

**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.:0172-2864116(10.00 AM to 04.00 PM on working days)

Shri Kuldip Singh Walia,
S/o Late Shri Harjit Singh,
R/o Flat No.B004, Sushma Joynest,
Moh-1, Airport Road PR-7,Zirakpur,
District S.A.S.Nagar.

.....Appellant

Versus

Public Information Officer

O/o Chairman,
Punjab Pollution Control Board,
Patiala.

First Appellate Authority-cum-

O/o Chairman,
Punjab Pollution Control Board,
Patiala.

....Respondents

AC No. 5542 of 2021

Present: (i) **Appellant- absent.**
(ii) **Ms. Jasmeen Singh, Advocate on behalf of PIO/Assistant
Environmental Engineer, Regional Office, PPCB, Mohali.**

ORDER:

(Heard in person/on mobile phone)

1. This order may be read with reference to the order dated 09.03.2022 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Kuldip Singh Walia, appellant has not come present to attend the hearing in person before the Bench or through cisco webex. However, an e.mail dated 07.06.2022 has been received from the appellant stating that he is a senior citizen 70+ and is suffering from acute backache. He has also informed that the affidavit as directed by Hon'ble Bench has not been received by him.
3. Ms. Jasmeen Singh, Advocate comes present in person before the Bench to attend the hearing on behalf of PIO/Assistant Environmental Engineer, Regional Office, PPCB, Mohali. She states that the appellant has been supplied information point wise vide letter dated 11.04.2022 and produces a copy of the same before the Bench.



-2-

AC No.5542/2021

4. Since the appellant is absent for today's hearing, he is contacted on mobile phone. He is also made to talk to the representative of PIO who explains to him the information sent. The appellant, however, raises some issues to which the representative of PIO states that the same is the work of the said project developer and is not the function of Punjab Pollution Control Board. Then, the appellant is apprised that the information as available in the official records has been supplied to him and the affidavit will be sent to him by the PIO within 21 days.

5. Post deliberations, the notified PIO is again directed to file an affidavit within 21 (twenty one) days on non-judicial stamp paper 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.5542/2021 has been supplied to the appellant, clarifying the position of PPCB regarding the Project as mentioned in the RTI application of the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

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

**Chandigarh
08.06.2022**

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

**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)**



Shri Deepinder Singh Sarao (Retd.)
#1553, Sector-18D,
Chandigarh.

.....Appellant

Versus

Public Information Officer
O/o Greater Mohali Area Development
Authority (GMADA), Mohali.

First Appellate Authority,
O/o Greater Mohali Area Development
Authority (GMADA), Mohali.

....Respondents

AC No.5649/2021

Present: (i) **Shri Deepinder Singh Sarao, Appellant.**
(ii) **Shri Gurwinder Singh, Assistant Estate Officer/PIO, GMADA, Mohali
on behalf of PIO/Respondent.**

ORDER

(Heard in person/through cisco webex)

1. This order may be read with reference to the order dated 09.03.2022 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Deepinder Singh Sarao, Appellant comes present to attend the hearing in person before the Bench. He states that he has received letter dated 09.03.2022 wherein the proceedings of the meeting of GMADA held on 23.10.2020 have been sent, but no intimation regarding allotment of 100 sq.yd. commercial plot has been received by him.
3. Shri Gurwinder Singh, Assistant Estate Officer/PIO O/o GMADA, Mohali attends the hearing through cisco webex, but due to problem in connectivity through cisco webex, he is contacted on mobile phone. He states that as per decision taken in the meeting of GMADA dated 23.10.2020, the matter is under process for the issuance of Letter of Intent to the appellant and he assures to intimate in this regard within two/three days. The PIO is also apprised that no reply to the show cause notice has been filed by him.
4. The appellant states that in case the PIO gives assurance for the issuance of Letter of Intent, his grievance will stand addressed and he will not need to pursue the matter further.

Cont..P-2



-2-

AC No.5649/2021

5. The Bench directs the PIO O/o GMADA, Mohali to comply with the direction of the Bench in its entirety and intimate compliance of the same. The PIO assures to file reply to the show cause notice as also to make available the Letter of Intent to the appellant within next two/three days.

