

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



Shri Satnam Singh Dhawan (9501513137)

House No. 7, J.K. Vihar, Manakwal,
District Ludhiana.

(Encl: RTI application)

...Complainant

V/s.

Public Information Officer,

O/o State Transport Commissioner,
Punjab, Sector 17, Chandigarh.

...Respondents

Complaint Case No. 309 of 2023

PRESENT: Complainant: Absent

Respondent: Smt. Raj Kumari, PIO-cum-Senior Assistant (9815045082)

ORDER:

The above said Complaint Case was earlier allocated to Shri Anumit Singh Sodhi, State Information Commissioner. After his retirement, the said Complaint Case was allocated to the undersigned Bench. The application dated **22.12.2022** vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on **15.05.2023** 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. **27.11.2024**.

2. The respondent states that the sought information has already been supplied to the complainant vide letter no. 36985 dated 18.10.2023 and no deficiency has been pointed out by the complainant till date. Further, she submits that an email dated 26.11.2024 in this regard has also been sent to the Commission, which is taken on record.

3. The complainant is absent but an email dated 27.11.2024, has been received from him today mentioning therein that he is unable to attend the hearing and requested for an adjournment, which is taken on record. He has also requested for documents in relating to this complaint case, for which the RTI application of this present complaint case is being sent to the complainant through registered post along with this order. **Last opportunity** is awarded to him to remain present on the next date of hearing for deliberations, failing which the case will be decided on merit, ex-parte.

4. **To come up on 03.06.2025 at 11.00 A.M. at Chandigarh.**

Date: 27.11.2024

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

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(Encl: RTI application)

...Complainant

V/s.

Public Information Officer,
O/o State Transport Commissioner,
Punjab, Sector 17, Chandigarh.

...Respondents

Complaint Case No. 316 of 2023

PRESENT: Complainant: Absent
Respondent: Smt. Raj Kumari, PIO-cum-Senior Assistant (9815045082)

ORDER:

The above said Complaint Case was earlier allocated to Shri Anumit Singh Sodhi, State Information Commissioner. After his retirement, the said Complaint Case was allocated to the undersigned Bench. The application dated **05.01.2023** vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on **15.05.2023** 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. **27.11.2024**.

2. The respondent states that the sought information has already been supplied to the complainant vide letter no. 36654 dated 12.10.2023 and no deficiency has been pointed out by the complainant till date. Further, she submits that an email dated 26.11.2024 in this regard has also been sent to the Commission, which is taken on record.

3. The complainant is absent but an email dated 27.11.2024, has been received from him today mentioning therein that he is unable to attend the hearing and requested for an adjournment, which is taken on record. He has also requested for documents in relating to this complaint case, for which the RTI application of this present complaint case is being sent to the complainant through registered post along with this order. **Last opportunity** is awarded to him to remain present on the next date of hearing for deliberations, failing which the case will be decided on merit, ex-parte.

4. **To come up on 03.06.2025 at 11.00 A.M. at Chandigarh.**

Date: 27.11.2024

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

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Shri Satnam Singh Dhawan (9501513137)

House No. 7, J.K. Vihar, Manakwal,
District Ludhiana.

(Encl: RTI application)

...Complainant

V/s.

Public Information Officer,

O/o Secretary, Regional Transport Authority,
Amritsar.

...Respondents

Complaint Case No. 310 of 2023

PRESENT: Complainant: Absent
Respondent: Absent

ORDER:

The above said Complaint Case was earlier allocated to Shri Anumit Singh Sodhi, State Information Commissioner. After his retirement, the said Complaint Case was allocated to the undersigned Bench. The application dated **22.12.2022** vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on **15.05.2023** 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. **27.11.2024**.

2. The complainant is absent but an email dated 27.11.2024, has been received from him today mentioning therein that he is unable to attend the hearing and requested for an adjournment, which is taken on record. He has also requested for documents in relating to this complaint case, for which the RTI application of this present complaint case is being sent to the complainant through registered post along with this order. However, the respondent PIO is also absent without intimation, which shows his carelessness and casual attitude towards the notices/orders of the Commission.

3. The perusal of the case file shows that sought information has not been supplied to the complainant till date. The respondent is advised to supply the point wise reply pertaining to the RTI application, to the complainant by registered post, under intimation to the Commission. **Last opportunity** is awarded to both parties to remain present on the next date of hearing for deliberations. It is also clarified that in case of defiance of this order, the case will be decided on merit, ex-parte.

