

**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)

Smt. Amarjit Kaur,
W/o Shri Mukhtiar Singh,
H.No.208, Guru Nanak Colony,
Sangrur.

.....Appellant

Versus

Public Information Officer

O/o Pepsu Road Transport Corporation,
Head Office, Patiala.

First Appellate Authority

O/o Chairman,
Pepsu Road Transport Corporation,
Head Office, Patiala.

Public Information Officer

O/o General Manager,
Pepsu Road Transport Corporation,
Sangrur.

....Respondents

AC No.3440 of 2020

- Present:**
- (i) Smt. Amarjit Kaur, Appellant in person before the Bench.
 - (ii) Shri Hakam Singh, Senior Assistant, O/o G.M. PRTC, Sangrur on behalf of the PIO.
 - (iii) Shri Amanvir Singh Tiwana, Traffic Manager/PIO, PRTC Patiala

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 22.03.2021 passed during the previous hearing.
2. The appellant comes present to attend the hearing in person before the Bench. She states that she has not been supplied the information as asked for.
3. Shri. Hakam Singh, Senior Assistant, O/o G.M. PRTC, Sangrur attends the hearing through Cisco Webex and states that information relating to their office has been supplied to the appellant vide letter dated 30.06.2020. He has also filed an affidavit dated 30.04.2021 to this effect and further states that the remaining information relates to the

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AC No.3440 of 2020

Head Office of PRTC, Patiala. He also refers to affidavit dated 23.03.2021 stating that as per letter dated 01.12.2020 of Head Office, the information being 31 years old, cannot be supplied as the official records of that period do not exist in the office. He further states that the same has been intimated to the appellant vide letter dated 03.05.2021 and again by hand.

4. The appellant, however, denies to have received any information while visiting O/o PRTC Sangrur.

5. Shri Amanvir Singh Tiwana, Traffic Manager/PIO, PRTC, Head Office, Patiala, attends the hearing through Cisco Webex. He is apprised of the information asked for regarding the G.P. funds of the husband of appellant relating to Head Office, PRTC. He states that since the information is more than 20 years old, as such, the same cannot be supplied as records of that period do not exist.

6. Post deliberations and going through the contents of the affidavit, the Bench observes that the appellant has been supplied information as available in the official records.

7. In view of the above, the Bench does not feel the need for any further intervention in the matter. **The appeal case is disposed off and closed.** Copies of order be given to the concerned parties.

Chandigarh
07.06.2021

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

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Shri Harjeet Singh,
S/o Shri Balbir Singh
C/o Creative Builder,
#133-Urban Estate,
Ram Tirath Road, Amritsar-143105

.....Complainant

Versus

Public Information Officer

O/o Deputy Commissioner,
Amritsar.

Public Information Officer

O/o District Development &
Panchayat Officer,
Sri Muktsar Sahib.

Public Information Officer-cum-

Executive Engineer,
Public Works Deptt. (B&R),
Sri Muktsar Sahib.

Public Information Officer-cum-

Public Works Deptt., Panchayati Raj,
Sri Muktsar Sahib.

Public Information Officer-cum-

Executive Engineer
Punjab Mandi Board,
Sri Muktsar Sahib.

...Respondents

CC No. 978 of 2020

Present:

- (i) Complainant- absent.
- (ii) None on behalf of PIO, O/o D.C. Sri Muktsar Sahib.
- (iii) Shri Harmandeep Singh, DDPO Sri Muktsar Sahib/PIO in person before the Bench.
- (iv) Shri Jasbir Singh, Supdt. Gr.II, O/o Punjab Mandi Board, Sri Muktsar Sahib.
- (v) Shri Rajesh Grover O/o XEN Panchayati Raj, PWD, Sri Muktsar Sahib.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 22.03.2021 passed by this Bench on the previous hearing.

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2. The case has been heard today through Cisco Webex. Shri Harjit Singh, appellant has not come present to attend the hearing through Cisco Webex.

3. Shri Harmandeep Singh, DDPO/PIO, Sri Muktsar Sahib comes present to attend the hearing in person before the Bench and states that the appellant was called for inspection of records vide letter dated 19.05.2021 on 01.06.2021 but he did not come for inspection of record. He further states that the appellant has been informed vide letter dated 05.01.2021 of the Punjab Mandi Board, Sri Muktsar Sahib that the information relating to his RTI application is not available in their office and further states that affidavit to this effect dated 24.05.2021 has also been filed. Shri Jasbir Singh, Supdt. O/o Punjab Mandi Board, Sri Muktsar Sahib attends the hearing through Cisco Webex and states to have supplied information vide letter dated 05.01.2021 and that affidavit dated 12.05.2021 has also been filed to this effect. Shri Rajesh Grover, XEN, Panchayati Raj, PWD, Sri Muktsar Sahib comes present to attend the hearing through Cisco Webex. He states that their office has not received any e.mail/letter from D.C. Office Sri Muktsar Sahib and he has also filed an affidavit to this effect.

4. Shri Harjeet Singh, complainant is contacted on mobile phone. He is apprised of the version of the PIO/DDPO Sri Muktsar Sahib and representative of PIO, Punjab Mandi Board, Sri Muktsar Sahib and on the asking of the Bench, he did not give any satisfactory reply for not visiting the office of DDPO Sri Muktsar Sahib. He admits receipt of above letters.

5. Post deliberations and perusal of the case file and going through the affidavits filed, the Bench observes that the information stands supplied to the appellant and there is no need for further intervention of the Bench.

6. In view of the above, **the complaint case is disposed off and closed**. Copies of the order be sent to the concerned parties.

