

**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 Meeting Code:15857-23975

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

Shri Tarsem Lal,
H.No.362, Phase-4,
Mohali.

...Appellant

Versus

Public Information Officer
O/o GMADA,
Mohali.

First Appellate Authority
O/o Chief Administrator,
GMADA, Mohali.

....Respondents

AC No.2974 of 2021

Present: (i) Shri Tarsem Lal, Appellant, in person.
(ii) Shri Rajinder Singh, Senior Assistant along with Shri Vikramjit, J.E.
GMADA, Mohali, on behalf of the PIO/respondent, in person.

ORDER:

1. The RTI application is dated 09.03.2021 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 30.04.2021 and the second appeal was filed in the Commission on 30.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Tarsem Lal, appellant comes present to attend the hearing in person before the Bench.
3. Shri Rajinder Singh, Senior Assistant, comes present to attend the hearing in person before the Bench. He states that the information has been supplied to the appellant vide letter dated 01.09.2021.
4. The Appellant Shri Tarsem Lal states that the information supplied is incomplete, unattested and does not indicate the mode of despatch and moreover, the action taken report has not been supplied. On the asking of the Bench, he denies to have pointed out deficiencies to the PIO.

Cont..P-2



-2-

AC No.2974/2021

5. The representative of the PIO states that they have brought along the relevant file. On the asking of the Bench, he makes the appellant to go through the said file by sitting in the court room along with the representatives of PIO. The appellant states that he has not found the documents in the relevant file as desired vide his RTI application.

6. Post deliberations, the PIO is directed to call the appellant to his office to allow him access to relevant official records once again. The appellant, on inspection of the records, will identify the information. The information as may be identified by the appellant, will be supplied by the PIO before next hearing.

7. Thereafter, the PIO is directed to file an affidavit on non-judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.2974/2021 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 supplied to the appellant and photocopy of the same be sent to the Commission for record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 11.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
06.10.2021**

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

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Shri Tarsem Lal,
H. No.362, Phase-4,
Mohali.

...Appellant

Versus

Public Information Officer
O/o GMADA,
Mohali.

First Appellate Authority
O/o Chief Administrator,
GMADA, Mohali.

....Respondents

AC No.2975 of 2021

Present: (i) Shri Tarsem Lal, Appellant, in person.
(ii) Shri Rajinder Singh, Senior Assistant along with Shri Vikramjit, J.E.
GMADA, Mohali, on behalf of the PIO/respondent, in person.

ORDER:

1. The RTI application is dated 18.03.2021 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 30.04.2021 and the second appeal was filed in the Commission on 30.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Tarsem Lal, appellant comes present to attend the hearing in person before the Bench.
3. Shri Rajinder Singh, Senior Assistant, comes present to attend the hearing in person before the Bench. He states that the information has been supplied to the appellant vide letter dated 01.09.2021.
4. The Appellant Shri Tarsem Lal states that the information supplied is incomplete, unattested and does not indicate the mode of despatch and moreover, the action taken report has not been supplied. On the asking of the Bench, he denies to have pointed out deficiencies to the PIO.

Cont..P-2



-2-

AC No.2975/2021

5. The representative of the PIO states that they have brought along the relevant file. On the asking of the Bench, he makes the appellant to go through the said file by sitting in the court room along with the representatives of PIO. The appellant states that he has not found the documents in the relevant file as desired vide his RTI application.

7. Post deliberations, the PIO is directed to call the appellant to his office to allow him access to relevant official records once again. The appellant, on inspection of the records, will identify the information. The information as may be identified by the appellant, will be supplied by the PIO before next hearing.

7. Thereafter, the PIO is directed to file an affidavit on non-judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.2975/2021 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 supplied to the appellant and photocopy of the same be sent to the Commission for record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 11.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
06.10.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
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Shri Yogesh Pathak (General Secretary),
Flat No. Palm 101, Ansal's Woodbury
Apartments Highland Marg,
Zirakpur, District Mohali.

...Appellant

Versus

Public Information Officer

O/o Real Estate Regulatory Authority,
(RERA), Sector-18,
Chandigarh.

First Appellate Authority

O/o Real Estate Regulatory Authority,
(RERA), Sector-18,
Chandigarh.

....Respondents

AC No.3001 of 2021

Present: (i) **Shri Yogesh Pathak, Appellant.**
(ii) **None on behalf of the PIO/respondent.**

ORDER:

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 04.01.2021 and the second appeal was filed in the Commission on 30.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Yogesh Pathak, appellant attends the hearing before the Bench in person. He states that reply to RTI application has been received vide letter dated 16.12.2020 and that he has received information on Point No.1 but he has not received the information on point No.2 of RTI application and he is not satisfied with the information supplied.

3. The Bench observes that RTI application is dated 03.11.2020 and first appeal is dated 04.01.2021. In spite of lapse of about ten months, complete information has not been supplied to the appellant. The PIO has failed to attend the hearing today before the Bench in spite of directions of the Bench. This indifferent attitude of the PIO is viewed adversely.

