

**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 Meeting Code:15857-23975

Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)

Shri Kultar Singh,
S/o Shr Joginder Singh
R/o Village Gujran,
Tehsil Dirba, Distt. Sangrur.

...Appellant

Versus

Public Information Officer
O/o Sub-Divisional Engineer,
Sub Division, PSPCL, Mehlan,
Tehsil Sunam, Distt. Sangrur.

First Appellate Authority
S/o Superintending Engineer,
PSPCL, Sangrur.

....Respondents

AC No.3180 of 2021

Present: (i) Appellant- absent.
(ii) Shri Mohinder Kumar, Assistant Engineer, Sub Division, PSPCL, Mehlan,
District Sangrur, along with Shri Lakhwinder Singh, LDC, on behalf of
the PIO/respondent.

ORDER:

1. The RTI application is dated 19.04.2021 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 27.05.2021 and the second appeal was filed in the Commission on 13.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 25.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Kultar Singh, appellant has not come present to attend the hearing in person before the Bench.
3. Shri Mohinder Kumar, Assistant Engineer, Sub Division, PSPCL Mehlan, District Sangrur along with Shri Lakhwinder Singh, LDC comes present to attend the hearing in person before the Bench. He states that the information has been supplied to the appellant vide letter dated 15.07.2021.

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AC No.3180/2021

4. Shri Kultar Singh, appellant is contacted on mobile phone. In spite of repeated attempts, he does respond to the phone calls. Subsequently, he contacts the staff and states that only partial information stands supplied to him and asks for another hearing.

5. The PIO is directed to call the appellant to his office on any working day by tying up with him on phone and allow him access to the official records and the information as may be identified by the appellant after inspection of records, be provided to him before the next hearing.

6. After supplying the information, the PIO is also directed to file an affidavit on non-judicial stamp paper 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.3180/2021 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 matter is adjourned. **To come up for hearing on 31.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
25.10.2021**

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

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Shri Kuldip Kumar Kaura
(Retired Lecturer),
5/C, Urban Estate,
Phase-1, Focal Point,
Ludhiana-141010.

...Appellant

Versus

Public Information Officer
O/o Sr. Executive Engineer,
Focal Point Unit,
Punjab State Power Corpn. Ltd.,
(PSPCL), Ludhiana.

First Appellate Authority
O/o Sr. Executive Engineer
Focal Point Unit,
Punjab State Power Corpn. Ltd.,
(PSPCL), Ludhiana.

....Respondents

AC No.3172 of 2021

Present: (i) **Shri Kuldip Kumar Kaura, Appellant.**
(ii) **Shri Jagdeep Singh, Sr.XEN/APIO, PSPCL, Focal Point, Ludhiana,
on behalf of the PIO/respondent, in person..**

ORDER:

(Heard in person/through Cisco Webex.)

1. The RTI application is dated 17.04.2021 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 24.05.2021 and the second appeal was filed in the Commission on 13.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 25.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Kuldip Kumar Kaura, appellant attends the hearing through cisco webex.
3. Shri Jagdeep Singh, Sr.XEN/APIO, PSPCL, Focal Point, Ludhiana, on behalf of the PIO/respondent, comes present to attend the hearing in person before the Bench. He states that the appellant has been supplied information vide letter dated 14.10.2021 by registered post.

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AC No.3172/2021

4. On the asking of the Bench, the appellant states that he has received information only two days back and that after going through the information, he will point out deficiencies to the PIO, if any and asks for another hearing.

5. The PIO is directed to remove the deficiencies as may be pointed out by the appellant and thereafter, the appellant may be supplied rectified information before the next hearing. The representative of the PIO assures to do the needful.

6. In view of the above, the matter is adjourned. **To come up for hearing on 31.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
25.10.2021**

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

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Shri Raj Kumar ,
S/o Shri Amrjit Singh,
R/o H.No.59, Mathura Colony,
Patiala.

...Appellant

Versus

Public Information Officer

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

First Appellate Authority-cum-

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

....Respondents

AC No.3158 of 2021

Present:

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

ORDER:

1. The RTI application is dated 16.03.2021 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 18.05.2021 and the second appeal was filed in the Commission on 22.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 25.10.2021 in Commission's office at Chandigarh. Accordingly, the case was scheduled to be heard today. Shri Raj Kumar, appellant has not come present to attend the hearing in person before the Bench.
3. The PIO or his representative has also not come present to attend the hearing before the Bench.
4. In the absence of appellant and the PIO, the Bench is unable to proceed further in the instant appeal case. As such, the Bench deems it appropriate to adjourn the matter.