**Chandigarh
07.06.2021**

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

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Shri Heera Lal
S/o Shri Ganpat Rai,
R/o Ward No.12, Mahasha
Karam Chand Nagar,
Harijan Colony South, Moga.

..... Complainant

Versus

Public Information Officer
O/o Executive Engineer,
Punjab State Power Corporation Ltd.
(PSPCL), Moga.

Remanded Back:
First Appellate Authority
Shri Kulwant Singh Sandhu,
Superintending Engineer, DS Circle,
PSPCL, Faridkot

...Respondent

CC No. 268 of 2021

Present: (i) **Shri Heera Lal, complainant in person before the Bench.**
(ii) **None on behalf of PIO.**

ORDER:

(Heard through Cisco Webex)

1. The RTI application is dated 15.12.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 03.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The complainant Shri Heera Lal comes present in person before the Bench to attend the hearing. He states that he has sought information/documents regarding new electricity connection released in the name of Pawan Kumar in his house whereas an electricity connection has been running in the name of complainant and the same has been disconnected, which is wrong and illegal. He further states that he has received the information from APIO-cum-Addl. S.E./Distribution Urban Division, Moga vide letter dated 22.12.2020 but he is not satisfied with the said information.

3. The PIO has not come present to attend the hearing through Cisco Webex. However, a letter dated 03.06.2021 addressed to the Bench is available in case file stating the reply to the complainant has been sent vide letter dated 22.12.2020. Shri Amarjit Singh, XEN, PSPCL, Moga is contacted on phone. He is apprised of the version of the complainant.

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CC No. 268 of 2021

4. The Bench observes that the complainant is not satisfied with the information provided to him. 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.

5. 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.

6. Post deliberations with the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e. Er. Kulwant Singh Sandhu, S.E. D.S. Circle, P.S.P.C.L. Faridkot. 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.

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

Chandigarh
07.06.2021
Copy to (By Regd. Post):

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

First Appellate Authority
Shri Kulwant Singh Sandhu,
Superintending Engineer, DS Circle,
PSPCL, Faridkot.

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Shri Taljinder Singh
S/o Shri Ajit Singh,
R/o Rukali Mai Mangarh,
Tehsil Chamkaur Sahib,
District Roopnagar.

.....Complainant

Versus

Public Information Officer

O/o Senior Superintendent of Police,
Roopnagar.

Remanded Back

First Appellate Authority

Shri Gurpreet Singh Toor,
Deputy Inspector of Police,
Roopnagar Range,
Roopnagar

...Respondent

CC No. 274 of 2021

Present:

- (i) Shri Taljinder Singh, complainant in person.
- (ii) Shri Bal Krishan, ASI, I/c RTI Cell, O/o SSP Roopnagar on behalf of PIO.

ORDER:

(Heard through Cisco Webex)

1. The RTI application is dated 22.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 02.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Shri Taljinder Singh, complainant comes present in person before the Bench to attend the hearing.
3. Shri Bal Krishan, ASI, I/c RTI Cell, O/o SSP Roopnagar attends the hearing through Cisco Webex. He states that the entire information has been provided to the complainant vide letter dated 20.11.2020 and on 21.05.2021.
4. On the asking of the Bench, the complainant states that only a copy of complaint has been received and the action taken report has not been supplied and as such, he is not satisfied with the information supplied.

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5. The Bench observes that the complainant is not satisfied with the information provided to him. The Bench further observes that the complainant has not availed the provisions 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. Post deliberations with the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e. Deputy Inspector General of Police, Roopnagar Range, Roopnagar. 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
07.06.2021
Copy to (By Regd. Post):

First Appellate Authority
Shri Gurpreet Singh Toor,
Deputy Inspector of Police,
Roopnagar Range, Roopnagar.

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

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Shri Taljinder Singh
S/o Shri Ajit Singh,
R/o Rukali Mai Mangarh,
Tehsil Chamkaur Sahib,
District Roopnagar.

.....Complainant

Versus

Public Information Officer
O/o Senior Superintendent of Police,
Roopnagar.

Remanded Back

First Appellate Authority
Shri Gurpreet Singh Toor,
Deputy Inspector of Police,
Roopnagar Range,
Roopnagar

...Respondent

CC No. 276 of 2021

Present: (i) **Shri Taljinder Singh, complainant in person.**
(ii) **Shri Bal Krishan, ASI, I/c RTI Cell, O/o SSP Roopnagar
on behalf of PIO.**

ORDER:

(Heard through Cisco Webex)

1. The RTI application is dated 22.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 02.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Shri Taljinder Singh, complainant comes present in person before the Bench to attend the hearing. He states that he has sought information with regarding to the complaint made by him on 09.07.2020 in connection with FIR No.115 dated 05.07.2020.
3. Shri Bal Krishan, ASI, I/c RTI Cell, O/o SSP Roopnagar attends the hearing through Cisco Webex. He states that the information regarding the enquiry proceedings into the complaint dated 09.07.2020 cannot be supplied under Section 8(1)(h) of RTI Act.
4. On the asking of the Bench, the complainant states that enquiry into the said complaint has been conducted and the same can be supplied. However, the representative of PIO states that the enquiry report in the said complaint has not been approved by the Court yet due to which the information cannot be supplied.

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CC No. 276 of 2021

5. The Bench observes that the complainant is not satisfied with the information provided to him. 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.

7. Post deliberations with the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e. Deputy Inspector General of Police, Roopnagar Range, Roopnagar. 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
07.06.2021
Copy to (By Regd. Post):

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

First Appellate Authority
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Roopnagar.