



**Ms. Raj Kumari, (9646515738)**

S/o Sh. Pawan Kumar  
H.No.75-76, Municipal Colony, College Road,  
Pathankot.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o Commissioner, MC,  
Pathankot.

.....Respondent

**{Encl. RTI } First Appellant Authority**

O/o Commissioner, MC,  
Pathankot.

**Complaint Case No.416 of 2021**

**(Cisco Webex Proceedings)**

RTI application filed on : 17-02-2021

PIO replied on : -

Present: Complainant: Adv. Munish Puri on behalf of appellant Ms. Raj Kumari  
Respondent: Ms. Harkiran Kaur (ATP), 9878795959

**ORDER :**

1. The Appellant/Complainant filed above mentioned appeal/complaint case in the Commission dated 06.04.2021. Accordingly, the case is fixed for today.
2. The complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.
- In 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).**
3. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.
4. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.
5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority along with a copy of RTI application for their ready reference. The appeal is disposed off accordingly, with the above observations.

**Chandigarh**  
**Dated: 08.09.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**



**Sh. Rajat Anand Advocate, (9779080500 & 9988070604)**  
# 75, AnandVihar, near Gurukul Public School, 8 ft Road,  
Majitha Road, Amritsar.

.....Appellant/Complainant

**Versus**

**Public Information Officer**  
O/o Central Jail, Fatehpur ,  
Amritsar City.

.....Respondent

**(RTI Encl.)First Appellant Authority**  
O/o Central Jail, Fatehpur ,  
Amritsar City

**Complaint Case No.456 of 2021**  
**(Cisco Webex Proceedings)**

RTI application filed on : 06-01-2021  
PIO replied on : -

Present: Complainant: Sh. Rajat Anand Advocate  
Respondent: Absnet

**ORDER :**

1. The Appellant/Complainant filed above mentioned appeal/complaint case in the Commission dated 09.04.2021. Accordingly, the case is fixed for today.
2. The complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

**In 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).**

3. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.
4. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.
5. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority along with a copy of RTI application for their ready reference. The appeal is disposed off accordingly, with the above observations.

**Chandigarh**  
**Dated: 08.09.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**



**Sh. Mahabir Singh,(9417945645)**

S/o Sh.Bishan Dass  
R/o Village Samrala PO Sarna Station,  
District Pathankot.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o Tehsildar,  
Pathankot.

.....Respondent

**Complaint Case No.463 of 2021**  
**(Cisco Webex Proceedings)**

RTI application filed on : 23-11-2020

PIO replied on : -

Present: Complainant: Absent

Respondent: Sh. Gurdeep Kumar (Asst.), 9478065644

**ORDER :**

1. The Appellant/Complainant filed above mentioned appeal/complaint case in the Commission dated 16.04.2021. Accordingly, the case is fixed for today.
2. Respondent, Sh. Gurdeep Kumar stated that he has already provided the sought information to the appellant and has also filed an undertaking in this regard.
3. The complainant is absent without any intimation to the commission.
4. As the information stands supplied followed by undertaking, therefore, no cause of action is required in this case. Hence, the instant complaint case is **disposed & closed**.
5. Since the appellant has filled complaint case in the Commission , there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.
6. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005 .

**Chandigarh**  
**Dated: 08.09.2021**

**Sd/-**  
**(Maninder Singh Patti)**  
**State Information Commissioner, Pb.**