

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com Cisco Webex Meeting Code:15857-23975

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



Smt. Daljeet Kaur
D/o Late Sh.Santokh Singh,
H.No.1310/19, Phase-11,
Sector-65, Mohali.

...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.3201 of 2021

Present: (i) Smt. Daljeet Kaur, Appellant.
(ii) Shri Parminder Singh, Senior Assistant, GMADA, Mohali,
on behalf of the PIO/respondent.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 18.10.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. Smt. Daljeet Kaur, appellant comes present to attend the hearing through Cisco Webex. She states that she has received information from the PIO, GMADA but being not satisfied with the same, she had sent deficiencies to the PIO but the rectified information after removal of deficiencies has not been received by her.
3. Shri Parminder Singh, Senior Assistant O/o GMADA, Mohali comes present to attend the hearing through Cisco Webex on behalf of the PIO. He makes reference to letter dated 01.09.2021 of the PIO vide which the information was supplied to the appellant. He is then apprised of the version of the appellant.
4. Post deliberations, the matter is enquired from the appellant as to what she actually requires as she has been supplied copies of the relevant pages of ledger showing the detail of instalments

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AC No.3201/2021

paid against the Flat referred to in her RTI application. She states that she wants to know if any amount is pending as also a copy of No Dues Certificate against the said flat, if nothing is due. Upon this, the Bench directs the PIO to call the appellant to his office on any working day and allow her access to the relevant official records. The information as may be identified by the appellant be provided to her before the next hearing.

5. The PIO O/o GMADA, Mohali is also directed to file reply to the show cause notice issued on the previous hearing as also to ensure to come present to attend the hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 05.04.2022 at 11.30 AM through cisco webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.01.2022**

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

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Shri Karnail Singh,
#2463, Street No.7, Sewa Pura,
Village Kalmiya Wala,
Dera Gill Road,Ludhiana-141003.

...Appellant

Versus

Public Information Officer

O/o Chairman-cum-Managing Director,
Punjab State Power Corpn. Ltd.,
Patiala.

Public Information Officer

O/o Chief Engineer,HRD
Punjab State Power Corpn. Ltd.,
Patiala.

First Appellate Authority

O/o Chief Engineer, HRD,
Punjab State Power Corpn. Ltd.,
Patiala.

....Respondents

AC No.3232 of 2021

Present: (i) Shri Karnail Singh, Appellant, .
(ii) Shri Jasvinder Singh, Dy.Chief Accounts Officer, Pension & Funds,
PSPCL, Patiala/PIO.

ORDER:

(Heard Through Cisco Webex/on Mobile phone)

1. This order may be read with reference to the order dated 18.10.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through cisco webex. Shri Karnail Singh, appellant comes present to attend the hearing through Cisco Webex. He states that he has sought information regarding the action taken on complaint dated 18.04.2019 and reminder dated 15.05.2019 which has not been supplied to him so far.
3. Shri Jasvinder Singh, Dy. Chief Accounts Officer, PSPCL Patiala comes present to attend the hearing through cisco webex and states that he deals with Pension and Funds and the information relating to his Department has been supplied to the appellant vide letter dated 17.12.2020 at the time of

Cont..P-2



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AC No.3232/2021

first appeal and again on 14.01.2022. Shri Gurpreet Mohinder Singh Sidhu, Addl.S.E., PSPCL Raikot(Ludhiana) is contacted on mobile phone. On the asking of the Bench, he states that the appellant has already been given reply in this regard.

5. On the asking of the Bench, the appellant states that he is satisfied with the information supplied by Dy. Chief Accounts Officer (P&F), PSPCL, Patiala and Addl. S.E, PSPCL Division, Raikot. He further states that information asked for by him was divided in two parts and the information relating to Technical Wing is still pending for which he has sought information from C.M.D., PSPCL, Patiala.

6. Post deliberations, the Bench observes that the information which is still pending relates to Chief Engineer, HRD. Accordingly, the PIO O/o Chief Engineer, HRD, PSPCL, Patiala is impleaded as Respondent No.2 and is directed to supply information to the appellant before the next hearing as also to ensure to come present to attend the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 05.04.2022 at 11.30 AM through cisco webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.01.2022**

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

Copy to (By Regd.Post):

**Public Information Officer
O/o Chief Manager, HRD,
PSPCL Patiala**

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Shri Gurcharan Singh,
S/o Shri Darshan Singh,
Village Bhudan,
Tehsil & Distt. Malerkotla-148023.

