

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



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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 Deputy Chief Engineer,
Sub Urban Distribution Division,
Punjab State Power Corpn. Ltd.
(PSPCL), Barnala.

First Appellate Authority-cum-
Deputy Chief Engineer,
Punjab State Power Corpn. Ltd.
(PSPCL), Circle, Barnala.

....Respondents

AC No.1504 of 2021

Present: (i) **Shri Prem Kumar Rattan, Appellant.**
(ii) **None on behalf of the PIO/Respondent**

ORDER

(Heard Through Cisco Webex)

1. This order may be read with reference to the order dated 17.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. Shri Prem Kumar Rattan comes present to attend the hearing through Cisco Webex. He states that he had visited the office of PIO on 26.10.2021 but information on point No.1 & 2 has not been supplied to him and the affidavit has also not been filed by the PIO.
3. Neither the PIO has come present nor he has deputed any of his representatives to attend the hearing in person before the Bench nor has attended the hearing through cisco webex. Shri Rajinder Kumar, SDO, PSPCL Sub Division, Bhadaur(Barnala) who had attended the last hearing on behalf of the PIO/Respondent is contacted on mobile phone. In spite of repeated attempts to contact him, his mobile phone is found to be switched off. This attitude on the part of the representative of PIO is viewed adversely.
4. The PIO O/o Dy.Chief Engineer, Sub Urban Distribution Division, Punjab State Power Corporation Ltd., (PSPCL), Barnala, is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and for not complying with the directions of the Bench. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

Cont..P-2



-2-

AC No.1504/2021

5. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

6. The PIO is further directed to supply complete information to the appellant before the next hearing and bring along all the case related documents and produce the same before the Bench on the next hearing as also to ensure to come present in person before the Bench. He is also directed to file an affidavit on non-judicial stamp paper as directed on the previous hearing. The affidavit be also brought along and produced before the Bench on the next hearing. The appellant is also advised to come present before the Bench in person.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.11.2021**

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

Copy to (By Regd.Post)

Public Information Officer
O/o Dy.Chief Engineer
Sub Urban Distribution Division,
PSPCL, Barnala.

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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), Patiala.

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

....Respondents

AC No.1503 of 2021

Present: (i) **Shri Prem Kumar Rattan, Appellant.**
(ii) **Shri Kuldeep Singh, Addl.S.E. PSPCL, Patiala.**
on behalf of the PIO/Respondent

ORDER

(Heard in person/Through Cisco Webex)

1. This order may be read with reference to the order dated 17.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Prem Kumar Rattan comes present to attend the hearing through Cisco Webex. He states that he had visited the office of PIO on 24.09.2021 and against on 14.10.2021, but he could not access any records as the gate of office was closed. He was again given time to visit on 29.10.2021 but he could not visit on that day due to viral fever.
3. Shri Kuldeep Singh, Addl.S.E. PSPCL Patiala O/o Dy.Chief Engineer/Comml.(Sales-1I), PSPCL, Patiala comes present to attend the hearing in person and states that the appellant had visited their office on 24.09.2021 and 14.10.2021, but he could not be shown records as the protesters had closed the main gate of office and he was again called on 29.10.2021 but the appellant did not turn up and they waited for him upto 05.30 PM.
4. Post deliberations, the Bench directs the PIO to call the appellant again on a mutually agreed date and allow him access to the relevant official records and to supply the information as may be identified by the appellant, before the next hearing.



-2-

AC No.1503/2021

5. The PIO is also directed to file an affidavit 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.1503/2021 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. The affidavit and the entire relevant record be brought along and produced before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 29.12.2021 at 11.30 AM through Cisco Webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.11.2021**

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

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

.....Appellant

Versus

Public Information Officer

O/o Addl. Superintending Engineer,
Punjab State Power Corpn. Ltd.(PSPCL),
Rural Distribution Division, Barnala.

First Appellate Authority

O/o Deputy Chief Engineer,
Punjab State Power Corpn. Ltd.(PSPCL),
Barnala Circle, Barnala.

