

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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COMPLAINT CASE NO. 0419 OF 2021

Sh. Mohit Garu S/o Sh. Dalip Kumar, (9779111717)
R/o # H.No. B-2-698/6-E, Chhawani Mohalla,
Ludhiana.

...Complainant

Versus

Public Information Officer,

O/o Principal,
Satish Chander Dhawan Government College,
Ludhiana.

...Respondent

HEARD THROUGH CISCO WEBEX/VC/TELEPHONE

Present: Shri Mohit Garu, the Complainant.
Smt. Gurpreet Kaur, Principal, on behalf of both the Respondents.

ORDER

The RTI is dated 02-12-2020 seeking information from PIO. He filed complaint in Commission on 06-04-2021 under Section 18 of Right to Information Act 2005 (hereinafter called as RTI Act). Notice of hearing to both the parties was issued for 27-07-2021.

2. The complaint orally states that the respondent has not supplied the information till date.

3. The respondent orally states that the sought for information is third party information and hence, cannot be provided.

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.

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
27-07-2021

Sd/-
(Hem Inder Singh)
State Information Commissioner