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AC No.3158/2021

5. In view of the above, the matter is adjourned. **To come up for hearing on 31.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
25.10.2021**

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

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Shri Makhan Singh
S/o Shri Harjit Singh,
R/o Dhani Kharas Wali,
Village Koriyan Wali,
Tehsil & Distt. Fazilka.

...Appellant

Versus

Public Information Officer
O/o Sr. Superintendent of Police,
Fazilka.

First Appellate Authority-cum-
O/o Dy. Inspector General of Police,
Ferozepur Range, Ferozepur.

....Respondents

AC No.3080 of 2021

Present: (i)Shri Vidul Kapoor, Advocate along with Shri Makhan Singh, Appellant, in person.
(ii)Shri Satpal Chand, ASI, I/c RTI Cell, O/o SSP Fazilka, on behalf of the
PIO/respondent,in person.

ORDER:

1. The RTI application is dated 27.11.2020 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 04.02.2021 and the second appeal was filed in the Commission on 21.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 25.10.2021 in Commission's Office at Chandigarh. Accordingly, the case has been heard today. Shri Makhan Singh, appellant along with his Advocate Shri Vidul Kapoor comes present to attend the hearing in person. Shri Vidul Kapoor, Advocates states that the daughter of the appellant was abducted by one Shri Ganesh Singh and subsequently got married with his daughter and staying with him. On their enquiring in the matter, it was found that the said Ganesh Singh had got married with the daughter of appellant by producing fake documents i.e. showing age above 21 years though as per documents collected by the appellant, he was below 21 years of age at the time of abduction and as such, was not in marriageable age as per law.

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AC No.3080/2021

Actual date of birth of the said Shri Ganesh Singh is 04.02.1998 and not 04.02.1992 as shown by him in the documents produced before the marriage registering authority and in view of this, the marriage of Ganesh Singh with his daughter is invalid. Accordingly, the appellant had submitted a complaint to the Police Station, Sadar, Fazilka dated 03.08.2017 in this regard. The appellant has sought information under the RTI Act as to what action has been taken on his complaint, but the same has not been provided to him.

3. Shri Satpal Chand, ASI I/c RTI Cell, O/o SSP Fazilka comes present to attend the hearing in person before the Bench. He states that the appellant has been given reply vide letter dated 06.10.2021 stating that the Complaint No.696/Local PS Sadar Fazilka dated 03.08.2017 of the appellant was marked to ASI Hardev Singh for enquiry who had, on his transfer, handed over the same to Shri Makhan Singh, Assistant MHC. However, the said Shri Makhan Singh did not get it further marked for enquiry and due to reconstruction of building of the Police Station, the same could not be found as the record was reshuffled and now not traceable. He further states that an enquiry has also been initiated against Shri Kaur Singh, MHC for his failure to supply information to the appellant within the prescribed period.

5. Post deliberations, the Advocate for the appellant states that the appellant is not satisfied with the version of the representative of PIO as he wants only to know the action taken against the said Shri Ganesh Singh named in his complaint dated 03.08.20217 and alleges mishandling of the case by the concerned Investigating Officer Shri Hardev Singh.

6. After hearing of the version of both the appellant and the representative of PIO, the Bench observes that the appellant is aggrieved by the inaction on the part of PIO as well as the office of SSP Fazilka. The Bench also peruses the relevant documents in the case file as also shown by the appellant and finds that there is no such document available produced by the PIO showing any action

Cot...P-2



having been initiated against the I.O. Shri Hardev Singh for not conducting timely investigation or against Asstt. MHC Shri Makhan Singh who has misplaced the complaint. The action against Shri Kaur Singh, MHC is departmental action and it does not serve the purpose of the appellant seeking information regarding his complaint made to the Police authorities. The Bench makes an adverse observation against the office of SSP Fazilka for misplacing a document as important as a complaint made by a citizen and not ensuring action on it. Moreso, as it is public dealing and law and order is the prime responsibility of the Police.

7. The PIO is now directed to file an affidavit on non-judicial stamp paper, duly signed by the PIO and attested by the Notary Public, to the effect that the information as sought in AC No.3080/2021 on action taken on the complaint filed by appellant dated 03.08.2017 could not be supplied as the Complaint No.696/Local PS Sadar Fazilka dated 03.08.2017 of the appellant was marked to ASI Hardev Singh for enquiry who had, on his transfer, handed over the same to Shri Makhan Singh, Assistant MHC. However, the said Shri Makhan Singh did not get it further marked for enquiry and due to reconstruction of building of the Police Station, the same could not be found as the record was reshuffled. 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.

