**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Sh Satpal Alias Sh Jaspal Singh, S/o Sh. Saroop Ram,

Village Laluchim P.O Gaju Majra, Tehsil & Distt Patiala. … Complainant

Versus

**Public Information Officer,**

XEN, Punjab State Power Corporation,

Sub Division, Samana. ..Respondent

**Complaint Case No. 735 of 2018**

Present: Sh.Satpal Alias Sh.Jaspal Singh as Complainant

 None for the Respondent

**ORDER:**

 The complainant through RTI application dated 03.01.2017 has sought information regarding complete attendance/leave record of Sh.Lakhvinder Singh s/o Sh.Sadhu Ram working an employee Punjab State Power Corporation Samana from 10.12.2013 to 29.10.2014 concerning the office of Xen Punjab State Power Corporation Sub Division, Samana. The complainant was not provided the information after which he filed complaint with the Commission on 09.07.2018.

 I have seen the file and observed that the complainant filed RTI application on 03.01.2017 and has come to the Commission on 09.07.2018 which is time barred u/s 19 of the RTI Act 2005 which reads as under:

19. [(1)](https://indiankanoon.org/doc/641330/) Any person who, does not receive a decision within the time specified in sub­-section (1) or clause [(a)](https://indiankanoon.org/doc/105426886/) of sub‑section (3) of section 7, or is aggrieved by a decision of the Central Public Information Officer or the State Public Information Officer, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or the State Public Information Officer, as the case may be, in each public authority: Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

[(2)](https://indiankanoon.org/doc/1696805/) Where an appeal is preferred against an order made by a Central Public Information Officer or a State Public Information Officer, as the case may be, under section 11 to disclose third party information, the appeal by the concerned third party shall be made within thirty days from the date of the order.

[(3)](https://indiankanoon.org/doc/1852611/) A second appeal against the decision under sub‑section (1) shall lie within ninety days from the date on which the decision should have been made or was actually received, with the Central Information Commission or the State Information Commission: Provided that the Central Information Commission or the State Information Commission, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

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

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018. State Information Commissioner**

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Sh Satpal Alias Sh Jaspal Singh, S/o sh Saroop Ram,

Village Laluchim P.O Gaju Majra, Tehsil & Distt Patiala. … Complainant

Versus

**Public Information Officer,**

Deputy Chief Engineer,

Operational Division, PSPCL,Patiala. ...Respondent

**Complaint Case No. 739 of 2018**

Present: Sh.Satpal Alias Sh.Jaspal Singh as Complainant

 Sh.Ravinder Singh, SDO City Mandal, Samana for the Respondent

**ORDER:**

 The complainant through RTI application dated 03.01.2017 has sought information regarding complete attendance/leave record of Sh.Lakhvinder Singh s/o Sh.Sadhu Singh working an employee Punjab State Power Corporation Samana from 10.12.2013 to 29.10.2014 concerning the office of Dy Chief Engineer, Operational Division PSPCL Patiala. The complainant was not provided the information after which he filed complaint with the Commission on 09.07.2018.

 I have seen the file and observed that the complainant filed RTI application on 03.01.2017 and has come to the Commission on 09.07.2018 which is time barred u/s 19(3) of the RTI Act 2005.

 However, the respondent present has brought the available information and has submitted a copy of the same to the Commission. The respondent is directed to send the same to the complainant through Registered post.

The complainant appeared late and a copy of the information has been provided to him.

No further course of action is required. The case is **disposed off and closed.**

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018. State Information Commissioner**

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Sh Gurmeet Singh, R/o H NO-657,

Sector-20-A, Chandigarh. … Complainant

Versus

**Public Information Officer,**

PSPCL,

Patiala. ...Respondent

 **Complaint Case No. 759 of 2018**

Present: None for the Complainant

 Sh.Kamaldeep Arora, Sr.Xen/DS Division Bhagta Bhai Ka for the Respondent

**ORDER:**

 The complainant through RTI application dated 06.02.2018 has sought information regarding entire service record with all increments and chargesheets & payments of Sh.Charanjit Singh, J.E who joined on 12.06.2973 at Division Tarn Taran concerning the office of PSPCL Patiala. The complainant was not provided the after which he filed complaint with the Commission on 13.07.2018.

