

**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 Harmesh Kumar,
S/o Shri Nohar Chand
R/o Kaliyan Sukha,
Tehsil & District Bathinda.

.....Complainant

Versus

Public Information Officer

O/o Executive Engineer,
Punjab State Power Corporation Ltd.
(PSPCL), Nathana, Distt. Bathinda.

Remanded Back

First Appellate Authority

Chief Engineer(West),
Punjab State Power Corporation Ltd.,
(PSPCL), Bathinda.

...RespondentS

CC No.399/2021

Present:

- (i) **Shri Harmesh Kumar, Complainant in person.**
- (ii) **Shri Jassa Singh, Asstt.Executive Engineer, Sub Division, PSPCL, Nathana, District Bathinda, PIO.**

ORDER

(Heard through Cisco Webex)

1. The RTI application is dated 14.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 24.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 10.08.2021 through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex. Shri Harmesh Kumar, complainant attends the hearing in person before the Bench.
3. Shri Jassa Singh, Assistant Executive Engineer, Sub Division, PSPCL, Nathana, District Bathinda, PIO comes present to attend the hearing through Cisco Webex. He states that the complainant is running a flour mill and on checking, his load against the electricity connection provided for the flour mill was found above the sanctioned load. As such, the complainant was issued notice for deposit of fine of Rs.28673/- as also to deposit a test report. Action is now at hand for change of load.
4. On the asking of the Bench, the complainant states that he has sought copies of the application submitted by his father in the year 2002 in respect of Khata No.SP66/025 along with form A&A regarding the electricity load. However, the same have not been provided to him.



-2-

CC No.399/2021

5. The Bench observes that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.

6. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

7. Post deliberations with the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e **Shri Jeevan Kansal, Chief Engineer(West), PSPCL, Bathinda**. 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
10.08.2021**

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

Copy to (By Regd. Post):

First Appellate Authority
Shri Jeevan Kansal, Chief Engineer(West),
Punjab State Power Corporation Ltd.,
Bathinda.

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Shri Balkar Singh,
S/o Shri Rour Singh
R/o Village Bopa Rai Kalan,
Tehsil Ajnala,
District Amritsar.

.....Complainant

Versus

Public Information Officer

O/o Chairman,
Punjab State Power Corporation Ltd.
(PSPCL), Patiala

Remanded Back

First Appellate Authority

Chief Engineer, Border Zone,
Punjab State Power Corporation Ltd.,
(PSPCL), Amritsar.

...Respondents

CC No.389/2021

Present:

- (i) Complainant- absent.
(ii) Shri Simarpal Singh, Sr. Executive Engineer, Sub Division, PSPCL, Chheharta, District Amritsar, APIO.

ORDER

(Heard through Cisco Webex/On Mobile Phone)

1. The RTI application is dated 16.01.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 30.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 10.08.2021 through Cisco Webex. The complainant has not come present to attend the hearing through Cisco Webex.
3. Shri Simarpal Singh, Sr. Executive Engineer, Sub Division, PSPCL, Chheharta, District Amritsar, APIO comes present to attend the hearing through Cisco Webex. He states that the complainant has sought copies of the files regarding three electricity connections addressing his RTI application to Chairman, PSPCL Patiala and he has approached the Hon'ble Commission directly without availing remedy of filing first appeal. He, as such, requests for remanding the case to First Appellate Authority.
4. On the asking of the Bench, the complainant states that he has sought copies of the files regarding three electricity connections. However, in spite of his various visits to the concerned offices, the same have not been provided to him. He further states that he as well as his wife are handicapped and he has suffered a lot for visiting the concerned offices for getting the information, but his efforts have not yielded any result so far.



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 has been informed by the APIO Sh.Simarpal Singh present. 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 is apparent 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 **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. 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
10.08.2021**

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

Copy to (By Regd. Post):

First Appellate Authority
Shri Sakattar Singh Dhillon,
Chief Engineer, Border Zone,
Punjab State Power Corporation Ltd.,
Amritsar.

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Shri Balkar Singh,
S/o Shri Rour Singh
R/o Village Bopa Rai Kalan,
Tehsil Ajnala,
District Amritsar.

.....Complainant

Versus

Public Information Officer

O/o Executive Engineer,
Punjab State Power Corporation Ltd.
(PSPCL), Khandwala Chheharta,
District Amritsar.

Remanded Back

First Appellate Authority

Chief Engineer, Border Zone,
Punjab State Power Corporation Ltd.,
(PSPCL), Amritsar.

...Respondents

CC No.387/2021

Present:

- (i) Complainant- absent.
(ii) Shri Simarpal Singh, Sr. Executive Engineer, Sub Division, PSPCL, Chheharta, District Amritsar, APIO.

