

**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 Meeting Code:15857-23975

Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)



Shri Amandeep Singh,
H.No.346, Guru Amar Dass Nagra,
Jalandhar.

...Appellant

Versus

Public Information Officer
O/o Divisional Engineer
Jalandhar Development Authority,
Jalandhar.

**First Appellate Authority-cum-
Estate Officer,**
Jalandhar Development Authority,
Jalandhar.

....Respondents

AC No.2991 of 2021

Present: (i) **Appellant- absent.**
(ii) **Shri Sanjeev Sharma, Sub-Divisional Officer/PIO, J.D.A., Jalandhar.**

ORDER:

(Heard in person/on mobile phone)

1. The RTI application is dated 28.02.2020 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 03.11.2020 and the second appeal was filed in the Commission on 30.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Amandeep Singh, appellant has not come present to attend the hearing before the Bench.
3. The PIO Shri Sanjeev Sharma, Sub Divisional Officer, J.D.A. Jalandhar comes present to attend the hearing before the Bench in person. He states that the RTI application dated 31.03.2021 was received in their office on 15.04.2021 vide which the appellant has sought information regarding the land acquired for carving out Guru Amardas Colony. The same was transferred to the Estate Officer/ Land Acquisition Collector and Estate Officer, Regulatory of J.D.A. and the PIOs of both the offices have given in writing that no record relating to the said land is available in their offices.

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AC No.2991/2021

3. The appellant Shri Amandeep Singh is contacted on mobile phone. He is apprised of the version and is also made to talk to PIO. The PIO clarifies to him the position regarding the information sought by him relating to the acquisition of land mentioned in his RTI application. But he shows his dissatisfaction on the reply of PIO. The Bench makes it clear to him that the information as available in the official records of the PIO has been provided. The contention of the PIO based on written input of Estate Officer/Land Acquisition Collector is that the information sought by the appellant does not exist in their official records.

4. The PIO is now, directed to file an affidavit on non-judicial stamp paper, within next 15 days, duly signed by the PIO and attested by the Notary Public to the effect that the information sought regarding the land acquisition details for Guru Amar Dass colony as mentioned in RTI application and AC No.2991/2021 is not available in the official records of Jalandhar Development Authority. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be supplied to the appellant and photocopy of the same be sent to the Commission for record.

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

**Chandigarh
06.10.2021**

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

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Shri Krishan Lal,
S/o Shri Girdhari Lal.
VPO Bareka,,
Tehsil & Distt. Fazilka.

...Appellant

Versus

Public Information Officer
O/o Dy.Chief Engineer, Sales-I,
PSPCL, Patiala.

First Appellate Authority-cum-
O/o Chief Engineer, Commercial
PSPCL, Patiala.

....Respondents

AC No.2921 of 2021

Present: (i) **Shri Krishan Lal, Appellant in person.**
(ii) **Shri Mandeep Singh, Addl. S.E., O/o Dy.Chief Engineer, PSPCL Patiala
and Sh.Kuldeep Singh, Addl.SE, PSPCL/APIO, on behalf of PIO/respondent.**

ORDER:

1. The RTI application is dated 06.11.2020 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 02.02.2021 and the second appeal was filed in the Commission on 21.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office, Chandigarh. Accordingly, the case has been heard today. Shri Krishan Lal, appellant attends the hearing in person before the Bench. He states that the PIO has supplied information but he is not satisfied with the same.
3. Shri Mandeep Singh, Addl. SE along with Shri Kuldeep Singh, Addl.S.E., PSPCL Patiala comes present to attend the hearing in person before the Bench. He states that the appellant has sought information regarding the sanction of an electricity connection for the tubewell under Chairman's quota in the year 2016, which falls in West Zone of PSPCL and the same is required to be sanctioned as per the

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AC No.2921/2021

procedure prevalent in PSPCL. He clarifies that his office had received applications of 23 applicants for sanction of the electricity connection for the tubewell. However, the application of the appellant was not received in the 23 applications received. As such, in the absence of application of the application, it was not possible to sanction the electricity connection to the appellant.

