

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



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

Shri Sulakshan Sharma,  
S/o Shri Sudarshan Sharma,  
R/o H.No.EK112, Shivrajgarh,  
Jalandhar.

.....Appellant

Versus

**Public Information Officer**

O/o Dy. Chief Engineer,  
Distribution Division,  
Punjab State Power Corporation  
Limited (PSPCL), Jalandhar.

**First Appellate Authority,**

O/o Chief Engineer,  
Distribution Division, North,  
Punjab State Power Corporation  
Limited (PSPCL), Jalandhar.

...Respondents

**AC No.5502/2021**

**Present:**

- (i) **Shri Sulakshan Sharma, Appellant, in person.**
- (ii) **Shri Devinder Singh, SDO Commercial, Sub Division (West), PSPCL, Jalandhar, on behalf of PIO, in person.**

**ORDER:**

1. The RTI application is dated 31.07.2021 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 01.09.2021 and the second appeal was filed in the Commission on 03.12.2021/06.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Sulakshan Sharma, appellant comes present to attend the hearing in person before the Bench. The appellant states that he has received the information but it is partial and irrelevant and he is not satisfied with the information supplied.

3. Shri Devinder Singh, SDO Commercial, Sub Division (West), PSPCL, Jalandhar comes present to attend the hearing in person before the Bench. He states that the record in this regard was got searched and only a register is available, from which it is revealed that the

Cont..P-2

information sought is 38 years old and moreover, it is third party information as it relates to the details of owner of a plot located near the house of the appellant. He further states that apart from the information supplied, there is no other record available.

4. Hearing the version of the representative of PIO, the Bench observes that the information is old (about 38 years) and it is personal and private information relating to third party.

5. Post deliberations, the PIO 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 stating therein that the information relating to AC No.5502 of 2021 has been searched in the official records, only a register is available which shows that the information is 38 (thirty eight) years old and the relevant documents are not available in the official records. It be further stated that apart from the information given to the appellant, nothing beyond that is available in the official records and the statement made is true and correct. The original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

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

**Chandigarh  
09.03.2022**

**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 Jasbir Singh,  
Guru Nanak Nagar,  
Village Bolapur Jhabewal,  
Post Office, Ramgarh,  
District Ludhiana.

.....Appellant

Versus

**Public Information Officer**

O/o Sr. Environmental Engineer,  
Pollution Control Board,  
Zonal Office-2, Ludhiana.

**First Appellate Authority**

O/o Sr. Environmental Engineer,  
Pollution Control Board,  
Zonal Office-2, Ludhiana.

....Respondents

**AC No.5446 of 2021**

**Present:** (i) **Shri Jasbir Singh, Appellant.**  
(ii) **Shri Varinderjit Singh, Assistant Environmental Engineer,  
Regional Office-3, PPCB, Ludhiana on behalf of the PIO.**

**ORDER**

**(Heard in person/on mobile phone)**

1. The RTI application is dated 13.09.2021 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 09.10.2021 and the Second Appeal was filed in the Commission on 02.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Jasbir Singh, appellant comes present to attend the hearing through cisco webex.
3. Shri Varinderjit Singh, Assistant Environmental Engineer, Regional Office-3, PPCB, Ludhiana comes present in person before the Bench to attend the hearing on behalf of the PIO. He states that the information was supplied to the appellant vide letter dated 05.10.2021 by registered post and the same has been again sent vide letter dated 07.03.2021 and e.mail dated 17.12.2021, with a copy to the Hon'ble Commission.

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**AC No.5446/2021**

4. The appellant is also contacted through mobile phone and is made to talk to the representative of PIO who explains to him the details of information supplied. On the asking of the Bench, the appellant states that he had received the information vide letter dated 05.10.2021 and e.mail dated 17.12.2021 which is incomplete and that he has not received the information sent vide letter dated 07.03.2022 as yet. He is apprised that the representative of the PIO has also produced a copy of the same before the Bench which shows that the action in the matter has been taken by the PPCB. Upon this, he gives his consent to close the case.

