

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



FINAL ORDER

Pankaj Mittal,
S/o Subhash Singh Mittal,
22009/B, Street No. 12/1,
Power House Road, Bathinda.

Versus

Public Information Officer,
o/o Chief Administrator,
Bathinda Urban Development Authority (BDA),
Bathinda.

Complaint Case No. 610 of 2020 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Harsimran Singh, Senior Assistant (for the Respondent) 98880-54407

ORDER:

(To be read in continuity with earlier orders on 2.12.2020, 4.2.2021, 8.9.2021, and 18.2.2022)

1. The complainant, **Pankaj Mittal**, filed this RTI application dated **14.8.2020** and sought **information regarding a housing project namely, Virat Colony, by Indira Infratec Private Limited**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **2.9.2020**. The case was last heard on **18.2.2022**.

2. The appellant is absent without intimation. As directed at the last hearing on 18.2.2022, the respondent PIO, has submitted an affidavit vide Letter No.113 Dated 25.2.2022. The respondent PIO has further stated that the information pertaining to point E of RTI application has been furnished by way of duly attested copies of Two maps vide Letter No.110 Dated 25.2.2022. The appellant meanwhile in an email received on 29.4.2022 made a written submission wherein he has sought transfer of this Complaint Case to some other Bench.

3. Bench-hunting by appellants/complainants cannot be permitted in the wider interest of justice and transparency as enshrined in the RTI Act, 2005. It is also noted here that this is a Complaint Case wherein the Commission is under no obligation to ensure supply of the requested information to the complainant.

4. However, in view of that this is a Complaint Case, the respondent PIO is directed to submit a written explanation regarding the delay in addressing this RTI application. Said explanation must be submitted to the Commission within 21 days of receipt of this Order.

5. This Complaint Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022

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FINAL ORDER

Harmilap Singh Grewal,
22173, Street-12/2
Power House Road,
Bathinda-151001

Versus

Public Information Officer,
o/o Punjab Urban Planning & Development Authority,
PUDA Bhawan,
Sector-62, S.A.S Nagar, Mohali
Public Information Officer,
o/o Bathinda Development Authority,
Model Town, RD, Civil Lines, Bathinda
First Appellate Authority,
o/o Punjab Urban Planning & Development Authority,
PUDA Bhawan,
Sector-62, S.A.S Nagar, Mohali.

Appeal Case No. 741 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Harsimran Singh, Senior Assistant (for the Respondent) 98880-54407

Sukhwinder Singh, Revenue Patwari (for the Respondent) 94171-60047

ORDER:

(To be read in continuity with earlier orders on 26.8.2020, 2.12.2020, 4.2.2021, 8.9.2021, and 18.2.2022)

1. The RTI application is dated **3.9.2019** vide which the appellant has sought information **by way of a copy of a Map showing the demarcation of PUDA-acquired / earmarked land of rakba 2519 and 2520 for Phase Three of the Bathinda Power House and a copy of the Court Order directing status quo on land along with rakba numbers,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.11.2019** and Second Appeal was filed in the Commission on **14.2.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **18.2.2022**.

2. The appellant is absent but has informed the Commission via email Dated 18.5.2022, that he has received the requested information and that it is satisfactory. In view of the appellant's email, this Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022

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FINAL ORDER

Hakam Singh,
S/o Shri Darshan Singh,
R/o Madhir, Tehsil Gidderbaha,
Sri Muktsar Sahib.

Versus

Public Information Officer,
O/o Divisional Forest Officer,
Bathinda.

First Appellate Authority,
O/o Divisional Forest Officer,
Ferozepur Circle, Ferozepur.

Appeal Case No. 915 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Dalwinder Kaur, Forest Guard (for the Respondent) 94786-73695

ORDER:

1. The RTI application is dated **13.12.2021** vide which the appellant has sought information **regarding Newration number of Trees**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.1.2022** and Second Appeal was filed in the Commission on **21.2.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **19.5.2022**.
2. The appellant is absent but has emailed the Commission on 19.5.2022, that he has received the requested information. The respondent PIO, represented by Dalwinder Kaur, Forest Guard, stated that the requested information was furnished vide Letter No. 7258 Dated 17.3.2022 (2125 pages).
3. The Commission notes that the respondent PIO-cum-DFO, Bathinda, Sh. Swaran Singh, has unnecessarily delayed addressing this RTI application and may have caused a financial loss to the state. The PIO-cum-DFO, Bathinda is hereby advised to be more proactive in responding to the request under the RTI Act, 2005. This Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022

