

**PUNJAB, STATE INFORMATION COMMISSION**  
**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Sh Bharat Bhushan,  
Aggarwal Sewa Samiti Office,  
Booth No-8, Phase-2,  
Mohali.

... Compliant

Versus

**Public Information Officer,**  
GMADA,  
Mohali.

...Respondent

**Complaint Case No. 970 of 2018**

**Present: Sh.Bharat Bhushan as Complainant**  
**None for the Respondent**

**Order:**

The case was last heard on 27.11.2018. The order is reproduced hereunder:

“The complainant through RTI application dated 16.03.2018 has sought information regarding copy of file noting/minutes sheet through which the plot reserved for Aggarwal Sabha has been de-reserved and other information concerning the office of GMADA Mohali. The complainant was not provided the information after which he filed complaint with the Commission on 06.09.2018.

The respondent present has brought the information and handed over to the complainant. However, the Commission has found gross misconduct on the part of the PIO in attending to the RTI application since there has been a delay of 08 months in providing the information.

The Commission hereby directs the PIO **to show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time**, he should file an affidavit in this regard, if there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.”

**Hearing dated 16.01.2019:**

The appellant is present. The appellant informed that he has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

**Chandigarh**  
**Dated: 16.01.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh Naresh Goel, S/o Sh Hans Raj,  
# 501/62/1, Shastri Nagar, Street No-3,  
Jagraon, Distt Ludhiana.

Versus

... Compliant

**Public Information Officer,**  
Tehsildar, Village Gill,  
Ludhiana.

...Respondent

**Complaint Case No. 986 of 2018**

**Present:        Sh.Naresh Goel as Complainant**  
**None for the Respondent**

**Order:**

The case was last heard on 27.11.2018. The order is reproduced hereunder:

“The complainant through RTI application dated 02.07.2018 has sought information regarding demarcation of land applied through Sewa Kendre, Janta Nagar Ludhiana vide acknowledgement No.02114669 dated.08.09.2017 & 01218540 dated 23.06.2017 and other information concerning the office of Tehsildar Village Gill, Ludhiana. The complainant was not provided the information after which he filed complaint with the Commission on 14.08.2018.

The respondent is absent without intimation to the Commission. As per complainant, he has not received any communication and information from the PIO.

The PIO is directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act and be present personally or through his representative on the next date of hearing.”

**Hearing dated 16.01.2019:**

The appellant is present and informed that no information has been provided. The respondent is absent. The respondent is given one more opportunity to provide the information to the appellant and be present on the next date of hearing failing which the Commission will be constrained to take action as per RTI Act.

Both the parties to be present **on 13.03.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 16.01.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh Naresh Goel, S/o Sh Hans Raj,  
# 501/62/1, Shastri Nagar, Street No-3,  
Jagraon, Distt Ludhiana

... Compliant

Versus

**Public Information Officer,**  
**O/o Taluka Inspector of Land Records,**  
Village Gill-2, Ludhiana.

...Respondent

**Complaint Case No. 988 of 2018**

**Present: Sh.Naresh Goel as Complainant**  
**None for the Respondent**

**Order:**

The case was last heard on **27.11.2018**. The order is reproduced hereunder:

“The complainant through RTI application dated 08.05.2018 has sought information regarding details of land khasra No.1666, 1667 & 1668 in village Gill Abad Guru Teg Bahadur Nagar Ludhiana and other information concerning the office of Taluka Inspector of Land Records, Village Gill-2, Ludhiana. The complainant was not provided the information after which he filed complaint with the Commission on 19.06.2018.

The respondent is absent without intimation to the Commission. As per complainant, he has not received any communication and information from the PIO.

The PIO is directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act and be present personally or through his representative on the next date of hearing.”

**Hearing dated 16.01.2019:**

The appellant is present and informed that no information has been provided. The respondent is absent. The respondent is given one more opportunity to provide the information to the appellant and be present on the next date of hearing failing which the Commission will be constrained to take action as per RTI Act.