6. In view of the assurance as given by the PIO as above, **the instant appeal case is disposed off and closed.** Copies of the orders be sent to the concerned parties.

Chandigarh
08.06.2022

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

Copy to (By Regd. Post)

Public Information Officer, GMADA, Mohali.

**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)**

Shri Malkit Khan S/o Sh.Juma Khan
Village Balipur, PO Kaliyan,
Tehsil and District Patiala.

.....Appellant

Versus

Public Information Officer
O/o Panchayat Secretary,
Gram Panchayat, Kherimania,
District Patiala.

First Appellate Authority
O/o Block Development and
Panchayat Officer (BDPO),
Patiala.

....Respondents

AC No.4135/2021

PRESENT : (i) **Appellant- absent.**
(ii) **Shri Lavish Gautam, Junior Engineer o/o BDPO Patiala.**
Shri Bhupinder Singh, Panchayat Secretary, Gram Panchayat,
Kheri Mania, Block Patiala, on behalf of the PIO/respondent.

ORDER:

1. This order may be read with reference to the order dated 09.03.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Malkit Khan, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. The Shri Bhupinder Singh, Panchayat Secretary, Gram Panchayat, Kherimania, Tehsil and District Patiala and Shri Lavish Gautam, Junior Engineer O/o BDPO Patiala come present to attend the hearing in person before the Bench. Shri Bhupinder Singh, Panchayat Secretary states that the appellant has been supplied information on 07.06.2022.
4. The Bench apprises the PIO Shri Bhupinder Singh that the Bench has received letter dated 07.06.2022 by e.mail from the appellant confirming receipt of information to his satisfaction.
5. In view of the above, no further cause of action is left in the mater. **The instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.06.2022**

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

**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.0172-2864116(From 10.00 AM to 04.00PM on working days))



Shri Ashok Kumar,
Flat No.91, Pocket-2, Secor-19,
Green View Apartments,
Dwarka, New Delhi-110075.

..... Appellant

Versus

Public Information Officer

O/o Patiala Development Authority,
Patiala.

First Appellate Authority,

O/o Patiala Development Authority,
Patiala.

...Respondents

AC No.1131/2022

Present:

- (i) **Shri Ashok Kumar, appellant, in person.**
- (ii) **Shri Hira Lal, Superintendent O/o PUDA, Patiala,
on behalf of the PIO/respondent, in person.**

ORDER

1. The RTI application is dated 05.10.2021 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 15.12.2021 and the second appeal was filed in the Commission on 04.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 08.06.2022. Accordingly, the case has been heard today. Shri Ashok Kumar, appellant comes present to attend the hearing in person before the Bench on behalf of the appellant.

3. Shri Hira Lal, Superintendent O/o PUDA, Patiala comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that the information has been supplied to the appellant vide letter dated 15.12.2021 and 02.06.2022.

4. The appellant admits receipt of information. He states that he was called twice by the First Appellate Authority and during first hearing, he was not heard and on second hearing, he was heard on 15.12.2021 and was supplied information. He, however, points out certain deficiencies in the information supplied. On the asking of the Bench, the representative of PIO states that nothing beyond the information supplied is available in the official records.

Cont...P-2



-2-

AC No.1131/2022

5. Post deliberations, the notified PIO O/o PUDA, Patiala is directed to file an affidavit within 21 (twenty one) days on non-judicial stamp paper 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.1131/2022 has been supplied to the appellant and nothing beyond that is available in the official records. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.
6. With the aforesaid directions, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.06.2022**

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

**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.0172-2864116(From 10.00 AM to 04.00PM on working days))

Smt. Madhu Gupta,
H.No.238 R, Model Town,
Jalandhar City.

..... Appellant

Versus

Public Information Officer

O/o Land Acquisition Collector-cum-
Addl. Chief Administrator,,
GLADA, Ludhiana..

First Appellate Authority,

O/o Land Acquisition Collector-cum-
Addl. Chief Administrator,,
GLADA, Ludhiana.

...Respondents

AC No.1094/2022

Present:

- (i) Appellant- absent.
- (ii) Shri Onkar Singh, Clerk O/o GLADA, Ludhiana,
on behalf of the PIO/respondent.