8. In view of the facts of the case, the matter being of serious nature as per the statement of the appellant, the Bench advises the office of SSP Fazilka to order an enquiry by the competent authority against ASI Hardev Singh, No.352/Fazilka, the then Investigating Officer, now Reader to Superintendent of Police (HQs), Fazilka for his failure to complete the investigation in the complaint as also against Shri Makhan Singh, No.973/Fazilka, Asstt. MHC, Fazilka for misplacing the complaint No.696/Local PS Sadar Fazilka dated 03.08.2017 of the appellant.



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AC No.3080/2021

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 01.12.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
25.10.2021**

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

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Shri Sushil Kumar,
#1410, Phase-I, Urban Estate,
Dugri Road, Ludhiana-141013.

...Appellant

Versus

Public Information Officer
O/o Nodal Officer, RTI Cell,
Punjab State Power Corpn. Ltd.,
(PSPCL), Patiala.

First Appellate Authority-cum-
Chief Engineer, HRD,
Punjab State Power Corpn. Ltd.,
(PSPCL), Patiala.

....Respondents

AC No.3240 of 2021

Present: (i) Appellant- absent.
(ii) Shri Pal Singh, Senior Assistant, PSPCL, Patiala and Shri Jatinder Mohan Bhandari, SDO, PSPCL, Ludhiana, on behalf of the PIO/respondent.

ORDER:

1. The RTI application is dated 26.04.2021 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 02.06..2021 and the second appeal was filed in the Commission on 16.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 25.10.2021 in Commission's Office at Chandigarh. Accordingly, the case has been heard today. Shri Sushil Kumar, appellant has not come present to attend the hearing in person. He has, however, sent an e.mail dated 20.10.2011 stating that till date, he has not received the information sought by him. He has also informed on phone today that due to illness, he is unable to attend the hearing and suggested that case may not be closed without his consent.

3. Shri Pal Singh, Senior Assistant, PSPCL, comes present to attend the hearing on behalf of the PIO in person. He states that the appellant has been supplied information vide letter dated 21.05.2021 and again on 05.07.2021. He further states that the appellant also requests for a copy of the reply filed by PSPCL in the Hon'ble Punjab & Haryana High Court in a writ petition filed by him.

Cont..P-2



-2-

AC No.3240/2021

5. Though the Bench is convinced that the appellant has been supplied information adequately and through registered post, however, in view of the submission of appellant regarding non receipt of information, the Bench deems it appropriate to hear the appellant as well as the PIO simultaneously in person. The Bench also observes that the demand of copy of reply by the appellant is inappropriate as it does not form part of his RTI application.

6. In view of the above, the matter is adjourned. **To come up for hearing on 31.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
25.10.2021**

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

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Shri Sushil Kumar,
#1410, Phase-I, Urban Estate,
Dugri Road, Ludhiana-141013.

...Appellant

Versus

Public Information Officer
O/o Nodal Officer, RTI Cell,
Punjab State Power Corporation Ltd.,
(PSPCL), Patiala.

First Appellate Authority-cum-
Chief Engineer, Operational,
Central Zone, Punjab State Power
Corporation Ltd.(PSPCL), Patiala.

....Respondents

AC No.3118 of 2021

Present: (i) **Appellant- absent.**
(ii) **Shri Amandeep Singh, Sr. XEN, Enforcement, PSPCL, Ludhiana**
on behalf of the PIO/respondent.

ORDER:

1. The RTI application is dated 10.04.2021 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 10.05.2021 and the second appeal was filed in the Commission on 16.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 25.10.2021 in Commission's Office at Chandigarh. Accordingly, the case has been heard today. Shri Sushil Kumar, appellant has not come present to attend the hearing in person. He has, however, sent an e.mail dated 20.10.2011 stating that till date, he has not received the information sought by him. He has also informed on phone today that due to illness, he is unable to attend the hearing and suggested that the case may not be closed without his consent.

3. Shri Amandeep Singh, Senior XEN, Enforcement, PSPCL, Ludhiana comes present to attend the hearing on behalf of the PIO in person. He states that the appellant has been supplied information vide letter dated 18.05.2021 and again on 14.10.2021 by registered post.

Cont..P-2



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AC No.3118/2021

4. Though the Bench is convinced that the appellant has been supplied information adequately and through registered post, however, in view of the submission of appellant regarding non receipt of information, the Bench deems it appropriate to hear the appellant as well as the PIO simultaneously in person.

5. In view of the above, the matter is adjourned. **To come up for hearing on 31.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
25.10.2021**

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