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 orders be sent to the concerned parties.

**Chandigarh  
09.03.2022**

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

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

Shri Gurminder Singh,  
S/o Shri Tarlok Singh,  
C/o Kuldeep Singh,  
Village Kajheri, Sector-36,  
Chandigarh.

.....Appellant

Versus

**Public Information Officer**

O/o Addl. Superintending Engineer,  
Operational Division, PSPCL,  
Mullanpur Dakha, Distt. Ludhiana.

**First Appellate Authority-cum-**

O/o Addl. Superintending Engineer,  
Operational Division, PSPCL,  
Mullanpur Dakha, Distt. Ludhiana.

....Respondents

**AC No. 5439 of 2021**

**Present:** (i) Appellant- absent.  
(ii) Shri Jasjit Singh, SDO Sub Division, PSPCL, Sudhar , Distt. Ludhiana  
in person, on behalf of the PIO/ respondent.

**ORDER:**

**(Heard in person/on mobile phone)**

1. The RTI application is dated 19.06.2021 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 31.07.2021 and the Second Appeal was filed in the Commission on 01.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Gurminder Singh, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. Shri Jasjit Singh, SDO Sub Division, PSPCL, Sudhar, District Ludhiana comes present to attend the hearing in person on behalf of the PIO. He produces authority letter from the Addl.S.E. Operational Division, PSPCL, Dakha which is taken on record. He states that the information has been supplied to the appellant via letter dated 22.09.2021 by registered post.

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4. Since the appellant is absent for today's hearing, he is contacted on mobile phone. He states that he has been supplied incomplete and partial information. He is also made to talk to the representative of PIO who explains to him the detail of information supplied. 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.

5. Post deliberations with the representative of PIO/respondent, perusal of the case file and going through the documents supplied, the Bench is convinced that adequate information has been supplied to the appellant.

6. The PIO is now 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.5439/2021 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. 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 instant appeal case is disposed off and closed.** Copies of the orders be sent to the concerned parties.

**Chandigarh  
09.03.2022**

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

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Shri Harjinder Singh Brar,  
#3132, Sector-27D,  
Chandigarh-160019.

.....Appellant

Versus

**Public Information Officer**  
O/o Dy.Chief Engineer, HRD,  
Punjab State Power Corporation  
Limited (PSCPL), Patiala.

**First Appellate Authority-cum-**  
O/o Chief Engineer, HRD,  
Punjab State Power Corporation  
Limited (PSCPL), Patiala.

....Respondents

**AC No.5547 of 2021**

**Present:** (i) Appellant- absent.  
(ii) Shri Harmanjit Singh, Superintendent, Shri Manvir Saini,  
Assistant Manager, and Smt. Paramjit Kaur, Sr.Asstt.,  
HRD, PSPCL, Patiala, on behalf of the PIO.

**ORDER:**

**(Heard in person /on mobile phone)**

1. The RTI application is dated 05.08.2021 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 19.09.2021 and the Second Appeal was filed in the Commission on 10.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Harjinder Singh Brar, appellant has not come present to attend the hearing in person before the Bench or through cisco webex. He has, however, sent an intimation vide a letter regarding denial of information on point 3(e) of his RTI application. He has also requested for excusing his presence for today's hearing in person.

3. Shri Harmanjit Singh, Superintendent, Shri Manvir Saini, Assistant Manager and Smt. Paramjit Kaur, Sr.Asstt., HRD, PSPCL, Patiala, come present in person before the Bench to attend the hearing on behalf of the PIO. Shri Harmanjit Singh, Superintendent states that reply

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**AC No.5547 of 2021**

to RTI application/information has been supplied to the appellant vide letter dated 14.09.2021. He further states that the matter regarding the information sought by the appellant is still under consideration. He also states that as regards the information on point 3(e), the appellant has been informed that the instructions are available on the website of the PSPCL and that the appellant has not referred to any specific instructions on which he has sought information as he has sought rule position/policy regarding addressing of issues within three working days by PSPCL.

