

**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 (10.00 AM to 04.00 PM on working days)

Shri Trilochan Singh
H.No.848A, M.I.G.
Jamalpur Colony, Ludhiana,
District Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Sub Divisional Magistrate-cum-
Licensing & Registration Authority,
Pathankot.

First Appellate Authority-cum-

Sub Divisional Magistrate,
Pathankot

....Respondents

AC No.2549 of 2020

Present:

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

ORDER

(Heard through Cisco Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 23.06.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. The appellant, Shri Trilochan Singh, has not come present to attend the hearing.
3. Major Parminder Singh, Supdt./PIO O/o SDM-cum-Licensing & Registration Authority, Pathankot has not come present to attend the hearing through Cisco Webex. He is contacted on mobile phone. He states that the information comprising 76 pages has been supplied to the appellant by registered post vide letter dated 12.08.2021 and a copy was sent to the Commission on 17.08.2021.
4. Shri Tejinder Singh, Advocate who attended the previous hearing on behalf of the appellant is contacted on mobile phone. He confirms the receipt of information by the appellant and gives consent to close the case.

Cont...P-2



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AC No.2549/2020

5. In view of the above, no further 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
14.09.2021

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

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Shri Karamjeet Singh, S/o Shri Maghar Singh,
1169, Khanna Nagar, Ward No.12,
Bye Pass Road, Legragaga, Tehsil Lehrara,
Distt:Sangrur.

.....Appellant

Versus

Public Information Officer

O/o Deputy Chief Engineer,
PSPCL, DS Circle, Bathinda.

First Appellate Authority

O/o Chief Engineer, (Distribution),
West Zone PSPCL, Bathinda.

....Respondents

AC No.734 of 2021

Present:

- (i) **Shri Karamjeet Singh, the appellant.**
- (ii) **Shri Uttam Bansal, Additional S.E, on behalf of the respondent.**

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 29.06.2021 passed by this Bench on the previous hearing.

2. The case has been heard today in Commission's office at Chandigarh. The appellant comes present to attend the hearing through cisco webex.

He states that partial information has been supplied to him by the respondent on 26.04.2021. Information on point nos. 2,3,4 and 6 is still pending and has been denied on the grounds that this information is of 1998 vintage and is not available in their official records.

3. Shri Uttam Bansal, Additional S.E comes present to attend the hearing through Cisco Webex. He states that the inspection of records was got done and the information as available in official records has been supplied to the appellant on Point No.1 & 4. However, the information

relating to points No.2,3,4 & 6 is not available being of 1998 vintage. An affidavit to this effect has been filed and given to the appellant. Then, on the asking of the Bench, he reads out the contents of the affidavit.

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AC No.734/2021

5. The appellant contends the contents of the affidavit and states that with regard to the non-availability of the records of 1998, no official has been held accountable. The Bench is convinced as per the contents of affidavit read out by the representative of PIO, that adequate information stands supplied to the appellant. However, the PIO is directed to send a copy of the affidavit to the Commission also for record.

6. In view of the above, the Bench does not feel that any further intervention in the matter is required. **The appeal case is disposed off and closed.** Copies of the orders be sent to the concerned parties.

**Chandigarh
14.09.2021**

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

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Shri Jatinder Singh Perihar,
S/o Shri KSS Perihar,
Kothi No.907, Phase-10,
S.A.S.Nagar(Mohali).

...Appellant

Versus

Public Information Officer,
O/o GMADA,
S.A.S.Nagar(Mohali)

First Appellate Authority-cum-
O/o GMADA,
S.A.S.Nagar(Mohali).

...Respondents

Appeal Case No.2662 of 2021

PRESENT : (i) **Shri Jatinder Singh Perihar, appellant.**
(ii) **Shri Anil Kumar, Clerk O/o GMADA, Mohali on behalf of the PIO.**

ORDER:

(Heard in person)

1. The RTI application is dated 08.01.2020 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 03.03.2021 and the second appeal was filed in the Commission on 08.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 14.09.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Jatinder Singh Perihar comes present before the Bench in person and states that the information has not been received as yet.

3. Shri Anil Kumar, Clerk O/o GMADA, Mohali comes present to attend the hearing before the Bench in person and states that the information could not be supplied to the appellant earlier as the relevant case file was under movement with Technical Branch for evaluation purpose. He, however, assures that the appellant will be provided the entire information in the office of PIO tomorrow. On the directions of the Bench, during the hearing,



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AC No.2662/2021

the representatives of the PIO, shows the relevant file to the appellant in the court room and reports back to the Bench stating that the appellant has seen the case file and confirmed that he has asked for the same documents in his RTI application. The appellant confirms to have inspected the file and agrees with the statement made by the representative of the PIO. The Bench makes it clear to the representative of PIO that the Bench is inclined to close the case on his assurance and in case, the Bench is apprised of the non-compliance of the directions of Bench, the matter will be re-opened.

4. In view of the assurance of Shri Anil Kumar, representative of PIO, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Chandigarh
14.09.2021

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

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Shri Amrit Lal,
Driver No P-82, PPO No.3784,
R/o # D-414, Azad Nagar, Sirhind Road,
Patiala.

