

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Helpline No. 0172-2864100 (10:00 AM to 04.00 PM on working days)



Shri Amarjit Singh Dhamotia, RTI Activits,
Whistle Blower, Social Worker,
President, NCAG Office,
1331-5, Vishawkarma Bhawan,
Down Canal Road, Shimlapuri,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Addl.Chief Secretary to Govt. of Punjab,
Department of Housing & Urban Development,
Punjab Civil Secretariat-2, Sector-9,Chandigarh.

Public Information Officer,
O/o Chief Administrator,
GLADA, Ludhiana.

First Appellate Authority,
O/o Addl.Chief Secretary to Govt. of Punjab,
Department of Housing & Urban Development,
Punjab Civil Secretariat-2, Sector-9,Chandigarh.

...Respondents

AC No. 5476 of 2021

Present:- (i) **Shri Amarjit Singh Dhamotia, Appellant.**
(ii) **Shri Hardip Singh, PIO-cum-Superintendent, and Shri Sukhbir Singh, Senior Assistant O/o Additional Chief Secretary, to Govt. of Punjab, Department of Housing & Urban Development, Punjab, in person before the Bench.**

ORDER

1 The RTI application is dated 29.06.2021 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 06.07.2021 and the Second Appeal was filed in the Commission on 09.09.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Amarjit Singh Dhamotia, appellant comes present in person before the Bench to attend the hearing.

Cont..P-2

3. Shri Hardip Singh, PIO-cum-Superintendent O/o Additional Chief Secretary, Housing & Urban Development, Punjab comes present to attend the hearing in person. He states that the appellant had made a complaint to the C.M. Punjab regarding some illegal construction in the area of Jaspal Bangar Sidhwan Canal at Ludhiana, and has sought action taken report on the said complaint. The information sought by the appellant relates with the office of GLADA, Ludhiana and the PIO O/o GLADA, Ludhiana. He further states that the information as received from GLADA has been supplied to the appellant vide letter dated 24.09.2021 by registered post.

4. On the asking of the Bench, the appellant states that the information supplied is not in consonance with his RTI application and it is incomplete and irrelevant. He states that he has sought copy of the complaint filed by him along with diary number as also to the officer to whom it has been marked for enquiry.

5. After hearing the version of PIO O/o Additional Chief Secretary, Housing & Urban Development, Punjab and the appellant, the Bench observes that as enquiry report has been supplied to the appellant, such contention of the appellant is uncalled for. However, the PIO O/o GLADA, Ludhiana is impleaded as Respondent No.2 with the direction to call the appellant to his office and allow him access to the relevant official record. The appellant, after inspection, will identify the information required by him and the PIO will provide the same to the appellant before the next date of hearing. The PIOs concerned 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 08.06.2022 at 11:30 am in Commission's office at Chandigarh.** Copies of the Order be sent to the concerned parties.

Chandigarh
09.03.2022

Copy to (By Regd.post)

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

PIO O/o Chief Administrator, GLADA, Ludhiana – for compliance of the Order.

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Shri Kuldip Singh Walia,
S/o Late Shri Harjit Singh,
R/o Flat No.B004, Sushma Joynest,
Moh-1, Airport Road PR-7,Zirakpur,
District S.A.S.Nagar.

.....Appellant

Versus

Public Information Officer

O/o Chairman,
Punjab Pollution Control Board,
Patiala.

First Appellate Authority-cum-

O/o Chairman,
Punjab Pollution Control Board,
Patiala.

....Respondents

AC No. 5542 of 2021

Present: (i) Appellant- absent.
(ii) Ms. Jasmeen Singh, Advocate on behalf of PIO/Assistant
Environmental Engineer, Regional Office, PPCB, Mohali.

ORDER:

(Heard in person/on mobile phone)

1. The RTI application is dated 10.09.2021 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 13.10.2021 and the Second Appeal was filed in the Commission on 10.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Kuldip Singh Walia, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. Ms. Jasmeen Singh, Advocate comes present in person before the Bench to attend the hearing on behalf of PIO/Assistant Environmental Engineer, Regional Office, PPCB,

Mohali. She states that the RTI application has been referred to PIO O/o Assistant Environmental Engineer, Regional Office, PPCB, Mohali whom she is representing. She produces before the

Cont..P-2



-2-

AC No.5542/2021

Bench the reply on behalf of the PIO filed before the Bench. She states that the information asked for relates to third party which cannot be supplied without the consent of party concerned and the concerned party has also been requested to send its consent which has not been received so far.