4. The appellant is contacted on mobile phone. The appellant is apprised of the version of the representative of the PIO and is also made to talk to Shri Harmanjit Singh who explains him the position with regard to his RTI application. The appellant states that he is satisfied with reply on points 3(a) to 3(d), but he is not satisfied with the reply of PIO on point 3(e).

5. Post deliberations, the PIO is directed to supply information on point No.3(e) as available in the official records or else, 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.5547 of 2021 has been supplied to the appellant and the position regarding point 3(e) be also clarified therein. It be further stated that there is no policy/rule for addressing grievances within three working days by PSPCL. Nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

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

Chandigarh  
09.03.2022

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





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**Helpline No.0172-2864100(10:00 AM to 04:00PM) Working Days**



Shri Bawa Bhulinder Singh,  
S/o Shri Dalip Singh  
R/o Gali No.2, Mata Ganga Ji Nagar,  
Near Gurdwara Khoo Bhai Manj Sahib,  
Amritsar-143001.

.....Appellant

Versus

**Public Information Officer**

O/o Punjab State Power Corporation  
Limited (PSCPL), Amritsar.

**Public Information Officer-cum-**

Chief Engineer, Border Range,  
Punjab State Power Corporation  
Limited (PSCPL), Patiala.

....Respondents

**AC No.5617 of 2021**

**Present:** (i) **Shri Bawa Bhulinder Singh, Appellant.**  
(ii) **Shri Vipin Vij, Assistant Engineer, Sub Division (East),  
PSPCL, Amritsar, on behalf of the PIO.**

**ORDER:**

**(Heard in person /through cisco webex)**

1. The RTI application is dated 24.09.2021 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 25.10.2021 and the Second Appeal was filed in the Commission on 10.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Bawa Bhulinder Singh, appellant comes present to attend the hearing through cisco webex.
3. Shri Vipin Vij, Assistant Engineer, Sub Division (East), PSPCL, Amritsar, 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 04.03.2022, the receipt of which has also been acknowledged by the appellant and the same in original has been sent to Hon'ble Commission.

Cont..P-2



-2-

**AC No.5617 of 2021**

5. On the asking of the Bench, the appellant is unable to recollect the detail of the instant appeal case. However, on perusal of the letter of PIO dated 04.03.2022 as also the acknowledgement given by the appellant for having received the information, the Bench does not feel need of any further intervention in the matter.

6. 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  
09.03.2022

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

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Shri Bawa Bhulinder Singh,  
S/o Shri Dalip Singh  
R/o Gali No.2, Mata Ganga Ji Nagar,  
Near Gurdwara Khoo Bhai Manj Sahib,  
Amritsar-143001.

.....Appellant

Versus

**Public Information Officer**

O/o Punjab State Power Corporation  
Limited (PSCPL), Amritsar.

**Public Information Officer-cum-**

Chief Engineer, Border Range,  
Punjab State Power Corporation  
Limited (PSCPL), Patiala.

....Respondents

**AC No.5618 of 2021**

**Present:** (i) **Shri Bawa Bhulinder Singh, Appellant.**  
(ii) **Shri Vipin Vij, Assistant Engineer, Sub Division (East),**  
**PSPCL, Amritsar, on behalf of the PIO.**

**ORDER:**

**(Heard in person /through cisco webex)**

1. The RTI application is dated 10.08.2021 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 22.09.2021 and the Second Appeal was filed in the Commission on 10.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Bawa Bhulinder Singh, appellant comes present to attend the hearing through cisco webex.

3. Shri Vipin Vij, Assistant Engineer, Sub Division (East), PSPCL, Amritsar, 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 22.09.2021 and 27.10.2021.

5. The appellant is also contacted on mobile phone. On the asking of the Bench, the appellant states that he has not been supplied complete information. He is made to talk to the representative of PIO who explains to him the details of information supplied as also regarding the availability of information in the official records.

