

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

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



Shri Mukesh Nagpal,
S/o Shri Rakesh Nagpal
O/o Sirhind Kesari Newspaper,
Panchayat Samiti Market,
Fazilka-152123.

Versus

.....Appellant

Public Information Officer

O/o Executive Officer,
Municipal Council,
Fazilka.

First Appellate Authority

O/o Addl. Deputy Commissioner
(Urban Development), Fazilka.

....Respondents

AC No.4262 of 2022

Present: (i) Appellant- absent.
(ii) None on behalf of PIO/Respondent- in person.

ORDER:

1. The RTI application is dated 28.04.2022 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 21.07.2022 and the second appeal was filed in the Commission on 14.09.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 02.11.2022. Accordingly, the case has been heard today. Shri Mukesh Nagpal, appellant has not come present to attend the hearing in person before the Bench nor through cisco webex. He has, however, sent an e.mail dated 01.11.2022 stating that he has not been provided any information so far.
3. The PIO O/o Municipal Council, Fazilka has also not come present to attend the hearing in person before the Bench or through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO.
4. In the absence of the appellant as well as the PIO, the Bench is unable to proceed further in the matter and deems it appropriate to adjourn the matter. The Bench, however, directs the PIO to supply information to the appellant and ensure to come present in person before the bench on the next date of hearing.
5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

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Shri Arvind Gupta
S/o Shri Madan Lal
#20204, New House No.10803,
MCB Zone-2, Street No.18, Parinda Road,
Guru Teg Bahadur Nagar,
Bathinda-151001.

Versus

.....Appellant

Public Information Officer
O/o Station House Officer
Police Station, Gidderbaha,
Distt. Sri Muktsar Sahib.

First Appellate Authority
O/o Inspector General of Police
Faridkot.

....Respondents

AC No.4264 of 2022

Present: (i) **Shri Madan Lal, on behalf of the Appellant-in person.**
(ii) **ASI Manjit Singh, O/o SSP Sri Muktsar Sahib, on behalf of
PIO/Respondent- in person.**

ORDER:

1. The RTI application is dated 20.06.2022 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 01.07.2022 and the second appeal was filed in the Commission on 14.09.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 02.11.2022. Accordingly, the case has been heard today. Shri Madan Lal, comes present to attend the hearing in person before the Bench on behalf of the appellant.
3. ASI Manjit Singh O/o SSP Sri Muktsar Sahib comes present to attend the hearing in person before the Bench on behalf of the PIO. He states that he has brought along the information and produces a copy of the same before the Bench. On the asking of the Bench, he also hands over a copy of the same to the representative of appellant.
4. Shri Madan Lal, on perusal of the information, states that information on point No.2 is incomplete. Then, on the asking of Bench, ASI Manjit Singh states that it relates to SHO P.S. Gidderbaha.

Cont..P-2

5. PIO is directed to collect deficient information from the SHO, Police Station, Gidderbaha and supply to the appellant. The Bench directs to the S.H.O. Police Station, Gidderbaha and PIO O/o SSP Sri Muktsar Sahib to come present in person before the Bench on the next date of hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

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Shri Sandeep Kumar Maluja
S/o Shri Om Parkah, R/o Street No.2,
Near Shani Dev Mandir,
Patel Nagar, Malout,
District Sri Muktsar Sahib.

.....Appellant

Versus

Public Information Officer
O/o Tehsildar (Election),
Fazilka.

First Appellate Authority
O/o Deputy Commissioner,
Fazilka.

....Respondents

AC No.4266 of 2022

Present: (i) **Shri Sandeep Kumar Maluja, Appellant- cisco webex.**
(ii) **None on behalf of PIO/Respondent.**

ORDER:

1. The RTI application is dated 28.04.2022 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 03.06.2022 and the second appeal was filed in the Commission on 14.09.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 02.11.2022. Accordingly, the case has been heard today. Shri Sandeep Kumar Maluja, appellant comes present to attend the hearing through cisco webex and states that he has not been provided any information.
3. Neither the PIO O/o Tehsildar (Elections), Fazilka has come present to attend the hearing in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO nor the PIO has supplied any information to the appellant. This indifferent and lackadaisical attitude of the PIO is viewed adversely.
4. The PIO O/o Tehsildar (Elections), Fazilka is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be

imposed in the instant case for failing to appear for the hearing and for not supplying information to the appellant. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

5. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

6. The PIO O/o Tehsildar (Elections), Fazilka is directed to supply requisite information to the appellant and ensure to come present in person before the Bench on the next date of hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

Copy to (By Regd.Post):

Public Information Officer
O/o Tehsildar (Election), Fazilka.

