

**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 Code:15857-23975

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

Shri Gulshan Kumar,
1525/1, Street No.33,
Preet Nagar, Shimlapuri,
Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Commissioner,
Municipal Corporation, Ludhiana.

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

....Respondents

AC No.2363 of 2020

Present: (i) Shri Gulshan Kumar, Appellant, in person.
(ii) Shri Vishal Rampal, Building Inspector, Building/Drawing Branch,
Zone-A, Municipal Corporation, Ludhiana, in person.

ORDER:

1. This order may be read with reference to the order dated 18.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Gulshan Kumar, appellant comes present to attend the hearing in person before the Bench.
3. Shri Vishal Rampal, Building Inspector, Building/Drawing Branch, Zone-A, Municipal Corporation, Ludhiana, comes present to attend the hearing in person on behalf of PIO. He states that the appellant has been supplied the entire information on 16.08.2021 by registered post and he has also brought along the same as also the affidavit dated 03.11.2021 mentioning the name of PIO therein.
4. On the asking of the Bench, the appellant states that he was called on 02.11.2021 for inspection of records. He waited there for one & half hours, but he was not entertained and not allowed inspection of records. Rather, he has been harassed a lot while waiting there.
5. The Bench observes that the information has been supplied to the appellant in bits and pieces. The Bench, on perusal of the affidavit, observes that though the contents of the affidavit

Cont..P-2



are in order, but it is not on the non-judicial stamp paper as directed vide orders dated 18.08.2021 and as such, it is not accepted. The Bench also observes that the PIO was directed to call the appellant for inspection of records vide order dated 18.08.2021, but the directions of the Bench have not been complied with.

5. Post deliberations, the Bench observes that the appellant is not satisfied with the information supplied and directs the PIO to again call the appellant to his office on a mutually agreed date in written as also by contacting him on his mobile number and allow him access to the relevant official records. The appellant will identify the information required by him on inspecting the records and the same will be provided by the PIO duly attested before the next hearing.

6. The PIO is also directed to file a fresh 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.2363/2020 has been supplied to the appellant. It be further stated that certain information is available on the Website of Municipal Corporation, Ludhiana for which the website and link to access the website has been provided to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit as also the relevant official records be brought along and produced before the Bench on the next hearing. The PIO/ATP, Zone-A, Building/Drawing Branch, M.C. Ludhiana is directed to ensure to come present in person before the Bench.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11.2021**

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

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Shri Gulshan Kumar,
1525/1, Street No.33,
Preet Nagar, Shimlapuri,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.2366 of 2020

Present:

- (i) **Shri Gulshan Kumar, Appellant, in person.**
- (ii) **Shri Vishal Rampal, Building Inspector, Building/Drawing Branch, Zone-A, Municipal Corporation, Ludhiana**

ORDER:

1. This order may be read with reference to the order dated 18.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Gulshan Kumar, appellant comes present to attend the hearing in person before the Bench.
3. Shri Vishal Rampal, Building Inspector, Building/Drawing Branch, Zone-A, Municipal Corporation, Ludhiana, comes present to attend the hearing in person on behalf of PIO. He states that the appellant has been supplied the entire information on 16.08.2021 by registered post and he has also brought along the same as also the affidavit dated 03.11.2021 mentioning the name of PIO therein.
4. On the asking of the Bench, the appellant states that he was called on 02.11.2021 for inspection of records. He waited there for one & half hours, but he was not entertained and not allowed inspection of records. Rather, he has been harassed a lot while waiting there.
5. The Bench observes that the information has been supplied to the appellant in bits and pieces. The Bench, on perusal of the affidavit, observes that though the contents of the affidavit



are in order, but it is not on the non-judicial stamp paper as directed vide orders dated 18.08.2021 and as such, it is not accepted. The Bench also observes that the PIO was directed to call the appellant for inspection of records vide order dated 18.08.2021, but the directions of the Bench have not been complied with.

5. Post deliberations, the Bench observes that the appellant is not satisfied with the information supplied and directs the PIO to again call the appellant to his office on a mutually agreed date in written as also by contacting him on his mobile number and allow him access to the relevant official records. The appellant will identify the information required by him on inspecting the records and the same will be provided by the PIO duly attested before the next hearing.

