

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

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

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(Helpline No.0172-2864116(From 10.00 AM to 04.00PM on working days))



Shri Inderjit Kaushal
R/o Kothi No.127, Phase-1,
S.A.S.Nagar (Mohali).

...Appellant

Versus

Public Information Officer,
O/o GMADA,
PUDA Bhawan, Mohali..

First Appellate Authority-cum-
O/o GMADA,
PUDA Bhawan, Mohali..

...Respondents

Appeal Case No.2388 of 2021

PRESENT : (i) **Shri Inderjit Kaushal, Appellant.**
(ii) **None on behalf of GMADA, Mohali.**

ORDER:

(Heard in person/on Mobile Phone)

1. This order may be read with reference to the order dated 07.09.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Inderjit Kaushal, appellant has comes present to attend the hearing in person before the Bench. He states that the information provided is incomplete & irrelevant and he is not satisfied with the information supplied. He further states that he has also filed written submissions in this regard as mostly the information has been denied on the plea that the same is in question form. He also refers to the letter dated 18.10.2021 of the office of Mohali Golf Range, SAS Nagar wherein he was called for personal hearing on 22.10.2021. He further states that this letter was merely a formality to create record as the same was received by him on 25.10.2021.
3. Smt. Suman Sharma, Superintendent/APIO O/o GMADA, Mohali who attended the previous hearing is contacted on mobile phone. She states that PIO is to attend the hearing. Then the PIO Shri Gurminder Singh is contacted on mobile phone. He is apprised of the version of the appellant regarding incomplete information received by him.

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AC No.2388/2021

4. Post deliberations, the PIO O/o GMADA, Mohali is again directed to call the appellant to his office and allow him access to the relevant official records. The appellant, after inspection of the records, will identify the information and the same will be provided by the PIO to the appellant before the next hearing.

5. The Bench further directs the PIO that, after supplying the requisite information, an affidavit on non-judicial stamp paper duly signed by the PIO and attested by the Notary Public, be filed to the effect that the information as available in the official records in AC No.2388/2021, 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 copy of affidavit be sent to the appellant and a photocopy thereof be sent to the Commission for record.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 16.02.2022 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2021**

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

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Shri Amarjit Singh Dhamotia,
Whistle Blower, Social Worker,
Distt.President, Ludhiana NCAG
H.No.60-35-P-376-1, Street No.8
Maha Singh Nagar, PO Dhandri Kalan,
Ludhiana.

...Appellant

Versus

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

First Appellate Authority
O/o Chief Administrator,
GLADA, Ludhiana.

...Respondents

Appeal Case No.2342 of 2021

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

ORDER:

1. This order may be read with reference to the order dated 07.09.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Amarjit Singh Dhamotia, appellant has not come present to attend the hearing in person before the Bench. He has, however, sent an e.mail dated 22.11.2021 stating therein that no information has been supplied to him.
3. Neither the PIO O/o Chief Administrator, 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. The Bench observes that during the previous hearing, the PIO was issued show cause notice to which no reply has been filed and thus, the directions of the Bench have not been complied with.
4. 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, after inspection of records, will identify the information as sought by him. The PIO will supply the information so identified by the appellant before

Appeal Case No.2342 of 2021

the next hearing. The PIO is also directed to file reply to the show cause notice given during the previous hearing and ensure 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 21.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2021**

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

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Shri Gurmej Lal, Whistle Blower,
H.No.6375, Street No.16
Gur Gobind Singh Nagar,
Backside Bachan Gas Agency,
PO Daba, Ludhiana.

...Appellant

Versus

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

First Appellate Authority
O/o Chief Administrator,
GLADA, Ludhiana.

...Respondents

Appeal Case No.2343 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 07.09.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Gurmej Lal, appellant has not come present to attend the hearing in person before the Bench. He has, however, sent an e.mail dated 22.11.2021 stating therein that complete and correct information has not been supplied by the PIO.
3. Neither the PIO O/o Chief Administrator, GLADA, Ludhiana has come present to attend the hearing nor he has deputed any of his representatives to attend the hearing on behalf of PIO. However, a letter dated 29.10.2021 is available in the case file providing point-wise information to the appellant.
4. The Bench observes that the appellant is not satisfied with the information supplied. As such, the PIO is directed to call the appellant to his office on any working day and allow him