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Shri Anil Sharma
S/o Shri Kewal Krishan
R/o H.No.436, Kurral Mohalla,
Kalka, District Panchkula.

.....Appellant

Versus

Public Information Officer

O/o Punjab Urban Planning and
Development Authority (PUDA),
S.A.S. Nagar (Mohali).

First Appellate Authority

O/o Punjab Urban Planning and
Development Authority (PUDA),
S.A.S. Nagar (Mohali).

....Respondents

AC No.4286 of 2022

Present: (i) **Appellant- absent.**
(ii) **Shri Shaminder Singh, Senior Assistant O/o GMADA, Mohali,
on behalf of PIO/Respondent- in person.**

ORDER:

1. The RTI application is dated 26.04.2022 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 29.06.2022 and the second appeal was filed in the Commission on 07.09.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 02.11.2022. Accordingly, the case has been heard today. Shri Anil Sharma, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. Shri Shaminder Singh, Senior Assistant, O/o GMADA, Mohali comes present to attend the hearing on behalf of PIO, in person before the Bench and states that the information on point No.1 & 2 has been supplied to the appellant vide letter dated 27.10.2022 and points No.3 & 4 relate to Policy Branch of PUDA, to whom the RTI application has been transferred.
4. The appellant Shri Anil Sharma is contacted on his mobile phone. He responds after repeated attempts made to contact him. He is apprised of the version of representative of PIO. However, he is unable to confirm the receipt of information.

5. The PIO, Policy Brach, PUDA, Mohali is directed to supply requisite information to the appellant on point No.3 & 4 of RTI application and ensure to come present in person before the Bench on the next date of hearing. The PIO O/o GMADA, Mohali and the appellant are also directed to come present in person before the Bench on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

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Shri Lajpat Rai Garg
S/o Shri Hasbans Lal
R/o Romana Street, Jaito
Tehsil Jaito, District Faridkot.

.....Appellant

Versus

Public Information Officer

O/o Addl.Chief Secretary,
Local Govt., Punjab,
Sector-35, Chandigarh.

First Appellate Authority

O/o Addl.Chief Secretary,
Local Govt., Punjab,
Sector-35, Chandigarh.

....Respondents

AC No.4292 of 2022

Present: (i) **Shri Madan Lal, on behalf of the Appellant- in person.**
(ii) **None on behalf of PIO/Respondent- in person.**

ORDER:

1. The RTI application is dated 04.07.2022 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 04.08.2022 and the second appeal was filed in the Commission on 14.09.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 02.11.2022. Accordingly, the case has been heard today. Shri Madan Lal, comes present to attend the hearing in person before the Bench on behalf of the appellant and states that no information has been supplied to the appellant.
3. Neither the PIO O/o Addl. Chief Secretary, Local Government Department, Punjab has come present to attend the hearing in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO nor the PIO has supplied any information to the appellant.
4. In the absence of the PIO or his representative, the Bench is unable to proceed further in the matter and deems it appropriate to adjourn the matter. The PIO is, however, directed to supply information to the appellant before the next hearing as also to ensure to come present in person before the Bench, failing which penal consequences shall follow.
5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

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Shri Mastan Singh
S/o Shri Sukhdev Singh
#HE-208, Phase-9,,
SAS Nagar (Mohali).

.....Appellant

Versus

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

First Appellate Authority
O/o Greater Mohali Area
Development Authority (GMADA),
S.A.S. Nagar (Mohali).

