

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

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Sh. Pal Singh, S/o Sh. Prakash Singh,
Village BadalThuha, P.O & Tehsil Amloh,
Distt.Fatehgarh Sahib.

....Appellant

Vs

Public Information Officer,
O/o XEN, PSPCL,
Operational Division, Amloh,
Distt.Fatehgarh Sahib.

First Appellate Authority
O/o SE, Operational, PSPCL,
Circle Khanna, Distt. Ludhiana

....Respondent

Appeal Case .No. 4549 of 2019

PRESENT: None for the Appellant
 Sh.Gurdas Singh, SDO-PSPCL Shamshapur for the Respondent

ORDER:

The appellant through RTI application dated 09.08.2019 has sought information regarding details of linemen on duty from 01.01.2014 to 31.07.2019 along with time & date - medical claims filed by those linemen and got reimbursement and other information concerning the office of Xen PSPCL Operation Division, Amloh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 28.09.2019 which disposed off the appeal with the direction to the PIO to provide the information within a week. Since the PIO did not provide the information, the appellant filed 2nd appeal in the Commission.

On the date of first hearing on 23.06.2020, a representative appeared on behalf of the appellant and informed that the PIO has not provided the information.

The respondent was absent without intimation to the Commission. The PIO was directed to provide the information as per order of the First Appellate Authority within a week.

On the date of next hearing on **18.08.2020**, the respondent present pleaded that the information has been provided to the appellant. As per appellant, the information was incomplete since the information of one of the employees was not provided.

The respondent informed us that since the record stands destroyed, the information is not available in their record. The PIO was directed to conduct an enquiry into the matter and submit a detailed report which establishes that the record stands destroyed or missing.

Appeal Case .No. 4549 of 2019

Hearing dated 25.11.2020:

The case has come up for hearing today through video conferencing at DAC Sri Fatehgarh Sahib. Sh.Gurdas Singh, SDO-PSPCL-Shamsapur is present. He has informed that as per order of the Commission, an enquiry was conducted by a Committee of four members. As per him the committee concluded that the record had been destroyed by termites, and as per the recommendation of the Committee responsibility of the concerned persons who had been erroneous in maintaining the files has been fixed.

As per the respondent, the enquiry report has been sent to the appellant through registered post with a copy to the Commission. The Commission has received a copy of enquiry report from the PIO via email which has been taken on the file of the Commission.

The appellant is absent and telephonically has informed that the PIO has not provided the information.

The PIO is directed to again send a copy of the enquiry report to the appellant through registered post. A copy of the enquiry report received from the PIO is being sent to the appellant alongwith the order.

With the above, the order of the Commission's orders stand complied with and the case is **disposed off and closed**.

Chandigarh
Dated 25.11.2020

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Swaran Singh, S/o Sh. Mahinder
Singh, H No-118, Ward No-10,
Shakti Nagar,
Bhogpur, Distt Jalandhar .

..... Complainant

Vs

Public Information
Officer, O/o Sub
Division Bhogpur,
PSPCL, Jalandhar.

.....Res
pondent

Complaint Case .No. 990 of 2019

PRESENT: None for the Complainant
Sh. Amrik Ram, Xen, PSPCL Bhogpur for the Respondent

ORDER:

The complainant through RTI application dated 29.07.2019 has sought information regarding record pertaining to electric meter account No. CC42/3048 and DC46/0948-M(HRS) - type of connection provided – bills generated for consumption – details of payment made – correspondence made for change of bill connection from type urban to rural – action taken on enquiry ordered by SDO on 12.4.2016 and other information concerning the office of PSPCL sub Division, Bhogpur. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 19.11.2019.

The case was first heard on 11.03.2020. The respondent present pleaded that the information has been provided to the complainant vide letter dated 12.02.2020 and a copy of the same submitted to the Commission. The complainant was absent.

Having gone through the file, the Commission observed that there has been an enormous delay of more than seven months in providing the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to** file reply on an affidavit.

On the date of hearing on **04.08.2020**, the respondent present pleaded that the information has already been provided to the complainant. The complainant was absent.

Regarding delay in providing the information, the respondent pleaded that due to shifting of their office, the record was not traceable and hence the information was delayed. The respondent however, did not submit reply to the show cause notice issued to the PIO for delay in providing the information. The PIO was given one last opportunity

to submit reply to the show cause notice on an affidavit.

On the date of hearing on **07.09.2020**, the respondent present pleaded that the information has been supplied to the complainant vide letter dated 12.02.2020. The respondent

also submitted reply to the show cause notice from the PIO on an affidavit which was taken on the file of the Commission.

Having gone through the record, the Commission observed that the RTI was not attended by the PIO within the time prescribed under the RTI Act and the information was supplied on 12.02.2020 only after the complainant came to the Commission. The PIO was also absent on 2nd consecutive hearing but had preferred to send the reply through a representative.

**Complaint Case No. 990 of
2019**

A penalty of **Rs.10,000/-** was imposed upon the PIO-PSPCL Bhogpur which was to be deposited in the Govt. Treasury. The PIO-PSPCL, Bhogpuris was directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

Hearing dated 25.11.2020:

The case has come up for hearing today through video conferencing at DAC, **Jalandhar**. The respondent present pleaded that the penalty amount of Rs.10000/- has been deposited in the Govt Treasury on 14.10.2020 and a copy of challan sent to the Commission. The Commission has received the copy of challan on 19.10.2020 which has been taken on the file of the Commission.

Since the information has been provided and the penalty amount has been deposited in the Govt treasury, no further course of action is required.

The case is **disposed off and closed**.

**Chandigarh
Dated 25.11.2020**

**Sd/-
(Khushwant Singh)
State Information Commissioner**