

**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 Sushil Kumar,
#1410, Phase-1, Urban Estate,
Dugri Road, Ludhiana-141013.

.....Complainant

Versus

Public Information Officer

O/o Chief Engineer, Central Zone,
Punjab State Power Corporation Ltd.
(PSPCL), Ludhiana.

First Appellate Authority

O/o Chief Engineer, P&M Circle,
Punjab State Power Corporation Ltd.,
(PSPCL), Ludhiana.

...Respondents

AC No.1901 of 2021

Present: (i) **Shri Sushil Kumar, Appellant.**
(ii) **Smt. Manu Kataria, Divisional Accountant, O/o Addl.S.E., P&M Division, PSPCL, Khanna, District Ludhiana on behalf of the PIO/Respondent**

ORDER

(Heard Through Video Conferencing)

1. The RTI application is dated 16.10.2020 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 02.02.2021 and the second appeal was filed in the Commission on 16.04.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 23.08.2021 through V.C. Accordingly, the case has been heard today through V.C.. Shri Sushil Kumar, appellant comes present to attend the hearing through V.C.

3. Smt. Manu Kataria, Divisional Accountant, O/o Chief Engineer, PSPCL, Ludhiana comes present to attend the hearing on behalf of the PIO. She states that the appellant has a disciplinary case pending against him and has asked for information on five points relating to it. The information has been supplied to him on all the points firstly vide letter dated 28.01.2021 by post, then by hand on 27.07.2021.

4. The Appellant Shri Sushil Kumar states that he is not satisfied with the information provided to him as he has received information on Point No.2 only and regarding other four points, he had sent deficiencies vide letter dated 02.02.2021 by registered post and again vide letter dated 18.08.2021.



-2-

AC No.1901/2021

5. On the asking of the Bench, the representative of the PIO clarifies the information provided in respect of each point of RTI Application and states that the information as available in the official records has been supplied to the appellant. The Bench observes that after hearing the respondent and examining the documents relating to the appeal available on file, the Bench is convinced that adequate and complete information stands supplied. The appellant is looking for legal solutions to his pending case which is obviously not in the domain of RTI.

6. Post deliberations, the PIO is now directed to file an affidavit on non-judicial stamp paper, within next 14 days, 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.1901/2021 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.

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

**Chandigarh
23.08.2021**

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

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Shri Arun Garg (Er.),
S/o Shri Sham Lal,
H.No.40-41, Central Town,
Pakhawal Road, VPO Dad,
Ludhiana.

.....Complainant

Versus

Public Information Officer

O/o Addl. Superintending Engineer,
Operations, Model Town(Special) Division,
Punjab State Power Corporation Ltd.
(PSPCL), Ludhiana.

Remanded Back

First Appellate Authority

O/o Chief Engineer,P&M Circle,
Punjab State Power Corporation Ltd.,
(PSPCL), Ludhiana.

...Respondents

CC No.500/2021

Present:

- (i) Complainant -absent.
(ii) Shri Nirmal Singh, SDO, Unit-1, PSPCL, Model Town, Ludhiana/APIO.

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 13.10.2016 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 22.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 23.08.2021 through V.C.. Accordingly, the case has been heard today through V.C. Shri Arun Garg, complainant has not come present to attend the hearing through V.C.
3. Shri Nirmal Singh, SDO, Unit-1, PSPCL, Model Town, Ludhiana. PIO comes present to attend the hearing through V.C.. He states that information has been supplied to the complainant. An effort was also made to hand over the information by hand to the complainant but he refused to accept the documents.
4. Since the complainant is absent for today's hearing, he is contacted on mobile phone to ascertain the position regarding receipt of information. In spite of repeated attempts to contact him on both of his mobile numbers as available in the case file, the complainant does not respond.
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.

Cont..P-2

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 PIO, the instant matter is remanded back to the First Appellate Authority i.e **Shri Bhupinder Khosla, 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 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
23.08.2021**

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

Copy to (By Regd. Post):

First Appellate Authority
Shri Bhupinder Khosla, Chief Engineer,
Central Zone, Punjab State Power Corporation Ltd.,
(PSPCL), Ludhiana.

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Shri Arun Garg (Er.),
S/o Shri Sham Lal,
H.No.40-41, Central Town,
Pakhawal Road, VPO Dad,
Ludhiana.

.....Complainant

Versus

Public Information Officer

O/o Addl. Superintending Engineer,
Operations, Model Town(Special) Division,
Punjab State Power Corporation Ltd.
(PSPCL), Ludhiana.

Remanded Back

First Appellate Authority

O/o Chief Engineer,P&M Circle,
Punjab State Power Corporation Ltd.,
(PSPCL), Ludhiana.

...Respondents

CC No.499/2021

Present:

- (i) Shri Arun Garg, Complainant .
- (ii) Shri Nirmal Singh, SDO, Unit-1, PSPCL, Model Town, Ludhiana/APIO.