....Respondents

AC No.4327 of 2022

Present: (i) **Shri Mastan Singh, Appellant- in person.**
(ii) **None on behalf of PIO/Respondent.**

ORDER:

1. The RTI application is dated 11.04.2022 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 24.05.2022 and the second appeal was filed in the Commission on 15.09.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 02.11.2022. Accordingly, the case has been heard today. Shri Mastan Singh, appellant comes present to attend the hearing in person before the Bench. He states that he has received reply of PIO dated 23.09.2022 that the information cannot be provided being in question form.
3. The PIO O/o GMADA, Mohali has not come present to attend the hearing in person or through cisco webex. However, a letter dated 26.10.2022 has been received stating that the PIO has been deputed for attending training programme in MGSIPA, Sector-26, Chandigarh and thus, is unable to attend the hearing today.

Cont..P-2

3. On the asking of the Bench, the appellant explains to the Bench the facts leading to the filing of the RTI application. As such, in view of the circumstances explained by him, the Bench turns down the contention raised by the PIO that the information sought is in question form and directs the PIO to provide information point-wise to the appellant before the next hearing. He is also directed to come present in person before the Bench on the next hearing.

4. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

**PUNJAB STATE INFORMATION COMMISSION
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Shri Suresh Kumar Sharma
R/o New Sharma Furniture House,
Pratap Bazaar, Chheharta,
District Amritsar-143105.

....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Amritsar.

First Appellate Authority
O/o Municipal Corporation,
Amritsar.

....Respondents

AC No. 2850 of 2022

Present: (i) **Shri Suresh Kumar Shamra, Appellant, in person.**
(ii) **None on behalf of PIO/Respondent.**

ORDER:

1. This order may be read with reference to the order dated 04.10.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Suresh Kumar Sharma, appellant comes present to attend the hearing in person before the Bench. He states that the information has been given to him on 31.10.2022 by hand late at night. He further states that he has also conveyed deficiencies in the information supplied to the PIO.
3. The PIO O/o Municipal Corporation, Amritsar has not come present to attend the hearing in person before the Bench or through cisco webex. However, an e.mail dated 01.11.2022 has been received from the PIO stating that he has been assigned duties in the meeting of the House of Municipal Corporation to be held on 02.11.2022 and thus, is unable to attend the hearing today.
4. The Bench directs the PIO O/o Municipal Corporation, Amritsar to call the appellant to office and allow him access to the relevant official records and supply rectified information to the appellant after removing the deficiencies as per information identified by him on inspection of records, before the next date of hearing, under intimation to the Commission. The same be supplied to the appellant free of cost. He is also directed to ensure to come present in person before the Bench on the next hearing.
5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

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Shri Bittu S/o Shri Om Kumar,
Village Bholapur, PO Sahibana,
Chandigarh Road,
District Ludhiana.

...Appellant

Versus

Public Information Officer

O/o Chief Administrator,
GLADA, Ludhiana

First Appellate Authority

O/o Chief Administrator,
GLADA, Ludhiana.

....Respondents

AC No.2937 of 2021

Present: i) **Shri Jasbir Singh, on behalf of the Appellant- cisco webex.**
ii) **Shri Bhupinder Singh, Senior Assistant, GLADA, Ludhiana,**
on behalf of the PIO/Respondent- cisco webex.

ORDER:

(Heard through cisco webex)

1. This order may be read with reference to the order dated 04.10.2022 passed by this Bench on the previous date of hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Jasbir Singh attends the hearing through cisco webex on behalf of the appellant Shri Bittu. He states that the information supplied to the appellant is not satisfactory as the appellant has sought action taken report on his complaint dated 23.02.2021.
3. Shri Bhupinder Singh, Senior Assistant O/o Chief Administrator, GLADA, Ludhiana comes present to attend the hearing through cisco webex. He states that the appellant has been supplied information vide letter dated 10.10.2022. The respondent states that point No.1 & 2 relate to Registrar, Sahnewal and point No.3,4 & 5 are regarding unregistered Balaji Enclave, Sahnewal, and the builder has applied for approval of the Colony to GLADA which is still under consideration. The representative of the appellant is apprised of the version of the respondents.