6. The PIO is also directed to file a fresh 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.2366/2020 has been supplied to the appellant. It be further stated that certain information is available on the Website of Municipal Corporation, Ludhiana for which the website and link to access the website has been provided to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit as also the relevant official records be brought along and produced before the Bench on the next hearing. The PIO/ATP, Zone-A, Building/Drawing Branch, M.C. Ludhiana is directed to ensure to come present in person before the Bench.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11.2021**

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

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Shri Sarabjit Singh
S/o Late ShriHarbans Singh,
H.No.292, Nagar Improvement
Trust Colony, Scheme No.5,
Gurdaspur.

.....Appellant

Versus

Public Information Officer
O/o Deputy Commissioner,
Gurdaspur.

First Appellate Authority
O/o Deputy Commissioner,
Gurdaspur.

Public Information Officer
Sadar Kanungo Branch
O/o Deputy Commissioner,
Gurdaspur.

....Respondents

AC No.3117 of 2020

Present: (i) **Shri Sarabjit Singh, Appellant.**
(ii) **Shri Anil Kumar, Superintendent/APIO, on behalf of the PIO,
O/o D.C. Gurdaspur.**

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 18.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. The appellant comes present to attend the hearing through cisco webex. He states that he has not been provided the complete information and he has also sent deficiencies vide his letter dated 21.10.2021 to the respondents.
3. Shri Anil Kumar, Superintendent/APIO O/o D.C. Gurdaspur comes present to attend the hearing through Cisco Webex. The representative of the PIO states that the information has been sent to the appellant on 27.07.2021 and then on 17.08.2021 by registered post. However, the appellant wants the information to be attested by the Naib Tehsildar, Kahnuwan. The APIO further clarifies that the Naib Tehsildar, Kahnuwan has been again sent copies of documents and asked to attest the information so that the same can be sent to the appellant. He assures the Bench that information will be given to the appellant immediately after receiving the same from the Naib Tehsildar, Kahnuwan.



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AC No.3117/2020

4. The Bench directs the PIO to supply information to the appellant duly addressing the deficiencies pointed out by him by 15.11.2021.
5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11.2021**

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

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Er. R.C. Tandon,
#146, Urban Estate,
PO Chachoki, Phagwara,
District Kapurthala.

.....Appellant

Versus

Public Information Officer

O/o Jalandhar Development Authority,
Jalandhar.

Public Information Officer

O/o Estate Officer,
Jalandhar Development Authority,
Jalandhar.

First Appellate Authority-cum

Estate Officer,
Jalandhar Development Authority,
Jalandhar.

....Respondents

AC No.2502 of 2021

Present: (i) **Shri R.C. Tandon, Appellant , in person.**
(ii) **Shri Sanjeev Sharma, SDO/PIO, O/o Jalandhar Development Authority, Jalandhar, in person.**

ORDER

1. This order may be read with reference to the order dated 18.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri R.C. Tandon comes present to attend the hearing in person before the Bench.
3. Shri Sanjeev Sharma, S.D.O., Jalandhar Development Authority, Jalandhar/PIO comes present to attend the hearing in person. He states that the appellant has been supplied copy of the Lay-out plan of University View Estate-3, Village Chahereu, Phagwara and as per the version of APIO O/o Estate Officer, J.D.A. Jalandhar, the Zoning Plan as sought by the appellant is not available in the official record.
4. On the asking of the Bench, the appellant is shown the said layout plan by the PIO. The appellant, however, states that he requires only the Zoning Plan and if it is not available in the records, an affidavit be provided to him to this effect.
5. Post deliberations, the Bench observes that PIO O/o Estate Officer, J.D.A. Jalandhar was impleaded as Respondent No.2 and directed to supply information as requested by the appellant.