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Date: 27.11.2024

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(Virinderjit Singh Billing)
State Information Commissioner
Punjab

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House No. 7, J.K. Vihar, Manakwal,
District Ludhiana.

(Encl: RTI application)

...Complainant

V/s.

Public Information Officer,
O/o Regional Transport Authority,
Patiala.

...Respondents

Complaint Case No. 311 of 2023

PRESENT: Complainant: Absent
Respondent: Absent

ORDER:

The above said Complaint Case was earlier allocated to Shri Anumit Singh Sodhi, State Information Commissioner. After his retirement, the said Complaint Case was allocated to the undersigned Bench. The application dated **30.01.2023** vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on **15.05.2023** 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. **27.11.2024**.

2. The complainant is absent but an email dated 27.11.2024, has been received from him today mentioning therein that he is unable to attend the hearing and requested for an adjournment, which is taken on record. He has also requested for documents in relating to this complaint case, for which the RTI application of this present complaint case is being sent to the complainant through registered post along with this order. However, the respondent PIO is also absent without intimation, which shows his carelessness and casual attitude towards the notices/orders of the Commission.

3. The perusal of the case file shows that sought information has not been supplied to the complainant till date. The respondent is advised to supply the point wise reply pertaining to the RTI application, to the complainant by registered post, under intimation to the Commission. **Last opportunity** is awarded to both parties to remain present on the next date of hearing for deliberations. It is also clarified that in case of defiance of this order, the case will be decided on merit, ex-parte.

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House No. 7, J.K. Vihar, Manakwal,
District Ludhiana.

(Encl: RTI application)

...Complainant

V/s.

Public Information Officer,
O/o Regional Transport Authority,
Faridkot.

...Respondents

Complaint Case No. 312 of 2023

PRESENT: Complainant: Absent
Respondent: Absent

ORDER:

The above said Complaint Case was earlier allocated to Shri Anumit Singh Sodhi, State Information Commissioner. After his retirement, the said Complaint Case was allocated to the undersigned Bench. The application dated **30.01.2023** vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on **15.05.2023** 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. **27.11.2024**.

2. The respondent is absent without intimation. It is also a fact that notice of hearing was sent to him through registered post but even then respondent PIO is absent. The perusal of the case file shows that the respondent submits that the sought information has already been supplied to the complainant vide letter no. 7029 dated 16.08.2023 and no deficiency has been pointed out by the complainant till date. Further, he submits that an email dated 16.08.2024 in this regard has also been sent to the Commission, which is taken on record.

3. However, the complainant is absent but an email dated 27.11.2024, has been received from him today mentioning therein that he is unable to attend the hearing and requested for an adjournment, which is taken on record. He has also requested for documents in relating to this complaint case, for which the RTI application of this present complaint case is being sent to the complainant through registered post along with this order. **Last opportunity** is awarded to both parties to remain present on the next date of hearing for deliberations, failing which the case will be decided on merit, ex-parte.

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District Ludhiana.

(Encl: RTI application)

...Complainant

V/s.

Public Information Officer,
O/o Regional Transport Authority,
Ludhiana.

...Respondents

Complaint Case No. 313 of 2023

PRESENT: Complainant: Absent

Respondent: Sh. Hariom, Senior Assistant (9815256996) and
Sh. Abhishek Bansal, ATO (9216788888)

ORDER:

The above said Complaint Case was earlier allocated to Shri Anumit Singh Sodhi, State Information Commissioner. After his retirement, the said Complaint Case was allocated to the undersigned Bench. The application dated **30.01.2023** vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on **15.05.2023** 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. **27.11.2024**.

2. The respondent states that information was not supplied to the complainant as this is a complaint case. He further submits his written submission during the hearing which is as under:

".....An application under Section 18 of the RTI Act is not the same as an Appeal under Section 19 of the Act. Hon'ble Supreme Court of India in Chief Information Commissioner and another vs. State of Manipur and another, Civil Appeal No. 10787-88 of 2011 decided on 12.12.2011 considered this issue. The order of the High Court had been challenged on the ground that the High Court had erroneously observed that under Section 18 of the RTI Act, an Information Commissioner has no power to direct furnishing of the information. The High Court had held that such a power is conferred only under Section 19 of the Act, which provides for appeal. The question, considered by the Hon'ble Supreme Court related to the issue of jurisdiction of the Information Commissioners under Section 18 of the Act in directing disclosure of information. The