4. Shri Kuldeep Singh, Addl.S.E./APIO also apprises the Bench that the appellant was allowed to inspect the relevant records during the hearing before the First Appellate Authority, but he had chosen not to do so.

5. The Bench, post deliberations, clarifies to the appellant that the PIO can supply only such information as is available in the official records. The Bench then directs the PIO to file an affidavit on non-judicial stamp paper, within next 15 days, duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.2921/2021 has been supplied and the position regarding non-receipt of application of the appellant as also the procedure prevalent in this regard be also elaborated therein. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be supplied to the appellant and photocopy of the same be sent to the Commission for record.

6. Both the representatives of PIO give assurance to the Bench of filing the affidavit within the stipulated time and complying with the directions of the Bench. In view of the assurance given, the Bench does not feel further intervention in the matter. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
06.10.2021**

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

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Shri Ashok Kumar Joshi,
S/o Shri Hari Krishan Joshi,
R/o Mohalla Sarafa,
Near Baba Pura Ji, Rahon,
District SBS Nagar.

...Appellant

Versus

Public Information Officer
O/o Sub-Divisional Officer,
PSPCL, Rahon.
District SBS Nagar.

First Appellate Authority
O/o Sub-Divisional Officer,
PSPCL, Rahon.
District SBS Nagar.

....Respondents

AC No.2943 of 2021

Present: (i) Appellant- absent.
(ii) Shri Tarwinder Singh, SDO, PSPCL, Rahon, District SBS Nagar,
on behalf of the PIO/respondent, in person.

ORDER:

(Heard in person/on mobile phone)

1. The RTI application is dated 18.09.2020 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 19.01.2021 and the second appeal was filed in the Commission on 28.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Ashok Kumar Joshi, appellant has not come present to attend the hearing before the Bench.
3. Shri Tarwinder Singh, SDO PSPCL, Rahon, District SBS Nagar comes present to attend the hearing in person before the Bench. He states that the appellant has been supplied information vide letter dated 05.10.2021 which has been delivered by hand at his residence through a special messenger.

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AC No.2943/2021

4. The appellant Shri Ashok Kumar Joshi is contacted on mobile phone. On the asking of the Bench, he expresses his satisfaction over the information supplied and also gives his 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
06.10.2021**

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

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Shri Naresh Kumar Bansal,
H.No.B-XIII/1673/1, Street No.2,
Lakhi Colony, Barnala-148101.

...Complainant

Versus

Public Information Officer
Dy.Chief Engineer, HRD
PSPCL, Patiala.

Remanded Back

First Appellate Authority

Chief Engineer, HRD
PSPCL, Patiala.

....Respondents

CC No.820/2021

Present: (i) Shri Naresh Kumar Bansal, Complainant.
(ii) Shri Manvir Saini, Assistant Manager, HR, PSPCL, Patiala,
on behalf of the PIO/respondent, in person.

ORDER:

(Heard in person/through Cisco Webex)

1. The RTI application is dated 27.08.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 28.06.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. The Complainant comes present to attend the hearing through Cisco Webex.
3. Shri Manvir Saini, Assistant Manager, HR, PSPCL, Patiala comes present to attend the hearing in person before the Bench. He states that the complainant has sought information relating to the charge sheet issued to him. He further states that his RTI application was received through the Nodal Officer and the complainant was asked to deposit Rs.38/- for supply of information vide letter dated 12.03.2021 and then vide letter dated 31.08.2021. The fees asked for supply of information has not been deposited by the complainant.
4. On the asking of the Bench, the complainant states that the demand for the fee has been raised after 1½ months and as such, the information needs to be supplied to him free of cost.

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CC No.823/2021

5. The Bench 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.

7. The instant matter is now remanded back to the First Appellate Authority i.e. **Er. Rupinder Singh Saini, Chief Engineer, HRD, PSPCL, Patiala**. 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. He 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
06.10.2021**

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

Copy to (By Regd. Post):

**First Appellate Authority
Er. Rupinder Singh Saini,
Chief Engineer, HRD,
Patiala.**