

**PUNJAB STATE INFORMATION COMMISSION  
RED CROSS BUILDING, NEAR ROSE GARDEN,  
SECTOR 16, CHANDIGARH.**



Ph: 0172-2864116, Email: - [psic26@punjabmail.gov.in](mailto:psic26@punjabmail.gov.in)

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

Shri Harminder Singh, Advocate  
#2877, Phase-7,  
S.A.S.Nagar (Mohali).

....Complainant

Versus

Public Information Officer  
O/o Chief Administrator,  
Greater Mohali Area Development  
Authority (GMADA)  
S.A.S. Nagar (Mohali).

**Remanded Back**

Estate Officer (Regulatory)  
GMADA, Mohali.

..Respondent

**CC No.292/2021**

**Present:** (i) **Complainant -absent.**  
(ii) **None on behalf of the PIO/Respondent.**

**ORDER**

1. This order may be read with reference to the order dated 20.09.2021 passed by this Bench on the previous hearing.
2. The case was scheduled to be heard today in Commission's office at Chandigarh. Shri Harminder Singh, complainant has not come present to attend the hearing in person before the Bench.
3. Neither the PIO O/o Chief Administrator, GMADA, Mohali has come present to attend the hearing in person nor he has deputed any of his representatives to attend the hearing.
4. The Bench observes that this is third hearing in the instant case and none of the parties has put in appearance before the Bench. On perusing the case file, the Bench also observes that PIO has also not provided any information to the complainant. 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. The attention of the Complainant is drawn to the decision of the judgment of Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos.10787-10788 of 2011 (arising out of SLP (C) No.32768-32769/2010- Chief Information Commissioner and another Versus State of Manipur and another in para 31 whereof, it has been held that while

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**CC No.292/2021**

entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

“31. We uphold the said contention and do not find any error in the impugned judgment of the Hon’ble High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information.”

As such, since the complainant has approached the Commission under the provisions of Section 18 of the RTI, 2005, no directions for providing further information can be given by the Commission.

6. Since there is an alternative and efficacious remedy of First Appeal available to the Complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant complaint case and the First Appellate Authority has not had the occasion to review the decision of PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

7. The instant matter is remanded back to the First Appellate Authority i.e. **Smt. Sukhwinder Kumari, Estate Officer (Policy) GMADA, Mohali**. 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.

8. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal before Punjab State Information Commission Section 19(3) of the RTI Act, 2005.

9. In view of the above, **the case is disposed off and closed**. Copy of the order be sent to the parties.

**Chandigarh  
21.12.2021**

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

**Copy to (By Regd. Post):**

**First Appellate Authority, Smt. Sukhwinder Kumari, Estate Officer (Policy),  
GMADA, Mohali.**

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Shri Amarjit Singh Dhamotia, Whistle Blower  
Social Worker, District President,  
District Ludhiana NCAG,  
H.No.60-35-P-376-1, Street No.8  
Maha Singh Nagar, PO Dhandari Kalan,  
Ludhiana.

...Appellant

Versus

**Public Information Officer**

O/o Executive Engineer,  
Punjab State Power Corporation Ltd.  
(PSPCL), Estate Giaspura, Ludhiana City.

**First Appellate Authority**

O/o Executive Engineer,  
Punjab State Power Corporation Ltd.  
(PSPCL), Estate Giaspura, Ludhiana City.

..Respondents

**AC No.1311/2021**

**Present:** (i) **Shri Amarjit Singh Dhamotia, Appellant.**  
(ii) **Shri Kulwinder Singh, Addl.S.E. Giaspura Division, PSPCL, Ludhiana,**  
**on behalf of the PIO/respondent.**

**ORDER:**

**(Heard in person/through cisco webex)**

1. This order may be read with reference to the order dated 20.09.2021 passed by the Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. The appellant, Shri Amarjeet Singh Dhamotia comes present to attend the hearing through Cisco Webex.
3. Shri Kulwinder Singh, Addl. S.E., PSPCL Division, Giaspura, Ludhiana has come present to attend the hearing in person before the Bench. He states that information as asked for by the appellant has already been sent to him vide letter dated 04.01.2021 by registered post.
4. Shri Amarjit Singh Dhamotia, appellant, on the asking of the Bench, states that he has received only a single page reply with which he is not satisfied as he has not been supplied copies of documents attached by the persons while applying for the commercial electricity connections.

