

**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, HRD,
PSPCL, Patiala.

....Respondents

AC No. 5957 of 2022

Present:

- i) **Appellant-absent.**
- ii) **Shri Narinder Singh, Senior Assistant, Services-3, Gazetted-1 Branch, PSPCL, Patiala – in person.**
- iii) **Shri Gurpreet Singh, Assistant Accounts Officer and Shri Rajesh Kumar, UDC, Pay & Accounts Branch, PSPCL, Patiala- in person.**

ORDER:

1. The RTI application is dated 21.09.2022 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 28.10.2022 and the second appeal was filed in the Commission on 29.11.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 08.02.2023. 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 28.01.2023 to CIC, this Bench and to Deputy Registrar, PSIC, stating that no information has been supplied to him in spite of lapse of 125 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 and C.M. Punjab. He also states therein that since he has addressed the RTI application to the Nodal Officer, PSPCL, Patiala, he insists that in case of non-availability of information, the affidavit be provided to him by the Nodal Officer, PSPCL, Patiala.

3. Shri Narinder Singh, Senior Assistant, Services-3, Gazetted-1 Branch, PSPCL, Patiala comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that information has been supplied to the appellant vide letter dated 18.10.2022 and also states that Hon'ble Commission has also been apprised of the same vide letter dated 24.01.2023. He further states that the appellant was given opportunity of hearing by First Appellate Authority on 17.11.2022, but the appellant

appellant did not turn up and accordingly, the First Appellate Authority, being convinced of complete information having been supplied to the appellant after hearing the submissions of the official present before him, had disposed off the first appeal vide his order on 17.11.2022.

4. Shri Gurpreet Singh, Assistant Accounts Officer and Shri Rajesh Kumar, UDC, Pay & Accounts Branch, PSPCL, Patiala come present in person before the Bench. Shri Gurpreet Singh states that in pursuance of order dated 05.04.2022 issued by the Joint Secretary/Services-3, PSPCL, Patiala, 70% provisional pension and leave encashment have been released to the appellant and due to pendency of FIR and charge sheet against him, regular pension cannot be released.

5. On hearing the submissions of respondents present, the Bench is convinced that the grievances raised by the appellant in his RTI application stand redressed. Even then, to ascertain the fact regarding receipt of information by the appellant, the Bench makes attempts to contact him on his mobile phone. In spite of four attempts made to contact him, he does not respond. 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 and 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 amount to putting the Bench under pressure. The Bench advises him to refrain from such contents of his e-mails, keeping in mind the dignity of the Commission.

6. 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.5957 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.

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
08.02.2023

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