

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

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Shri Sushil Kumar,
#1410, Phase-1, Urban Estate,
Dugri, Ludhiana-141103.

.....Appellant

Versus

Public Information Officer

O/o Punjab State Power Corporation Ltd.
(PSPCL), Patiala.

First Appellate Authority

O/o Chief Engineer, TA & I.,
PSPCL, Patiala.

....Respondents

AC No. 5223 of 2022

Present: i) **Appellant-absent.**
ii) **Shri Sukhwant Singh, Addl.S.E., and Raj Kumar, AAE, Technical Audit , on behalf of the PIO O/o PSPCL, Patiala- in person.**

ORDER:

1. The RTI application is dated 14.08.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 05.09.2022 and the second appeal was filed in the Commission on 02.11.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 11.01.2023. Accordingly, the case has been heard today. Shri Sushil Kumar, appellant has not come present to attend the hearing in person before the Bench or through cisco webex. He has, however, sent an e.mail dated 02.01.2023 stating that no information has been supplied to him in spite of lapse of 135 days and that the case may not be closed without his consent or else he will approach Hon'ble Punjab and Haryana High Court, President of India, New Delhi, C.M. Punjab. He also states therein that since he has addressed to RTI application to the Nodal Officer, PSPCL, Patiala, in case of non-availability of information, the affidavit be provided to him by the Nodal Officer, PSPCL, Patiala.

3. Shri Sukhwant Singh, Addl.S.E. and Shri Raj Kumar, AAE, Technical Audit, PSPCL Patiala come present in person before the Bench to attend the hearing on behalf of the PIO. The respondent states that information has been supplied to the appellant vide letter dated 02.09.2022 and 02.01.2023 and the Bench observes that letter dated 02.01.2023 to this effect received by post in the Commission is already available in the case file.

4. On the asking of the Bench, he further states that the information as available in the official records relating to RTI application of the appellant has been supplied to him.

5. Post deliberations, the Bench directs the PIO to file an affidavit on e-stamp paper, within 21 (twenty one) days, duly signed by the notified PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.5223 of 2022 has been supplied to the appellant. It be further stated that nothing has been concealed and the statement made is true and correct. The original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

6. The Bench observes that the appellant avoids attending the hearing in person before the Bench or through cisco webex and instead sends e.mails giving his perception about the information sought as also the attitude of the respondents in delaying/denying the information to him. Moreover, he also asks the Bench not to close his appeal case without his consent and further remarks that in case, the case is disposed off without his consent, he will approach Hon'ble Punjab and Haryana High Court, President of India, New Delhi, C.M. Punjab. He also reveals his desire therein from which it transpires that he binds the Bench to give directions for the filing of an affidavit as per his wishes. Such contents of the e.mails sent by him are not appreciated and amounts to putting the Bench under pressure. The Bench advises him not to resort to thrusting upon the Bench such assertion in his e.mails.

7. With the aforesaid directions and observations, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
11.01.2023**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**