....Respondents

AC No.1407 of 2021

Present: (i) **Shri Prem Kumar Rattan, Appellant.**
(ii) **Shri Karamjit Singh, Junior Engineer and Shri Dhanwant Singh, U.D.C., PSPCL Sub Division, Bhadaur(Barnala), in person on behalf of the PIO/Respondent.**

ORDER

(Heard in person/through Cisco Webex)

1. This order may be read with reference to the order dated 17.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in person/through Cisco Webex. Shri Prem Kumar Rattan comes present to attend the hearing through Cisco Webex. He states that he had visited the office of PIO for inspection of records and he was assured that the information as identified by him as also the affidavit would be sent to him which have not been received by him yet.
3. Shri Karamjit Singh, Junior Engineer, PSPCL Sub Division, Bhadaur (Barnala) comes present to attend the hearing in person on behalf of the PIO/Respondent. He states that the appellant had visited their office to inspect the record and the information as also the affidavit could not be supplied to the appellant as the SDO Shri Rajinder Kumar is down with 'dengu' fever since 29.10.2021.
4. The Bench expresses its displeasure on the statement of representative of PIO as a period of more than two and half months has elapsed from the previous order and the PIO has failed to comply with the directions of the Bench.

Cont...P-2



-2-

AC No.1407/2021

5. Post deliberations, the PIO is directed that in compliance with the directions of the Bench, complete information as well as the affidavit be supplied to the appellant. He is also directed to bring along the relevant records and come present before the Bench in person on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.11.2021**

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

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

.....Appellant

Versus

Public Information Officer
O/o Deputy Chief Engineer,
Punjab State Power Corpn. Ltd.(PSPCL),
Distribution Division, Barnala.

First Appellate Authority
O/o Deputy Chief Engineer,
Punjab State Power Corpn. Ltd.(PSPCL),
Distribution Division, Barnala.

....Respondents

AC No.1400 of 2021

Present: (i) **Shri Prem Kumar Rattan, Appellant.**
(ii) **None on behalf of the PIO/Respondent**

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 17.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. Shri Prem Kumar Rattan comes present to attend the hearing through Cisco Webex. He states that he had visited the office of PIO for inspection of records and he was assured that the information as identified by him as also the affidavit would be sent to him which have not been received by him.
3. Neither the PIO has come present nor he has deputed any of his representatives to come present to attend the hearing in person before the Bench nor the PIO has complied with the directions of the Bench as given on the previous hearing. This attitude of the PIO is viewed adversely.
4. The PIO O/o Dy.Chief Engineer, Sub Urban Distribution Division, Punjab State Power Corporation Ltd., (PSPCL), Barnala, is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and for not complying with the directions of the Bench. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

Cont..P-2



-2-

AC No.1400/2021

5. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

6. The PIO is further directed to supply complete information to the appellant before the next hearing and bring along all the case related documents and produce the same before the Bench on the next hearing as also to ensure to come present in person before the Bench. He is also directed to file an affidavit on non judicial stamp paper as directed on the previous hearing. The affidavit be also brought along and produced before the Bench on the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.11.2021**

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

Copy to (By Regd.Post)

Public Information Officer
O/o Dy.Chief Engineer
Sub Urban Distribution Division,
PSPCL, Barnala.

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Er. Ajitpal Singh Multani,
Addl. S.E. /Communication,
T&C Cell, 408/409,
3rd Floor, Shakti Sadan,
Jalandhar.

.....Appellant

Versus

Public Information Officer
O/o Superintending Engineer, Technical,
Punjab State Power Corpn. Ltd.(PSPCL),
Patiala.

First Appellate Authority
O/o Chief Engineer, HRD,
Punjab State Power Corpn. Ltd.(PSPCL),
Patiala.

....Respondents

AC No.1395 of 2021

Present: (i) **Shri Ajitpal Singh Multani, Appellant.**
(ii) **Shri Pal Singh, Senior Assistant, O/o Joint Secretary, Technical-3, PSPCL, Patiala, on behalf of the PIO/Respondent**

ORDER

(Heard in person/through Cisco Webex)

1. This order may be read with reference to the order dated 17.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in person/through Cisco Webex. Shri Ajit Singh Multani, appellant comes present to attend the hearing through Cisco Webex. He states that he has not been called for inspection of records and the information as sought by him has not been provided to him.
3. Shri Pal Singh, Senior Assistant O/o Joint Secretary, Technical-3, PSPCL Patiala comes present to attend the hearing in person before the Bench. He states that information has been supplied to the appellant along with relevant documents and an affidavit in original has also been brought along for handing over to the appellant.
4. On the asking of the Bench, the representative of PIO produces the affidavit before the Bench. On perusal of the same, the Bench observes that this affidavit is not in consonance with the directions given by the Bench as it has been signed by the APIO instead of PIO and moreover, it is not mentioned that information as existing in the official records stands supplied. As such, this affidavit is not accepted.

