

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

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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(Helpline No.0172-2864116(From 10.00 AM to 04.00PM on working days))



Shri Jagjit Singh
R/o Aman Nagar Street No.3,
Backside Greenland School,
Near Jalandhar By-pass,
Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority-cum-
O/o Commissioner,
Municipal Corporation,
Ludhiana.

...Respondents

Appeal Case No. 940 of 2020

PRESENT : (i) **Appellant- absent.**
(ii) **Shri Ashok Kumar Garg, Superintendent/PIO, Zone-A,
Municipal Corporation, Ludhiana.**

ORDER:

(Heard through Video Conferencing/On Mobile Phone)

1. This order may be read with reference to the order dated 17.11.2020 passed by this Bench on previous hearing.
2. The case has been heard today through V.C. in the office of D.C. Ludhiana. The appellant has not come present to attend the hearing. However, he has sent an e.mail dated 02.02.2021 requesting for hearing him on the Cisco-Webex.
3. Shri Ashok Kumar Garg, Superintendent/PIO, Zone-A, M.C. Ludhiana comes present to attend the hearing through V.C. He states that point-wise information has been supplied to the appellant by registered post on 11.11.2020 and again when he visited their office on 18.11.2020. An affidavit has also been filed as per directions of the Bench. He also states that the appellant seeks a copy of the court case filed by the Green Land Sr. Sec. Public School which is not available in their official records.
4. Since the appellant is absent, he is contacted on mobile phone. He is apprised of the version of the PIO. It is made clear that he has been given the entire information and all the issues raised in his RT application stand addressed.

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AC No.940/2020

He is also clarified the position with regard to the court case mentioned in the letter of the above mentioned school, as stated by the PIO.

5. Post deliberations, the PIO is directed to file an affidavit, within next seven days, duly signed by the PIO and attested by the Notary Public to the effect that the information on all the four points of RTI application has been supplied to the appellant as available in the official records in AC No.940/2020. Details of court case filed by Green Land Senior Secondary School are not available with the PIO. It be further stated that nothing has been concealed therein and the statement made is true and correct. The original copy of affidavit may be sent to the appellant by registered post and photocopy of the same be sent to the Commission for record.

6. As per directions of Bench, the PIO assures the Bench to file the affidavit within the stipulated time.

7. As per the assurance given by the PIO, **the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh
03.02.2021

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

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Shri Jasbir Singh
Guru Nanak Nagar
Village Bolapur Jhabewal,
PO Ramgarh,
District Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o State Transport Commissioner,
Punjab, Sector-17, Chandigarh.

First Appellate Authority-cum-
O/o State Transport Commissioner,
Punjab, Sector-17, Chandigarh.

...Respondents

Appeal Case No.3432 of 2020

PRESENT : (i) **Shri Jasbir Singh, Appellant.**
(ii) **Shri Gurpal Singh, APIO, O/o S.T.C. Punjab, Chandigarh, in person before the Bench.**

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 03.08.2020 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 04.09.2020 and the second appeal was filed in the Commission on 09.11.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing has been issued to the parties by the Commission for 03.02.2021 through V.C. in D.C. Office, Ludhiana. Shri Jasbir Singh, appellant comes present to attend the hearing through V.C.
3. Shri Gurpal Singh, APIO O/o S.T.C. Punjab, Chandigarh comes present to attend the hearing in person before the Bench and states that the requisite information has been supplied to the appellant vide letter dated 25.09.2020.
4. On the asking of the Bench, Shri Jasbir Singh, appellant confirms the receipt of information to his satisfaction and also gives his consent to close the case.
5. In view of the above, no further intervention of the Bench is called for. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
03.02.2021**

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

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Shri Rohit Sabharwal,
President, Kundan Bhawan,
126, Model Gram,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Greater Ludhiana Area
Development Authority (GLADA),
Ludhiana.

First Appellate Authority

Chief Administrator,
Greater Ludhiana Area
Development Authority (GLADA),
Ludhiana..

....Respondents

AC No.3543 of 2020

Present: (i) **Ms. Sukhjinder Kaur, Advocate, on behalf of appellant**
(ii) **Shri Rajesh Kumar, Senior Assistant, GLADA, Ludhiana**
on behalf of the PIO.