 The respondent present has pleaded that they did not receive the RTI Application and has brought the information after the receipt of the notice of the Commission. He has given this in writing. I accept the plea of the respondent and direct him to send the information he has brought to the complainant by registered post.

 No further course of action is required. The case is disposed off and closed.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018. State Information Commissioner**

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Sh Narinder Kumar S/o Sh Rai Sahib,

H NO-2438-A, Street No-2, Shri Guru Nanak Nagar,

Bear 16 Acre, Barnala. … Appellant

Versus

**Public Information Officer,**

Principal Secretary, Pb Govt,

Freedom Fighter Department, Chandigarh.

**First Appellate Authority,**

Principal Secretary, Pb Govt,

Freedom Fighter Department, Chandigarh. ...Respondent

 **Appeal Case No. 2777 of 2018**

Present: None for the Appellant

 None for the Respondent

**ORDER:**

 The appellant through RTI application dated 22.02.2018 has sought information regarding list of all freedom fighters of Punjab who contributed for the freedom of the country concerning the office of Principal Secretary, Punjab Govt. Freedom Fighter Department, Chandigarh. The appellant was not provided the information vide letter dated 18.05.2018 after which he filed first appeal before the First Appellate Authority 13.04.2018 which took no decision on the appeal.

 Both the parties are absent without intimation to the Commission. In the interest of justice one more opportunity is given and the case is adjourned.

 Both the paties to be present on **17.10.2018 at 11.00 AM** for further hearing.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018. State Information Commissioner**

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E-mail-Psicsic30@punjabmail.gov.in

Dr. Harsimran Singh,

Asst Professor, Govt Medical College&Rajindra Hospital,

Patiala. … Appellant

Versus

**Public Information Officer,**

Chief Engineer (HRD), S-2,

PSPCL, Patiala.

**First Appellate Authority,**

Chief Engineer, (HRD),

PSPCL, Patiala. ...Respondent

**Appeal Case No. 2281 of 2018**

Present: None for the Appellant

 Sh.Mandeep Singh, SDO PSPCL Muktsar Sahib for the Respondent

**ORDER:**

 The appellant through RTI application dated 08.03.2018 has sought information regarding certified copy of persona family details & permanent address of retired PSPCL employ Milkhi Ram (ID No.109087) AE with evidence that he belongs to/or a ,member of SC/ST and Romia Mehra is his daughter as Romia Mehra is a witness in the FIR No.83 dt.29.4.2013 in PS Civil Lines Patiala against him under SC/ST Act concerning the office of Chief Engineer HRD S-2 PSPCL Patiala. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority 23.05.2018 which took no decision on the appeal.

 The respondent present has pleaded that the information has been sent to the appellant vide letter dated 24.07.2018 and the appellant has received the same. The Commission has received a letter diary No.17677 on 29.08.2018 from the appellant vide which the appellant has informed that he has received the information and shall not appear for hearing on 11.09.2018.

 Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018. State Information Commissioner**

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Sh Rajeshwar Sharma,

Kothi No-584, Phase-4, Mohali. … Appellant

Versus

**Public Information Officer,**

GMADA,

Mohali.

**First Appellate Authority,**

Chief Administrator, GMADA,

Mohali. ...Respondent

**Appeal Case No. 2343 of 2018**

Present: None for the Appellant

 None for the Respondent

**ORDER:**

 The appellant through RTI application dated 11.01.2018 has sought information regarding total land with khasra numbers detail of land under title name of Tricity Media House Building Cooperative Society as per GMADA records and status of CLU and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority 11.04.2018 which took no decision on the appeal.

The appellant vide email, has informed that he will be out of station from 10.09.2018 to 15.09.2018 and has sought adjournment.

 Since both the parties are absent, in the interest of justice one more opportunity is granted and the case is adjourned.

