/o Sh. Sahil Kumar,
D/o Sh. Balwinder Singh, R/o Kakkar Mohalla,
Ward No. 10, Bhikhiwind, Distt Tarn Taran.

...Appellant

V/s.

Public Information Officer,

O/o E.O, Nagar Panchayat, Bhikhiwind,
Tarn Taran.

First Appellate Authority,

O/o D.C,
Tarn Taran.

....Respondents

Appeal Case No. 3475 of 2023

PRESENT: Appellant: Absent

Respondent: Sh. Shinderjeet Singh, Clerk (9056138386)

ORDER:

The above said Appeal Case was earlier allocated to Shri Anumit Singh Sodhi, State Information Commissioner, Punjab. After his retirement, the said Appeal Case was allocated to the undersigned Bench. The RTI application is dated **17.10.2022** vide which the appellant has sought the information as enumerated in her RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.12.2022** and Second Appeal was filed in the Commission on **30.05.2023** under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of Hearing was issued to the parties for today i.e. **20.11.2024**.

2. The respondent states that demanded information has already been supplied to the appellant twice vide letter dated 09.02.2023 and 30.06.2023.

3. The appellant is absent without intimation but a letter dated 06.11.2024 has been received from him (vide diary no. 14035 dated 08.11.2024) stating therein that she wanted to withdraw this present appeal case and does not intends to pursue this appeal case, which is taken on record.

4. As per the submissions made by the appellant, the Commission is of the view that no further cause of action is required in this case. Hence, this Appeal Case is **disposed off and closed.**

Date: 20.11.2024

Sd/-
(Virinderjit Singh Billing)
State Information Commissioner
Punjab

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Sh. Ashok Kumar,
S/o Sh. Krishan Chand,
Village Lehal (Dhariwal),
Tehsil & Distt Gurdaspur.

....Complainant

V/s.

Public Information Officer,
O/o Secretary, Transport Department, Punjab,
Sector 17, Chandigarh.

Regd. Post

Remanded Back to:
First Appellate Authority
O/o Principal Secretary, Transport Department,
Punjab Civil Secretariat 2,
Sector -9, Chandigarh.

Encl. RTI application

....Respondents

Complaint Case No. 345 of 2023

PRESENT: Complainant: Sh. Ashok Kumar
Respondent: Absent

ORDER:

The above said complaint case was earlier allocated to Sh. Anumit Singh Sodhi, State Information Commissioner, Punjab. After his retirement, the said complaint case was allocated to the undersigned Bench. The application dated **07.11.2022** vide which the complainant has sought information as enumerated in her RTI application. Complaint was filed in the Commission on **31.05.2023** under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for today i.e. **20.11.2024**.

2. The complainant states that his essential purpose is to obtain the demanded information as mentioned in his RTI application. However, the respondent is not present. It is also a fact that notice of the hearing which was sent to him received back by the Commission with the remarks 'Insufficient Address'.

3. As the complainant is interested to collect/get the sought information. It is appropriate to mention that Hon'ble Supreme Court of India in its order rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768- 32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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Complaint Case No. 345 of 2023

4. Since, an alternative and efficacious remedy of first appeal is available to the complainant who is interested in getting the information, accordingly, without going into the merits of the case, the case is remanded back to the **First Appellate Authority i.e. O/o Principal Secretary, Transport Department, Punjab Civil Secretariat 2, Sector -9, Chandigarh**, to take appropriate decision in accordance with the provisions of the RTI Act, 2005, within the prescribed timeline, after giving opportunity of hearing to all concerned by passing a speaking order.

5. With these directions, the case is **disposed of and closed**. However, the liberty is granted to the complainant to file second appeal, if he is not satisfied/does not receive the decision of the First Appellate Authority.

Date: 20.11.2024

Sd/-
(Virinderjit Singh Billing)
State Information Commissioner
Punjab