Cont..P-2

5. Post deliberations, the Bench directs the PIO to file an affidavit on e-stamp paper, within 21 (twenty one) days, duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the 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 copy of the same be sent to the Commission for record.

6. The Bench apprises the respondent that no reply to show cause notice has been filed and penalty has not been deposited in the Govt. treasury. The PIO is again directed to file reply to the show cause notice as also to produce evidence for having deposited **the amount of penalty Rs.10,000/-** before the next hearing and to ensure to come present in person before the Bench on the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

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Shri Tejinder Singh, Advocate
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur, Distt. Jalandhar-144410.

.....Appellant

Versus

Public Information Officer

O/o Chief Administrator,
Greater Ludhiana Urban
Development Authority(GLADA),
Ludhiana.

First Appellate Authority

O/o Chief Administrator,
Greater Ludhiana Urban
Development Authority(GLADA),
Ludhiana.

....Respondents

AC No. 1332 of 2022

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

ORDER

1. This order may be read with reference to the order dated 04.10.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Tejinder Singh, appellant has not come present to attend the hearing in person before the Bench nor through cisco webex.
3. The PIO, GLADA Ludhiana has also not come present to attend the hearing in person before the Bench or through cisco webex. The perusal of the case file shows that the PIO has sent a request to the appellant on 04.10.2022 to send him a copy of complaint No.9294/2020 as the same is not available in the official records of GLADA.
4. In the absence of the appellant as well as the PIO, the Bench is unable to proceed further in the matter and deems it appropriate to adjourn the matter. The appellant is advised to send a copy of the complaint to the PIO O/o GLADA, Ludhiana as requested by him.

Cont..P-2

5. As already directed during the previous hearing, the PIO is again directed to tie up with the appellant to seek copy of the letter of D.C. Ludhiana and provide action taken report on the complaint made to Punjab State Human Rights Commission as also to file reply to the show cause notice and also to produce the evidence for having deposited the amount of penalty in the State Treasury on the next date of hearing. He is also directed to ensure to come present before the Bench in person on the next date of hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

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Shri Gaurav Kumar
S/o Shri Ashok Kumar
H.No.100/7, Jawahar Nagar,
Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Greater Ludhiana Area
Development Authority (GLADA),
Ludhiana..

First Appellate Authority-cum-,
O/o Chief Administrator,
Greater Ludhiana Area
Development Authority (GLADA),
Ludhiana..

...Respondents

AC No.892/2022

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

ORDER

1. This order may be read with reference to the order dated 04.10.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Gaurav Kumar, appellant has not come present to attend the hearing in person or through cisco webex..
3. The PIO O/o Chief Administrator, GLADA, Ludhiana has also not come present to attend the hearing in person before the Bench or through cisco webex. However, a letter dated 14.10.2022 is available in the case file, the perusal of which shows that he had sent deficiencies to the PIO GLADA vide letter dated 11.07.2022.
4. In the absence of the appellant as well as the PIO, the Bench is unable to proceed further in the matter and deems it appropriate to adjourn the matter. The PIO O/o GLADA, Ludhiana is, however, directed to supply rectified information to the appellant after removing deficiencies pointed out by him as also to file reply to the show cause notice.
5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

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Shri Parduman Kumar,
S/o Shri Krishan Kumar,
R/o H.No.2631/9, O/s Ram Mohalla,
Katra Karam Singh, Amritsar.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Amritsar.

First Appellate Authority
O/o Commissioner,
Municipal Corporation,
Amritsar.

....Respondents

AC No. 932 of 2022

Present: (i) **Shri Parduman Kumar, Appellant, in person.**
(ii) **Shri Simranjit Singh, Clerk, Civil Wing, Municipal Corporation, Amritsar,
on behalf of the PIO/respondent- in person.**

ORDER

1. This order may be read with reference to the order dated 04.10.2022 passed by this Bench during the previous hearing.

2. The case has been heard today. Shri Parduman Kumar, appellant comes present to attend the hearing in person before the Bench. He states that the information sought by him has not been provided to him so far and states that his RTI application stands transferred to PIO-cum-MTP, Municipal Corporation, Amritsar. He further states that he has received a letter dated 17.10.2022 which is not relevant to the information sought by him.

