

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

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

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Helpline No.: 0172-2864100 (From 10.00 AM to 04.00 PM on working days)



Shri Jagminder Singh

S/o Late Shri Sukhwinder Singh
R/o Street No.9/A, H.No.283,
Kalgidhar Colony, Village Bansal Hospital,
Barnala Road, Rampura Phul,
District Bathinda.

.....Complainant

Versus

Public Information Officer

O/o Senior Executive Engineer,
Distribution Division, PSPCL,
Maur Mandi, District Bathinda.

Remanded Back:

First Appellate Authority,

Chief Engineer (West),
PSPCL, Bathinda.

...Respondents

CC No.359/2021

Present:

- (i) **Shri Jagminder Singh, Complainant**
- (ii) **Shri Shivdeep Singh Brar, Divisional Superintendent, O/o Sr.XEN, PSPCL, Maur Mandi, District Bathinda**

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 12.12.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 22.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 13.07.2021 by the Commission. Accordingly, the case has been heard today through V.C. in D.C. Office, Bathinda.
3. Shri Jagminder Singh, complainant comes present to attend the hearing through V.C. He states that his father had been working as J.E. in office of Sr. Executive Engineer, Distribution Division, PSPCL, Maur Mandi, District Bathinda. From the dues of his father, Rs.3,97,000/- was deducted and accordingly, he has sought information regarding the detail of amount recovered as also photocopies of the personal file of his father. But, so far, only partial information has been supplied and photocopy of personal file of his father and detail of Rs.97,000/- deducted from the dues of his father have been provided. Details of Rupees Three lakhs recovered are yet to be given.
4. Shri Shivdeep Singh Brar, Divisional Superintendent, O/o Sr.XEN, PSPCL, Distribution Division, Maur Mandi comes present to attend the hearing on behalf of the PIO. He

Cont..P-2



states that personal file and the detail of Rs.97,000/- recovered has been supplied to the appellant and the record relating to amount of Rs.3,00,000/- deducted, being related to the year 1996, is not available in the records.

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

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

7. Post deliberations with the complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e **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
13.07.2021
Copy to (By Regd. Post):

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

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

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Shri Hakam Singh

S/o Shri Darshan Singh
R/o Madhir, Tehsil Gidderbaha,
District Sri Muktsar Sahib.

.....Complainant

Versus

Public Information Officer

O/o Sub Divisional Magistrate,
Sri Muktsar Sahib.

Remanded Back

First Appellate Authority

Sub Divisional Magistrate,
Sri Muktsar Sahib.

...Respondents

CC No.325/2021

Present:

- (i) **Shri Hakam Singh, Complainant**
- (ii) **Shri Rajwinder Singh, Superintendent O/o S.D.M. Sri Muktsar Sahib.**

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 16.01.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 15.03.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 13.07.2021 by the Commission. Accordingly, the case has been heard today through V.C. in D.C. Office, Sri Muktsar Sahib.

3. The complainant Shri Hakam Singh comes present to attend the hearing through V.C. He states that he has sought **Id.** of the SDM and MTC Branch to access detail on the official Website regarding preparation of R.C. of each type of vehicles and driving licenses or any letter of Govt. received in this regard. But he has not received any information so far.

4. Shri Rajwinder Singh, Superintendent/PIO, O/o S.D.M. Sri Muktsar Sahib comes present to attend the hearing through V.C. He states that the **Id.** of SDM and of M.T.C. Branch are personal **Id.** to access the detail on the official website and the same cannot be provided to the complainant or shared with any citizen. The complainant can only be shown the details of information on the website.

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

Cont..P-2



-2-

CC No.325/2021

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. **Smt. Swarnjeet Kaur, Sub Divisional Magistrate, Sri Muktsar Sahib**. 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. She 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
13.07.2021**

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

Copy to (By Regd. Post):

**First Appellate Authority
Smt. Swarnjeet Kaur,
Sub Divisional Magistrate,
Sri Muktsar Sahib.**

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

.....Appellant

Versus

Public Information Officer

O/o Addl. Superintending Engineer,
Urban Sub Division, PSPCL,Dhuri,
District Sangrur.

First Appellate Authority,

O/o Deputy Chief Engineer,
Distribution Circle, PSPCL,
Barnala.