4. Since the appellant is absent for today's hearing, he is contacted on mobile phone. He states that he has not been supplied any information. He is also made to talk to the representative of PIO who explains to him the position as stated by her before the Bench. The Bench, on enquiring from the appellant, is convinced that the information asked for by him relates to a builder and is in the public interest. As such, the contention of the PIO is not accepted. The PIO is directed to supply requisite information to the appellant before the next hearing.

5. Post deliberations, the PIO is further directed to file an affidavit within 21 (twenty one) days 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.5542/2021 has been supplied to the appellant, clarifying the position of PPCB regarding clearance of the Project as mentioned in the RTI application. 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. With the aforesaid directions, **the matter is adjourned. To come up for hearing on 08.06.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

**Chandigarh
09.03.2022**

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

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Shri Deepinder Singh Sarao (Retd.)
#1553, Sector-18D,
Chandigarh.

.....Appellant

Versus

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

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

....Respondents

AC No.5649/2021

Present: (i) **Shri Deepinder Singh Sarao, Appellant.**
(ii) **None on behalf of PIO/Respondent.**

ORDER

1. The RTI application is dated 04.08.2021 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 16.09.2021 and the second appeal was filed in the Commission on 13.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Deepinder Singh Sarao, Appellant comes present to attend the hearing in person before the Bench. He states that his land was acquired by GMADA out of which he opted for allotment of 968 Sq.Yds. residential plot plus one commercial plot of 121 Sq. Yds in lieu of his one acre land, under the land-pooling scheme. Whereas, he has been allotted residential plot but he has not yet been allotted the commercial plot as per scheme. He has, accordingly, filed RTI application for seeking clarification with regard to non holding of Executive Meeting of GMADA for allotment of commercial plot in public interest as a result of which the issue relating to allotment of commercial site is still pending, to his disadvantage. He also states that numerous correspondence and personal visits to the office of GMADA did not yield any result.

3. Neither the PIO O/o GMADA, Mohali has come present nor he has deputed any of his representatives to attend the hearing on behalf of the PIO.

Cont..P-2

4. The Bench, after hearing the version of the appellant as also perusing the case file, observes that the PIO has not supplied information or given any reply to the appellant in spite of lapse of about five months. This indifferent attitude of the PIO is viewed adversely.

5. The PIO O/o GMADA, 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 her 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 PIO is directed to supply information to the appellant before the next hearing and ensure to come present in person before the Bench, bringing along the entire relevant record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.06.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

**Chandigarh
09.03.2022**

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

Copy to (By Regd. Post)

Public Information Officer, GMADA, Mohali.

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Shri Jagjit Singh (RTI Activist)
R/o Aman Nagar, Street No.3,
Backside Green Land School,
Near Jalandhar By-Pass,
Ludhiana.

.....Appellant

Versus

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

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

...Respondents

AC No.2125/2021

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 20.12.2021 passed by this Bench on the previous hearing.
2. The case was scheduled to be heard today in Commission's office at Chandigarh. Shri Jagjit Singh, appellant has not come present to attend the hearing in person before the Bench or through cisco webex. He has, however, informed through an e.mail that he is attending personal hearing of 18 cases, he will not be able to attend the hearing before this Bench.
3. Neither the PIO O/o Chief Administrator, GLADA, Ludhiana has come present to attend the hearing in person before the Bench nor he has deputed any of his representatives to attend the hearing on behalf of PIO. However, a letter dated 17.12.2021 is available in the case file stating that information regarding point No.2 & 20 of RTI application has been supplied and the information on point No.1, 3 to 17, 18, 19 and 21 to 30 is not available in their office.

Cont..P-2

4. In the absence of appellant and the PIO, the Bench is unable to proceed further and as such, deems it appropriate to adjourn the matter. The Bench, however, directs the PIO to come present in person before the Bench on the next hearing, bringing along the entire relevant record. The appellant is also advised 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 08.06.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.03.2022**

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

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Shri Jasbir Singh,
Village Dholapur, Block Batala
Tehsill Batala, District Gurdaspur.

.....Appellant

Versus

Public Information Officer

O/o Block Development and
Panchayat Officer (BDPO),
Batala, District Gurdaspur.

First Appellate Authority

O/o Addl. Dy.Commissioner(Development)
Gurdaspur.