Cont..P-2



-2-

AC No.3001/2021

4. The PIO O/o Punjab Real Estate Regulatory Authority, Sector-18A, Chandigarh 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 complete 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, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a 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 proceeding against him ex-parte.

6. The PIO is further directed to supply complete information to the appellant and bring along all the case related documents and produce the same before the Bench on the next hearing as also to ensure to come present before the Bench in person.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 11.01.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
06.10.2021**

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

Copy to (By Regd.Post)

**Public Information Officer
O/o Punjab Real Estate
Regulatory Authority (RERA),
Sector-18A, Chandigarh.**

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Shri Yogesh Pathak (General Secretary),
Flat No. Palm 101, Ansal's Woodbury
Apartments Highland Marg,
Zirakpur, District Mohali.

...Appellant

Versus

Public Information Officer

O/o Real Estate Regulatory Authority,
(RERA), Sector-18,
Chandigarh.

First Appellate Authority

O/o Real Estate Regulatory Authority,
(RERA), Sector-18,
Chandigarh.

....Respondents

AC No.3000 of 2021

Present: (i) **Shri Yogesh Pathak, Appellant.**
(ii) **None on behalf of the PIO/respondent.**

ORDER:

1. The RTI application is dated 05.12.2020 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 04.01.2021 and the second appeal was filed in the Commission on 30.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Yogesh Pathak, appellant attends the hearing before the Bench in person. He states that reply to RTI application has been received vide letter dated 16.12.2020 and that he has received only partial information on Point No.1 but he has not received the information on point No.2 of RTI application and he is not satisfied with the information supplied.

3. The Bench observes that RTI application is dated 05.12.2020 and first appeal is dated 04.01.2021. In spite of lapse of about nine months, complete information has not been supplied to the appellant. The PIO has failed to attend the hearing today before the Bench in spite of directions of the Bench. This indifferent attitude of the PIO is viewed adversely.

Cont..P-2



-2-

AC No.3000/2021

4. The PIO O/o Punjab Real Estate Regulatory Authority, Sector-18A, Chandigarh 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 complete 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, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a 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 proceeding against him ex-parte.

6. The PIO is further directed to supply complete information to the appellant and bring along all the case related documents and produce the same before the Bench on the next hearing as also to ensure to come present before the Bench in person.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 11.01.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
06.10.2021**

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

Copy to (By Regd.Post)

**Public Information Officer
O/o Punjab Real Estate
Regulatory Authority (RERA),
Sector-18A, Chandigarh.**

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Shri Rakesh Kumar ,
Chamber No.301,
District Courts,
Kaithal (Haryana).

...Appellant

Versus

Public Information Officer
O/o Sr.Superintendent of Police,
Roopnagar.

First Appellate Authority
O/o Inspector General of Police,
Roopnagar Range,
Roopnagar.

....Respondents

AC No.2999 of 2021

Present: (i) Appellant- absent.
(ii) Shri Sardool Singh, ASI, RTI Cell, O/o SSP Roopnagar
On behalf of the respondent.

ORDER:

(Heard through Cisco Webex/ on mobile phone)

1. The RTI application is dated 17.12.2020 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 06.01.2021 and the second appeal was filed in the Commission on 30.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Rakesh Kumar, appellant has not come present to attend the hearing before the Bench.
3. ASI Sardool Singh, I/c RTI O/o SSP Roopnagar comes present to attend the hearing through Cisco Webex. He states that the appellant has been given reply vide letter dated 09.12.2020.
4. Since the appellant is absent, he is contacted on phone, but he does not respond in spite of repeated attempts. He responds to the call after a gap of 30 minutes and states that the information supplied by the PIO is misleading.

Cont..P-2



-2-

AC No.2999/2021

5. On the asking of the Bench, the representative of the PIO states that the copies of attendance of the Constables deployed in SSP Office, Roopnagar cannot be supplied as the same being old record, has been destroyed. The PIO can, however, supply copy of the list of Constables appointed in 1996 in District Roopnagar.

6. The Bench, post deliberations, directs the PIO to file an affidavit on non-judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.2999/2021 has been supplied and the balance information has not been made available as the relevant record has been destroyed. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be supplied to the appellant and photocopy of the same be sent to the Commission for record before the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 11.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
06.10.2021**

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

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Shri Davinder Kumar,
House No.1255, Sector-43B,
Chandigarh.

...Appellant

Versus

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

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

....Respondents

AC No.2970 of 2021

Present: (i) **Shri Davinder Kumar, Appellant.**
(ii) **Shri Pawan Yadav, Senior Assistant, Accounts O/o GMADA, Mohali.**
on behalf of the PIO/respondent

ORDER:

1. The RTI application is dated 11.12.2020 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 03.02.2021 and the second appeal was filed in the Commission on 12.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Davinder Kumar, appellant comes present to attend the hearing in person before the Bench and states that he has sought information regarding the fate of his application/ regarding the refund of amount deposited with GMADA. He further states that he had written five letters to GMADA to know about his application and waited for his refund during last two years. However, he did not receive any reply to his letters and he is being harassed.

