

PUNJAB, STATE INFORMATION COMMISSION
Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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Sh. Gurmeet Singh,
R/o H No-657, Sector-20-A,
Chandigarh

... Complainant

Versus

Public Information Officer,
PSPCL,
The Mall, Patiala .

...Respondent

Complaint Case No. 784 of 2018

Present: None for the Complainant
Sh.Parvinder Singh, Superintendent, City Division Batala for the Respondent

ORDER:

The complainant through RTI application dated 05.03.2018 has sought information regarding entire service record with all increments/promotions and chargesheets/retiral benefits of Sh.Rattan Chand s/o Sh.Sain Dass, HDM(Retired) R/o Shaheed Bhagat Singh Nagar, Gurdaspur concerning the office of PSPCL Patiala. The complainant was not provided the information after which he filed complaint with the Commission on 19.07.2018.

The respondent present has brought some documents and submitted to the Commission. However, since it is a complaint case, the Commission has to take a view of the PIO's conduct in tending to the RTI application. The appellant is absent. The PIO is directed to explain the reasons for delay in tending to the RTI application within the time prescribed under the RTI Act. The PIO is also directed to be present on the next date of hearing.

To come up on **04.12.2018 at 11.00 AM** for further hearing.

Chandigarh
Dated: 29.10.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Ms Reema Arora,
Agricare Organic Farms, N-8
2nd Floor, Madhok Complex,
South City, Ludhiana

... Complainant

Versus

Public Information Officer,
EO, GLADA,
Ludhiana.

...Respondent

Complaint Case No. 787 of 2018

Present: None for the Complainant
Sh.Santosh Kumar Bains, PIO GLADA Ludhiana

ORDER:

The complainant through RTI application dated 27.01.2018 has sought information regarding approval of PUDA to Shahid Sukhdev Singh Nagar (South City) Ludhiana alongwith other information concerning the office of EO, GLADA Ludhiana. The complainant was not provided the information after which he filed complaint with the Commission on 20.07.2018.

The respondent present has informed that they have sent the reply to the complainant on 23.10.2018.

I have seen the file and observed that the complainant filed RTI application on 27.01.2018 and has come to the Commission on 20.07.2018 which is time barred under section 19 of the RTI Act which reads as under:

19. Appeal.— (1) Any person who, does not receive a decision within the time specified in sub-section (1) or clause

(a) 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) 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) 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.**

Chandigarh
Dated: 29.10.2018

Sd/-
(Khushwant Singh)
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Sh. Surinder Kumar,
H No-1869/92, Killa Mohalla,
Daresi Road, Ludhiana

... Appellant

Versus

Public Information Officer,
XEN, PSPCL,
Ludhiana.

First Appellate Authority,
XEN, PSPCL,
Ludhiana.

...Respondent

Appeal Case No. 2412 of 2018

Present: Sh.Surinder Kumar as Appellant
None for the Respondent.

ORDER:

The appellant through RTI application dated 01.05.2018 has sought information regarding calculations of bill for electric meter alongwith other information concerning the office of Xen, PSPCL Ludhiana. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 01.06.2018 which took no decision on the appeal.

The appellant is present. I have seen the RTI application and found that it is vague since the information sought is not clear. The appellant is directed to clarify the information that he seeks within one week. The PIO is directed to accept the clarification and provide the information to the appellant before the next date of hearing.

Both the parties to be present on **04.12.2018 at 11.00 AM** for further hearing.

Chandigarh
Dated: 29.10.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. H.S Hundal,
82, District Court, Sector-76,
Mohali.

... Appellant

Versus

Public Information Officer,
XEN, PSPCL,
Sub Urban, Moga.

First Appellate Authority,
CE, (West Zone), PSPCL,
Bathinda

...Respondent

Appeal Case No. 2418 of 2018

Present: Sh.H.S.Hundal as Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 08.01.2018 has sought information regarding certified copy of complete consumer file of account No.3004671021 in the name of Gursharanbir Singh R/o Dutt Road, Moga under North Sub-division alongwith other information concerning the office of Xen, PSPCL Sub Urban, Moga The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 09.02.2018 which took no decision on the appeal.

The appellant is present. I have seen the file and found that the appellant filed first appeal on 09.02.2018 but has come to the Commission on 18.07.2018 which is time barred. The appellant in reply has pleaded that since his father expired, the appeal has been delayed. The plea is admitted. The PIO is directed to provide the information to the appellant within 15 days and be present on the next date of hearing alongwith explanation for delay in providing the information.

