

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

**Ph: 0172-2864116, Email: - [psic26@punjabmail.gov.in](mailto:psic26@punjabmail.gov.in)**

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



Shri Chattar Singh  
S/o Shri Suram Singh  
#326, New Colony, Haryal,  
Pathankot, Distt. Pathankot.

.....Appellant

Versus

**Public Information Officer**  
O/o Freedom Fighters Welfare Deptt.  
Punjab, Chandigarh.

**First Appellate Authority**  
O/o Freedom Fighters Welfare Deptt.  
Punjab, Chandigarh.

....Respondents

**AC No.3918 of 2022**

**Present:** (i) **Appellant- absent.**  
(ii) **Smt. Sarabjit Kaur, Senior Assistant, Freedom Fighters Welfare Department, Punjab, on behalf of the PIO/Respondent- in person.**

**ORDER:**

1. The RTI application is dated 10.06.2022 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 11.07.2022 and the second appeal was filed in the Commission on 26.08.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 18.10.2022. Accordingly, the case has been heard today. Shri Chattar Singh, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. Smt. Sarabjit Kaur, Senior Assistant, Freedom Fighters Welfare Department, Punjab comes present to attend the hearing in person before the Bench. She states that the information has been supplied to the appellant on Point No.1 of his RTI application on 10.06.2022 and then on 24.06.2022 whereas no information relating to point No.2, 3 & 4 is available in the official records.
4. Shri Chattar Singh, appellant is contacted on mobile phone. He is made to talk to the representative of PIO Smt. Sarabjit Kaur who explains to him the details of information supplied and the position regarding non-availability of information in the official records on Point No.2,3 & 4. Then the Bench talks to the appellant and apprises him of the version of representative of PIO. The appellant is convinced with the position explained by the representative of PIO.
5. In view of the above, the Bench does not feel need for further in the matter. **The instant appeal case is disposed off and closed.** The Copies of the order be sent to the concerned parties.

**Chandigarh  
18.10.2022**

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

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Shri Narinder Singh  
S/o Shri Major Singh  
R/o Vill. Badali, PO Naraingarh,  
District Fatehgarh Sahib.

.....Appellant

Versus

**Public Information Officer**

O/o Sub Divisional Officer,  
PSPCL Rural, Sirhind,  
District Fatehgarh Sahib..

**First Appellate Authority**

O/o Executive Engineer,  
PSPCL, Sirhind,  
District Fatehgarh Sahib..

....Respondents

**AC No.3900 of 2022**

**Present:**

- (i) **Shri Narinder Singh, Appellant- in person.**
- (ii) **Shri Devinder Singh, AEE, PSPCL, Rural, Sirhind on behalf of  
PIO/Respondent- in person.**

**ORDER:**

1. The RTI application is dated 02.06.2022 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 04.07.2022 and the second appeal was filed in the Commission on 25.08.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 18.10.2022. Accordingly, the case has been heard today. Shri Narinder Singh, appellant comes present to attend the hearing in person before the Bench and states that no information has been received by him yet.
3. Shri Devinder Singh, AEE, PSPCL Rural, Sirhind comes present to attend the hearing in person before the Bench and states that the information was supplied to the appellant vide letter dated 03.08.2022 and also hands over a copy of the same to the appellant in the court itself.
4. The Bench advises the appellant and the respondent to sit in the adjacent court room. The appellant further is advised to peruse the information supplied and to see if he finds the information in order or there is any deficiency and then to report back to the Bench.
5. Thereafter, the appellant and the respondent appear before the Bench and the appellant states that he is not fully satisfied with the reply given by the PIO. The Bench, however, apprises him that the Bench is convinced with the reply of the PIO. Then, he concurs with the opinion of the Bench and expresses satisfaction with the documents given.
6. In view of the above, the Bench does not feel need for further intervention in the matter. **The instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
18.10.2022**

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

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Shri Tejinder Mohan Mahendru  
H.No.9-C, Rishi Nagar  
Ludhiana-(M-9417990387).

.....Complainant

Versus

**Public Information Officer**

O/o Dy. Chief Engineer,  
Operation, PSPCL,  
West Circle, Ludhiana.

**Remanded Back**

**First Appellate Authority**

O/o Chief Engineer,  
Central Zone, PSPCL,  
Ludhiana.

....Respondents

**CC No.541 of 2022**

**Present:** (i) **Shri Tejinder Mohan Appellant- in person.**  
(ii) **None on behalf of PIO/Respondent**

**ORDER**

1. The RTI application is dated 25.06.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 24.08.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 11.10.2022. The case has been heard today. Shri Tejinder Mohan Mahendru, complainant comes present in person before the Bench and states that he has sought information regarding electricity power cable passing by his house which is a big danger to their personal life, but no information has been supplied.
3. Neither the PIO O/o Dy. Chief Engineer, Operation, West Circle, PSPCL, Ludhiana has come present in person before the Bench or through cisco webex.
4. The Bench observes that the complainant has his grievance regarding an electricity power cable passing by his house about which he has sought information. He has, however, directly approached the Commission by preferring complaint in the Commission. The Bench further observes that the complainant has not availed the provision of 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.

5. 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.

6. The instant matter is remanded back to the **First Appellate Authority i.e. Shri Parvinder Singh Khamba, Chief Engineer, Central Zone, 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 hear the complainant within ten days and decide the matter.

7. 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.

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

Chandigarh  
18.10.2022

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

Copy to (By Regd. Post):

First Appellate Authority, Shri Parvinder Singh Khamba, Chief Engineer,  
Central Zone, PSPCL, Ludhiana.

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Shri Surinderpal Singh  
S/o Late Shri Babu Singh  
R/o #4780, Shivaji Nagar,  
Ludhiana.

