

**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 Code:15857-23975

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

Shri Jagdeep Singh Dhillon,
396, Choti Baradari-1, Jalandhar.

.....Appellant

Versus

Public Information Officer

O/o Estate Officer,
Amritsar Development Authority,
Amritsar.

First Appellate Authority

O/o Chief Administrator,
Amritsar Development Authority,
Amritsar.

....Respondents

AC No. 1122 of 2021

Present: (i) None is present on behalf of the appellant.
(ii) Shri Agyapal Singh, Jr. Assistant on behalf of the PIO.

ORDER:

(Heard through Cisco Webex)

1. The RTI application is dated 03.11.2020 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 16.12.2020 and the second appeal was filed in the Commission on 19.01.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The case has been heard today, dated 28.06.2021 through Cisco Webex. The appellant is absent for today's hearing without any intimation to the Commission.
3. Shri Agyapal Singh, Jr. Assistant O/o Amritsar Development Authority, Amritsar comes present to attend the hearing through Cisco Webex. He states that the information has been provided to the appellant by the Additional Chief Administrator vide letter dated 05.05.2021 by ordinary post and the same has been acknowledged by the appellant.
4. The appellant was contacted on phone. On the asking of the Bench, the appellant states that he has received information but it has been provided by the PIO after a lapse of eight months.
5. In view of the above, the Bench condones the delay due to pandemic conditions but directs the PIO to be more careful in future while dealing with the RTI applications and adhere to laid down time lines. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

Sd/-

**Chandigarh
28.06.2021**

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

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Shri Bittu Singh, S/o Shri Shingara Singh,
R/o Parbhat Singh Wala Uttar,
Tehsil Jalalabad, Distt:Fazilka.

.....Complainant

Versus

Public Information Officer

O/o Sub Divisional Magistrate (East),
Distt:Fazilka.

....Respondents

Remanded Back to

First Appellate Authority-cum-

Shri Subha Singh, SDM (West),
O/o SDM (West), Fazilka.

CC No. 243 of 2021

Present: (i) **Shri Bittu Singh, the complainant.**
(ii) **None on behalf of the PIO/Respondent**

ORDER:

(Heard through Cisco Webex)

1. The RTI application is dated 24.10.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 25.02.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The case has been heard today, dated 28.06.2021 through Cisco Webex. The complainant states that till date, no information has been supplied to him by the PIO.
3. The PIO has not come present to attend the hearing through Cisco Webex. Shri Subha Singh, SDM (West)-cum-FAA is contacted on phone. He is apprised of the version of the complainant. During deliberations on the complaint case, he assures to resolve the case on priority if the same is remanded back to him.
4. The Bench 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.
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 complainant and the representative of PIO, the instant matter is remanded back to the First Appellate Authority Subha Singh, SDM (West)-cum-FAA O/o SDM, Jalalabad, Distt:Fazilka. 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.

Chandigarh
28.06.2021
Copy to (By Regd. Post):

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

First Appellate Authority
Shri Subha Singh, SDM (West),
O/o SDM, Jalalabad, Distt:Fazilka.

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RED CROSS BUILDING, NEAR ROSE GARDEN,
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Shri Anil Kumar Singh, Advocate,
O/o Bus Stand, Distt:Rahon.

.....Appellant

Versus

Public Information Officer
O/o PSPCL, Rahon,
Distt:Shaheed Bhagat Singh Nagar,

First Appellate Authority-cum-
PSPCL, Rahon,
Distt:Shaheed Bhagat Singh Nagar,

....Respondents

AC No.1057 of 2021

Present: (i) **Shri Anil Kumar Singh, Appellant in person before the Bench.**
(ii) **Shri Tarvinder Singh, SDO O/o PSPCL, Rahon, the respondent.**

ORDER

(Heard through Cisco Webex)

1. The RTI application is dated 03.09.2020 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 03.11.2020 and the second appeal was filed in the Commission on 24.02.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The case has been heard today through Cisco Webex. The appellant Shri Anil Kumar Singh comes present to attend the hearing before the Bench. He states that he has not received any information except that a letter dated 03.06.2021 was received vide which he has been denied information on the ground of being third party and personal information. He states that he has sought information regarding original file and location of electricity connection no. 45 C.F.120299 and not personal information of any individual.
3. Shri Tarvinder Singh, SDO O/o PSPCL, Rahon comes present to attend the hearing through Cisco Webex. He states that reply has already been given to the appellant vide letter dated 03.06.2021 in connection to his RTI application that information which he has asked for can not be shared being third party. Third party has also given not consented to sharing of their personal information.

4. On examination of documents related to the case and electricity connection no. 45 C.F.120299, the Bench observes that the connection is in the name of Shri Harbir Singh who has denied consent for sharing the information sought by the appellant.

5. The Bench concurs with the decision of the PIO and agrees that information sought is third party & personal information serving no public activity or interest and has been correctly with held.

6. 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 parties.

**Chandigarh
28.06.2021**

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