Both the parties to be present on **04.12.2018 at 11.00AM** for further hearing.

Chandigarh
Dated: 29.10.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

P.S. : The respondent Sh.Parmod Shukla came late and informed that the information has been sent to the appellant. Since the respondent was not present at the hearing and the appellant made his point, the hearing could not be concluded in decisive way and the case was adjourned.

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Er. RC Tandon,
H No-146, Urban Estate, Phagwara,
P.O Chachoki.

... Appellant

Versus

Public Information Officer,
Jalandhar Development Authority,
Jalandhar.

First Appellate Authority,
Additional, Chief Administrator,
Jalandhar Development Authority,
Jalandhar.

...Respondent

Appeal Case No. 2428 of 2018

Present: Sh.R.C.Tandon as Appellant
Sh.Gaurav, APIO for the Respondent

ORDER:

The appellant through RTI application dated 26.02.2018 has sought information regarding dimensional plan of the existing building of Bahra Hospital Urban Estate Phagwara alongwith other information concerning the office of Jalandhar Development Authority, Jalandhar. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 03.04.2018 which disposed off the appeal 18.05.2018.

The respondent present has pleaded that the information has been provided to the appellant on 24.09.2018. The appellant is not satisfied and informed that certain measurements are not mentioned in the dimensional plan. The PIO is directed to provide the complete dimensions and also provide the area allowed to be covered under the Rule as well as copy of said rule to the appellant.

The case is adjourned. Both the parties to be present on **04.12.2018 at 11.00 AM** for further hearing.

Chandigarh
Dated: 29.10.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Mrs Amar Sneh Kaur,
K No-933, Phase-XI, Sector-65,
Mohali

... Appellant

Versus

Public Information Officer,
GMADA, PUDA Bhawan,
Sector-62, Mohali.

First Appellate Authority,
GMADA, PUDA Bhawan,
Sector-62, Mohali.

...Respondent

Appeal Case No. 2444 of 2018

Present: Sh.Bhupinder Singh, representative of Mrs.Amarsneh Kaur for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 03.01.2018 has sought information regarding site area of built up project of Purab Premium Apartments launched by GAMADA Sector 88 Mohali alongwith other information concerning the office of GAMADA PUDA Bhawan, Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 09.02.2018 which took no decision on the appeal.

The respondent is absent without intimation to the Commission. The PIO is directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission. The PIO is also directed to be present personally or through his representative on the next date of hearing and explain the reasons for not providing the RTI application within the time prescribed under the RTI Act.

The case is adjourned. Both the parties to be present on **04.12.2018 at 11.00 AM** for further hearing

Chandigarh
Dated: 29.10.2018

Sd/-
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State Information Commissioner

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Sh Jaskaran Singh, S/o Sh Gurmej Singh,
Village Patti Sadik, Tehsil Abohar,
Distt Fazilka.

... Appellant

Versus

Public Information Officer,
XEN, PSPCL,
Operational Division,
Abohar, Distt Fazilka.

First Appellate Authority,
SE, PSPCL,
Sri Mukatsar Sahib.

...Respondent

Appeal Case No. 2504 of 2018

Present: None for the Appellant
 Sh.Pawan Kumar for the Respondent

ORDER:

The appellant through RTI application dated 26.03.2018 has sought information regarding three phase power supply lines having 24 hours power supply in village Patti Sadik alongwith other information concerning the office of Xen PSPCL Operational Division, Abohar, District Fazilka. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 22.05.2018.

The respondent present has pleaded that the information has been provided to the appellant and the appellant has received the same. The respondent has submitted a copy of acknowledgement from the appellant having received the information which is taken on the file of the Commission.

Since the information has been provided, no further course of action is required.

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

Chandigarh
Dated: 29.10.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Manohar Lal, S/o Sh Dhana Ram,
Near Shri Jain School, Shiv Puri road,
Fazilka.

.....Appellant.

Versus

Public Information Officer,
XEN, PSPCL,
Fazilka.

