

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

**Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in
Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975
Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)**



Smt. Sukhwinder Kaur
W/o Late Shri Joginder Singh
Village Shamshabad,
Tehsil & District Fazilka.

.....Appellant

Versus

Public Information Officer
O/o Sr.Superintendent of Police,
Fazilka.

First Appellate Authority,
Inspector General of Police
Police Range, Ferozepur.

....Respondents

AC No.972 of 2021

Present: (i) **Appellant- absent.**
(ii) **ASI Satpal Chand, RTI Incharge, O/o Sr. Supdt. of Police,
Fazilka on behalf of the PIO.**

ORDER

(Heard Through Cisco Webex/on Mobile Phone)

1. The RTI application is dated 22.10.2020 vide which the appellant has sought information as enumerated in her RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 02.12.2020 and the second appeal was filed in the Commission on 16.02.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing in the Commission was issued to the parties for 26.05.2021 but the same was postponed to 04.08.2021 for hearing through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex. Smt.Sukhwinder Kaur has not come present to attend the hearing through Cisco Webex.
3. Shri Satpal Chand, ASI/RTI Incharge, O/o SSP Fazilka comes present to attend the hearing through Cisco Webex. He states that the appellant was called to their office on 28/29.07.2021 to collect the information but she refused to collect the information saying that the same shall be accepted after consultation with their Advocate. Then, the information containing 20 pages was sent to the appellant on 30.07.2021 by registered post.



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AC No.972/2021

4. Smt. Sukhwinder Kaur, appellant is contacted on mobile phone. On the asking of the Bench, she confirms the receipt of information to her satisfaction and gives her consent to close the case.

5. In view of the above, no further cause of action is left in the matter. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
04.08.2021**

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

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Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)

Shri Bal Krishan Goyal,
S/o Shri Hans Raj Goyal
R/o Uperla Mohalla,
Sector-80, Mauli Baidwan,
Mohali.

.....Complainant

Versus

Public Information Officer
O/o Land Acquisition Collector,
GMADA, PUDA Bhawan,
Sector-62, Mohali.

Remanded Back:

First Appellate Authority-cum-
Estate Officer,
Greater Mohali Area Development
Authority(GMADA), R.No.126,1st Floor,
PUDA Bhawan, Sector-62, Mohali.

...Respondents

CC No.229/2021

Present: (i) Complainant- absent
(ii) None on behalf of the PIO.

ORDER

(Heard through Cisco Webex/On Mobile Phone)

1. The RTI application is dated 06.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 22.02.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing in the Commission was issued to the parties for 26.05.2021 but the same was postponed for 04.08.2021 for hearing through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex. The complainant Shri Bal Krishan Goyal has not come present to attend the hearing.
3. Neither the PIO has come present to attend the hearing nor he has deputed any of his representatives to attend the hearing through Cisco Webex.
4. Attempt is made to contact the complainant on the given mobile number, but the same happens to be the mobile number of his Advocate, Shri Ishneet Bhatia, Advocate. He states not to have received intimation of hearing. He is apprised that the notice sent to the PIO has been received back undelivered with the remarks of postal authorities "Refused". He is informed that it has happened in the absence of correct address of the PIO provided by the complainant and the Bench has now found out that this complaint case relates to GMADA.

5. The Bench further observes 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.

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. The Bench has been informed that Shri Pavittar Singh, Estate Officer, GMADA, R.No.126, First Floor, PUDA Bhawan, Sector-62, Mohali is the First Appellate Authority in the instant case.

7. Post deliberations with the representative of the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e. Shri Pavittar Singh, Estate Officer, GMADA, R.No.126, 1st Floor, PUDA Bhawan, Sector-62, Mohali. 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. She is directed to give an early date to hear the complainant and decide the matter. 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
04.08.2021**

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

Copy to (By Regd. Post):

**First Appellate Authority
Estate Officer, GMADA
Room No.126, 1st Floor,
PUDA Bhawan, Sector-62,
Mohali.**

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Shri Bal Krishan Goyal,
S/o Shri Hans Raj Goyal
R/o Uperla Mohalla,
Sector-80, Mauli Baidwan,
Mohali.

.....Complainant

Versus

Public Information Officer

O/o Land Acquisition Collector,
GMADA, PUDA Bhawan,
Sector-62, Mohali.

Remanded Back:

First Appellate Authority

Estate Officer,
Greater Mohali Area Development
Authority(GMADA), R.No.126,1st Floor,
PUDA Bhawan, Sector-62, Mohali.