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Complaint Case No. 313 of 2023

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Hon'ble Supreme Court categorically held (Para 31 and 32 of the judgment) that Information Commissioners, while entertaining a Complaint under Section 18 has no jurisdiction to pass an order providing for access to information. It was held that the remedy for such a person, who has been refused information, is provided under Section 19 of the Act. The SC further directed (Para 44 of the judgment) the appellant to file appeal under Section 19 of the Act in respect of his two RTI requests for obtaining information. order providing for access to information. It was held that the remedy for such a person, who has been refused information, is provided under Section 19 of the Act. The SC further directed (Para 44 of the judgment) the appellant to file appeal under Section 19 of the Act in respect of his two RTI requests for obtaining information.

*Thus, though a PIO may is not barred from furnishing information even after filing of a Complaint under Section 18, the domain of Section 18 is not to furnish the information, for which an information-seeker should seek remedy under Section 19 of the Act *ibid*. The present Complainant having moved an application under Section 18 of the Act *ibid* erroneously expects the Commission to direct the respondent for disclosure of information, in the present review petition....".*

3. However, the complainant is absent but an email dated 27.11.2024, has been received from him today mentioning therein that he is unable to attend the hearing and requested for an adjournment, which is taken on record. He has also requested for documents in relating to this complaint case, for which the RTI application of this present complaint case is being sent to the complainant through registered post along with this order. **Last opportunity** is awarded to him to remain present on the next date of hearing for deliberations, failing which the case will be decided on merit, ex-parte.

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House No. 7, J.K. Vihar, Manakwal,
District Ludhiana.

(Encl: RTI application)

...Complainant

V/s.

Public Information Officer,
O/o Regional Transport Authority,
Hoshiapur.

...Respondents

Complaint Case No. 314 of 2023

PRESENT: Complainant: Absent
Respondent: Absent

ORDER:

The above said Complaint Case was earlier allocated to Shri Anumit Singh Sodhi, State Information Commissioner. After his retirement, the said Complaint Case was allocated to the undersigned Bench. The application dated **30.01.2023** vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on **15.05.2023** 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. **27.11.2024**.

2. The complainant is absent but an email dated 27.11.2024, has been received from him today mentioning therein that he is unable to attend the hearing and requested for an adjournment, which is taken on record. He has also requested for documents in relating to this complaint case, for which the RTI application of this present complaint case is being sent to the complainant through registered post along with this order. However, the respondent PIO is also absent without intimation, which shows his carelessness and casual attitude towards the notices/orders of the Commission.

3. The perusal of the case file shows that sought information has not been supplied to the complainant till date. The respondent is advised to supply the point wise reply pertaining to the RTI application, to the complainant by registered post, under intimation to the Commission. **Last opportunity** is awarded to both parties to remain present on the next date of hearing for deliberations. It is also clarified that in case of defiance of this order, the case will be decided on merit, ex-parte.

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House No. 7, J.K. Vihar, Manakwal,
District Ludhiana.

(Encl: RTI application)

...Complainant

V/s.

Public Information Officer,
O/o Regional Transport Authority,
Gurdaspur.

...Respondents

Complaint Case No. 317 of 2023

PRESENT: Complainant: Absent
Respondent: Absent

ORDER:

The above said Complaint Case was earlier allocated to Shri Anumit Singh Sodhi, State Information Commissioner. After his retirement, the said Complaint Case was allocated to the undersigned Bench. The application dated **05.01.2023** vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on **15.05.2023** 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. **27.11.2024**.

2. The respondent is absent without intimation. It is also a fact that notice of hearing was sent to him through registered post but even then respondent PIO is absent. The perusal of the case file shows that the sought information has already been supplied to the complainant dated 09.10.2023 and no deficiency has been pointed out by the complainant till date. Further, he submits that an email dated 08.11.2023 in this regard has also been sent to the Commission, which is taken on record.

3. The complainant is also absent but an email dated 27.11.2024, has been received from him today mentioning therein that he is unable to attend the hearing and requested for an adjournment, which is taken on record. He has also requested for documents in relating to this complaint case, for which the RTI application of this present complaint case is being sent to the complainant through registered post along with this order.

4. Both parties are advised to remain present on the next date of hearing for deliberations. It is also clarified that in case of defiance of this order, the case will be decided on merit, ex-parte.

5. **To come up on 03.06.2025 at 11.00 A.M. at Chandigarh.**

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