

**PUNJAB STATE INFORMATION COMMISSION**

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

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**Sh. Harvinder Pal Singh(9780623813)**

H.No.1339/106 A, Street No.3,  
Passi Nagar, Pakhowal Road,  
Ludhiana 141013

Complainant

Versus

**Public Information Officer**

O/o Dy. Registrar, Cooperatives  
Societies, Ludhiana

Respondent

**Complaint case No.: 43 of 2023**  
**Hearing through CISCO Webex**

**Present:**

Appellant: Absent

Respondent: Ms Anju Bala, Asstt. Registrar Coop. Society (9417267351)

**ORDER**

1. The RTI application dated 7.9.2022 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 3.01.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for hearing for 16.5.2023 at 11.00 a.m. through CISCO WEBEX application.
2. In today's hearing the complainant is absent in spite of registered post notice issued to him by the Commission.
3. The respondent states that reply was sent to the complainant on 10.5.2023 stating therein that nothing is available with regard to RTI application.
4. After discussing with the respondent in detail and examining the case file, respondent PIO is directed to supply an affidavit in original to the complainant with a copy to the commission as per RTI application within ten days from today.
5. 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. In view of the observations/directions noted above, the instant case is **disposed of & closed**. Copies of this decision be sent to the parties.

**Date: 16.05.2023**

**(Anumit Singh Sodhi)**  
**State Information Commissioner**  
**Punjab**