....Respondents

AC No.5534 of 2021

Present: (i) **Shri Major Singh, Appellant, in person.**
(ii) **Shri Shamsher Singh, Gram Rozgar Sewak, O/o BDPO Batala, District Gurdaspur, on behalf of the PIO.**

ORDER

(Heard through cisco webex)

1. The RTI application is dated 03.09.2021 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 12.10.2021 and the Second Appeal was filed in the Commission on 07.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Jasbir Singh, appellant has not comes present to attend the hearing in person before the Bench or through cisco webex.

3. Shri Shamsher Singh, Gram Rozgar Sewak, O/o BDPO Batala, District Gurdaspur, come present to attend the hearing through cisco webex on behalf of the PIO. He states that the appellant has been supplied information twice vide letter dated 06.10.2021 and 21.01.2022 by registered post, but no response has been received from him.

Cont..P-2



-2-

AC No.5534/2021

4. The appellant is contacted on mobile phone, but he does not respond. He is advised to point out deficiencies, if any, in the information supplied to the PIO and the PIO will supply rectified information to the appellant after removing deficiencies as also 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 08.06.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

Chandigarh
09.03.2022

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

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Shri Major Singh,
S/o Shri Darshan Lal,
Mohalla Nawan Katra,
VPO Kalanaur, Tehsil Kalanaur
District Gurdaspur.

.....Appellant

Versus

Public Information Officer
O/o Block Development and
Panchayat Officer (BDPO),
Kalanaur, District Gurdaspur.

First Appellate Authority
O/o Block Development and
Panchayat Officer (BDPO),
Kalanaur, District Gurdaspur

....Respondents

AC No.5501 of 2021

Present: (i) **Shri Major Singh, Appellant, in person.**
(ii) **None on behalf of the PIO.**

ORDER

1. The RTI application is dated 13.07.2021 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 10.09.2021 and the Second Appeal was filed in the Commission on 03.12.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 09.03.2022 in Commission's office at Chandigarh. Shri Major Singh, appellant comes present to attend the hearing in person before the Bench. He states that he has sought information with regard to certain shops of Panchayat Samiti at Kalanaur, District Gurdaspur and though he has received the information, but the same is misleading, incomplete and contrary to the condition of shops as it exists at site.

3. Neither the PIO O/o BDPO Kalanaur, District Gurdaspur has come present nor he has deputed any of his representatives to attend the hearing on behalf of the PIO.

Cont..P-2



-2-

AC No.5501/2021

4. The Bench, after hearing the version of the appellant, observes that the PIO has not supplied information to the appellant correctly to his satisfaction and has failed to attend the hearing today. This indifferent attitude of the PIO is viewed adversely.

5. The PIO O/o BDPO Kalanaur, District Gurdaspur 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 her 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 PIO is directed to supply complete information to the appellant and ensure to come present in person before the Bench, bringing along the entire relevant record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.06.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

**Chandigarh
09.03.2022**

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

Copy to (By Regd.Post)

PIO/BDPO, Kalanaur, District Gurdaspur.

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Shri Malkit Khan S/o Sh.Juma Khan
Village Balipur, PO Kaliyan,
Tehsil and District Patiala.

.....Appellant

Versus

Public Information Officer

O/o Panchayat Secretary,
Gram Panchayat, Kherimania,
District Patiala.

First Appellate Authority

O/o Block Development and
Panchayat Officer (BDPO),
Patiala.

...Respondents

AC No.4135/2021

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 20.12.2021 passed by this Bench on the previous hearing.
2. The case was scheduled to be heard today in Commission's office at Chandigarh. Shri Jagjit Singh, appellant has not come present to attend the hearing in person before the Bench or through cisco webex. He has, however, informed vide letter dated 05.03.2022 that as he is to appear in a court case, he will not be able to attend the hearing before this Bench and as such, has requested for giving him another date of hearing.
3. Neither the PIO O/o Panchayat Secretary, Gram Panchayat, Kherimania, Tehsil and District Patiala has come present to attend the hearing in person before the Bench nor he has deputed any of his representatives to attend the hearing on behalf of PIO.
4. The Bench observes that the PIO was absent during the previous hearing also and is absent for today's hearing also. In the absence of appellant and the PIO, the Bench is unable to proceed further and as such, deems it appropriate to adjourn the matter. The Bench,

Cont..P-2



-2-

AC No.4135/2021

however, directs the PIO to supply information to the appellant and ensure to come present in person before the Bench on the next hearing, bringing along the entire relevant record. The appellant is also advised 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 08.06.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.03.2022**

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