

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

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Shri Charandeep Singh
H.No.2, Vivek Vihar,
Nanadpur Road PO Nagra,
District Jalandhar-144013.

.....Appellant

Versus

Public Information Officer

O/o ADGP/V&S,
PSPCL, Patiala.

Public Information Officer

O/o Grievances Section, PSPCL
Head Office, Patiala.

First Appellate Authority-cum-

S.E. Personnel, PSPCL,
Patiala.

....Respondents

AC No.5289 of 2022

- Present:**
- (i) Shri Charandeep, Appellant- in person.
 - (ii) Shri Gopal Krishan Viridi, Senior Assistant, Vigilance & Security, O/o DGP Vigilance & Security, PSPCL, Patiala- in person.
 - (iii) Shri Avtar Singh, Deputy Secretary, and Shri Gurdeep Singh Tiwana, Superintendent Gr-I, Grievances Section, PSPCL, Patiala- in person.
 - (iv) Smt. Bhupinder Kaur, Deputy Secretary, Tech.- 4. PSPSL, Patiala-in person.

ORDER:

1. The RTI application is dated 12.07.2022 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 18.08.2022 and the second appeal was filed in the Commission on 03.11.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 04.01.2023. Accordingly, the case has been heard today. Shri Charandeep Singh, appellant comes present to attend the hearing in person before the Bench.
3. Shri Gopal Krishan Viridi, Senior Assistant O/o DGP Vigilance & Security, PSPCL Patiala comes present in person before the Bench. He produces before the Bench authority letter to present the case before the Bench and states that information on point No.1 has been supplied to the appellant and application regarding point No.2 & 3 has been transferred to PIO Grievances Section, PSPCL, Patiala.

4. Shri Avtar Singh, Deputy Secretary and Shri Gurdeep Singh Tiwana, Superintendent Grade-I, Grievances Section, PSPCL, Patiala come present in person. Shri Avtar Singh states that an enquiry into the complaint of the appellant was conducted by DSP, V&S, PSPCL, Jalandhar and report submitted to PSPCL higher authorities. The S.E. Technical, PSPCL Patiala has put up the report to the Board of Directors(BOD). Thereafter, the BOD of PSPCL decided that before reaching a final conclusion, enquiry be got conducted and regarding the interim decision of the BOD, the Government has also been apprised of vide letter dated 19.07.2022. He states that since administrative action is still underway, the information has not been supplied to the appellant. He also produces before the Bench letter dated nil and on the asking of the Bench, he also hands over a copy of the same to the appellant in the court itself.

5. The appellant, on perusal of the letter, does not agree with the version of the respondents and explains before the Bench that he had made a complaint regarding corruption by the officials of PSPCL. In this connection, he had also filed CWP No.25800/2019 in the Hon'ble Punjab & Haryana High Court and the Hon'ble Court had directed the A.I.G., (EOW), Vigilance Bureau, Punjab to investigate into the matter within 90 days. The Vigilance Bureau, however, sought more time to do the needful and Hon'ble Court was pleased to grant three months more time for investigation. He further states that the enquiry into the matter was conducted and finalized by Vigilance Bureau and as a result, recovery of Rs.4.70 crores was made and recommended FIR against 15 guilty officials of PSPCL on 21.01.2022. Thereafter, the Vigilance Bureau, Punjab sought prosecution sanction from PSPCL in respect of the guilty officials to proceed against them. The PSPCL higher authorities, however, did not grant prosecution sanction. He also produces his written submissions before the Bench which are taken on record. He further states that instead of taking action on his complaint, he has been implicated in a false case in which FIR was registered against him, though the same was subsequently filed.

6. Post deliberations, the Bench impleads the PIO Grievances Section, PSPCL HO, Patiala as Respondent No.2 and directs him to file an affidavit on e-stamp paper duly signed by the PIO and attested by the Notary Public stating therein that an enquiry into the complaint of the appellant was conducted by DSP, V&S, PSPCL, Jalandhar who submitted report to PSPCL higher authorities. Upon this, the Superintending Engineer, Technical, PSPCL Patiala (the dealing officer) put up the report to the Board of Directors. Thereafter, the BOD of PSPCL decided that before reaching a final conclusion, enquiry be got conducted and regarding the interim decision of the BOD, the Government has also been apprised of vide letter dated

19.07.2022. It be further stated that since administrative action is still underway, the information has not been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. The original affidavit be brought along on the next hearing and produced before the Bench.

7. All the concerned PIOs are directed to come present in person before the Bench on the next hearing. The appellant is also advised to come present in person before the Bench on the next hearing.

8. In view of the allegations of corruption made by the appellant as also the officials having been found guilty by the Vigilance Bureau, Punjab, the Bench deems it appropriate to direct the Chairman-cum-Managing Director, PSPCL, Patiala to get the enquiry conducted and finalized expeditiously so that the officials found guilty are brought to book.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.01.2023 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
04.01.2023

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

Copy to(By Regd.Post)

- 1) **PIO O/o Grievances Section, PSPCL, H.O. Patiala.**
- 2) **The Chairman-cum-Managing Director (Shri Baldev Singh Sran), PSPCL, Patiala to get the matter expedited.**
- 3) **The Principal Secretary to Govt. of Punjab, Department of Power, Punjab Civil Secretariat-2, Sector-9, Chandigarh.**