ORDER

(Heard through Cisco WebexOn Mobile Phone)

1. The RTI application is dated 16.01.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 30.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 10.08.2021 through Cisco Webex. The complainant has not come present to attend the hearing through Cisco Webex.
3. Shri Simarpal Singh, Sr. Executive Engineer, Sub Division, PSPCL, Chheharta, District Amritsar, APIO comes present to attend the hearing through Cisco Webex. He states that the complainant has sought copies of the files regarding three electricity connections addressing his RTI application to Chairman, PSPCL Patiala and he has approached the Hon'ble Commission directly without availing remedy of filing first appeal. He, as such, requests for remanding the case to First Appellate Authority.
4. On the asking of the Bench, the complainant states that he has sought copies of the files regarding three electricity connections. However, in spite of his various visits to the concerned offices, the same have not been provided to him. He further states that he as well as his wife are handicapped and he has suffered a lot for visiting the concerned offices for getting the information, but his efforts have not yielded any result so far.



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 has been informed by the APIO Sh.Simarpal Singh present. 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 is apparent 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 **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. 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
10.08.2021**

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

Copy to (By Regd. Post):

First Appellate Authority
Shri Sakattar Singh Dhillon,
Chief Engineer, Border Zone,
Punjab State Power Corporation Ltd.,
Amritsar.

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Shri Balraj Singh,
S/o Shri Bhagwant Singh
H. No.2982, Ward No.11,
Patti Bikasooch, VPO Handiaya,
Tehsil & District Barnala.

.....Complainant

Versus

Public Information Officer

O/o Executive Engineer,
PSEB (Now Punjab State Power Corporation Ltd.)
(PSPCL), Sub Urban, Barnala.

...Respondent

CC No.345/2021

Present: (i) **Complainant- absent.**
(ii) **Shri Pushpinder Kumar, Assistant Executive Engineer, PSPCL, Distribution Sub Urban Division, Barnala on behalf of PIO.**

ORDER

(Heard through Cisco Webex/On Mobile Phone)

1. The RTI application is dated 12.03.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 17.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 10.08.2021 through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex. The complainant has not come present to attend the hearing through Cisco Webex.
3. Shri Pushpinder Kumar, Assistant Executive Engineer, Distribution Sub Urban Division, PSPCL, Barnala comes present to attend the hearing through Cisco Webex. He states that the information as sought has been supplied to the complainant on 15.07.2021 by registered post and the complainant has also expressed his satisfaction over the information provided to him.
4. Shri Balraj Singh, complainant is contacted on mobile phone. On the asking of the Bench, the complainant confirms the receipt of information to his satisfaction and also gives his consent to close the instant complaint case.
5. In view of the above, no cause of action is left in the matter. **The instant complaint case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
10.08.2021**

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

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Shri Ajmer Singh,

S/o Shri Chanan Singh,
VPO Lubangarh,
Tehsil Samrala,
District Ludhiana.

.....Complainant

Versus

Public Information Officer

O/o Managing Director,
Punjab State Power Corporation Ltd.
(PSPCL), Patiala

Remanded Back

First Appellate Authority

Chief Engineer, South Zone,
Punjab State Power Corporation Ltd.,
(PSPCL), Patiala.

...Respondents

CC No.332/2021

Present:

- (i) **Shri Ajmer Singh, Complainant.**
- (ii) **None on behalf of the PIO/Respondent.**

ORDER

(Heard through Cisco Webex)

1. The RTI application is dated 30.12.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 16.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 10.08.2021 through Cisco Webex. The complainant comes present to attend the hearing through Cisco Webex. He states that he has sought information regarding the applications submitted by the consumers for change of name to PSPCL Sub Divisional Machhiwara vide his RTI application dated 30.12.2020, but the said information has not been supplied to him so far.
3. Neither the PIO has come present nor he has deputed any of his representatives to attend the hearing through Cisco Webex. Shri Anand, Nodal Officer, RTI Cell, PSPCL Head Office, Patiala, is contacted on mobile phone. He states that the RTI application was sent to PIO-cum-Dy.Chief Engineer, Operation Circle, PSPCL, Ropar vide letter dated 10.06.2021 to attend the hearing. On the asking of the Bench, he informs that Shri R.S. Saini, Chief Engineer, South Zone, PSPCL, Patiala is the First Appellate Authority in this case.

Cont..P-2



4. 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 has been informed by the APIO Sh.Simarpal Singh present. 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 is apparent 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 **Shri R.S. Saini, Chief Engineer, South Zone, PSPCL, Patiala**. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

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

**Chandigarh
10.08.2021**

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

Copy to (By Regd. Post):

**First Appellate Authority
Shri R.S. Saini,
Chief Engineer, South Zone,
Punjab State Power Corporation Ltd.,
Patiala.**