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 13.10.2016 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 22.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 23.08.2021 through V.C.. Accordingly, the case has been heard today through V.C. Shri Arun Garg, complainant has not come present to attend the hearing through V.C.
3. Shri Nirmal Singh, SDO, Unit-1, PSPCL, Model Town, Ludhiana. PIO comes present to attend the hearing through V.C.. He states that information has been supplied to the complainant by registered post on 18.08.2021. He further states that an official was also sent at his residence to deliver the information by hand but he refused to receive and as such, it was put in his letter box and was also sent by e.mail.
4. Since the complainant is absent for today's hearing, he is contacted on mobile phone to ascertain the position regarding receipt of information. In spite of repeated attempts to contact him on both of his mobile numbers as available in the case file, the complainant does not respond.
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.

Cont..P-2

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 representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e **Shri Bhupinder Khosla, 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 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
23.08.2021**

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

Copy to (By Regd. Post):

First Appellate Authority
Shri Bhupinder Khosla, Chief Engineer,
Central Zone, Punjab State Power Corporation Ltd.,
(PSPCL), Ludhiana.

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Shri Rajinder Singh Sekhon,
78/22, Guru Amar Dass Nagar,
Ludhiana-141012.

.....Complainant

Versus

Public Information Officer

O/o Executive Engineer,
220 KV Sub Station, Block-A,
Punjab State Power Corporation Ltd.
(PSPCL), Bhai Randhir Singh Nagar,
Ferozepur Road, Ludhiana.

Remanded Back

First Appellate Authority

Chief Engineer, P&M Circle,
Punjab State Power Corporation Ltd.,
(PSPCL), Ludhiana.

...Respondents

CC No.473/2021

Present:

- (i) Complainant- absent.
(ii) Shri Rajinder Singh, XEN, D.S. Division, Aggar Nagar, PSPCL, Ludhiana.

ORDERR

(Heard through Video Conferencing)

1. The RTI application is dated 05.03.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 15.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 23.08.2021 through V.C. The complainant has not come present to attend the hearing through V.C..
3. Shri Rajinder Singh, XEN, D.S. Division, Aggar Nagar, PSPCL, Ludhiana/PIO comes present to attend the hearing through V.C. He states that the complainant has sought information regarding three Account Numbers mentioned in the RTI application and that the entire information has been supplied to the complainant vide letter dated 09.08.2021 by registered post.
4. Since the complainant is absent for today's hearing, he is contacted on mobile phone to ascertain the position regarding receipt of information by him. In spite of repeated attempts made to contact him, the complainant does not respond.
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 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 representative of PIO, the instant matter is remanded back to the First Appellate Authority i.e **Shri Bhupinder Khosla, 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 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
23.08.2021**

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

Copy to (By Regd. Post):

First Appellate Authority
Shri Bhupinder Khosla,
Chief Engineer, Central Zone,
Punjab State Power Corporation Ltd.,
Ludhiana.

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Shri Surinder Singh,
(Junior Engineer Retd.)
V.P.O. Sangowal,
District Ludhiana-141122.

.....Appellant

Versus

Public Information Officer

O/o Chief Engineer, Central Zone,
Punjab State Power Corpn. Ltd.(PSPCL)
Ludhiana.

First Appellate Authority

O/o Chief Engineer, HRD,
Punjab State Power Corpn. Ltd.(PSPCL)
Ludhiana.

....Respondents

AC No.1872 of 2021

Present: (i) **Shri Surinder Singh, Appellant**
(ii) **Shri Jaswinder Singh, Addl.S.E. Operation Sub Urban Division, PSPCL, Lalton Kalan,Ludhiana, PIO/Respondent.**

ORDER

(Heard Through Video Conferencing)

1. The RTI application is dated 22.10.2020 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 05.01.2021 and the second appeal was filed in the Commission on 15.04.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 23.08.2021 through V.C. Accordingly, the case has been heard today through V.C.. Shri Surinder Singh, appellant comes present to attend the hearing through V.C.
3. Shri Jaswinder Singh, Addl.S.E., Operation Sub Urban Division, PSPCL, Lalton Kalan, Ludhiana comes present to attend the hearing through V.C. He states that the information has been sought by the appellant regarding the inquiries conducted in connection with Estimate No.13431/2011-12 which has been supplied to the appellant vide letter dated 27.04.2021.
4. Shri Surinder Singh, appellant comes present to attend the hearing through V.C. He states that the information has been received by him, but he wants to know in writing from the PIO as to whether, apart from the inquiries mentioned in the reply, no other enquiry is to be conducted.

Cont...P-2



-2-

AC No.1872/2021

5. Post deliberations, the PIO is directed to file an affidavit on non-judicial stamp paper, within next 10 days, 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.1872/2021 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. Shri Jaswinder Singh assures to do the needful.

6. In view of the assurance given to the Bench as above, **the appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
23.08.2021**

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

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Shri M.P. Kaura,
167/3, Dharampura Colony,
Batala, District Gurdaspur.

.....Complainant

Versus

Public Information Officer

O/o Sub Divisional Officer (South),
Punjab State Power Corporation Ltd.
(PSPCL), Batala, Distt. Gurdaspur.

