

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



Ashok Kumar,
S/o Sh. Rajinder Nath,
1299, Morni Wala Khuh,
VPO Dera Bassi,
District Mohali – 140 507

Versus

Public Information officer,
o/o XEN, Maili Construction Division,
SCO-37, 3rd Floor, Sector-17 E,
Punjab, Chandigarh.

First Appellate Authority,
O/o Superintendent Engineer,
Dholbaha Dam Construction Division,
District Hoshiarpur.

Appeal Case No. 913 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Bhagwan Singh, Superintendent (for the Respondent) 97797-15057

ORDER:

(To be read in continuity with earlier orders on 16.7.2021)

1. The RTI application is dated **15.9.20** vide which the appellant has sought **information regarding service record of appellant**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.10.2020**, and Second Appeal was filed in the Commission on **11.2.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **16.7.2021**.

2. The appellant is absent but has informed the Commission of his inability to attend this hearing. The respondent PIO, represented by Bhagwan Singh, Superintendent, is present via Video Conference from Mohali, has, as directed by the Commission at the last hearing on 16.7.2021, submitted a copy of the letter/reply sent to the appellant vide Letter No. 747/31 Dated 12.3.2020 along with the appended information. Also, as directed, the respondent PIO arranged inspection of record in his office on 1.9.2021, whereon information from point 2 to 5 of the RTI application were supplied and acknowledged by the appellant. However, with regard to point no.1 i.e. copies of the Office Orders for the Earned Leave availed by the appellant from 8.11.2017 to 30.11.2017, the PIO in a letter (No. 3082-83/32 Dated 25.10.2021) informed the appellant that the information pertaining to point No.1 of his RTI application is not available in his office. Questioned about this at this hearing, the respondent is not clear whether the record is missing or the appellant did not avail any leave on the said period.

Contd....2

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Appeal Case No. 913 of 2021 (Video Conference Proceedings)

3. The respondent PIO is herewith directed to submit a duly notarised affidavit stating the contents of Letter No. 3082-83/32 Dated 25.10.2021. Original Affidavit is to be sent to the appellant and a copy to this Commission. The respondent PIO is also to send a copy of the appellant's receiving following an inspection on 1.9.2021, to this Commission.

4. **Next hearing on 10.2.2022 at 11.00 am via Video Conference Facility at DC office, Mohali.**

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

Chandigarh
27.10.2021

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Balwinder Kaur,
195/2, Sector 45-A,
Chandigarh.

Versus

Public Information Officer,
o/o Divisional Engineer Public Health-1,
Greater Mohali Area Development Authority (GMADA),
PUDA Bhawan, Sector-62,
District Mohali.

First Appellate Authority,
o/o Divisional Engineer, Public Health-1,
Greater Mohali Area Development Authority (GMADA),
PUDA Bhawan, Sector-62,
District Mohali.

Appeal Case No. 3320 of 2020 (Video Conference Proceedings)

PRESENT:

Krishan Kumar Singla (for the Appellant) 98784-49195

Jagir Singh, Senior Assistant (for the Respondent) 62834-26493

ORDER:

(To be read in continuity with earlier orders on 17.2.2021)

1. The RTI application is dated **21.1.2020** vide which the appellant has sought information **regarding appeals to the Secretary Housing, Chief Administrator GMADA etc.** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **26.2.2020** and Second Appeal was filed in the Commission on **2.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **17.2.2021**.

2. Both parties are present via Video Conference from Mohali. As directed by this Commission at the last hearing, the respondent PIO has submitted copy of a point-wise reply sent to the appellant vide Letter No. 334 Dated 16.2.2021. The appellant states that he has received the noting portion supplied, requested at point 2. However, the correspondence pertaining to point no. 2 has not been given. Also, the final action taken, as to whether his appeal was accepted or rejected, has not been provided.

3. The respondent PIO is herewith directed to furnish the remaining information with respect to point no.1 and point no. 2 correspondence pertaining to the appellant's appeal as cited in the RTI application.

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Appeal Case No. 3320 of 2020 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 10.2.2022 at 11.00 am via Video Conference Facility at DC office, Mohali.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

27.10.2021

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Jagjit Singh Bajaj,

S/o Sh. Harbans Singh,

#1716, Sector 61, Phase-7,

District Mohali-160062

Versus

Public Information Officer,

o/o Greater Mohali Area Development Authority,
Mohali.

Public Information Officer,

o/o Punjab Urban Development Authority,
PUDA Bhawan, Sector-62, Mohali.

First Appellate Authority,

o/o Estate Officer, Greater Mohali Area Development Authority,
PUDA Bhawan, Sector-62, Mohali.

Appeal Case No. 2350 of 2020 and 2351 of 2020 (Heard together via Video Conference Proceedings)

PRESENT:

Jeevaraj (for the Appellant) 78883-26148

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 13.1.2021)

1. The RTI application is dated **22.5.2020** vide which the appellant has sought **information regarding residential plot of 256.66 sqr yard 33'x70' in 750 plots scheme IT City Mohali and IT City Industry (200 plots) scheme SAS Nagar,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **1.7.2020**, and Second Appeal was filed in the Commission on **28.8.20** under Section 19 of the Right to Information Act, 2005. The case was last heard on **13.1.2021**.