First Appellate Authority,
Chief Engineer, Distribution (West Zone),
PSPCL, Bathinda

...Respondent

Appeal Case No. 2510 of 2018

Present: Sh.Manohar Lal as Appellant
Sh.Vikram Kamboj, SDO O/o PSPCL Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 19.01.2018 has sought information regarding details of electric connections provided and disconnected on the Govt land, Panchyat Land and NC land in Fazilka alongwith other information concerning the office of Xen PSPCL t Fazilka. The appellant was not satisfied with the information provided by the PIO after which he filed first appeal before the First Appellate Authority on 16.03.2018.

The respondent present has informed that the information has already been provided to the appellant vide letter dated 08.03.2018 and again vide letter dated 26.10.2018. The appellant is not satisfied with the information.

I have gone through the RTI application and the information provided by the respondent and observed that the information regarding point 1 is in order. Regarding points 2, 3 & 7, the respondent has informed that the record being very old is not available and cannot be created separately. The Commission however, will not consider it missing till the PIO files an enquiry report which clearly indicates that the efforts have been made to trace out the record and still the record is missing. The Commission directs the PIO to fix accountability under whose custody the record went missing.

Regarding point No.5, the appellant is asked to inspect the record and clarify the information he wants. The PIO is directed to relook this point and provide the information.

Regarding point No.6, the appellant to clarify the date of notification and the PIO to provide the copy of notification.

The case is adjourned. To come up on **04.12.2018 at 11.00 AM** for further hearing.

Chandigarh
Dated: 29.10.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Manohar Lal, S/o Sh Dhana Ram,
Near Shri Jain School, Shiv Puri road,
Fazilka.

.....Appellant.

Versus

Public Information Officer,
XEN, PSPCL,
Fazilka.

First Appellate Authority,
Chief Engineer, Distribution (West Zone),
PSPCL, Bathinda

...Respondent

Appeal Case No. 2511 of 2018

Present: Sh.Manohar Lal as Appellant
Sh.Vikram Kamboj, SDO O/o PSPCL Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 29.01.2018 has sought information regarding details of closure of electric connections, removal of poles, removal of electric wires from the poles on 17.01.2006, and other information concerning the office of Xen PSPCL t Fazilka. The appellant was not satisfied with the information provided by the PIO on 15.03.2018 after which he filed first appeal before the First Appellate Authority on 26.03.2018 which took no decision on the appeal.

The respondent present has informed that the information has already been provided to the appellant vide letter dated 06.03.2018. The appellant is not satisfied with the information.

I have gone through the reply of the respondent and observed that the respondent in his reply has stated that the PDCO Book containing the information regarding all points has been destroyed by the termites and so the information is not available in the record. The Commission however, will not consider the record missing or destroyed by the termites till the PIO submits a comprehensive enquiry report which clearly indicates that the efforts have been made to trace out the record and still the record is missing or has been destroyed by the termites and the accountability has been fixed.

The case is adjourned. To come up on **04.12.2018 at 11.00 AM** for further hearing.

Chandigarh
Dated: 29.10.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Ms. Preety,
35 Mohindra Colony-A,
Near NIS Chowk &Pehalwan Akhara,
Patiala.

Appellant.

Versus

Public Information Officer,
PSPCL,
Patiala.

First Appellate Authority,
Chief Engineer, (HRD)
PSPCL, Patiala.

...Respondent

Appeal Case No. 2533 of 2018

Present: None for the Appellant
Sh.Reetinder Singh, Sh.Rajinder Dhiman and Sh.Harpreet Singh for the
Respondent

ORDER:

The appellant through RTI application dated 18.01.2018 has sought 10 points information regarding mandatory conditions required to be fulfilled by an employer for promotion from JE to AE and other information concerning the office of PSPCL Patiala. The appellant was not satisfied with the information provided by the PIO after which he filed first appeal before the First Appellate Authority on 21.02.2018.

The respondent present has informed that the information regarding point no.1 has been provided to the appellant vide letter dated 09.02.1028 and the reply to other points has been sent to the appellant vide letter dated 12.03.2018. The respondent pleaded that they had sent the reply to the RTI application on 15.02.2018 and the appellant was asked to deposit requisite fee for getting the information. After receipt of requisite fee, the information was supplied to the appellant on 12.03.2018.

The respondent present has submitted certain documents mentioning response to all the points of RTI application. The appellant is absent to point out discrepancy if any and has sought adjournment due to ill health which is granted.

The case is adjourned. Both the parties to be present on **04.12.2018 at 11.00AM** for further hearing.

Chandigarh
Dated: 29.10.2018

Sd/-
(Khushwant Singh)
State Information Commissioner