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AC No.2343/2021

access to the relevant official records. The appellant, after inspection of records, will identify the information as sought by him. The PIO will supply the information so identified by the appellant before the next hearing. The PIO is also directed to file reply to the show cause notice given during the previous hearing and ensure 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 21.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2021**

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

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Shri Jagjit Singh, (RTI Activist),
R/o Aman Nagar, Street No.3
Backside GreenLand 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

Appeal Case No.2257 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 07.09.2021 passed by this Bench on the previous hearing.
2. The 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.
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. The perusal of the case file reveals that neither the PIO has supplied information to the appellant nor has filed reply to the show cause notice issued on the previous hearing. Thus, the directions of the Bench still remain un-complied with.
4. The facts of the case prove beyond any doubt that the PIO/Respondent does not deserve any leniency. Hence, in exercise of the powers conferred by Section 20(1) of the RTI Act, a penalty to the tune of Rs.5,000/- (Rupees Five Thousand only) is imposed upon PIO, GLADA,

Cont..P-2



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AC No.2257/2021

Ludhiana to be deducted from his salary, which is to be deposited in the State Treasury under the relevant head. The Drawing & Disbursing Officer concerned is directed to deduct the amount of penalty of Rs.5,000/- from the salary of the PIO and deposit the same in State Treasury in the following Head of Account and to report its compliance to the Commission before the next hearing:-

- 0070-Other Administrative Services – 60-Other Services-

-0800-Other Receipts- 86-Fee under the RTI Act, 2005.

5. The PIO is also directed to supply complete information to the appellant and file reply to the Show Cause Notice as also produce evidence for having deposited the penalty in the State Treasury, before the next date of hearing. The PIO is further directed to ensure to come present before the Bench in person on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 21.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2021**

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

Copy to (By Regd.Post)

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

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Shri Amarjit Singh Dhamotia,
Whistle Blower, Social Worker,
Distt. President, Ludhiana NCAG
H.No.60-35-P-376-1, Street No.8
Maha Singh Nagar, PO Dhandri Kalan,
Ludhiana.

...Appellant

Versus

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

First Appellate Authority
O/o Chief Administrator,
GLADA, Ludhiana.

...Respondents

Appeal Case No.2136 of 2021

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

ORDER:

1. This order may be read with reference to the order dated 09.09.2021 passed by this Bench on the previous hearing.
2. The case was scheduled to be heard today in Commission's office at Chandigarh. Shri Amarjit Singh Dhamotia, appellant has not come present to attend the hearing through in person before the Bench. He has, however, sent an e.mail dated 22.11.2021 stating therein that information has not been supplied by the PIO.
3. The PIO O/o Chief Administrator, GLADA, Ludhiana has also not 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. The Bench observes that the RTI application of the appellant is 11.02.2021 and First Appeal is dated 12.03.2021 and even after a lapse of more than eight months, no information has been supplied to the appellant. This indifferent and lackadaisical attitude of the PIO is viewed adversely.

Cont...P-2



-2-

AC No.2136/2021

4. The PIO O/o Chief Administrator, GLADA, Ludhiana 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 him in getting the information.

5. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a 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 proceeding against him ex-parte.

6. The PIO is further directed to supply complete information to the appellant before the next hearing as also to ensure to come present in person before the Bench on the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 21.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2021**

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

Copy to (By Regd. Post)

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

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Shri Amarjit Singh Dhamotia,
Whistle Blower, Social Worker,
Distt. President, Ludhiana NCAG
H.No.60-35-P-376-1, Street No.8
Maha Singh Nagar, PO Dhandri Kalan,
Ludhiana.

...Appellant

Versus

Public Information Officer,

O/o Addl. Chief Secretary to Govt. of Punjab,
Deptt. of Housing and Urban Development
(Housing-2 Branch), Punjab Civil Secretariat-2,
Sector-9, Chandigarh.

Public Information Officer

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

First Appellate Authority

O/o Addl. Chief Secretary to Govt. of Punjab,
Deptt. of Housing and Urban Development
(Housing-2 Branch), Punjab Civil Secretariat-2,
Sector-9, Chandigarh.

...Respondents

Appeal Case No.2138 of 2021

PRESENT :

- (i) Appellant- absent.
- (ii) Shri Hardeep Singh, Superintendent/PIO, Housing-2 Branch, Department of Housing & Development, Govt. of Punjab, Punjab Civil Secretariat-2, Sector-9, Chandigarh, in person.