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FINAL ORDER

Kanwarjit Singh,
174, Kanwaljit Singh Market,
New Courts, Jalandhar – 144 001

Versus

Public Information Officer,
o/o Executive Officer,
Improvement Trust, Jalandhar,

Complaint Case No. 942 of 2020 (Video Conference Proceedings)

PRESENT:

Mudit (for the Complainant) 94171-63397
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 16.3.2021, 1.6.2021, 4.8.2021, 2.9.2021, 29.9.2021, 10.11.2021, 30.11.2021, 15.12.2021, and 11.2.2022)

1. The complainant, **Kanwarjit Singh**, filed this RTI application dated **4.11.2020** and sought information **regarding the status of applications filed by the complainant**, from the PIO o/o **Executive Engineer, Jalandhar Improvement Trust, Jalandhar**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **10.12.2020**. The case was last heard on **11.2.2022**.

2. At the last hearing on 11.2.2022, the respondent PIO was granted final opportunity to respond to the Show Cause Notice issued on 16.3.2021 and deposit the penalty of Rs. 25000/- imposed upon him vide this Commission's Order of 15.12.2021. The respondent PIO has however, remained absent despite being notified by the Commission and neither has he submitted any written reply to the Show Cause Notice or furnish proof of payment of the penalty imposed on him/her.

3. The respondent PIO, office of Executive Officer, Jalandhar Improvement Trust, is hereby given two weeks from the date of receipt of this Order to comply with this Commission's Order of 11.2.2022 and report compliance to the Commission in writing.

4. This Complaint Case is accordingly **Disposed of**. Case file be sent to the Registry Branch for follow up on compliance.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022

Cc: Deputy Registrar, Punjab State Information Commission, along with Case file.

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FINAL ORDER

Vinod Jetley,
S/o Sh. Inder Sen Jetely,
3042, Sector 40-D, Chandigarh.

Versus

Public Information Officer,
o/o Executive Officer,
Improvement Trust, Jalandhar,
First Appellate Authority,
o/o Executive Officer,
Improvement Trust, Jalandhar.

Appeal Case No. 1303 of 2020 (Video Conference Proceedings)

PRESENT:
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **11.8.2020, 15.9.2020, 20.10.2020, 1.12.2020, 16.4.2021, 3.8.2021, 22.9.2021, 9.11.2021, 7.12.2021, and 11.2.2022**)

1. The RTI application is dated **10.12.2019** vide which the appellant has sought information **regarding Plot No. 81, Garha Road, Jalandhar City**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **31.1.2020** and Second Appeal was filed in the Commission on **19.5.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.2.2022**.

2. Both parties are absent. At the last hearing on 11.2.2022, the appellant was directed to comply with this Commission's Order of **3.8.2021**, wherein, a penalty of Rs. 5,000/- was imposed upon him, by submitting proof of same to the Commission. The respondent PIO failed to comply.

3. The respondent PIO office of Executive Officer, Improvement Trust, Jalandhar is hereby granted two weeks time from the date of receipt of this Order to comply with this Commission's Order of 11.2.2022 and intimate compliance to the Commission.

4. This Appeal Case is herewith accordingly **Disposed of** and case file be sent to the registry branch to follow up of compliance regarding the penalty.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022

Cc: Deputy Registrar, Punjab State Information Commission, along with case file.

PUNJAB STATE INFORMATION COMMISSION

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FINAL ORDER

Daljit Singh,
S/o Sh. Satnam Singh,
23/7, Friends Colony (Opposite DAV College),
Jalandhar.

Versus

Public Information Officer,
o/o Municipal Corporation, Jalandhar,
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Jalandhar.

Appeal Case No. 1588 of 2021 (Video Conference Proceedings)

PRESENT:

Daljit Singh (Appellant) 99149-77731

Paul Parmeet Singh, Building Inspector (for the Respondent) 70875-47807

ORDER:

(To be read in continuity with earlier orders on 13.7.2021, 2.9.2021, 19.10.2021, 17.11.2021, 2.12.2021, 14.12.2021, 21.12.2021, and and 18.2.2022)

1. The RTI application is dated **4.11.2020** vide which the appellant has sought information **regarding House No. 144, Banda Bahadur Nagar, Near Tagore Hospital, Jalandhar**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **8.1.2021** and Second Appeal was filed in the Commission on **30.3.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard **on 18.2.2022**.