...Appellant

Versus

Public Information Officer
O/o Environmental Engineer,
Punjab Pollution Control Board,
Sangrur.

First Appellate Authority
O/o Sr. Environmental Engineer,
Punjab Pollution Control Board,
Patiala.

....Respondents

AC No.3204 of 2021

Present: (i) **Shri Gurcharan Singh, Appellant.**
(ii) **Shri Rajiv Gupta, Environmental Engineer, Regional Office-II, PPCB, Sangrur/ PIO.**

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 18.10.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through cisco webex. Shri Gurcharan Singh, appellant comes present to attend the hearing through Cisco Webex.
3. Shri Rajiv Gupta, Environmental Engineer, Regional Office-II, PPCB, Sangrur/ PIO comes present to attend the hearing through cisco webex. He states that reply has also been sent to the appellant vide letter dated 13.01.2021. Reply on behalf of PIO dated 14.10.2021 has been filed before the Commission in this regard. He further states that the information asked for by the appellant is in question form and hence, cannot be supplied as per RTI Act.
4. The Appellant, on the asking of the Bench, states that he has set up a rice sheller and he was issued Consent to Operate the rice sheller by the PPCB which has been cancelled. He wants to copy of the document on the basis of which the Consent to Operate was cancelled. He, however, has been denied information.

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AC No.3204/2021

5. Post deliberations, the Bench observes that though the information asked for is in the question form but the demand raised by the appellant for the said information is genuine. As the Bench over-rules the contention of the PIO regarding the information asked for being in question form, the PIO is directed to call the appellant to his office on any working day and allow him access to the relevant official records. The appellant will identify the information he requires and the information so identified by the appellant will be provided by the PIO before the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 05.04.2022 at 11.30 AM through cisco webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.01.2022**

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

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Shri Kamaljit Singh Anand, .
S/o Sh.Jaipal Singh
Chamber No.5014,
5th Floor, District Courts,
Ludhiana-141010.

.....Appellant

Versus

Public Information Officer

O/o The Commissioner,
Municipal Corporation Zone-D,
Ludhiana.

Public Information Officer

O/o The Commissioner,
Municipal Corporation Zone-D,
B&R Branch, Ludhiana.

PIO/Superintendent,

Tehbazari Branch,
Municipal Corporation,Ludhiana

First Appellate Authority-cum-

O/o The Commissioner,
Municipal Corporation Zone-D,
Ludhiana.

....Respondents

AC No.1625 of 2020

Present:

- (i) Appellant -absent.
- (ii) Shri Harjit Singh, SDO, B&R, Zone-B, M.C. Ludhiana

ORDER

(Heard through Cisco Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 18.10.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. Shri Kamaljit Singh Anand, appellant has not come present to attend the hearing in person or through Cisco Webex.
3. Shri Harjit Singh, SDO B&R Zone-B comes present in person to attend the hearing on behalf of the PIO and states that the information relating to Zone B has been given to the appellant.
4. The appellant is absent, he is contacted on mobile phone. He states that during the previous hearing, he had expressed satisfaction over the information supplied by Zone,-B and D and that information from the PIO, Tehbazari Branch (HQ), Municipal Corporation, Ludhiana was pending, which has not been supplied so far.

Cont..P-2



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AC No.1625/2020

5. The Bench observes that during the previous hearing, the Bench had directed the PIO-cum-Superintendent, Tehbazari Branch (HQ), Municipal Corporation, Ludhiana to call the appellant to the office on any working day and allow him access to the relevant official records to identify the information as per his RTI application and provide him the information so identified before the next date of hearing. However, the directions of the Bench still remain un-complied with. He is directed to comply with the direction of the Bench. He is also directed to ensure to come present to attend the hearing. The PIOs of Drawing/Building Branch, Zone-D, Zone-B stand exempted from further appearance in the instant appeal case, as per order in the previous hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 05.04.2022 at 11.30 AM through cisco webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.01.2022**

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

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Shri Ravinder Kumar,
S/o Shri Mehar Chand,
R/o 8497, Street No.1,
Maha Singh Nagar,
Daba Lohara Road, Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Police Commissioner,
Ludhiana.

First Appellate Authority
O/o Police Commissioner,
Ludhiana.