Remanded Back

First Appellate Authority

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

...Respondents

CC No.442/2021

Present:

- (i) **Shri M.P. Kaura, Complainant.**
- (ii) **Shri Rajinderpal Singh, L.D.C. O/o Sub Divisional Officer (South), PSPCL, Batala, District Gurdaspur.**

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 05.04.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 09.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 23.08.2021 through V.C. The complainant comes present to attend the hearing through V.C.
3. Shri Rajinderpal Singh, L.D.C. O/o Sub Divisional Officer (South), PSPCL, Batala, District Gurdaspur comes present to attend the hearing through V.C. on behalf of the PIO. He states that the complainant has sought information regarding electricity meter removed from his residence. He further states that two electricity connections were provided at the residence of complainant and one was removed on his request. He further states that bill against second meter amounting to Rs.4315/- remains unpaid and the complainant has been paying Rs.1000/- each month whereas the bill comes to a higher amount from 29.08.2020 and as such, the amount has been outstanding against his name. The complainant has also been sent reply on similar lines.
4. On the asking of the Bench, the complainant states that he is not satisfied with the version of the representative of PIO. He states that he is being harassed by the PIO and the officials of his office and is not being intimated the exact position regarding the information sought by him.

5. The complainant is heard in detail. The Bench, thereafter, 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 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 Pardeep Saini, 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
23.08.2021**

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

Copy to (By Regd. Post):

First Appellate Authority
Shri Pardeep Saini,
Chief Engineer, Border Zone,
Punjab State Power Corporation Ltd.,
Amritsar.

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Shri Rajinder Kumar
R/o Canal Colony,
Wrd No.2, Gidderbaha,
Distt. Sri Muktsar Sahib.

.....Appellant

Versus

Public Information Officer

O/o Sr. Supdt. Of Police,
Sri Muktsar Sahib.

First Appellate Authority

O/o Sr. Supdt. Of Police,
Sri Muktsar Sahib.

....Respondents

AC No.1869 of 2021

**Present: (i) Appellant- absent
(ii) Shri Manjit Singh, ASI, I/c RTI Branch, O/o SSP Sri Muktsar Sahib,
on behalf of the PIO/Respondent.**

ORDER

(Heard Through Video Conferencing)

1. The RTI application is dated 20.11.2020 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 05.01.2021 and the second appeal was filed in the Commission on 15.04.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 23.08.2021 through V.C.. Accordingly, the case has been heard today through V.C.. Shri Rajinder Kumar, appellant has not come present to attend the hearing through V.C..
3. Shri Manjit Singh, ASI, I/c RTI Branch, O/o SSP Sri Muktsar Sahib, comes present to attend the hearing through V.C. on behalf of the PIO/Respondent. He states that the information has been supplied to the appellant vide letters dated 17.12.2020, 19.01.2021 and 10.09.2021 by registered post. He further states that the information as available in the official records has been supplied to the appellant.
4. Shri Rajinder Kumar, is contacted on mobile phone. In spite of repeated attempts made to contact him to ascertain the position regarding receipt of information, the appellant does not respond to the phone calls.

Cont...P-2



-2-

AC No.1869/2021

5. Post deliberations, the PIO is directed to file an affidavit on non-judicial stamp paper, within next 10 days, 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.1869/2021 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.

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

**Chandigarh
23.08.2021**

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

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Shri Darshan Singh,
S/o Shri Roop Singh,
R/o VPO Bodiwala Kharak Singh,
Tehsil Malout, District Sri Muktsar Sahib.

Versus

.....Complainant

Public Information Officer

O/o Deputy Commissioner,
Sri Muktsar Sahib.

Remanded Back

First Appellate Authority

District Development and
Panchayat Officer,
Sri Muktsar Sahib.

...Respondents

CC No.462/2021

Present:

- (i) **Shri Vikul Puri, Advocate in person on behalf of the Complainant.**
- (ii) **Ms. Anu, Steno O/o B.D.P.O. Malout, District Sri Muktsar Sahib.**

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 26.02.2021 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 15.04.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 23.08.2021 through V.C. The complainant has not come present to attend the hearing through V.C. Shri Vikul Puri, Advocate comes present to attend the hearing in person before the Bench on behalf of the complainant.
3. Ms. Anu, Steno O/o BDPO Malout, District Sri Muktsar Sahib comes present to attend the hearing through V.C.. She states that the complainant has been supplied information vide letter dated 18.08.2021 by registered post, with a copy to the Commission.
4. On the asking of the Bench, Shri Vikul Puri, Advocate, representative of the complainant states that the complainant has not received the information as yet. He also explains the contents of the information sought by the complainant vide his RTI application, in the public interest.
5. The Bench is convinced that the information sought is in the public interest and, however, 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 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 Harmandeep Singh, District Development & Panchayat Officer, 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. He is directed to hear the complainant within 10 days 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
23.08.2021**

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

Copy to (By Regd. Post):

**First Appellate Authority
Shri Harmandeep Singh,
District Development and
Panchayat Officer,
Sri Muktsar Sahib.**