

**PUNJAB STATE INFORMATION COMMISSION**  
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## **Corrigendum**

In Order dated 13.12.2021 of CC: 931/2021 and CC: 925/2021 there was some clerical mistakes so the updated order is attached herewith with corrections.

**Chandigarh**  
**Dated: 14.12.2021**

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



**Sh. Barjinderjit Singh, (9463938233)**

S/o Sh. Darshan Singh,  
D.M.P. Retd. S/o Sh. Teja Singh, Freedom Fighter,  
R/o VPO Bhatia, Tehsil & Distt Gurdaspur -143517.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o Deputy Commissioner,  
Gurdaspur.

.....Respondent

**Complaint Case No.925 of 2021** (Corrigendum)  
**(Cisco Webex Proceedings)**

RTI application filed on : 07-04-2021  
PIO replied on : -

Present: Complainant: Sh. Barjinderjit Singh  
Respondent: Absent

**ORDER:**

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 13.07.2021. Accordingly, the cases are fixed for today.

2. The complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, in which no directions for providing further information can be given by the Commission.

The Hon'ble Supreme Court of India in its Order rendered on 12.12.2011 in Civil Appeal Nos. 10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an 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.

**Complaint Case No.925 of 2021**(Corrigendum)  
**(Cisco Webex Proceedings)**

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 and is also directed to call the complainant Sh. Barjinderjit Singh within 15 days of receipt of this order provide the information/reply pertaining to this RTI application. A compliance report of the same has to be sent in the commission. The appeal is disposed off accordingly, with the above observations and directions.

**Chandigarh**  
**Dated: 13.12.2021**

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

**First Appellate Authority**  
O/o Deputy Commissioner,  
Distt Gurdaspur.

– for compliance of the Order



**Sh. Chuni Lal, (9876176106)**

S/o Sh. Bua Ditta Mal,  
R/o Village Gher, P.O Narot Jaimal Singh,  
Tehsil & Distt Pathankot.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o Deputy Commissioner,  
Distt Pathankot.

.....Respondent

**Complaint Case No.931 of 2021** (Corrigendum)  
**(Cisco Webex Proceedings)**

RTI application filed on : 16-04-2021  
PIO replied on : 09-06-2021

Present: Complainant: Sh. Chuni Lal  
Respondent: Absent

**ORDER:**

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 13.07.2021. Accordingly, the cases are fixed for today.

2. The complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, in which no directions for providing further information can be given by the Commission.

The Hon'ble Supreme Court of India in its Order rendered on 12.12.2011 in Civil Appeal Nos. 10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an 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.

**Complaint Case No.931 of 2021** (Corrigendum)  
**(Cisco Webex Proceedings)**

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 and is also directed to call the complainant **Sh. Chuni Lal** within 15 days of receipt of this order provide the information/reply pertaining to this RTI application. A compliance report of the same has to be sent in the commission. The appeal is disposed off accordingly, with the above observations and directions.

**Chandigarh**  
**Dated: 13.12.2021**

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

**First Appellate Authority**  
O/o Deputy Commissioner,  
Distt Pathankot

– for compliance of the Order