...Respondents

AC No.3606 of 2021

Present: (i) **Shri Ravinder Kumar, Appellant.**
(ii) **None on behalf of the PIO/Respondent.**

ORDER

(Heard through cisco webex)

1. This order may be read with reference to the order dated 22.11.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through cisco webex. Shri Ravinder Kumar, appellant comes present to attend the hearing through cisco webex. He states that he has received reply from the PIO and he is not satisfied with the same. He also refers to the written statement submitted to the Commission vide letter dated 12.01.2022 that the satisfactory information is not being provided and is being delayed which amounts to denial of information. He further states that the information is required by him to enable him to file a Review Petition against the dismissal of CRM—28511-2020 and CRM-M-29719-2020 before Hon'ble High Court. He also states that he wants a copy of document on the basis of which the bail was granted.
3. Neither the PIO O/o Police Commissioner, Ludhiana has come present nor he has deputed any of his representatives to attend the hearing in person or through cisco webex. However, a telephonic message has been received from the office of PIO that as the officials of the office of Police Commissioner, Ludhiana have been deputed for election duty, as such, it is not possible for them to attend today's hearing and requested for giving another date.

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4. On perusal of case file, the Bench observes that a letter dated 18.01.2022 addressed to the Commission, is available in the case file, wherein it has been stated that the complaints of the appellant referred to in his RTI application are under investigation and that the appellant was intimated vide letter dated 16.11.2021 to the effect that the complaints, being under investigation, the information cannot be provided as per Section 8(1)(h) of the RTI Act.

5. The Bench apprises the appellant of the position as already intimated to him by the PIO and makes it clear to the appellant that since the PIO or his representative has not come present for having been deputed for election duty, the Bench as such is unable to proceed further unless the versions of the appellant and the PIO are heard simultaneously. As such, the Bench deems it appropriate to adjourn the matter.

6. The Bench further observes that PIO was issued show cause notice on the previous hearing, but no reply to the show cause notice has been filed. He is directed to file reply to the show cause notice and ensure to come present to attend the next hearing.

7. In view of the above, the matter is adjourned. **To come up for hearing on 05.04.2022 at 11.30 AM through cisco webex.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.01.2022**

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

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Shri Major Singh Tiwana,
S/o Shri Sadhu Singh
Village & PO Neelon Kalan,
Tehsil Samrala, District Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Block Development and,
Panchayat Officer (BDPO),
Machhiwara Sahib, District Ludhiana.

Public Information Officer
Junior Engineer,
O/o BDPO Machhiwara Sahib
District Ludhiana.

First Appellate Authority
O/o District Development and,
Panchayat Officer (DDPO),
District Ludhiana.

...Respondents

AC No.3603 of 2021

Present: (i) **Sub. Gurmeet Singh on behalf of Shri Major Singh Tiwana, Appellant.**
(ii) **None on behalf of O/o BDPO Machhiwara Sahib, District Ludhiana, PIO/Respondent.**

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 22.11.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through cisco webex. Subedar Gurmeet Singh, comes present through cisco webex to attend the hearing on behalf of Shri Major Singh Tiwana, appellant. He states that the information sought has not been supplied to the appellant so far. He also states that the appellant has also not been called for inspection of records.
3. Neither the PIO O/o BDPO Machhiwara Sahib has come present nor he has deputed any of his representatives to attend the hearing in person or through cisco webex. The Bench observes that Shri Sudeep Kumar, Junior Engineer O/o BDPO Machhiwara Sahib was also impleaded as Respondent No.2 and was directed to supply information relating to him. He has also not come present.

Cont...P-2

4. The Bench observes that RTI application is dated 13.04.2021 and first appeal is dated 12.06.2021 and in spite of a lapse of more than eight months, the appellant has not been supplied information. The concerned PIOs have also not attended the hearing. This conduct on their part is viewed adversely.

5. The PIO O/o BDPO Machhiwara Sahib and Shri Sudeep Kumar, Junior Engineer O/o BDPO Machhiwara Sahib, are issued show cause notice to explain their absence and as to why action should not be taken against them and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and not complying with the directions of the Bench. They are 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's concerned 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. They may take note that in case they do not file the written reply and do not avail themselves of the opportunity of personal hearing on the next date fixed, it will be presumed that they have nothing to say and the Commission shall proceed to take further proceedings against them ex-parte.

7. The Bench directs the PIOs to comply with the directions of the Bench given on the previous hearing and supply information to the appellant on the points as raised in his RTI application, before the next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 05.04.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.01.2022**

Copy to (By Regd.Post)

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

1. **Public Information Officer O/o BDPO Mchhiwara Sahib, District Ludhiana.**
2. **Public Information Officer/Shri Sudeep Kumar, Junior Engineer, O/o BDPO Mahhiwara Sahib District Ludhiana.**