

# **PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,**

**SECTOR 16, CHANDIGARH.**

Ph: 0172-2864118, Email: - [psic28@punjabmail.gov.in](mailto:psic28@punjabmail.gov.in)

Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)



## **COMPLAINT CASE NO. 0187 OF 2021**

Sh. Kuldeep Singh, (9815725175)  
S/o Sh. Karnail Singh,  
R/o 129/A, Near Sahota Karyana Store,  
Kadiya Road, Green City, Batala (Gurdaspur).

...Complainant

Versus

**Public Information Officer,**  
O/o The Secretary,  
District Parishad, Kapurthala.

...Respondent

## **HEARD Through CISCO WEBEX – VC/TELEPHONE**

**PRESENT:** None for the Complainant  
None on behalf of the Respondents.

## **ORDER:**

This order may be read with reference to the previous order dated 03-06-2021.

2. The respondent-PIO is absent today. However, an email is received in Commission office from him stating being personal information of 'patwaries' cannot be provided under Section 8(1)(J) of RTI Act 2005.

3. The Complainant is absent for the second time.

4. This is a Complaint Case. Therefore, at this juncture it is relevant to invite the attention of the complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) 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. 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.

Contd..2/p...

# **PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,**

**SECTOR 16, CHANDIGARH.**

Ph: 0172-2864118, Email: - [psic28@punjabmail.gov.in](mailto:psic28@punjabmail.gov.in)

Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)



-02-

## **COMPLAINT CASE NO. 0187 OF 2021**

5. An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The complainant is advised to approach the first appellate authority in this behalf.

6. In the light of above, **the case is ordered to be disposed of and closed.**

Copies of order be sent to the parties.

Chandigarh  
24-08-2021

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

# PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - [psic28@punjabmail.gov.in](mailto:psic28@punjabmail.gov.in)

Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)



## COMPLAINT CASE NO. 0242 OF 2021

Sh. Kamal Sharma, (8968676690)  
C/o Mukesh Shukla,  
H. No. 359-C, Guru Nanak Pura (East),  
Jalandhar.

...Complainant

Versus

**Public Information Officer,**  
O/o Director General  
Pushpa Gujral Science City,  
Kapurthala.

...Respondent

### HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT None for the Complainant  
Shri Aman Sharma, Admn. Officer-cum-APIO, on behalf of the Respondents.

### **ORDER**

This order may be read with reference to the previous order dated 03-06-2021.

2. The respondent orally states that available information has already been supplied thrice to complainant on 3.12.2018, 01.01.2019 and 21.11.2020. He further states that pursuant to orders of worthy Commissioner, affidavit has been filed by the respondent-PIO and original affidavit has been sent to the complainant vide their letter 142, dated 06.07.2021 with a copy to Commission.

3. The Complainant is absent today. He is contacted over telephone who orally admits that original affidavit has been provided by the Respondents and he expresses his satisfaction. He further requests the court to file his case.

4. In the light of above, no cause of action is left and hence, **the case is ordered to be disposed of and closed.** Copies of order be sent to the parties.

Chandigarh  
24-08-2021

Sd/-  
(Hem Inder Singh)  
State Information Commissioner