3. Shri Simranjit Singh, Clerk, Civil Wing, Municipal Corporation, Amritsar comes present to attend the hearing in person before the Bench on behalf of the PIO. On the asking of the Bench as to why the PIO-cum-MTP, M.C. Amritsar has not come present in spite of bailable warrant issued, he is unable to reply.

4. The Bench observes that the PIO has absented himself for the fifth consecutive hearing in spite of bailable warrant and has deputed a Clerk Shri Simranjit Singh who is not fully aware of the facts and is from another Branch which is not concerned with the present RTI application.

Cont..P-2

The Bench views this attitude and casual approach of the PIO towards directions of the Bench adversely. The Bench further observes that the PIO has neither filed reply to the show cause notice nor has deposited the amount of penalty Rs.5000/- imposed on him and has failed to comply with the directions of the Bench and also to come present in person before the Bench.

5. On the asking of the Bench, Shri Simranjit Singh apprises the Bench that Shri Meharban Singh is the Municipal Town Planner of Municipal Corporation, Amritsar and is the PIO. He is directed to supply information to the appellant and also ensure his presence before the Bench on the next hearing. He is also directed to bring along the relevant record and comply with the directions of the Bench in its entirety.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM in Commission's office at Chandigarh.** Copy of the order be sent to the parties.

**Chandigarh
02.11.2022**

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

Copy to (By Regd. Post)

**Shri Meharban Singh, Municipal Town Planner/PIO, Municipal Corporation,
Amritsar for compliance.**

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

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



Shri Rajesh Kumar,
S/o Shri Kewal Kumar
Flat No.11/A, Srideva Ji Residency,
Krishanpura, Dhakoli, Zirakpur,
District Mohali.

.....Appellant

Versus

Public Information Officer

O/o Greater Mohali Area Development
Authority(GMADA), Mohali.

Public Information Officer

Sub Divisional Officer,(Regulatory Branch),
Greater Mohali Area Development
Authority(GMADA), Mohali.

Public Information Officer

Executive Officer,
Municipal Council, Zirakpur,
District S.A.S. Nagar (Mohali)

First Appellate Authority

O/o Greater Mohali Area Development
Authority(GMADA),
Mohali.

....Respondents

AC No. 1364 of 2022

Present:

- (i) **Shri Rajesh Kumar, Appellant- in person.**
- (ii) **None on behalf of PIO O/o GMADA, Mohali.**
- (iii) **None on behalf of the PIO O/o Municipal Council, Zirakpur.**

ORDER

1. This order may be read with reference to the order dated 04.10.2022 passed by this Bench on the previous hearing.

2. The case has been heard today. Shri Rajesh Kumar, appellant comes present to attend the hearing in person before the Bench. He states that he has not been supplied any information so far.

3. Shri Gurwinder Singh, AEO/PIO O/o GMADA, Mohali has not come present to attend the hearing in person or through cisco webex. However, a letter dated 26.10.2022 has been received stating that the PIO has been deputed for attending training programme in MGSIPA, Sector-26, Chandigarh and thus, is unable to attend the hearing today.

Cont..P-2

4. The Bench observes that during the previous hearing, the PIO O/o Executive Officer, Municipal Council, Zirakpur, District S.A.S. Nagar (Mohali) was impleaded as Respondent and directed to supply information to the appellant before the next hearing as the RTI application already stands transferred to him. However, he has failed to come present in person before the Bench and has also not supplied information to the appellant. This indifferent attitude of the PIO and his casual approach towards the direction of the Bench is viewed adversely.

5. The PIO O/o Executive Officer, Municipal Council, Zirakpur, District Mohali is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and for not supplying information to the appellant. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

7. The Bench directs the PIO GMADA, Mohali and the PIO O/o Municipal Council, Zirakpur to supply information to the appellant as also to ensure to come present in person before the Bench on the next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.11.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
02.11.2022**

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

Copy to (By Regd.Post)

**Public Information Officer, O/o Executive Officer, Municipal Council,
Zirakpur, District S.A.S. Nagar (Mohali).**