 Both the paties to be present on **22.10.2018 at 11.00 AM** for further hearing.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018. State Information Commissioner**

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E-mail-Psicsic30@punjabmail.gov.in

Sh. Rajeshwar Sharma,

Kothi No-584, Phase-4, Mohali. … Appellant

Versus

**Public Information Officer,**

Estate Officer, GMADA,

Mohali

**First Appellate Authority,**

GMADA,

Mohali ...Respondent

**Appeal Case No. 2348 of 2018**

Present: None for the Appellant

 None for the Respondent

**ORDER:**

 The appellant through RTI application dated 08.04.2016 has sought information regarding action taken on the request dated 04.07.2014 to curtail illegal construction by the owner of kothi no 585 phase-4, Mohali obstructing sunlight & ventilation to his house koth no.584 phase-4, Mohaii and on request dated 09.02.2016 for seeking report on action taken on his first request dated 04.07.2014 and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority 19.05.2017 which disposed off the appeal on 29.06.2017. Aggrieved with the decision of the FAA, the appellant has filed 2nd appeal before the Commission on 13.07.2018.

 Both the parties are absent without intimation to the Commission. I have seen the file and observed that the appellant filed RTI on 08.04.2016 and first appeal on 19.05.2017 which was disposed off on 29.06.2017. However, the appellant has come to the Commission on 13.07.2018 which is time barred u/s 19 of the RTI Act which reads as under:

19. [(1)](https://indiankanoon.org/doc/641330/) Any person who, does not receive a decision within the time specified in sub­-section (1) or clause [(a)](https://indiankanoon.org/doc/105426886/) of sub‑section (3) of section 7, or is aggrieved by a decision of the Central Public Information Officer or the State Public Information Officer, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or the State Public Information Officer, as the case may be, in each public authority: Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

[(2)](https://indiankanoon.org/doc/1696805/) Where an appeal is preferred against an order made by a Central Public Information Officer or a State Public Information Officer, as the case may be, under section 11 to disclose third party information, the appeal by the concerned third party shall be made within thirty days from the date of the order.

[(3)](https://indiankanoon.org/doc/1852611/) A second appeal against the decision under sub‑section (1) shall lie within ninety days from the date on which the decision should have been made or was actually received, with the Central Information Commission or the State Information Commission: Provided that the Central Information Commission or the State Information Commission, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

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

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018. State Information Commissioner**

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Sh Dilawar Singh,

# 18, Tettenhall Road, Wolverhampton,

WV 14 SL, U.K, England. . Appellant.

Versus

**Public Information Officer,**

Deputy CE/Op.Circle,

PSPCL, Hoshiarpur

**First Appellate Authority,**

Chief Engineer, North Zone,

PSPCL, Jalandhar. ...Respondent

**Appeal Case No. 2352 of 2018**

Present: None for the Appellant

 Sh.Jaswinder Singh Addl. SE, PSPCL, Mahilpur Sub Division for the Respondent

**ORDER:**

 The appellant through RTI application dated 13.01.2018 has sought information regarding action taken on the request dated 22.11.2017submitted to CMD PSPCL Patiala in connection with file M.S.90 Guru Nanak Cold Store Mullapur alongwith record of billing ledgers, meter reading books and other information concerning the office of Dy C.E./OP Circle, PSPCL Hoshiarpur. The appellant was not provided the information after which he filed first appeal with the First Appellate Authority on 01.03.2018.

 The respondent present has pleaded that the available information has been sent to the appellant vide letter dated 04.05.2018. He further pleaded that the remaining information which the appellant is asking, relates to the record for the year 1976 which is not available in their office.

 The appellant is absent. Vide email he has sought adjournment due to health issue. The appellant has further informed that he is an NRI living in England and has requested the next date of hearing be fixed in the end of Dec.2018. The adjournment is granted. The appellant is asked to clarify to the Commission that whether he is a bonafide citizen of India.

 Both the parties to be present on **14.01.2019 at 11.00 AM** for further hearing.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018. State Information Commissioner**

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E-mail-Psicsic30@punjabmail.gov.in

Sh Jagdeep Singh,

Advocate, Chamber No-20,

Distt Courts, Faridkot. ….. Appellant.

Versus

**Public Information Officer,**

XEN, Central Store, PSPCL,

Kotakpura, Distt Faridkot.

**First Appellate Authority,**

SE, PSPCL, Circle Officer,

Faridkot ...Respondent

**Appeal Case No. 2383 of 2018**

Present: None for the Appellant

 Sh.Manmohan Singh Circle Assistant PSPCL Kotkapura for the Respondent

**ORDER:**

 The appellant through RTI application dated 15.02.2018 has sought information on 8 points regarding work got done through the contractor from 31.04.2014 to 31.03.2017 ,name & address of contractor and other information concerning the office of Xen Central Store, PSPCL Faridkot. The appellant was not provided the information after which he filed first appeal with the First Appellate Authority on 12.04.2018.