Both the parties to be present **on 13.03.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 16.01.2019**

**Sd/-**  
**(Khushwant Singh)**  
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Sh Hardeep Singh, S/o Sh Tarsem Lal,  
Village Nurpur, Tehsil Banga,  
SBS Nagar, Nawashehar.

.... Appellant.

Versus

**Public Information Officer,**  
O/o BDPO, Aur,  
SBS Nagar, Nawashehar.

**First Appellate Authority,**  
O/o DDPO,  
SBS Nagar, Nawashehar.

...Respondent

**Appeal Case No. 1724/ 2018**

**Present:**       **Sh.Hardeep Singh as   Appellant**  
                  **Sh.Rajesh Chadha, PIO/BDPO Aur for the Respondent**

**ORDER:**       The case was first heard on 14.08.2018. The respondent was absent. The PIO was directed to provide point-wise information on all points to the appellant within 15 days and explain the reasons for not providing the information within the time prescribed under the RTI Act, 2005.

The case was again heard on **12.09.2018**. Since both the parties were absent, the case was adjourned.

The case again came up for hearing on **23.10.2018**. The appellant informed that the information has not been provided to him. The respondent was absent on 3<sup>rd</sup> consecutive hearing. The PIO was issued show cause notice and the PIO was directed to appear before the Commission personally alongwith the written reply on an affidavit. The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders and send compliance to the Commission.

The case was last heard on **21.11.2018**. The order is reproduced hereunder:

“The respondent present pleaded that they have already provided similar information in an RTI application filed by the appellant in the year 2017 which, could not be clarified as the appellant is absent. However, the respondent failed to explain regarding the information relating to this RTI application. The respondent has also brought a letter from the PIO which is not in tandem with the proceedings of the hearing in this case. He has referred the dates which are not part of this case. It seems that the respondent present on behalf of the BDPO and DDPO are not serious about the matter.

As for the show cause notice, the PIO has chosen not to appear but preferred to attend some function and send a letter to the Commission. The Commission has taken a serious note of this attitude of the PIO and directs the PIO-BDPO to provide the information to the appellant and be present personally on the next date of hearing. However, if similar information has been provided in earlier case, BDPO should bring the record to ascertain this claim.

The respondent also stated that there is an FIR registered against the appellant and the record is in police custody. However, none the less, the PIO's reply is not satisfactory nor the PIO has replied to the show cause. The PIO is directed to submit reply to the show cause with solid reasons for not complying with the orders of the Commission on an affidavit before the next date of hearing. If the information has been provided, this be given on an affidavit.”

**Hearing dated 16.01.2019:**

The PIO is present and pleaded that the available information has been provided to the appellant. The appellant is not satisfied and stated that the information provided is not as per the RTI application. Having gone through the information and hearing both the parties, the Commission directs the PIO to relook at the RTI application and provide the information on the following points:

- Point 1            PIO-BDPO to collect from the concerned department and provide
  - Point-2           PIO-BDPO to transfer the RTI application to the Drainage Department
  - Point-3           PIO to provide or give in writing that there is no rule or order issued by the concerned department
  - Point-4&5        PIO to provide the information
  - Point-13          PIO informed that since the information is 3<sup>rd</sup> party, it cannot be provided  
The appellant is asked to submit evidence in support of his contention that the information sought is in public interest and involves corruption.
- Points:14,15,16,17, 17(a) & 20            -            PIO to provide the information

The PIO is further directed to provide legible certified copies of the information to the appellant through registered post and send a compliance report to the Commission. The reply of the show cause notice will be considered on the next date of hearing.

The case is adjourned. To come up on **13.03.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 16.01.2019.**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Er. Sohan Lal Sharma,  
Asstt Er.(Retd), H No-677, MIG, Phase-1,  
Urban Estate, Patiala.

Appellant.