...Respondents

CC No.228/2021

Present: (i) Complainant- absent
(ii) None on behalf of the PIO.

ORDER

(Heard through Cisco Webex/On Mobile Phone)

1. The RTI application is dated 06.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 22.02.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing in the Commission was issued to the parties for 26.05.2021 but the same was postponed for 04.08.2021 for hearing through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex. The complainant Shri Bal Krishan Goyal has not come present to attend the hearing.
3. Neither the PIO has come present to attend the hearing nor he has deputed any of his representatives to attend the hearing through Cisco Webex.
4. Attempt is made to contact the complainant on the given mobile number, but the same happens to be the mobile number of his Advocate, Shri Ishneet Bhatia, Advocate. He states not to have received intimation of hearing. He is apprised that the notice sent to the PIO has been received back undelivered with the remarks of postal authorities "Refused". He is informed that it has happened in the absence of correct address of the PIO provided by the complainant and the Bench has now found out that this complaint case relates to GMADA.

5. The Bench further observes 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.

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. The Bench has been informed that Shri Pavittar Singh, Estate Officer, GMADA, R.No.126, First Floor, PUDA Bhawan, Sector-62, Mohali is the First Appellate Authority in the instant case.

7. Post deliberations with the representative of the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e. Shri Pavittar Singh, Estate Officer, GMADA, R.No.126, 1st Floor, PUDA Bhawan, Sector-62, Mohali. 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. She is directed to give an early date to hear the complainant and decide the matter. 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
04.08.2021**

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

Copy to (By Regd. Post):

**First Appellate Authority
Estate Officer, GMADA
Room No.126, 1st Floor,
PUDA Bhawan, Sector-62, Mohali**

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Shri Sohan Singh,
S/o Shri Sucha Singh
Village Bara, PO Pathreri Jattan,
Tehsil & District Roopnagar.

.....Complainant

Versus

Public Information Officer
O/o Sub Divisional Officer,
Punjab State Power Corporation Ltd.
(PSPCL), Roopnagar.

...Respondent

CC No.232/2021

Present: (i) **Complainant- absent.**
(ii) **None on behalf of the PIO.**

ORDER

1. The RTI application is dated 23.11.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 23.02.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing in the Commission was issued to the parties for 26.05.2021 but the same was postponed for 04.08.2021 for hearing through Cisco Webex.
3. Neither the complainant has come present to attend the hearing nor the PIO or any of his representatives has come present to attend the hearing through Cisco Webex. As such, the hearing could not be held through Cisco Webex.
4. The Bench, on perusal of RTI application, finds that neither the complainant has mentioned in his RTI application his contact number nor e.mail address. As such, the Bench cannot contact the complainant.
5. On perusal of case related documents, it clearly emerges that the complainant has sought information about an individual which shows clearly that the information asked for is personal, private and third party information serving no public activity or interest. Hence, under Section 8(1)(j) of the RTI Act, the information is denied to the complainant.
6. In view of the above, **the instant complaint case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
04.08.2021**

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

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Shri Sanjeev Thakur
Village Gudha Khurd,
PO Madhopur Cantt.-145024.
District Pathankot.

.....Appellant

Versus

Public Information Officer
Sub Divisional Engineer,
PSEB (PSPCL), Sujanpur,
District Pathankot.

First Appellate Authority-cum-
Superintending Engineer
PSPCL Circle, Gurdaspur.

....Respondents

AC No.1794 of 2021

Present: (i) **Appellant-absent.**
(ii) **Shri Ashwani Kumar, SDO,PSPCL, Sujanpur, Distt. Pathankot/PIO.**

ORDER

(Heard Through Cisco Webex/On Mobile Phone)

1. The RTI application is dated 02.01.2021 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 08.02.2021 and the second appeal was filed in the Commission on 07.04.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing in the Commission was issued to the parties for 26.05.2021 but the same was postponed to 04.08.2021 for hearing through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex. Shri Sanjeev Thakur, appellant has not come present to attend the hearing through Cisco Webex.
3. Shri Ashwani Kumar, SDO, PSPCL Sujanpur, District Pathankot comes present to attend the hearing through Cisco Webex. He states that the appellant has been supplied information vide letter dated 23.04.2021 by registered post and again vide letter dated 24.07.2021 by speed post.
4. Shri Sanjeev Thakur, appellant is contacted on mobile phone. On the asking of the Bench, the appellant confirms the receipt of information to his satisfaction and gives his consent to close the case.

Cont.P-2



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AC No.1794/2020

5. In view of the above, no further cause of action is left in the matter. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
04.08.2021**

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