2. The respondent PIO is absent. As per the appellant, the PIO o/o PUDA and PIO o/o GMADA have provided most of the information. However, information by way of the further action taken by GMADA with respect to the letter cited at point 2 of the RTI application, and point 4 with respect to action taken, following the meeting convened by the Additional Chief Secretary on 2.1.2017, have not been supplied. The appellant is advised to list these deficiencies in writing to PIO o/o GMADA and PIO o/o PUDA, with a copy to this Commission.

3. The PIO office of GMADA and PIO office of PUDA are herewith directed to supply the pending information forthwith.

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Appeal Case No. 2350 of 2020 and 2351 of 2020 (Heard together via Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 10.2.2022 at 11.00 am via Video Conference Facility at DC office, Mohali.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

27.10.2021

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REGISTERED SHOW CAUSE NOTICE

Varinder Singh, S/o Babu Singh,
Village Mullanpur Garibdass,
Tehsil Kharar, District Mohali – 140 901

Versus

Public Information Officer,
o/o Greater Mohali Area Development Authority (GMADA),
District Mohali.

First Appellate Authority,
o/o Greater Mohali Area Development Authority (GMADA),
District Mohali.

Appeal Case No. 3020 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Tarundeep Singh, Superintendent (for the Respondent) 99888-78109

ORDER:

(To be read in continuity with earlier orders on 17.2.2021)

1. The RTI application is dated **10.2.2020** vide which the appellant has sought information **regarding Plot No. 5402 Block-F, Aero City, SAS Nagar, Mohali**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.8.2020** and Second Appeal was filed in the Commission on **13.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **17.2.2021**.

2. The appellant is absent, but he has requested an adjournment since he can not attend this hearing due to personal circumstances. At the last hearing both parties were absent. This RTI application was filed on 10.2.2020, and is still to be addressed by the respondent PIO. The respondent PIO represented at this hearing by Tarundeep Singh, Superintendent, from the Land Acquisition Department from GMADA appeared clueless about whether any information has been supplied to the appellant.

3. Under the circumstances, this Commission deems it fit to issue the respondent PIO with the Show Cause Notice.

4. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **10.2.2020**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that

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Appeal Case No. 3020 of 2020 (Video Conference Proceedings)

he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*." Copies of this order be sent to the parties through registered post.

5. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

6. **Next hearing on 10.2.2022 at 11.00 am via Video Conference Facility at DC office, Mohali.**

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

Chandigarh
27.10.2021

Cc: Chief Administrator, Greater Mohali Area Development Authority, Mohali for information and further necessary action.

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Kanwal Nain Singh,
S/o Raghbir Singh,
62, Model Town,
Ambala City – 134 003

Versus

Public Information Officer,
o/o Greater Mohali Area Development Authority (GMADA)
PUDA Bhawan, Sector-62, SAS Nagar (Mohali) – 160 062
First Appellate Authority,
o/o Greater Mohali Area Development Authority (GMADA),
PUDA Bhawan, Sector-62, SAS Nagar (Mohali) – 160 062

Appeal Case No. 3114 of 2020 (Video Conference Proceedings)

PRESENT:

Kanwal Nain Singh (Appellant) 98120-51827
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 17.2.2021)

1. The RTI application is dated **21.7.2020** vide which the appellant has sought information **regarding land acquisitions and allotments in sectors 76 to 80 in villages Sohana, Mauli Baldwan, Raipur Khurd, Lakhnaur SAS Nagar, Mohali; Land allotted to religious institutions and others in Sector 76; Change in area allotted to Radha swami Satsang Beas since 8.10.2001 etc. in 11 points,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.8.2020** and Second Appeal was filed in the Commission on **20.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **17.2.2021**.

2. The respondent PIO is absent without intimation. As per Letter No. 7322 Dated 15.6.2021, the APIO has written to the PIO that the record pertaining to this RTI application is too voluminous and the appellant be requested to inspect the record and take copies of documents he needs on a pen-drive.

3. The respondent PIO office of GMADA is herewith directed to arrange for inspection of the record by the appellant **who will be accompanied by one more person**. The inspection be conducted on a mutually agreed date and time, which must be intimated to this Commission.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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Appeal Case No. 3114 of 2020 (Video Conference Proceedings)

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 10.2.2022 at 11.00 am via Video Conference Facility at DC office, Mohali.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

27.10.2021

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Hardeep Singh Uppal,
S/o Nirmal Singh Uppal,
3110, Sector 88,
SAS Nagar (Mohali).

Versus

Public Information Officer,
o/o Greater Mohali Area Development Authority (GMADA),
District Mohali.
First Appellate Authority,
o/o Greater Mohali Area Development Authority (GMADA),
District Mohali.