ORDER

(Heard through cisco webex)

1. The RTI application is dated 20.08.2021 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 29.09.2021 and the second appeal was filed in the Commission on 03.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.06.2022. Accordingly, the case has been heard today. Smt. Madhu Gupa, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. Shri Onkar Singh, Clerk O/o GLADA, Ludhiana comes present to attend the hearing on behalf of the PIO through cisco webex. He states that the information has been supplied to the appellant vide letter dated 24.05.2022 and the same has been delivered on 26.05.2022 to the appellant.

Cont..P-2

4. The Mrs. Madhu Gupta is contacted on mobile phone. She admits the receipt of information and states that it is still incomplete. On the asking of the Bench, the representative of the PIO states that the information as available in the official records has been supplied.

5. Post deliberations, the notified PIO O/o Land Acquisition Collector-cum-Additional Chief Administrator, GLADA, Ludhiana is directed to file an affidavit within 21 (twenty one) days on non-judicial stamp paper 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.1094/2022 has been supplied to the appellant and nothing beyond that is available in the official records. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

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

**Chandigarh
08.06.2022**

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

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



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

Visit us: - www.infocompunjab.com, [Cisco Webex Code:15857-23975](#)

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

Shri Tarlok Singh, Retd. Supdt.
VPO Harsi Pind,
Tehsil Dasuya,
District Hoshiarpur.

..... Complainant

Versus

Public Information Officer

O/o Executive Officer,
Panchayat Samiti,
Mukerian, District Hoshiarpur.

Remanded Back

First Appellate Authority,

O/o District Development and
Panchayat Officer (DDPO),
Hoshiarpur.

... Respondents

CC No.120/2022

Present:

- (i) Complainant- absent.
- (ii) None on behalf of the PIO/respondent.

ORDER

1. The RTI application is dated 12.10.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 03.03.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.06.2022. The case has been heard today. Shri Tarlok Singh, complainant has not come present to attend the hearing either in person before the Bench or through cisco webex.
3. Neither the PIO has come present to attend the hearing in person before the Bench or through cisco webex nor he has deputed any of his representatives to attend the hearing.
4. The Bench observes that no reply to the complainant has been given and he has directly approached the Commission by preferring complaint in the Commission. The Bench further observes that the complainant has not availed the provision of 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. The attention of the Complainant is drawn to the decision of the judgment of Hon'ble Supreme Court of India rendered on 12.12.2011 in Information Commissioner and another Versus State of Manipur and another in para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

Cont..P-2

31. We uphold the said contention and do not find any error in the impugned judgment of the Hon'ble High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information."

As such, since the complainant has approached the Commission under the provisions of Section 18 of the RTI, 2005, no directions for providing further information can be given by the Commission.

5. Since there is an alternative and efficacious remedy of First Appeal available to the Complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant complaint case and the First Appellate Authority has not had the occasion to review the decision of PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

6. The instant matter is remanded back to the **First Appellate Authority i.e. Shri, Ajay Kumar, District Development & Panchayat Officer, Hoshiarpur**. 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 hear the complainant within ten days and decide the matter.

7. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal before Punjab State Information Commission Section 19(3) 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
08.06.2022

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

Copy to (By Regd. Post):

First Appellate Authority, Shri Ajay Kumar,
District Development & Panchayat Officer, Hoshiarpur.

**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.0172-2864116(From 10.00 AM to 04.00PM on working days))



Shri Vasu S/o Sh. Sandeep Kumar,
#147, Ward No.25,
Street No.9, Patel Nagar,
Sri Muktsar Sahib.

..... Appellant

Versus

Public Information Officer

O/o Deputy Commissioner,
Sri Muktsar Sahib.

First Appellate Authority,

O/o Deputy Commissioner,
Sri Muktsar Sahib.

...Respondents

AC No.1921/2022

Present:

- (i) Appellant- absent.
- (ii) None on behalf of the PIO/respondent.

ORDER

1. The RTI application is dated 05.09.2021 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 22.10.2021 and the second appeal was filed in the Commission on 13.12.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 08.06.2022. Accordingly, the case has been heard today. Shri Vasu, appellant has not come present to attend the hearing in person or through cisco webex.