Versus

**Public Information Officer,**  
O/o Secretary, Rural Development & Panchayat,  
Pb, Mohali.

**First Appellate Authority,**  
O/o Chief Engineer, Panchayati Raj,  
Vikas Bhawan, Sector-62, Mohali.

...Respondent

**Appeal Case No. 1791 of 2018**

**Present:**        **None for the Appellant**  
                     **Sh.Daljit Singh, SDO(Electrical)/PIO for the Respondent**

**ORDER:**        The case was first heard on 18.07.2018. The respondent submitted a letter No.1864 dated 17.07.2018 mentioning that the appellant was asked to deposit the requisite fee of Rs.7012/- within ten days vide letter dated 24.10.2017 but the appellant has not deposited the same and so the information was not provided. The appellant pleaded that he has not received the letter dated 24.10.2017.

The PIO was directed to submit proof of dispatch of the letter and bring a break up of Rs.7012/- on the next date of hearing

The case was again heard on **14.08.2018**: The respondent produced a copy of the official *Dak* register as a proof of the dispatch of the letter dated 24.10.2017 by the PIO which was sent via regular post to the appellant asking him to deposit the requisite fee of Rs.7012/ for the information he had sought. The respondent also brought a break-up of the estimate of Rs.7012, which was handed over to the appellant.

The appellant again pleaded that since he did not receive any reply within 30 days of his RTI application, he be provided the information free of cost. The matter before the Commission was to ascertain that whether the PIO raised the fee within the prescribed time under RTI Act and whether the contention of the appellant has any merit or not? Based on the findings, the commission is to adjudicate the matter for which the PIO is directed to provide further proof of the dispatch of the letter dated 24.10.2017. The PIO was directed to bring the '**Post Register**' to ascertain further the claim that the appellant's RTI was responded to within time, whereby he was asked to deposit the requisite fee to obtain the information that he sought.

The case again came up for hearing on **24.09.2018**. The Commission observed that the nature of the information sought is voluminous, and the compiling of which will involve the diversion of resources. The appellant was asked to inspect the record and take relevant information to a maximum of 200 pages which will be provided free of cost to him. The PIO was directed to allow the inspection of record and provide with the information to the appellant."

The case was again heard on **06.11.2018**. The respondent present informed that as per directions of the Commission, the information has been provided to the appellant free of cost. The appellant informed that he has been provided information of 194 pages. The PIO was directed to provide remaining information of 6 pages to the appellant.

The case was last heard on **21.11.2018**. The order is reproduced hereunder:

“The appellant informed that the remaining information has not been provided to him. The respondent present is without authority letter and could not explain regarding remaining information. The PIO is directed to provide the remaining information as per previous order within 10 days otherwise the Commission will be constrained to take serious action as per the RTI Act.”

**Hearing dated 16.01.2019:**

The respondent present has informed that in compliance with the orders of the Commission, the remaining information has been provided to the appellant on 11.01.2019. The respondent has submitted an acknowledgment of the appellant having received the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

**Chandigarh**  
**Dated: 16.01.2019.**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh. Nand Lal,  
C-85, New Cantt Road,  
Faridkot.

... Appellant

Versus

**Public Information Officer,**  
O/o Director of Land Records,  
Kapurthala Road, Jalandhar.

**First Appellate Authority,**  
O/o Director of Land Records,  
Kapurthala Road, Jalandhar.

...Respondent

**Appeal Case No. 3089 of 2018**

**Present:       None for the Appellant**

**Sh.Prem Singh Pathania, Sr.Assistant O/o Director Land Records,  
Jalandhar for the Respondent**

**Order:**

The case was last heard **on 26.11.2018**. The order is reproduced hereunder:

“The appellant through RTI application dated 17.03.2018 has sought information regarding rate of the property No.BT.TR-45-47 Ferozepur City and other information concerning the office of Director of Land Records, Punjab, Jalandhar. The appellant was not satisfied with the reply of the PIO dated 27.04.2018 after which he filed first appeal before the First Appellate Authority on 05.07.2018 which disposed off the appeal on 29.08.2018

The respondent present has submitted a letter dated 22.11.2018 whereby the PIO has informed that there is no record available as well as the information that has been sought is in question form and has rejected the application on these grounds. The Commission however, reject the second plea of the organization and directs the PIO to relook at the RTI application and if there is any record/document available which relates to the rate of the property at which it was allotted, it should be provided.”