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**AC No.1311/2021**

5. Post deliberations, Shri Kulwinder Singh, Addl. SE states that the appellant has been given the number of commercial electricity connections released and the documents asked for by the appellant include the copies of sale deeds of land attached with the applications for release of power connection by the concerned persons. The same cannot be provided to the appellant as the said documents are personal information of the concerned persons who have been released electricity connections.

6. The Bench, on hearing the versions of the appellant as well as of the representative of PIO, observes that the copies of documents sought by the appellant are personal information of the persons concerned which cannot be shared with the appellant as it is personal and private information. The PIO is directed to again send the information, as already sent, to the appellant by registered post and by e.mail.

7. With the aforesaid observations, the Bench does not feel that any further intervention in the matter is needed. The instant appeal case is disposed off and closed. Copies of the order be sent to the concerned parties.

**Chandigarh  
21.12.2021**

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

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Shri Daljit Singh Saini,  
S/o Shri Hakam Singh  
R/o # 8A, street No.1,  
Malhotra Colony, Rupnagar.

...Appellant

Versus

**Public Information Officer**  
O/o Executive Officer,  
Municipal Council, Rupnagar.

**First Appellate Authority**  
O/o Executive Officer,  
Municipal Council, Rupnagar.

..Respondents

**AC No.2663/2020**

**Present:** (i) **Shri Amandeep Singh Saini, on behalf of the Appellant.**  
(ii) **Shri Naresh Kumar, Junior Engineer, Municipal Council, Ropar,  
in person on behalf of the PIO/Respondent**

**ORDER:**

1. This order may be read with reference to the order dated 20.09.2021 passed by this Bench on the previous date of hearing.

2. The case has been heard today in Commission's office at Chandigarh. Shri Amandeep Singh, comes present in person on behalf of the appellant. He produces power of attorney to appear on behalf of the appellant. He reiterates the version of the appellant as made during the previous hearing.

3. Shri Naresh Kumar, Junior Engineer comes present in person on behalf of PIO O/o Executive Officer, Municipal Council, Roopnagar and states that the appellant has been supplied information except points no.4 & 7 which is not available in the official records and that an affidavit dated 18.02.2021 has also been sent vide letter dated 22.11.2021 to this effect.

4. The representative of the appellant requests that the appellant may be given an opportunity to inspect the relevant records.

5. The Bench on examination of the affidavit observes that the said affidavit has been filed in another appeal case and the same cannot be accepted in the present appeal case. The Bench apprises the representative of the appellant that information on all the points raised in his RTI

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**AC No.2663 of 2020**

application has been received by the appellant except on point no. 4 and 7, with regard to which the PIO has already filed an affidavit in a separate appeal case and as such, affording an opportunity to inspect the records is not justified. The Bench also observes that no reply to the show cause notice has been filed.

5. The PIO is now directed to file reply to the show cause notice and file a fresh affidavit on non judicial stamp paper within twenty one days duly signed by the PIO and attested by the Notary Public incorporating complete details of the present Appeal Case No.2663 of 2020 and that the information as available in official records 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.

6. With the aforesaid directions, **the appeal case is disposed off and closed.** Copies of the orders be sent to the concerned parties.

**Chandigarh  
21.12.2021**

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

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Shri Harish Chander Gandhi,  
R/o H.No.1400/50,  
Street No.13, Guru Nanak Nagar,  
Patiala-147001.

.....Appellant

Versus

**Public Information Officer**

O/o Deputy Secretary,  
Punjab State Power Corporation Ltd.  
Patiala.

**First Appellate Authority**

O/o Chief Engineer/HRD,  
Punjab State Power Corporation Ltd,  
Patiala.

....Respondents

**AC No.480 of 2021**

**Present:**

- (i) **Shri Harish Chander, Appellant.**
- (ii) **Shri Puran Lal, Senior Assistant, O/o Deputy Secretary, PSPCL, Patiala and Shri Anant Goyal, Nodal Officer, PSPCL, Patiala, in person  
On behalf of the respondent.**

**ORDER:**

1. This order may be read with reference to the order dated 20.09.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. The appellant Shri Harish Chander Gandhi comes present in person before the Bench. He states that he has not received the affidavit as per directions of the Hon'ble Bench.
3. Shri Puran Lal, Senior Assistant O/o Deputy Secretary and Shri Anant Goyal, Nodal Officer, PSPCL, Patiala, come present in person on behalf of the PIO/respondent. Shri Puran Lal, Senior Assistant, the representative of the PIO produces before the Bench affidavit dated 21.12.2021 stating therein that the file containing the information on the issues raised by the appellant is not traceable in the department. On the directions of the Bench, the representative of PIO hands over the original affidavit to the appellant during the hearing itself.