.....Appellant

Versus

**Public Information Officer**  
O/o Director, Local Govt., Punjab,  
Municipal Bhawan, Sector-35,  
Chandigarh.

**First Appellate Authority**  
O/o Director, Local Govt., Punjab,  
Municipal Bhawan, Sector-35,  
Chandigarh.

....Respondents

**AC No.316 of 2022**

**Present:** (i) **Appellant- absent.**  
(ii) **Shri Vikas Kumar, Senior Assistant, Municipal Services Cell, O/o Director, Local Government, Punjab, Chandigarh on behalf of the PIO/Respondent-in person.**

**ORDER:**

1. This order may be read with reference to the order dated 14.09.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Surinderpal Singh, appellant has not come present to attend the hearing in person before the Bench nor through cisco webex.
3. Shri Vikas Kumar, Senior Assistant, Municipal Services Cell, O/o Director, Local Government, Punjab comes present to attend the hearing in person before the Bench. He states that the appellant has sought information about one Shri Jagdeep Singh, Draftsman-cum-Inspector, Zone D, Municipal Corporation, Ludhiana which has been supplied to the appellant vide letters dated 23.07.2021, 02.09.2021, 12.10.2021 and 21.02.2022.
4. Since the appellant is absent for today's hearing, attempts are made to contact him on his mobile phone. In spite of repeated attempts, his mobile phone is found to be switched off. The Bench also observes that the appellant has absented himself from the hearing for the third consecutive time. He has not even given any intimation to the Bench for being absent and has also not bothered to contact the Bench by letters or e.mail to enquire about the appeal case. This shows that he is not interested in pursuing the appeal case as he is satisfied with the information already supplied.
5. In view of the position explained, the Bench is not inclined to proceed further in the matter as the same will amount to wastage of time of the public authority as well as the Commission. As such, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
18.10.2022**

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

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Shri Surinderpal Singh  
S/o Late Shri Babu Singh  
R/o #4780, Shivaji Nagar,  
Ludhiana.

.....Appellant

Versus

**Public Information Officer**

O/o Principal Secretary,  
Local Bodies, Punjab,  
Municipal Bhawan, Sector-35,  
Chandigarh.

**First Appellate Authority**

O/o Principal Secretary,  
Local Bodies, Punjab,  
Municipal Bhawan, Sector-35,  
Chandigarh.

....Respondents

**AC No.4672 of 2021**

**Present:**

- (i) Appellant- absent.  
(ii) Shri Vikas Kumar, Senior Assistant, Municipal Services Cell, O/o Director, Local Government, Punjab, Chandigarh on behalf of the PIO/Respondent-in person.

**ORDER:**

1. This order may be read with reference to the order dated 14.09.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Surinderpal Singh, appellant has not come present to attend the hearing in person before the Bench nor through cisco webex.
3. Shri Vikas Kumar, Senior Assistant, Municipal Services Cell, O/o Director, Local Government, Punjab comes present to attend the hearing in person before the Bench. He states that the appellant has sought information regarding a complaint dated 16.05.2021 made against Shri Ajay Kumar, Building Inspector, Zone A, Municipal Corporation, Ludhiana which has been supplied to the appellant vide letters dated 23.07.2021, 02.09.2021, 12.10.2021 and 21.02.2022.
4. Since the appellant is absent for today's hearing, attempts are made to contact him on his mobile phone. In spite of repeated attempts, his mobile phone is found to be switched off. The Bench also observes that the appellant has absented himself from the hearing for the third consecutive hearing. He has not even given any intimation to the Bench for being absent and has also not bothered to contact the Bench by letters or e.mail to enquire about the appeal case. This shows that he is not interested in pursuing the appeal case as he is satisfied with the information already supplied.
5. In view of the position explained, the Bench is not inclined to proceed further in the matter as the same will amount to wastage of time of the public authority as well as the Commission. As such, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
18.10.2022**

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

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Shri Hitesh  
#Flat No.82A, Radhe Homes,  
Peermuchhalla, Dhakoli,  
Zirakpur-160104.

....Appellant

Versus

**Public Information Officer**

O/o The Director,  
Local Bodies, Punjab,  
Sector-35, Chandigarh.

**Public Information Officer,**

O/o Additional Deputy Commissioner,  
(Urban Development),  
S.A.S. Nagar (Mohali)

**First Appellate Authority**

O/o The Director, Local Bodies, Punjab,  
Sector-35, Chandigarh.

....Respondents

**AC No.2869 of 2022**

**Present:**

- (i) Appellant- absent.  
(ii) Shri Gurpreet Singh, Building Inspector, Town Planning Wing, O/o Director,  
Local Government, Punjab, on behalf of the PIO/ Respondent- in person.

**ORDER:**

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

1. This order may be read with reference to the order dated 14.09.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Hitesh, appellant has not come present to attend the hearing in person or through cisco webex without any intimation to the Commission.
3. Shri Gurpreet Singh, Building Inspector, Town Planning Wing O/o Director, Local Govt., Punjab 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 by the ADC (Urban Development), Mohali vide letter dated 03.10.2022 which was received by his representative Shri Vinay Kumar on 04.10.2022. He also produces letter dated 17.10.2022 to this effect before the Bench which is taken on record.
4. The representative of appellant Shri Vinay Kumar is contacted on his mobile phone. On the asking of the Bench, he confirms the receipt of information by the appellant to his satisfaction and also 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 order be sent to the concerned parties.

**Chandigarh  
18.10.2022**

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

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

- i) PIO O/o Addl. Dy. Commissioner, Urban Development, S.A.S.Nagar (Mohali).
- ii) PIO, Town Planning Wing, O/o Director, Local Govt., Punjab, Sector-35, Chandigarh.