Cont.....P-2



-2-

AC No.1395/2021

5. Post deliberations, the Bench apprises the appellant that the affidavit filed by the APIO is not being accepted. The Bench directs the PIO to comply with the directions of the Bench as given on the previous hearing as also to file a fresh affidavit on non-judicial stamp paper duly signed by the PIO and attested by the Notary Public incorporating therein the directions as given on the previous hearing in its entirety. The affidavit and the entire relevant record be brought along and produced before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.11.2021**

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

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RED CROSS BUILDING, NEAR ROSE GARDEN,
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Shri Sushil Kumar
H.No.1410, Phase-I,
Urban Estate, Dugri Road,
Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Nodal Officer,
Punjab State Power Corporation Ltd.,
(PSPCL), Patiala.

First Appellate Authority
Chief Engineer (P&M),
Punjab State Power Corporation Ltd.,
Ludhiana.

....Respondents

AC No.3616 of 2021

Present: (i) **Appellant- absent.**
(ii) **Shri Gurpreet Singh, Addl.S.E. along with Shri Arshvir Singh,
Oil Cleaner, P&M Division, PSPCL,Ludhiana, in person.**

ORDER

(Heard in person/on Mobile Phone)

1. The RTI application is dated 24.05.2021 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 23.06.2021 and the second appeal was filed in the Commission on 11.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.11.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Sushil Kumar, appellant has neither come present to attend the hearing in person nor through Cisco Webex.
3. Shri Gurpreet Singh, Addl.S.E., P&M Division, PSPCL, Khanna, District Ludhiana comes present to attend the hearing in person before the Bench on behalf of the PIO. He states that the appellant has been supplied information on Point No.3 to 10 vide APIO-cum-Addl.S.E., P&M Divisional, Khanna's letter No.5026 dated 28.09.2021 and further advising the appellant to contact the concerned PIO at PSPCL, H.O. Patiala regarding point No.1 & 2.
4. The Bench, on perusal of the case file, observes that appellant has expressed his dissatisfaction over the information supplied vide e.mail dated 02.10.2021 and also sent an e.mail dated 30.10.2021 stating that the information supplied is incorrect and an affidavit be got filed regarding non-availability of the information. Since the appellant has not come present to attend the hearing in person,

Cont..P-2



-2-

AC No.3616/2021

he is contacted on mobile phone to ascertain his version as made in the e.mail. He does not respond to the repeated phone calls made to contact him.

5. The Bench directs the PIO O/o Director, Distribution, PSPCL, Patiala to supply information on points No.1 & 2 to the appellant and directs him to come present in person bringing along the entire relevant record along with the copy of information supplied and produce the same before the Bench. The Bench also directs the PIO/ Chief Engineer, P&M Division, PSPCL, Ludhiana to come present in person and bring along all the relevant record along with the copy information supplied and produce the same before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.11.2021**

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

Copy to (By Regd.Post)

**Public Information Officer,
The Director, Distribution
PSPCL, Patiala.**

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
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Smt. Neena Gupta
W/o Shri Sushil Kumar,
H.No.1410, Phase-I,
Urban Estate, Dugri Road,
Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Nodal Officer,
Punjab State Power Corporation Ltd.,
(PSPCL), Patiala.

First Appellate Authority
Chief Engineer, Central Zone,
Punjab State Power Corporation Ltd.,
Ludhiana.