**Hearing dated 16.01.2019:**

The appellant is absent and vide email has sought exemption for personal appearance being old age.

The respondent present pleaded that they have tried to trace out the record but the same is not traceable. The Commission however, cannot assume that the record is missing until and unless there is a valid proof to ascertain that the record is missing. Merely stating that the record is missing, is not a ground to reject the RTI application. The Commission directs the Director of Land Records to conduct an enquiry into the matter and submit enquiry report to the Commission. The PIO to also ascertain that whether this record does not exist or it might exist with some other department.

The case is adjourned. To come up for further hearing **on 11.03.2019 at 11.00 AM**.

**Chandigarh**  
**Dated: 16.01.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



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Sh Prem Kumar Rattan,  
H No. 78/8, Park Road, New Mandi, Dhuri,  
Distt Sangrur

... Appellant

Versus

**Public Information Officer,**  
Police Commissioner,  
Sarabha Nagar, Ludhiana.

**First Appellate Authority,**  
Commissioner of Police,  
Ludhiana

...Respondent

**Appeal Case No. 3096 of 2018**

**Present:**        **Sh.Prem Kumar Rattan as Appellant**  
                      **Sh.Dev Raj Inspector O/o Police Commissioner, Ludhiana for the**  
                      **Respondent**

**Order:**            The case was last heard **on 26.11.2018**. The order is reproduced hereunder:

“The appellant through RTI application dated 01.06..2018 has sought information regarding action taken on the complaint filed by Sh.Pushpinder Sharma in March 2018 against Smt.Sakshi Mehra d/o Kuldeep Kaur, Kuldeep Kaur w/o Paraspal Mehra and other alongwith copy of complaint, statements witnesses and other information concerning the office of Police Commissioner, Sarabha Nagar, Ludhiana The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 26.07.2018 which took no decision on the appeal.

The respondent has submitted a letter dated 24.11.2018 whereby the PIO has informed that as per information received from the complaint branch of the office of Police Commissioner Ludhiana, the complaint CR No.1294170 dated 16.03.2018 was pending with Assistant Commissioner, Police, CAW&CL Ludhiana for enquiry and the appellant was informed of the same vide letter dated 23.07.2018. The PIO has further informed that as per information again received from the complaint branch of the Police Commissioner, Ludhiana, the enquiry is still pending with Assistant Commissioner, Police, CAW&CL Ludhiana and so the information cannot be provided.

The PIO is directed that if the enquiry has been completed, the information be provided as per RTI Act. However, if the enquiry is still pending, the PIO is directed to provide a copy of complaint as well as a copy of statement of complainant to the appellant.”

**Hearing dated 16.01.2019:**

The appellant is absent and vide letter received in the Commission on 14.01.2019 has sought exemption for personal appearance on medical grounds. The appellant has further informed that the information has not been provided.

The respondent present has submitted a letter dated 15.01.2019 of the PIO stating therein that the complaint branch of the office of Commissioner of Police Ludhiana was further contacted and they informed that since the information sought regarding complaint CR No.1294170 relates to the police station, NRI Wing, Ludhiana, the said complaint was sent to the Additional Director General Police, NRI Wing, SAS Nagar for further action. The PIO-of the office of Additional Director General of Police, NRI Wing, SAS Nagar is impleaded as necessary party in this case.

The respondent further pleaded that since the copy of statement of complainant can influence the enquiry, it should not be provided till the enquiry is complete. The respondent pleaded before the Commission to reconsider its interim order whereby the Commission had directed the PIO to provide copy of complaint and copy of statement of complainant to the appellant. The Commission has considered the respondent plea and directs the respondent to only provide with the copy of the complaint to the appellant before the next date of hearing.