 The respondent present has pleaded that the information has already been sent to the appellant vide a registered letter dated 19.02.2018 and a copy of the same is submitted to the Commission.

 I have gone through the RTI application and the reply that was sent to the appellant and found that the reply is in accordance with the RTI Application. The appellant is absent without intimation. I see no reasons to take this case further. The PIO is directed to resend the information to the appellant by registered post

 No further course of action is required. The case is **disposed off and closed**.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018. State Information Commissione**

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Sh Harchand Singh,

Inspector (Retd), H No-263, Street No-3, B/S,

GNE College, Ishar Nagar, Ludhiana. … Complainant

Versus

**Public Information Officer,**

DM, PUNSUP,

Moga. ...Respondent

**Complaint Case No. 531 of 2018**

**Present: Sh.Harchand Singh as Complainant**

**Sh.Karanvir Singh, Suptd. O/o PUNSUP Moga on behalf of the Respondent**

**ORDER:**

The case was first heard on 18.07.2018. The respondent pleaded that the record relating to point 1 & 2 is missing and they are trying to trace the record. The information relating to point No.3 i.e. service book of the complainant shall be provided.

The PIO was directed to provide the information to the complainant before the next date of hearing.

The case was last heard  **08.08.2018:** The order is reproduced hereunder:

 “The complainant informed that the information has not been provided to him. The respondent present has pleaded the copy of service book has been provided to the complainant. The complainant has informed that the service book is incomplete and not legible. The PIO is directed to provide the legible copy of the service book to the complainant.

The respondent has further pleaded that the record relating to points 1 & 2 which was missing, has now been traced. The respondent has further pleaded that the complainant be asked to visit the office of the PIO and inspect the record.

The appellant is asked to inspect the record. The PIO is directed to provide the information and comply the earlier orders of the Commission.”

**Hearing dated 11.09.2018:**

The respondent present has pleaded that the information has been provided to the appellant on 21.08.2018 and the appellant has received the same and has submitted an acknowledgement having received the information.

 Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018 State Information Commissioner**

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Sh Harchand Singh,

Inspector (Retd), H No-263, Street No-3, B/S,

GNE College, Ishar Nagar, Ludhiana. … Complainant

Versus

**Public Information Officer,**

DM, PUNSUP,

Ludhiana. ...Respondent

**Complaint Case No. 529 of 2018**

**Present: Sh.Harchand Singh as Complainant**

 **Sh.Gurpreet Singh on behalf of Respondent**

**ORDER:**

The case was frist heard on 18.07.2018. The PIO was directed to provide the information to the complainant within 10 days of the receipt of order and in case the information is not available in the record, the same be stated in the affidavit form. The PIO is also directed to explain the reason of delay for not replying to the RTI within the statutorily prescribed time limit.”

 The case was last heard on  **08.08.2018:** The order is reproduced hereunder:

 “The complainant informed that the information has not been provided to him. The respondent present has pleaded that the delay is unintentional as the information was not available with them and they had sought information from the Head Office. The Head office vide letter dated 07.08.2018 has informed that the final decision has not been taken on the departmental enquiry and has sought 30 days time. He has submitted a copy of letter received by him from the PIO Head Office, PUNSUP Chandigarh which is taken on the file of the Commission. The request is accepted.

 The PIO is directed to provide the information within 30 days and comply with the earlier orders of the Commission. “

**Hearing dated 11.09.2018:**

The respondent present has brought the information i.e. department decision on the enquiry conducted by Sh.Lal Singh Aujla, which is handed over to the appellant. The appellant is not satisfied with the information. He stated that this is the charge sheet and the Government is obliged to file within 6 months the acceptance or rejection report when an employee is charge sheeted. He was charge sheeted in the year 1991 and he is looking for that acceptance or rejection report by the then Manager (Personnel) PUNSUP Chandigarh. The PIO is directed to relook at the RTI application and provide this information.

 The case is adjourned. Both the parties to be present **on 17.10.2018 at 11.00 AM** for further hearing.

 **Sd/-**

**Chandigarh (Khushwant Singh)**

**Dated: 11.09.2018 State Information Commissioner**