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 06.08.2020 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 17.09.2020 and the second appeal was filed in the Commission on 13.11.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice for the hearing was issued to the parties for 03.02.2021 through V.C. in D.C. Office, Ludhiana. As such, the appeal case has been heard today through V.C. in D.C. Office, Ludhiana.
3. Shri Rajesh Kumar, Senior Assistant, GLADA, Ludhiana attends the hearing through V.C. on behalf of the PIO. He states that the appellant has been supplied information vide letter dated 10.12.2020 and again vide letter dated 28.01.2021.
4. Ms. Sukhjinder Kaur, comes present to attend the hearing through V.C. on behalf of the appellant. She confirms the receipt of information by the appellant and gives consent to close the case on behalf of the appellant.

Cont..P-2



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AC No.3543/2020

7. In view of the above, no further intervention of the Bench is called for. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
03.02.2021**

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

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Shri Sushil Kumar,
House No.1410, Phase-I,
Urban Estate, Kumri Road,
Ludhiana-141013.

..... Complainant

Versus

Public Information Officer

O/o Chief Engineer,
Central Zone, PSPCL,
Ludhiana.

Remanded Back

First Appellate Authority

Chief Engineer
P&M Circle, PSPCL,
Ludhiana.

....Respondent

CC No.889 of 2020

Present: (i) **Shri Sushil Kumar, Complainant**
(ii) **Shri Gurpreet Singh, Sr. Executive Engineer/PIO, P&M Division, PSPCL, Khanna, District Ludhiana**

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 16.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. The complainant has filed the complaint in the Commission on 24.11.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called the RTI Act).
2. Notice of hearing was issued to the parties for 03.02.2021 by the Commission through V.C. in D.C. Office, Ludhiana. The Complainant Shri Sushil Kumar comes present to attend the hearing.
3. Shri Gurpreet Singh, Sr. Executive Engineer, P&M Division, PSPCL, Khanna, District Ludhiana comes present to attend the hearing. He states that the complainant has been supplied point wise information except point No.4 vide letter dated 28.01.2021.
4. On the asking of the Bench, the complainant admits receipt of information, but states that he is not satisfied with the information supplied and that he has also pointed out deficiencies to the O/o PIO



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CC No.889/2020

5. Post deliberations with the complainant and the PIO, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant. On enquiring from the PIO, he states that Shri S.S. Joshan, Chief Engineer, P&M Circle, PSPCL, Ludhiana is the First Appellant Authority.

6. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

7. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Chief Engineer, P&M Circle, PSPCL, Ludhiana, Ludhiana. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed.** Copy of the order be sent to the parties.

**Chandigarh
03.02.2021**

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

Copy to (By Regd. Post):

Shri S.S. Joshan,
Chief Engineer,
P&M Circle, PSPCL
Ludhiana.

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Shri Bikramjit Singh Chhachhi,
Commandant Home Guards (Retd.)
#120-B-1, Nagra House,
T.B. Hospital Road, Patiala.

...Appellant

Versus

Public Information Officer,
O/o Director General,
Punjab Home Guards and
Civil Defence, Sector-17,
Chandigarh.

First Appellate Authority-cum-
O/o Director General,
Punjab Home Guards and
Civil Defence, Sector-17,
Chandigarh.

...Respondents

Appeal Case No.2489 of 2020

PRESENT : (i) Shri Bikramjit Singh, appellant in person.
(ii) Shri Jatinder Kumar, Superintendent/PIO O/o Director General, Punjab Home Guards & Civil Defence, 17 Bays Building, Sector-17, Chandigarh in person before the Bench.

ORDER:

Heard through Video Conferencing

1. This order may be read with reference to the order dated 17.11.2020 passed by this Bench on the previous hearing.
2. The appeal case has been heard by the Bench today in Commission's Office at Chandigarh.
3. Shri Bikramjit Singh, appellant comes present to attend the hearing through V.C. He states that he has received information as per his RTI application, but certain documents as referred to in the documents received, have not been provided as the same are not available with the PIO.
4. Shri Jatinder Kumar, Superintendent/PIO, O/o Director General, Punjab Home Guards and Civil Defence, Chandigarh comes present in person before the Bench. He states that entire information has been provided to the appellant on his visit to their office at Chandigarh. So far as certain other documents such as proceedings of meeting etc., referred to in the documents supplied and as demanded by the appellant, these are not available in our official records.

Cont...P-2



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AC No.2489/2020

5. During deliberations with the appellant and PIO, the appellant states that he will be satisfied if an affidavit to the effect that the documents as pointed out by him to the PIO, are not available in their official records, is filed. As such, the Bench directs the PIO that an affidavit be filed, within next seven days, duly signed by the PIO and attested by the Notary Public to the effect that the entire information as per RTI application, as available in the official records in AC No.2489 of 2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

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

**Chandigarh
03.02.2021**

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