Appeal Case No. 3178 of 2020 (Video Conference Proceedings)

PRESENT:

Mandeep Singh (for the Appellant) 94630-16065
Rajni, Superintendent (for the Respondent) 94632-06347
Ashwani, Senior Assistant (for the Respondent) 78885-01304

ORDER:

(To be read in continuity with earlier orders on 17.2.2021)

1. The RTI application is dated **8.7.2020** vide which the appellant has sought information **regarding varoiue aspects of the Land Pooling Scheme PLC waiver for Sector 88-89 in four points; and PLC charges waiver in case of Eco City-1 etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **11.8.2020** and Second Appeal was filed in the Commission on **21.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **17.2.2021**.

2. Both parties are present through Video Conference from Mohali. The respondent PIO, represented by Rajni, Superintendent and Ashwani, Senior Assistant states that a reply was sent to the appellant vide Letter No. 3585 Dated 28.9.2020. The appellant, represented by Mandeep Singh, points out that the information supplied is incomplete. He has listed the deficiencies with respect of point 4 of the RTI application and this has been conveyed to the respondent PIO, who is herewith directed to file a fresh, pointwise reply to the RTI application, including the information that is pending with respect to each of the 4 points.

3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

Contd. ...2

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Appeal Case No. 3178 of 2020 (Video Conference Proceedings)

4. **Next hearing on 10.2.2022 at 11.00 am via Video Conference Facility at DC office, Mohali.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

27.10.2021

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REGISTERED **SHOW CAUSE NOTICE**

Dharamvir Anariya (Advocate),
S/o Ratu Ram,
2479, Sector 39-C,
Chandigarh.

Versus

Public Information Officer,
o/o Estate Officer,
Greater Mohali Area Development Authority (GMADA),
District Mohali.

First Appellate Authority,
o/o Estate Officer,
Greater Mohali Area Development Authority (GMADA),
District Mohali.

Appeal Case No. 3502 of 2020 (Video Conference Proceedings)

PRESENT:

Dharamvir Anariya (Appellant) (via Cisco Webex)
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 17.2.2021)

1. The RTI application is dated **25.8.2018** vide which the appellant has sought information **by way of a certified copy of the action taken on the Punjab State Information Commission's Order of 8.2.2018 in Complaint Case 1565 of 2016, regarding the findings of the committee constituted to determine the reasons for the missing record (requested in CC 1565 / 2016) and to affix responsibility**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.9.2020** and Second Appeal was filed in the Commission on **12.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **17.2.2021**.

2. The respondent PIO is absent without intimation. However, in a submission to this Commission, he has submitted Letter No. 32488 Dated 13.10.2021, whereby the appellant has been informed that the information requested is some 20 to 25 years old and therefore not liable to be given as per RTI Act 2005. However, appellant's RTI application shows that the appellant has asked for specific information by way of the action taken on the Chief Information Commissioner Punjab's Order in Complaint Case No.1565 of 2016 Dated 8.2.2018. The respondent PIO's reply to the appellant is herewith rejected and this Commission deems it fit to issue him with the Show Cause Notice.

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Appeal Case No. 3502 of 2020 (Video Conference Proceedings)

3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **25.8.2018**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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*.” Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 10.2.2022 at 11.00 am via Video Conference Facility at DC office, Mohali.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

27.10.2021

Cc: Chief Administrator, Greater Mohali Area Development Authority (GMADA), Mohali, for information and further necessary action.

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Jasbir Singh,

S/o Gurbaksh Singh,

Village Bholapur, Jhabewal, Post Office Ramgarh,

District Ludhiana.

Versus

Public Information Officer,

o/o Chief Administrator,

Greater Mohali Area Development Authority (GMADA),

District Mohali.

First Appellate Authority,

o/o Chief Administrator,

Greater Mohali Area Development Authority (GMADA),

District Mohali.

Appeal Case No. 2899 of 2020 (Video Conference Proceedings)

PRESENT:

Jasbir Singh (Appellant)

Om Bahadur, Senior Assistant (for the Respondent) 89689-99866

ORDER:

(To be read in continuity with earlier orders on 17.2.2021)

1. The RTI application is dated **7.6.2020** vide which the appellant has sought information **regarding SDOs and JEs posted in the area of Kharar, Gharuan, Mullapur, Zirakpur and Landran**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.7.2020** and Second Appeal was filed in the Commission on **5.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **17.2.2021**.

2. Both parties are present. The appellant is present via Cisco Webex. The respondent PIO, represented by Om Bhadur, Senior Assistant, is present via Video Conference Facility from Mohali, stated that a reply was first sent to the appellant vide letter Dated 16.7.2020 and subsequently on 15.1.2021. However, the appellant is not satisfied with said reply.

3. After deliberations at this hearing, the respondent PIO has agreed to provide a fresh pointwise reply to the RTI application along with the information as available in the office as on date.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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Appeal Case No. 2899 of 2020 (Video Conference Proceedings)

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 10.2.2022 at 11.00 am via Video Conference Facility at DC office, Mohali.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

27.10.2021