...Respondents

AC No.1403/2021

Present: (i) **Shri Prem Kumar Rattan, Appellant.**
(ii) **Vijay Kumar, Assistant Executive Engineer, O/o Addl.S.E.
PSPCL, Dhuri, on behalf of the PIO.**

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 02.12.2020 vide which the appellant has sought information as enumerated in his RTI application. The first appeal was filed with the First Appellate Authority (hereinafter FAA) on 02.01.2021 and the second appeal was filed in the Commission on 16.03.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 13.07.2021 through V.C. Shri Prem Kumar Rattan, appellant comes present to attend the hearing through V.C. in D.C. Office, Sangrur. He states that he does not want to pursue the matter and wants to withdraw the instant appeal case i.e. AC No.1403/2021.
3. In view of the request made by the appellant, no cause of action is left in the matter. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
13.07.2021**

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

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Shri Surjit Singh,
S/o Shri Uttam Singh
R/o Village Ladhuka,
Tehsil & District Fazilka.

...Appellant

Versus

Public Information Officer
O/o Executive Engineer.
PSPCL, Fazilka

First Appellate Authority
O/o Executive Engineer.
PSPCL, Fazilka

..Respondent

AC No.1458/2021

Present: (i) **Shri Surjit Singh, Appellant.**
(ii) **Smt. Anita Rani, Superintendent O/o Sr.Executive Engineer, PSPCL, Fazilka on behalf of the PIO.**

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 21.12.2010 vide which the appellant has sought information as enumerated in his RTI application. The first appeal was filed with the First Appellate Authority (hereinafter FAA) on 02.02.2021 and the second appeal was filed in the Commission on 18.03.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 13.07.2021 through V.C. Shri Surjit Singh, appellant comes present to attend the hearing through V.C.in D.C. Office, Fazilka. He states that he has sought information regarding disconnection of Motor connection No.BK-3-1030. He further states that information has been received by him, but he is not satisfied with the reply to points No.1 & 5 of his RTI Application.
3. Smt. Anita Rani, Superintendent O/o Sr.Executive Engineer, PSPCL, Distribution Division, Fazilka comes present to attend the hearing through V.C. on behalf of PIO. She states that the information on points No.1 & 5, has not been provided as the appellant has sought information regarding the details of person on whose complaint the motor connection was disconnected and

Cont...P-2



the date this connection was sanctioned and started. She states that details of the person have been withheld as it is personal and private information and the other details are not available, being over 20 years old.

4. Post deliberations, the Bench directs the PIO to supply information to the appellant on point No.1 within seven days. Reply to Point No.5 is acceptable to the appellant. Upon this, Smt. Anita Rani gives assurance to do the needful.

5. As per the assurance given by Smt. Anita Rani, Superintendent, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
13.07.2021**

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

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Shri Bharat Sharma,
S/o Shri Sham Lal,
Village Nurpur Bedi,
District Ropar.

...Appellant

Versus

Public Information Officer

O/o Sr. Superintendent of Police,
Roopnagar.

First Appellate Authority.

O/o Director General of Police,
Punjab, Chandigarh.

..Respondents

AC No.1385/2021

Present:

- (i) **Shri Bharat Sharma, appellant**
- (ii) **Shri Charan Singh, DSP (HQs), O/o SSP Ropar on behalf of PIO.**

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 23.11.2020 vide which the appellant has sought information as enumerated in his RTI application. The first appeal was filed with the First Appellate Authority (hereinafter FAA) on 25.12.2020 and the second appeal was filed in the Commission on 16.03.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 13.07.2021 through Video Conferencing facility. Accordingly, the case has been heard through V.C. in the office of D.C. Ropar.
3. Shri Bharat Bhushan, appellant attends the hearing through V.C. He states that he has sought copies of complaints made by him as well as his wife and the investigation report thereof after conducting the enquiry into the same. But he has not been provided the information asked for.
4. Shri Charan Singh, DSP(HQs), O/o SSP Ropar comes present to attend the hearing through V.C. He states that the appellant was informed regarding his complaint vide letter dated 17.12.2020. He further states that enquiry was conducted into the complaints made by the appellant as also his wife, by SP(HQ) O/o SSP Ropar. After completion of action on the complaints, a case has been registered against the appellant at Police Station, Sri Anandpur Sahib under sections 498-A, 406, 506 IPC which is under investigation. As such, the copies cannot be provided under Section 8(1)(h) of RTI Act, 2005.



5. On the asking of the Bench to provide copy of the complaint made by the appellant, the representative of PIO states that the complaints of the appellant and his wife have been clubbed together and both the complaints are part of the investigation being conducted. As such, the copies of the same cannot be supplied unless the investigation is completed.

6. Post deliberations, the PIO is directed to file an affidavit, within next seven days, duly signed by the PIO and attested by the Notary Public to the effect that as regards the information asked for vide AC No.1385 of 2021, the matter is under investigation and the same cannot be supplied to the appellant unless the investigation is completed. 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 the appellant and photocopy thereof be sent to the Commission for record.

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

**Chandigarh
13.07.2021**

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