2. Both parties are present. The respondent PIO, represented by Paul Parmeet Singh, Building Inspector, states that a reply vide Letter No. 3532 Dated 4.12.2020, was sent to the appellant wherein he was informed that the information pertaining to points 1 to 3 of the RTI application regarding the map of the cited property can only be traced by way of the Map Number and cannot be accessed by plot number. The information pertaining to point no. 4, 5, and 6 was furnished and point no. 7 was dismissed as a question. In a subsequent reply to the appellant vide Letter No. MTP/3977 Dated 16.11.2021, the respondent PIO had informed the appellant that no other information would be given since the matter cited in the RTI application is subject to the case in the Hon'ble Punjab and Haryana High Court and that information could only be given following the Court's decision.

3. It is notable here that the respondent PIO has been paid a compensation of Rs. 3,000 to the appellant as ordered by this Commission. After deliberations at today's hearing, the respondent PIO, represented by Paul Parmeet Singh, Building Inspector, has agreed to make a fresh search of the map requested at points 1, 2, and 3 of the RTI application. He is to submit copies of the map after redacting/blanking out internal details/arrangements.

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Appeal Case No. 1588 of 2021 (Video Conference Proceedings)

4. In case the map is not traceable the respondent PIO is to submit a duly notarized affidavit regarding the status of the map pertaining to the complaint cited in the RTI application. All the above must be done within Three weeks of receipt of this Order. This Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022

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FINAL ORDER

Yogesh Malhotra (Advocate),
S/o Sh. H.L Malhotra,
14, Shastri Market,
Jalandhar City – 144 001

Versus

Public Information Officer,
o/o Municipal Corporation,
Jalandhar,
First Appellate Authority,
o/o Municipal Corporation,
Jalandhar.

Appeal Case No. 1995 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Paul Parmeet Singh, Building Inspector (for the Respondent) 70875-47807

Nirmaljeet, Building Inspector (for the Respondent) 98765-01826

Ravinder Kumar, PIO-cum-ATP (Respondent) 96469-38745

ORDER:

(To be read in continuity with earlier orders on 30.9.2020, 10.11.2020, 16.12.2020, 16.2.2021, 28.7.2021, 16.9.2021, 2.11.2021, 24.11.2021, 15.12.2021, and 11.2.2022)

1. The RTI application is dated **12.12.2019** vide which the appellant has sought information **regarding complaints, applications sent on email and WhatsApp**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.2.2020** and Second Appeal was filed in the Commission on **29.7.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.2.2022**.

2. The appellant is absent. The respondent PIO, represented by Paul Parmeet Singh, Building Inspector, Nirmaljeet, Building Inspector, and PIO-cum-ATP, Ravinder Kumar, have submitted a letter signed by the appellant wherein he has signed a statement that he has received the requested information.

3. In view of the above, this Appeal is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022

PUNJAB STATE INFORMATION COMMISSION

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FINAL ORDER

Anil Sehgal,
President, Aaj Ki Pukar,
7/239, Jaswant Nagar, Garha Road,
Jalandhar City – 144 001

Versus

Public Information Officer,
o/o Municipal Corporation,
Jalandhar,
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Jalandhar.

Appeal Case No. 2670 of 2021 (Video Conference Proceedings)

PRESENT:

Anil Sehgal (Appellant) 98554-88777
Ajesh Kumar (for the Appellant)
Ram Paul, XEN (for the Respondent) 98149-16245

ORDER:

(To be read in continuity with earlier orders on 28.9.2021, 10.11.2021, 30.11.2021, 6.12.2021, 21.12.2021, and 18.2.2022)

1. The RTI application is dated **24.12.2020** vide which the appellant has sought information **regarding the development funds allotted for Ward Nos. 21, 22, 23 and 24 of Jalandhar Cantt. Area and the utility of that fund,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.2.2021** and Second Appeal was filed in the Commission on **8.6.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **18.2.2022**.
2. Both parties are present. At the last hearing of this Appeal Case, the appellant was requested to list deficiencies afresh. He has submitted said deficiencies vide Letter Dated 2.5.2022.
3. The respondent PIO, represented by Ram Paul, XEN, is herewith directed to examine the deficiencies listed by the appellant and submit a pointwise reply to the same by way of a duly notarized affidavit. The said affidavit must be accompanied by any still pending information after due attestation. The above must be sent within Three weeks from the date of receipt of this Order. The original affidavit is to be supplied to the appellant and a copy of the same is to be submitted to the Commission.
4. This Appeal Case is accordingly **Disposed of.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022

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REGISTERED FINAL ORDER

Deepak Kalia,
S/o Sh. Deepak Kumar Kalia,
31, Kailash Nagar,
Sodal Road,
Jalandhar.