Cont...P-2



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AC No.2502/2021

He, however, has failed to supply information as also to come present in person before the Bench. The PIO is O/o Estate Officer, Jalandhar Development Authority, Jalandhar 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 complying with the directions of the Bench. 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. Besides, the APIO/Superintendent (Shri Rakesh Kumar) O/o Estate Officer, Regulatory, J.D.A. Jalandhar is directed to supply the information to the appellant. The APIO O/o Estate Officer, Jalandhar Development Authority, Jalandhar is directed to file an affidavit on non judicial stamp paper duly signed by the APIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.2502/2021 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, photocopy of the same as also the original record be brought along and produced before the Bench on the next date of hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
09.11.2021
Copy to (By Regd.Post)

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

Public Information Officer, O/o Estate Officer, Regulatory, Jalandhar Development Authority, Jalandhar.

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

.....Appellant

Versus

Public Information Officer

O/o Grater Ludhiana Area Development
Authority (GLADA), Ludhiana.

First Appellate Authority

O/o Chief Administrator,
Grater Ludhiana Area Development
Authority(GLADA), Ludhiana.

....Respondents

AC No.1900 of 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 23.08.2021 passed by this Bench on the previous hearing.
2. The case was scheduled to be heard today in Commission's office at Chandigarh. However, the appellant has not come present to attend the hearing in person before the Bench.
3. The PIO O/o GLADA, Ludhiana has also not come present to attend the hearing nor he has deputed any of his representatives to attend the hearing in person before the Bench.
4. The Bench, on perusal of the case file observes that during the last hearing, the PIO was issued show cause notice for non-appearance for the hearing. But neither the PIO has supplied information to the appellant nor has filed reply to the show cause notice and as such, the PIO has not complied with the directions of the Bench. However, an e.mail dated 09.11.2021 has been received requesting for giving another date.

Cont...P-2



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AC No.1900/2021

5. In the absence of the PIO as well as the appellant, the Bench is unable to proceed further in the matter. Hence, the Bench deems it appropriate to adjourn the matter. However, the Bench directs the PIO to supply information to the appellant as also to file reply to the show cause notice before the next hearing and also to ensure 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 08.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11.2021**

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

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Shri Jasbir Singh
Guru Nanak Nagar,
Village Bolapur Jhabewal,
Post Office Ramgarh,
District Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Chief Administrator,
Grater Ludhiana Area Development
Authority (GLADA), Ludhiana.

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

....Respondents

AC No.1878 of 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 23.08.2021 passed by this Bench on the previous hearing.
2. The case was scheduled to be heard today in Commission's office at Chandigarh. Shri Jasbir Singh, appellant has not come present to attend the hearing in person before the Bench. He has, however, informed by telephonic message that he is unable to attend the hearing due to fever and has also informed that he has not been supplied any information yet.
3. Neither the PIO O/o GLADA, Ludhiana has come present to attend the hearing nor he has deputed any of his representatives to attend the hearing in person before the Bench.
4. The Bench, on perusal of the case file observes that during the last hearing, the PIO was issued show cause notice for non-appearance for the hearing. But neither the PIO has supplied information to the appellant nor has filed reply to the show cause notice and as such, the PIO has not complied with the directions of the Bench. However, an e.mail dated 09.11.2021 has been received requesting for giving another date.

Cont...P-2



-2-

AC No.1878/2021

5. In the absence of the PIO as well as the appellant, the Bench is unable to proceed further in the matter. Hence, the Bench deems it appropriate to adjourn the matter. However, the Bench directs the PIO to supply information to the appellant as also to file reply to the show cause notice before the next hearing and also to ensure 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 08.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11.2021**

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

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RED CROSS BUILDING, NEAR ROSE GARDEN,
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ShriAvtar Singh
S/o Late Shri Daljit Singh,
Village & PO Chuharwali,
Tehsil Adampur,
District Jalandhar.

.....Appellant

Versus

Public Information Officer
O/o District Development and
Panchayat Officer,
Kapurthala.

First Appellate Authority
O/o District Development and
Panchayat Officer,
Kapurthala.