.....Appellant

Versus

Public Information Officer

O/o Pepsu Road Transport Corporation,
PESPU, Head Office, Patiala.

First Appellate Authority

O/o Pepsu Road Transport Corporation,
PESPU, Head Office, Patiala.

....Respondents

AC No.3427 of 2020

Present:

- (i) Appellant- absent.
- (ii) Shri Amanvir Singh Tiwana, Traffic Manager, PRTC Patiala, the
PIO/Respondent.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 29.06.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. Shri Amrit Lal, appellant has not come present to attend the hearing through cisco webex. However, a letter dated 08.09.2021 has been received from him that due to a death in his relation, he is unable to attend the hearing and he states that correct information has not been supplied to him by the respondent and the affidavit given by the PIO is also not based on facts.
3. Shri Amanvir Singh Tiwana, Traffic Manager, PRTC Patiala comes present to attend the hearing through Cisco Webex. He states that information which has been asked for by the appellant has already been supplied to him vide letter dated 03.10.2019 and again on 12.01.2021 after collecting the same from different Branches. He further adds that even then the appellant was not satisfied, and as per direction of the Hon'ble Bench, he was called to inspect the records vide letters dated 01.07.2021, 14.07.2021 and 16.08.2021, but the appellant failed to respond. The PIO further states that an affidavit

dated 26.08.2021, as directed during the pervious hearing has also been provided to the appellant with a copy to



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AC No.3427/2021

the Hon'ble Bench.

4. The Bench peruses the case file, the information supplied as also the contents of the affidavit and is convinced that adequate information stands supplied and the affidavit filed by the PIO is complete and comprehensive. As such, adequate information stands supplied to the appellant.

5. In view of the above, the Bench does not feel that any further intervention in the matter is required. **The instant appeal case is disposed off and closed.** Copies of the orders be sent to the concerned parties.

**Chandigarh
14.09.2021**

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

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Shri Harpinder Singh
S/o Shri Angrez Singh
R/o Surgapuri,
Near Unique Public School,
Kotkapura, Distt. Faridkot.

... Complainant

Versus

Public Information Officer,
O/o Superintending Engineer
Punjab State Power Corporation Ltd.
Bathinda.

Remanded Back
First Appellate Authority-cum-
O/o Chief Engineer, HRD,
Punjab State Power Corporation Ltd.
Patiala.

... Respondents

CC No.814/2021

Present: (i) **Shri Harpinder Singh, Complainant.**
(ii) **None on behalf of the PIO/respondent.**

ORDER

(Heard through Cisco Webex)

1. The RTI application is dated 01.02.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 25.06.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 14.09.2021 through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex.
3. Shri Harpinder Singh, complainant comes present to attend the hearing. He states that he has sought information on four points. He has received information on points No.1 to 3, the information on point No.4 has still not been provided.
4. The Bench observes that the complainant has been given incomplete information and 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.



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CC No.814/2021

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 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.

6. Post deliberations, with the representative of the 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.

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

Sd/-

Chandigarh

(Lt Gen Ajae Kumar Sharma (Retd))

14.09.2021

State Information Commissioner, Punjab

Copy to (By Regd. Post):

**First Appellate Authority
Shri Jeevan Kansal
Chief Engineer (West),
PSPCL, Bathinda.**

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

Shri Jitpal Singh
S/o Shri Gurmukh Singh
Opposite OBC Bank,
Dhanola, Distt. Barnala.

... Complainant

Versus

Public Information Officer,
O/o Sr.Executive Engineer
Punjab State Power Corporation Ltd.
Ludhiana.

**Remanded Back
First Appellate Authority-cum-**
O/o Chief Engineer, Central
Punjab State Power Corporation Ltd.
Ludhiana.

...Respondents

CC No.804/2021

Present: (i) **Shri Jitpal Singh, Complainant.**
(ii) **Shri Tejpal Singh, Superintendent O/o Sr.XEN, PSPCL
Sub Division, Agar Nagar, Ludhiana**

ORDER

(Heard through Cisco Webex)

1. The RTI application is dated 20.01.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 22.06.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 14.09.2021 through Cisco Webex. Accordingly, the case has been heard today through Cisco Webex. Shri Jitpal Singh, complainant comes present to attend the hearing through Cisco Webex.

3. Tejpal Singh, Superintendent O/o Sr.XEN, PSPCL, Sub Division, Agar Nagar, Ludhiana comes present to attend the hearing through Cisco Webex. He states that the information sought by the complainant has been supplied vide letter dated 19.08.2021 by registered post.

4. Shri Jitpal Singh, complainant states that he has received the information, but the information is incomplete.

Cont.P-2



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CC No.804/2021

5. The Bench observes that the complainant is not satisfied with the information supplied and 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 representative of the PIO, the instant matter is remanded back to the First Appellate Authority i.e. **Shri Bhupinder Singh Khosla, Chief Engineer, Central, PSPCL, Ludhiana**. 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.

Sd/-

Chandigarh

(Lt Gen Ajae Kumar Sharma (Retd))

14.09.2021

State Information Commissioner, Punjab

Copy to (By Regd. Post):

**First Appellate Authority
Shri Bhupinder Singh Khosla,
Chief Engineer, Central
PSPCL, Ludhiana**