Versus

Public Information Officer,
o/o Municipal Corporation, Jalandhar,
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Jalandhar.

Appeal Case No. 4887 of 2021 (Video Conference Proceedings)

PRESENT:

Deepak Kaila (Appellant) 81980-00785
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 11.2.2022)

1. The RTI application is dated **21.12.2020** vide which the appellant has sought information **regarding the government policies regarding unapproved colonies in six points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **8.2.2021** and Second Appeal was filed in the Commission on **22.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.2.2022**.
2. At the last hearing of this Appeal Case, Show Cause Notice was issued on 11.2.2022, to the respondent PIO. The respondent PIO has failed to make any written submission in reply to said Show Cause Notice or be heard in person at today's hearing.
3. Under the circumstances, this Commission deems it fit to impose the penalty to Rs. 5000/- on the respondent PIO. The respondent PIO is also advised to submit a pointwise reply to the RTI application along with requested information.

Order: Keeping all the facts of the case in mind, this is a fit case to invoke Section 20 of RTI Act and impose a penalty on the respondent PIO Section 20(1), which reads as under:

"Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub Section (1) of Section 7 or malafidely denied the

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Appeal Case No. 4887 of 2021 (Video Conference Proceedings)

request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of 250/- Rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed Twenty Five Thousand Rupees;

Provided that the Central Public Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him;

Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Information Officer, as the case may be."

The onus and responsibility lie on the PIO to ensure the transmission of the complete information to the appellant. **The PIO-cum-Municipal Town Planner, Sh. Meharban Singh, Municipal Corporation, Jalandhar,** is hereby held guilty for not providing the information on time as prescribed under Section 7, which is within 30 days of the receipt of the request and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of Rupees Five Thousand (Rs.5000/-) is hereby imposed upon the **PIO-cum-Municipal Town Planner, Sh. Meharban Singh, Municipal Corporation, Jalandhar,** which be deducted from his salary and deposited in the Punjab Government Treasury under head "0070-Other Administrative Services-60-other Services-800-Other Receipts-86-Fees Under the Right to Information Act." The **PIO-cum-Municipal Town Planner, Sh. Meharban Singh, Municipal Corporation, Jalandhar,** is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan. Copies of this order be sent to the parties through registered post.

4. The respondent PIO is also hereby directed to submit a pointwise reply to the RTI application along with the requested information. Both penalty and the reply must be executed within 21 days of receipt of this Order.

5. This Appeal Case is accordingly **Disposed of.** The case file be sent to the Registry Branch for follow up of compliance.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022

Cc: Deputy Registrar, Punjab State Information Commission, along with case file.

PUNJAB STATE INFORMATION COMMISSION

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FINAL ORDER

Tejinder Singh Advocate,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur – 144 410

Versus

Public Information Officer,
o/o Municipal Corporation,
Kapurthala.
First Appellate Authority,
o/o Commissioner,
Municipal Corporation,
Kapurthala.

Appeal Case No. 4684 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 2.12.2021, 21.12.2021, and 18.2.2022)

1. The RTI application is dated **22.4.2021** vide which the appellant has sought information **regarding illegitimate possession**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.6.2021** and Second Appeal was filed in the Commission on **8.6.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **18.2.2022**.

2. Both parties are absent. At the last hearing on 18.2.2022, the respondent PIO was directed to submit a duly attested copies of the information pertaining to point no. 8 of the RTI application (audit report). The respondent PIO has submitted said information to the Commission vide Letter No. 256 Dated 23.2.2022. The same was collected by the appellant in person on 22.3.2022, whereon he also signed his receiving in the case file.

3. In view of the above, there is no cause of any further intervention by the Commission. This Appeal is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
19.5.2022