3. Neither the PIO O/o D.C. Sri Mukatsar Sahib has come present in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO. However, a letter dated 25.05.2022 is available in the case file wherein it has been stated that the aforesaid appeal filed by the appellant against the orders of D.C. Sri Muktsar Sahib is pending, which the appellant does not want to pursue further and as such, may be closed.

Cont..P-2

4. The Bench, on perusal of the case file, also observes that the appellant Shri Vasu has also sent letter dated 19.05.2022 that he does not want to continue with the aforesaid appeal and wants to withdraw the same.

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

Chandigarh
08.06.2022

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

**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)

Shri Arvind Gupta S/o Shri Madan Lal ,
#20204, New H.No.10803, MCB Zone-3,
Street No.18, Prinda Road 18,
Guru Teg Bahadur Nagar,
Bathinda.

...Appellant

Versus

Public Information Officer

O/o Sr. Superintendent of Police,
Sri Muktsar Sahib.

First Appellate Authority

O/o Inspector General of Police,
Faridkot.

....Respondents

AC No. 1911 of 2022

Present:

- (i) **Shri Madan Lal, on behalf of the Appellant, in person.**
- (ii) **ASI Tejinder Singh, Police Station, Gidderbaha, Distt. Sri Muktsar Sahib, on behalf of the PIO/respondent.**

ORDER

1. The RTI application is dated 01.01.2022 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 08.03.2022 and the second appeal was filed in the Commission on 19.04.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 08.06.2022. Accordingly, the case has been heard today. Shri Madan Lal, appellant comes present to attend the hearing in person before the Bench on behalf of the appellant. He states that information received by the appellant from the PIO is not attested.

3. ASI Tejinder Singh, ASI, Police Station, Gidderbaha comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that the information as asked for by the appellant was sent to him at his given address on 01.06.2021 and the information has been again sent to the appellant on 23.02.2022 by registered post and that a challan with regard to the case registered under Dowry Act has been presented in the Hon'ble Court.

Cont..P-2

4. On the asking of the Bench, the representative of PIO hands over a copy of information containing seven pages duly attested to the representative of appellant in the court. The representative of the appellant, on perusal of the same, states that it is not as asked for as per RTI application of the appellant and expresses his dis-satisfaction over the information supplied.

5. On the asking of the Bench, the representative of PIO states that the information as available in the official records has been supplied to the appellant and nothing beyond that is available in the official records.

6. The Bench now directs the PIO, O/o SSP Sri Muktsar Sahib to file an affidavit on non judicial stamp paper within 21 (Twenty one) days duly signed by the PIO and attested by the Notary Public to the effect that the information sought by the appellant as available in the official records in AC No.1911/2022 has been supplied to the appellant and that nothing beyond the information supplied is available in the official records. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

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

**Chandigarh
08.06.2022**

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

**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.0172-2864116(From 10.00 AM to 04.00PM on working days))**

Shri Inder Kumar
S/o Shri Krishna Kumar
VPO Taja Patti, Abohar-152122,
District Fazilka.

.....Appellant

Versus

Public Information Officer
O/o Sub Divisional Officer,
PSPCL Sub-Division, Abohar-3,
District Sri Muktsar Sahib.

First Appellate Authority,
O/o Dy. Chief Engineer,
Distribution Circle,
PSPCL Sri Muktsar Sahib.

...Respondents

AC No.1877/2022

Present: (i) **Appellant- absent.**
(ii) **Shri Het Ram, Asstt. Executive Engineer, Sub Division No.3, PSPCL, Abohar, Distt. Fazilka, on behalf of the PIO/respondent.**

ORDER

(Heard in person/on mobile phone)