Cont..P-2



-2-

**AC No.5618 of 2021**

6. On the asking of the Bench, the appellant expresses dis-satisfaction over the version of the representative of PIO.

7. After consideration of the version of the appellant and the representative of PIO, the Bench directs the PIO 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.5618 of 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. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

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

**Chandigarh  
09.03.2022**

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

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Shri Bawa Bhulinder Singh,  
S/o Shri Dalip Singh  
R/o Gali No.2, Mata Ganga Ji Nagar,  
Near Gurdwara Khoo Bhai Manj Sahib,  
Amritsar-143001.

.....Appellant

Versus

**Public Information Officer**

O/o Punjab State Power Corporation  
Limited (PSCPL), Amritsar.

**Public Information Officer-cum-**

Chief Engineer, Border Range,  
Punjab State Power Corporation  
Limited (PSCPL), Patiala.

....Respondents

**AC No.5619 of 2021**

**Present:** (i) **Shri Bawa Bhulinder Singh, Appellant.**  
(ii) **Shri Vipin Vij, Assistant Engineer, Sub Division (East),**  
**PSPCL, Amritsar, on behalf of the PIO.**

**ORDER:**

**(Heard in person /through cisco webex)**

1. The RTI application is dated 10.08.2021 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 22.09.2021 and the Second Appeal was filed in the Commission on 10.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Bawa Bhulinder Singh, appellant comes present to attend the hearing through cisco webex.

3. Shri Vipin Vij, Assistant Engineer, Sub Division (East), PSPCL, Amritsar, 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 22.09.2021 and 27.10.2021.

5. The appellant is also contacted on mobile phone. On the asking of the Bench, the appellant states that he has not been supplied complete information. He is made to talk to the representative of PIO who explains to him the details of information supplied as also regarding the availability of information in the official records.

Cont..P-2



-2-

**AC No.5619 of 2021**

6. On the asking of the Bench, the appellant expresses dis-satisfaction over the version of the representative of PIO.

7. After consideration of the version of the appellant and the representative of PIO, the Bench directs the PIO 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.5619 of 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. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

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

**Chandigarh  
09.03.2022**

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

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Shri Kulbhushan Puri,  
S/o Shri Banwari Lal Puri,  
# 377, PUDA Colony, Malout,  
District Sri Muktsar Sahib.

.....Appellant

Versus

**Public Information Officer**

O/o Superintendent of Police,  
Power Theft, Punjab State  
Power Corporation Ltd.(PSPCL),  
Patiala.

**First Appellate Authority**

O/o Director General of Police,  
Vigilance and Security,  
Punjab State Power Corporation Ltd.  
(PSPCL), Patiala.

....Respondents

**AC No.5646/2021**

**Present:**

- (i) **Shri Vikul Puri, Advocate on behalf of the Appellant, in person.**
- (ii) **Shri Sanjeev Sharma, DSP Anti Power Theft, PSPCL, Patiala, on behalf of PIO.**

**ORDER**

**(Heard in person/through Cisco Webex)**

1. The RTI application is dated 03.06.2021 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 03.07.2021 and the Second Appeal was filed in the Commission on 13.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Vikul Puri comes present to attend the hearing in person before the Bench on behalf of the appellant.

3. Shri Sanjeev Sharma, DSP Anti Power Theft, PSPCL, Patiala, comes present to attend the hearing through cisco webex on behalf of PIO. He states that the appellant has sought information regarding status report of FIR No.633 dated 15.04.2022 registered against him on account of power theft and he was intimated vide letter dated 28.06.2021 that since the matter is

Cont..P-2



under consideration, the information cannot be provided. The appellant was also heard by First Appellate Authority and on the directions issued by First Appellate Authority, the appellant was again informed that due to the matter being under investigation, the information was denied to him. He had again filed two RTI applications dated 14.08.2021 and 16.08.2021. Since the matter is still under investigation, no information can be provided to appellant.

4. On the asking of the Bench, the representative of appellant states that the information has been denied to the appellant without hearing the version of the appellant and that appellant is not satisfied with the reply of the PIO.