....Respondents

AC No.3572 of 2021

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

ORDER

1. The RTI application is dated 25.02.2021 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 11.04.2021 and the second appeal was filed in the Commission on 06.08.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 09.11.2021 in Commission's office at Chandigarh. Accordingly, the case was scheduled to be heard today. Shri Avtar Singh, appellant has not come present to attend the hearing in person before the Bench nor through cisco webex.
3. The PIO O/o District Development & Panchayat Officer, Kapurthala has also not come present to attend the hearing nor has deputed any of his representative to attend the hearing in person before the Bench.
4. In the absence of the PIO as well as the appellant, the Bench is unable to proceed further in the matter. Hence, the Bench deems it appropriate to adjourn the matter. However, the Bench directs the PIO to supply information to the appellant as also to come present in person before the Bench on the next hearing.

Cont...P-2



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AC No.3572/2021

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11.2021**

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

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Shri Kamal Sharma,
C/o Shri Mukesh Shukla
House No.359C,
East Guru Nanakpura,
Jalandhar.

.....Appellant

Versus

Public Information Officer

O/o Principal Secretary,
Science, Technology & Environment,
Punjab, Chandigarh.

Public Information Officer,

Pushpa Gujral Science City,
Jalandhar Kapurthala Road,
Kapurthala.

First Appellate Authority

O/o Principal Secretary,
Science, Technology & Environment,
Punjab, Chandigarh.

....Respondents

AC No.2487 of 2021

Present: (i) Shri Kamal Sharma, Appellant.
(ii) Shri Aman Sharma, Admn. Officer/APIO, Pushpa Gujral Science City, Jalandhar, in person.
(iii) Sh. Mohit Kumar, Sr. Assistant, Ms. Shayna, Sr. Assistant and Shri Satvinder Singh, Sr. Assistant O/o Principal Secretary, Science, Technology & Environment Department, Punjab, in person.

ORDER

(Heard in person/on mobile phone)

1. This order may be read with reference to the order dated 18.08.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. The appellant Shri Kamal Sharma, has not come present to attend the hearing in person before the Bench nor is available through cisco webex.
3. Shri Mohit Kumar, Sr. Assistant, Ms. Shayna, Sr. Assistant and Shri Satvinder Singh, Sr. Assistant O/o Principal Secretary, Science, Technology & Environment Department, Punjab, come present in person and state that information on points No.1 to 3 has been supplied to the appellant vide letter dated 31.12.2020 through registered post.



4. Shri Aman Sharma, Administrative Officer/APIO, Pushpa Gujral Science City, Jalandhar comes present to attend the hearing in person before the Bench. He reiterates the statement of PIO made during previous hearing that the copy of enquiry report as sought by the appellant, cannot be supplied to him, being personal information. He states that during previous hearing, the appellant had stated that office memorandum of Ministry of Personnel, Public Grievances & Pensions, Department of Personnel and Training, Govt. of India, New Delhi dated 14.08.2013 is not applicable in this case. He states that the appellant has sought copy of the enquiry report in respect of an employee of Pushpa Gujral Science City, Kapurthala Shri Sandeep Gauatm, which is personal information and hence, has not been supplied and moreover, the information sought is not in the public interest, rather, the appellant has sought this information for his personal interest. He also produces letter dated 09.08.2021 before the Bench to the effect and to support his argument.

5. Since the appellant has not attended the hearing either in person or through cisco webex, he is contacted on mobile phone. The appellant contends the statement of the APIO and states that the information sought by him is in the larger public interest as he has sought this information regarding a recruitment scam in this Institute as irregular appointment of an official has been made. The Bench apprises the appellant of letter dated 09.08.2021 produced by the APIO before the Bench in support of his claim to deny the enquiry report to the appellant being personal information.

6. Post deliberations, the Bench directs the PIO, Pushpa Gujral Science City, Kapurthala 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 an enquiry into the complaint made by the appellant was got conducted by the competent authority and the allegations levelled by the appellant have been found to be false, baseless and unsubstantiated. It be further stated that the copy of enquiry report cannot be supplied, being personal information under Section 8(1)(j) as well as in terms of Govt. Of Punjab, Department of Governance Reforms & Public Grievances Department's letter dated 09.08.2021. It be further stated that the statement made is true and correct.

Cont..P-2



-3-

AC No.2487/2021

7. The PIO is directed to bring along the original affidavit along with its photocopy as also the relevant records and produce the same before the Bench on the next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 08.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11.2021**

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