ORDER:

1. This order may be read with reference to the order dated 09.09.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Amarjit Singh Dhamotia, appellant has not come present to attend the hearing in person before the Bench. He has, however, sent an e.mail dated 22.11.2021 stating therein that information has not been supplied by the PIO.
3. Shri Hardeep Singh, Superintendent/PIO, Housing-2 Branch, Department of Housing & Development, Govt. of Punjab comes present to attend the hearing in person before the Bench. He states that the RTI application of appellant dated 11.02.2021 was transferred to Chief Administrator,

Cont...P-2

GLADA, Ludhiana on 16.02.2021 and the First Appeal dated 12.03.2021 was also sent to Chief Administrator, GLADA, Ludhiana on 17.03.2021, with the direction to supply information to the appellant as also to attend the hearing before Hon'ble Commission. He further states that a message has also been given to PIO, GLADA to attend the hearing in the instant case today.

4. 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 now any information has been supplied to the appellant. This indifferent and lackadaisical attitude of the PIO is viewed adversely.

5. The PIO O/o Chief Administrator, GLADA, Ludhiana 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 him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a 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 proceeding against him ex-parte.

7. The PIO is further directed to supply the complete information to the appellant before the next hearing as also to ensure to come present before the Bench and bring along the entire relevant record 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 21.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2021**

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

Copy to (By Regd. Post)

PIO, O/o Chief Administrator, GLADA, Ludhiana.

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Shri Kuldip Kumar Kaura
Retd. Lecturer,
5-C, Phase-I, Urban Estate,
Focal Point, Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Zonal Commissioner,
Municipal Corporation,
Zone-C, Ludhiana.

First Appellate Authority-cum-
O/o Zonal Commissioner,
Municipal Corporation,
Zone-C, Ludhiana.

...Respondents

Appeal Case No.503 of 2020

PRESENT : (i) **Appellant- Exempted from appearance.**
(ii) **None on behalf of the PIO.**

ORDER:

1. This order may be read with reference to the order dated 08.09.2021 passed by this Bench on the previous hearing.
2. The instant Appeal Case has not been closed as the penalty imposed on the PIO is yet to be deposited. Hence, the case was scheduled to be heard today before the Bench.
3. The PIO was directed to provide evidence for having deposited the penalty of Rs.10,000/- imposed during the hearing on 07.09.2020 as also to file reply to the show cause notice. However, the directions of the Bench still remain to be complied with.
4. In the previous order of the Bench, the complete facts of the appeal case had been brought out and the Commissioner, Municipal Corporation, Ludhiana was also directed to intervene and sort out the issue regarding deposit of penalty imposed on the PIO O/o Zonal Commissioner. However, today, neither the PIO has come present nor any representative has been deputed to attend the hearing in person along with the evidence for having deposited the amount of penalty.

Cont.P-2



-2-

AC No.503/2020

5. The Bench observes that in such a situation, it is not possible to arrive at any conclusion as to who is accountable to deposit the amount of penalty. Accordingly, the Bench directs Dr. Jasbir Kaur, Medical Officer O/o MOH, M.C. Ludhiana, Shri Tejinder Pal Singh Panchhi, Secretary, Agenda Branch, M.C. Ludhiana, Shri Rohit Sahota, Superintendent, RTI (HQ), M.C. Ludhiana and Shri Parshotam Lal, SDO (O&M) Cell, Zone-C, M.C. Ludhiana to put-forth their version in writing with the relevant documents including the letter vide which information was supplied to the appellant and also bring along the original record and produce the same before the Bench on the next date of hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 21.02.2022 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2021**

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

Copy to(By Regd.Post), for compliance of the directions of Bench, as above:-

1. Shri Tejinderpal Singh Panchhi, Secretary, Agenda Branch, Municipal Corporation, Ludhiana.
2. Dr. Jasbir Kaur, Medical Officer, O/o Medical Officer of Health, Municipal Corporation, Ludhiana.
3. Shri Rohit Sahota, Superintendent, RTI (HQ), Nodal Officer, Municipal Corporation, Ludhiana.
4. Shri Parshotam Lal, SDO, O&M Cell, Zone-C, Municipal Corporation, Ludhiana.