1. The RTI application is dated 28.10.2021 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 29.11.2021 and the second appeal was filed in the Commission on 19.04.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.06.2022. Accordingly, the case has been heard today. Shri Inder Kumar, appellant has not come present to attend the hearing in person before the Bench or through cisco webex. However, an e.mail dated 27.05.2022 has been received from the appellant wherein he has stated that the information sought by him is in the public interest and should be made available.
3. Shri Het Ram, Assistant Executive Engineer, Sub Division No.3, Abohar, District Fazilka comes present in person before the Bench to attend the hearing. He states that the appellant has been sent reply point-wise vide letter dated 14.12.2021 to the effect that as per letter dated 23.08.2021 of PSPCL Patiala, the information, being personal information, is not required to be given to the appellant. He also produces before the Bench letter dated 01.06.2022 in this regard which is taken on record.
4. Shri Inder Kumar, appellant is contacted on mobile phone. He is made to talk to the representative of PIO Shri Het Ram who explains to him that the information is not required to be given being personal information, as per letter issued by PSPCL H.O. Patiala dated 23.08.2021. Then, the Bench talks to the appellant and clarifies to him that the information sought

Cont..P-2

by him relates to the vintage period i.e. the year 1970, 1990 and 2010. Moreover, the information sought is personal in nature and it is voluminous information. Then, he says that whatever information is available, be directed to be supplied.

5. Post deliberations, and examination of documents on record, the Bench observes that the information sought by the appellant cannot be provided as per Govt. instructions dated 09.08.2021 as adopted by the PSPCL H.O., Patiala vide letter dated 23.08.2021, being personal and third party as the same will indicate personal records including name, address which are treated as personal information and such information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. Apart from this, the same is voluminous and is of the vintage period. The type of information has to be collected, collated and compiled, thereby resulting in wastage of time of the Government Department. The Hon'ble Supreme Court in matter of CBSE vs. Aditya Bandopadhyay, (2011) 8 SCC 497, held as under:-

“67. Indiscriminate and impractical demands or directions under the RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counterproductive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritizing “information furnishing”, at the cost of their normal and regular duties.

6. In view of the above, it does not seem to be appropriate for the appellant to seek information which may entail engaging 75% of the employees of a public authority to collect and compile the information for furnishing the same to the appellant.

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

**Chandigarh
08.06.2022**

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

**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)

Shri Prem Kumar Rattan,
House No.78/8, Park Road,
Navi Mandi, Dhuri,
District Sangrur.

.....Appellant

Versus

Public Information Officer
O/o Chairman,
Punjab State Power Corpn. Ltd.
(PSPCL), H.O. Patiala.

First Appellate Authority-cum-
O/o Chairman,
Punjab State Power Corpn. Ltd.
(PSPCL), H.O. Patiala.

....Respondents

AC No.1863 of 2022

Present: (i) **Shri Prem Kumar Rattan, Appellant**
(ii) **Shri Kamaldeep Arora, Addl.S.E. Technical Audit-1, PSPCL, Patiala, on behalf of the PIO/Respondent, in person.**

ORDER

(Heard in person/through cisco webex)

1. The RTI application is dated 31.01.2022 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 01.03.2022 and the second appeal was filed in the Commission on 18.04.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.06.2022. Accordingly, the case has been heard today. Shri Prem Kumar Rattan, appellant comes present to attend the hearing through cisco webex. He states that he has not received any information as yet.
3. Shri Kamaldeep Arora, Addl. S.E., Technical Audit-3, PSPCL, Patiala comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that the appellant had made a complainant to Chairman, PSPCL on 09.03.2021 and now, he has sought information with regard to the action taken on the same. He further states that an enquiry was ordered into the said complaint and that the Inquiry Officers have been changed from time to time and thus, the said enquiry is still under process and has not been finalised as yet. He further states

Cont..P-2

that the appellant has been sent reply to this effect vide letter dated 14.02.2022 by registered post and again on 22.05.2022 that the information cannot be provided as the matter is still under process and when completed, the information will be provided to the appellant.

4. The appellant states that the complaint was made by him and he has not been given an opportunity to get his statement recorded. Bench observes that this is not part of the information seeking process and he must let the Department decide on the process of conducting enquiry on his complaint.

5. The Bench now directs the PIO to file an affidavit on non-judicial stamp paper within 21 (Twenty one) days, duly signed by the PIO and attested by the Notary Public to the effect that enquiry into the complaint made by the appellant is still under process and it is likely to take some time and at present, the information asked for cannot be provided. The inputs will be made available to the appellant once the enquiry is completed. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

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

**Chandigarh
08.06.2022**

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