5. Post deliberations, the Bench observes that since the information relates to action taken report in connection with an FIR registered regarding power theft which is still under investigation, the dissemination of any information at this stage will affect the proceedings and as such, the appellant has been denied information correctly.

6. The PIO is now 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 incorporating therein the factual position in AC No.5646/2021, as stated before the Bench. It be further stated that nothing has been concealed therein and the statement made is true and correct. The 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 instant appeal case is disposed off and closed.** Copies of the orders be sent to the concerned parties.

**Chandigarh  
09.03.2022**

**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 Gurdev Singh,  
S/o Shri Pooran Singh  
R/o Village Jamalpur,  
Tehsil Baba Bakala Sahib,  
District Amritsar.

.....Complainant

Versus

**Public Information Officer**

O/o Executive Engineer(Operational),  
Punjab State Power Corporation Ltd.,  
Rayya Division, Beas,  
District Amritsar.

**Remanded Back**

**First Appellate Authority**

O/o Chief Engineer, Border Zone,  
Punjab State Power Corporation Ltd.,  
Amritsar.

...Respondents

**CC No.05/2022**

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

**ORDER**

1. The RTI application is dated 30.07.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 20.12.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's Office at Chandigarh. Accordingly, the case was scheduled to be heard today. Shri Gurdev Singh, complainant has not come present to attend the hearing in person before the Bench or through cisco webex.

3. Neither the PIO O/o Executive Engineer(Operational), Punjab State Power Corporation Ltd., Rayya Division, Beas, District Amritsar has come present nor he has deputed any of his representatives to attend the hearing in person or through cisco webex. The Bench, however, observes that a letter dated 04.02.2022 from Addl.S.E./Operation, PSPCL Rayya Division, Beas, District Amrtisar is available in the case filed vide which information has been supplied to the complainant.

4. The complainant is contacted on mobile phone. On the asking of the Bench, he denies receipt of any information.

Cont..P-2



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**CC No.05/2022**

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. 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:-

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.

6. 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.

7. The instant matter is remanded back to the **First Appellate Authority i.e. Shri Sakattar Singh Dhillon, Chief Engineer, Border Zone, PSPCL, Amritsar**. 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.



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**CC No.05/2022**

8. 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.

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

**Chandigarh  
09.03.2022**

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

**Copy to (By Regd. Post)**

**First Appellate Authority, Sh. Sakattar Singh Dhillon, Chief Engineer, Border Zone,  
PSPCL, Amritsar.**

**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 Jasbir Singh,  
Guru Nanak Nagar,  
Village Bolapur Jhabewal,  
Post Office, Ramgarh,  
District Ludhiana.

.....Appellant

Versus

**Public Information Officer**

O/o Commissioner of Police,  
Ludhiana.

**First Appellate Authority**

O/o Commissioner of Police,  
Ludhiana.

....Respondents

**AC No.5384 of 2021**

**Present:** (i) **Shri Jasbir Singh, Appellant.**  
(ii) **Shri Ramesh Kumar, ASI I/c RTI Cell, O/o Commissioner of Police, Ludhiana on behalf of the PIO.**

**ORDER**

**(Heard through cisco webex)**

1. The RTI application is dated 02.09.2021 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 02.10.2021 and the Second Appeal was filed in the Commission on 29.11.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Jasbir Singh, appellant comes present to attend the hearing through cisco webex.
3. Shri Ramesh Kumar, ASI I/c RTI Cell, O/o Commissioner of Police, Ludhiana comes present to attend the hearing through cisco webex on behalf of the PIO. He states that the matter relating to information sought by the appellant is under investigation and as such, the information has been denied under Section 8(1)(h) of RTI Act. Reply to this effect has been sent to the appellant vide letter dated 28.02.2021 by registered post.

Cont..P-2



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**AC No.5384/2021**

4. On the asking of the Bench, the appellant confirms the receipt of reply as stated by the representative of the PIO and gives his consent to close the case.

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 orders be sent to the concerned parties.

Chandigarh  
09.03.2022

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