....Respondents

AC No.3617 of 2021

Present: (i) **Appellant- absent.**
(ii) **Shri M.P. Singh, Addl.S.E., APIO,Model Town Division,PSPCL, Patiala,
in person on behalf of PIO.**

ORDER

(Heard in person/on mobile phone)

1. The RTI application is dated 10.05.2021 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 14.06.2021 and the second appeal was filed in the Commission on 11.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.11.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Smt. Neena Gupta, appellant has not come present to attend the hearing in person before the Bench nor through cisco webex.
3. Shri M.P.Singh, Addl. SE/APIO, Model Town Division(Special), PSPCL, Ludhiana comes present to attend the hearing in person on behalf of the PIO. He states that the appellant had made a complaint to CM Punjab and Chairman-cum-M.D., PSPCL regarding installation of 200 KVA sub station in front of her plot in a private colony and an enquiry into the complaint was conducted by Technical Audit and Enforcement Branch, PSPCL, Patiala. The appellant was given reply before First Appellant Authority, but the appellant was not satisfied. Now, the appellant has been given reply vide letter dated 29.10.2021 by speed post as also by e.mail, copy of which has been sent to the Commission also.



4. The Bench, on perusal of the case file, observes that appellant has expressed her dissatisfaction over the information supplied vide e.mail dated 30.10.2021 stating that no information has been supplied and an affidavit may also be got filed regarding non-availability of the information. Since the appellant has not come present to attend the hearing in person, she is contacted on mobile phone to know her version as made in the e.mail. She does not respond to the repeated phone calls made to contact her.

5. The Bench directs the PIO O/o Addl. S.E./Operation, Model Town Division (Special), PSPCL, Ludhiana to supply information to the appellant on the points relating to her RTI application and directs him to come present in person and bring along the entire relevant record along with the copy of information supplied and produce the same before the Bench. The Bench also directs the Nodal Officer, RTI Cell, PSPCL, Patiala to get the information provided to the appellant from the concerned PIOs since as per version of Shri M.P.Singh, Addl.S.E., Model Town Division, PSPCL, Ludhiana, the enquiry into the complaint was conducted by Technical Audit and Enforcement Branches, PSPCL, Patiala and to come present in person and bring along all the relevant record along with the copy information supplied and produce the same before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.11.2021**

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

Copy to (By Regd.Post)

**Public Information Officer,
Addl. Superintending Engineer,
Model Town Division(Special),
PSPCL, Ludhiana.**

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Shri Ramesh Gupta,(Advocate)
H.No.259, First Floor,
Sector-32A, Chandigarh.

.....Appellant

Versus

Public Information Officer
O/o Chairman, Real Estate
Regulatory Authority(RERA),
Chandigarh.

First Appellate Authority
O/o Chairman, Real Estate
Regulatory Authority(RERA),
Chandigarh.

....Respondents

AC No.3627 of 2021

Present: (i) **Appellant - absent.**
(ii) **Shri Manish Sharma, Manager (IT) along with Sh.Pardeep Kumar,
RTI Assistant, RERA, Punjab, Chandigarh, in person.**

ORDER

(Heard in person/on mobile phone)

1. The RTI application is dated 08.03.2021 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 16.04.2021 and the second appeal was filed in the Commission on 11.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 08.11.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Ramesh Gupta, appellant has not come present to attend the hearing in person before the Bench.
3. Shri Manish Sharma, Manager (IT), RERA, Punjab comes present to attend the hearing in person. He states that the appellant has sought copies of Rules and Regulations under which RERA accepts Form-2 and copy of Engineer Certificate for registration of projects in RERA, Punjab. He produces a copy of the written submissions before the Bench, as per which, point wise reply has been given on 07.04.2021. He also states that the appellant was also given reply to the First Appeal filed on 16.04.2021. He further states that the appellant has been given reply vide letter dated 02.11.2021 explaining position on each point of RTI application.
4. The appellant is contacted on mobile phone. He states that he had gone abroad and is not aware of the latest position /reply given by RERA, Punjab, in the case. The Bench on perusal of case file observes that the appellant has also submitted written submissions dated 01.11.2021 stating that PIO has not given information regarding specifically mentioned seven real estate projects in his RTI application.



-2-

AC No.3627/2021

5. The PIO is directed to again send information to the appellant by e.mail as also by registered post, giving specific reply to Point No.4 of RTI application of the appellant.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.03.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
08.11.2021**

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