Cont..P-2



-2-

AC No.2970/2021

3. Shri Pawan Yadav, Senior Assistant, Accounts O/o GMADA, Mohali comes present to attend the hearing in person before the Bench. He states that the appellant had applied under the demand survey of GMADA depositing Rs.2000/-. Since the project was dropped, the amount of refund was sent at the residential address of appellant, but it has been received back. On apprising the appellant about it, he said that the address mentioned is incorrect. He states that now, the refund will be sent to the appellant mentioning therein the correct residential address.

4. The appellant expresses his dissatisfaction on the statement made by the representative of the PIO.

5. Post deliberations, the Bench observes that the refund of amount is an executive action. As regards the supply of information, the Bench directs the PIO to call the appellant to his office and allow him access to the relevant official records. The appellant, after inspection of records, will identify the information and the information so identified, duly attested by the PIO, will be supplied to him before the next hearing.

6. The PIO is also directed to bring along the entire case related documents and produce the same before the Bench on the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 11.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
06.10.2021**

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

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Shri Jatinder Kumar,
C/o Sachkhand Mishthan Bhandar,
Nehru Gate, Nawanshahar.

...Appellant

Versus

Public Information Officer
O/o Superintending Engineer,
PSPCL, Hoshiarpur.

First Appellate Authority-cum-
Chief Engineer, Distribution(North),
PSPCL, Jalandhar.

....Respondents

AC No.3052 of 2021

Present: (i) Appellant- absent.
(ii) Shri Kuldeep Singh, Addl.S.E., O/o S.E., Distribution(North),
PCPCL, Hoshiarpur on behalf of the PIO/respondent.

ORDER:

(Heard in person/on mobile phone)

1. The RTI application is dated 12.04.2021 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 14.05.2021 and the second appeal was filed in the Commission on 02.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Jatinder Kumar, appellant has not come present to attend the hearing before the Bench.
3. Shri Kuldeep Singh, Addl.S.E. O/o Dy.Chief Engineer, Operation Circle, PSPCL, Hoshiarpur comes present to attend the hearing in person before the Bench and produces authority letter. He states that the information has been sought by the appellant regarding the detail of electricity connections allotted to three printing presses at Hoshiarpur and the appellant has been supplied information vide letter dated 08.06.2021 by registered post.

Cont..P-2



-2-

AC No.3052/2021

4. Since the appellant is absent, he is contacted on mobile phone. He repeatedly disconnects the phone. Then, he is contacted after a gap of half an hour and states that he has received information but there are deficiencies in the information supplied.

5. The appellant is advised to point out deficiencies to the PIO, who, on receipt of the same will supply rectified information after removing the deficiencies before the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 11.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
06.10.2021**

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

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Shri Sanjeet Kumar
S/o Shri Hari Narain Pd.
#U1030, Type-2,
Nuhon Power Colony,
Post Office Ghanauli,
Tehsil & Distt. Rupnagar.

.....Appellant

Versus

Public Information Officer
O/o Sr.Superintendent of Police,
Roopnagar.

First Appellate Authority
O/o Sr.Superintendent of Police,
Roopnagar.

....Respondents

AC No.3059 of 2021

Present: (i) **Shri Nath Singh, Advocate for the Appellant, in person.**
(ii) **Shri Sardool Singh, ASI, RTI Cell, O/o SSP Roopnagar**
On behalf of the respondent.

ORDER:

(Heard in person/ through Cisco Webex/mobile phone)

1. The RTI application is dated 05.01.2020 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 09.02.2021 and the second appeal was filed in the Commission on 02.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 06.10.2021 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Nath Singh, Advocates appears on behalf of the appellant in person before the Bench. He states that the appellant has sought action taken report in connection with the complaint made by him along with the copies of the FIR and statements of the persons named in the RTI application and the appellant has been supplied only copy of the F.I.R. and balance information has been denied.

Cont..P-2



-2-

AC No.3059/2021

3. ASI Sardool Singh, RTI Cell O/o SSP Roopnagar attends the hearing through Cisco Webex, but due to poor audio, he is contacted on mobile phone. He states that the appellant was sent reply vide letter dated 02.02.2021 but the same was received back. He further states that after enquiry held into the complainant of the appellant, FIR No.33 dated 26.02.2021 was registered at P.S. City, Roopnagar and investigation in this case FIR is still going on and during pendency of investigation, the information cannot be supplied under Section 8(1)(H) of RTI Act. However, part information has been provided to the appellant vide letter dated 22.05.2021. He also refers to letter dated 27.09.2021 addressed to the Commission to this effect which is available in the case file.

4. Post deliberations, the representative of the appellant states that the appellant had obtained a loan of Rs.50,000/- from the Bank but the said Bank has played a fraud with the appellant by showing another loan of Rs.3.00 lacs against him by getting blank papers signed from him which led to the filing of complaint by the appellant with the SSP Roopnagar. As such, he needs the copies of the documents sought vide his RTI Application. On hearing the version of the representative of appellant, the Bench observes that the entire information must be supplied to the appellant. As such, the Bench directs the PIO to provide copies of the information sought by the appellant before the next hearing.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 11.01.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copy of the order be sent to the parties.

**Chandigarh
06.10.2021**

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