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**AC No.480 of 2021**

4. In view of the above, no further cause of action is left in the matter. **The instant appeal case is disposed off and closed.** Copies of the orders be sent to the concerned parties.

**Chandigarh  
21.12.2021**

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



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Shri Hardeep Singh,  
#15, Rajguru Nagar Extn.,  
Ludhiana-142021.

.....Appellant

Versus

**Public Information Officer**  
O/o Punjab State Power Corporation Ltd.  
(PSPCL), Mohali.

**First Appellate Authority,**  
O/o Punjab State Power Corporation Ltd.  
(PSPCL), Mohali.

....Respondents

**AC No.4050/2021**

**Present:** (i) **Shri Hardeep Singh, Appellant.**  
(ii) **Shri Gaurav Kumar, Assistant Executive Engineer, Technical-1 Sub  
Division, PSPCL, Mohali, on behalf of PIO, in person.**

**ORDER**

1. The RTI application is dated 30.05.2021 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 14.07.2021 and the second appeal was filed in the Commission on 07.09.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 21.12.2021 in Commission's office at Chandigarh. Shri Hardeep Singh, appellant comes present to attend the hearing in person before the Bench. He states that he has not been provided information as sought by him.

3. Shri Gaurav Kamboj, Assistant Executive Engineer, Technical-I Sub Division, PSPCL, Mohali comes present in person and produces authority letter from the PIO to attend the hearing. He states that the appellant has been given reply vide letter dated 07.06.2021 that the information sought by the appellant, is third party information and the same cannot be provided as the party concerned has not given its consent to share the information. He also produces before the Bench the written reply on behalf of the PIO citing relevant Sections 8(1)(j) and 11(1) of the RTI Act to support this contention, enclosing therewith judgment of Hon'ble Central Information Commission in this regard.

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**AC No.4050/2021**

4. The Bench, on perusing the RTI application of the appellant, and hearing the version of the representative of the PIO as also going through the written reply produced before the Bench, the Bench agrees with the contention of the PIO and observes that the appellant has been correctly denied information as the information sought by the appellant is personal and private and serves no public activity or interest.

5. In view of the above, the Bench does not feel that any further intervention in the matter is needed. **The instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
21.12.2021**

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

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**Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)**

Shri Prem Kumar Rattan,  
House No.78/8, Park Road,  
Navi Mandi, Dhuri,  
District Sangrur.

.....Appellant

Versus

**Public Information Officer**

O/o Chairman,  
Punjab State Power Corpn. Ltd.  
(PSPCL), Patiala.

**First Appellate Authority**

O/o Chairman,  
Punjab State Power Corpn. Ltd.  
(PSPCL), Patiala.

....Respondents

**AC No.1503 of 2021**

**Present: (i) Shri Prem Kumar Rattan, Appellant.  
(ii) Shri Kuldeep Singh, Addl.S.E. PSPCL, Patiala.  
on behalf of the PIO/Respondent**

**ORDER**

**(Heard Through Cisco Webex)**

1. This order may be read with reference to the order dated 08.11.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Prem Kumar Rattan comes present to attend the hearing through Cisco Webex. He states that he had sought information on six points and he has been supplied incomplete information on Point No.1 raised in his RTI application is still remaining.
3. Shri Kuldeep Singh, Addl.S.E. PSPCL Patiala O/o Dy.Chief Engineer/Comml.(Sales-11), PSPCL, Patiala comes present to attend the hearing through cisco webex and states that the appellant has been supplied information as available in the records vide letter dated 08.01.2021. He further states that the appellant has thereafter sent a proforma requesting therein to send the balance information in that format. The same cannot be provided as per provisions under the RTI Act as the

Cont...P-2



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**AC No.1503/2021**

information is to be supplied as is available in the official records and this has been done. He states that affidavit has also been filed and sent to the appellant.

4. Post deliberations, the Bench agrees with the contention of the PIO and observes that the appellant has been supplied information as available in the official records by the PIO and also observes that the information is not to be created in the format as sought by the appellant and the same stands supplied to the appellant and the affidavit has also been provided to the appellant. The PIO is, however, directed to send a copy of the reply as well as the affidavit to the Commission by e.mail for record.

5. In view of the above, the Bench does not feel the need for any further intervention in the matter. **The instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
21.12.2021**

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