To come up for further adjudication **on 11.03.2019 at 11.00 AM.**

**Chandigarh**  
**Dated: 16.01.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to : The PIO, Additional Director General Police,**  
**NRI Wing, SAS Nagar, Mohali**

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Sh Prem Kumar Rattan,  
H No. 78/8, Park Road, New Mandi, Dhuri,  
Distt Sangrur

... Appellant

Versus

**Public Information Officer,**  
Police Commissioner,  
Sarabha Nagar, Ludhiana.

**First Appellate Authority,**  
Commissioner of Police,  
Ludhiana

...Respondent

**Appeal Case No. 3097 of 2018**

**Present:**      **Sh.Prem Kumar Rattan as Appellant**  
                     **Sh.Dev Raj Inspector O/o Police Commissioner, Ludhiana for the**  
                     **Respondent**

**Order:**            The case was last heard on **26.11.2018**. The order is reproduced hereunder:

“The appellant through RTI application dated 27.06.2018 has sought information regarding leave/station leave of Sh.Balwant Singh s/o Dalip Singh (Hawaldar) R/o H.No.824 Gali No.6, SBB Nagar, Ludhiana and other information concerning the office of Police Commissioner, Sarabha Nagar, Ludhiana. The appellant was not satisfied with the reply of the PIO dated 26.07.2018 after which he filed first appeal before the First Appellate Authority on 28.07.2018 which took no decision on the appeal.

The respondent has pleaded that the information being personal and third party information, cannot be provided and the appellant has already been informed of the same vide letter dated 20.08.2018.

Since the case pertains to 3<sup>rd</sup> party and the information has been denied, the case will be adjudicated at the next date of hearing.”

**Hearing dated 16.01.2019:**

The appellant is absent and vide letter received in the Commission on 14.01.2019 has sought exemption for personal appearance on medical grounds. The appellant has further informed that the information has not been provided.

The respondent present again pleaded that since the information is 3<sup>rd</sup> party, it cannot be provided. The appellant has not been able to produce any evidence to prove that the revealing of station leave of Sh.Balwant Singh which is a matter of his service, will lead to revelation of indiscretion in service, corruption or human rights violation. Since the information being sought is about an intra-family dispute, the appellant is directed to produce evidence that revealing of information regarding Sh.Balwant Singh involves larger public interest.

To come up on **11.03.2019 at 11.00 AM** For further hearing.

**Chandigarh**  
**Dated: 16.01.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh Vivek Bakshi, S/o Sh Krishan Bakshi,  
R/o 102, Sugandh Vihar, Pakhowal Road,  
Phulawal, Distt Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o GMADA,  
Mohali.

**First Appellate Authority,**  
O/o Chiarman, GMADA,  
Mohali

...Respondent

**Appeal Case No. 3146 of 2018**

**Present: Sh.Vivek Bakshi as Appellant**  
**Sh.Gurmukh Singh, APIO-GAMADA Mohali for the Respondent**

**Order:**

The case was last heard **on 26.11.2018**. The order is reproduced hereunder:

“The appellant through RTI application dated 08.05.2018 has sought information regarding complete details of H.No.924, Sector 80 and House No.956 sector 78, Mohali and other information concerning the office of Chairman, GAMADA Mohali. The appellant was not satisfied with the reply of the PIO dated 26.07.2018 after which he filed first appeal before the First Appellate Authority on 19.06.2018 which took no decision on the appeal.

The respondent present has pleaded that the information being third party information, cannot be provided.

From the scrutiny of the case, it came to the notice that both the plots belong to the same person. During the course of hearing, the appellant alleged that under the GAMADA policy, two plots cannot be allotted to one individual. However, it could not be ascertained whether the person holding these plots has been allotted these plots or bought from the secondary market. The Commission will adjudicate the matter after coming to the conclusion and hereby directs the GAMADA to file a reply stating the name/names of the original allottees of the plot No.924 Sector 80 and Plot No.956 Sector 78.”

**Hearing dated 16.01.2019:**

The respondent present pleaded that the information has been provided to the appellant and a copy of the same is submitted to the Commission. The appellant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

**Chandigarh**  
**Dated: 16.01.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**