

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com),

Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



**Rajiv Arora**, S/o Ram Saroop Arora,  
# 415, Chotti Baradari, Part-1,  
District Jalandhar – 144 022

Versus

**Public Information Officer,**

o/o Chief Administrator,

Greater Mohali Area Development Authority (GMADA),

S.A.S. Nagar (Mohali).

**First Appellate Authority,**

o/o Estate Officer,

Greater Mohali Area Development Authority (GMADA),

S.A.S. Nagar (Mohali).

**Appeal Case No. 1388 of 2020 (Video Conference Proceedings)**

PRESENT:

Rajiv Arora (Appellant) 98154-05500

Subhash Sharma, ATP (for the Respondent) 78378-50195

Jagdish Singh, Superintendent (for the Respondent)

ORDER:

*(To be read in continuity with earlier orders on 23.12.2020 and 26.2.2021)*

1. The RTI application is dated **15.1.2020** vide which the appellant has sought information **regarding the status of land acquisition and GMADA schemes in sectors 88-89 and 95-96,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.2.2020** and Second Appeal was filed in the Commission on **2.6.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.2.2021**.

2. Both parties are present through Video Conference Facility. The respondent PIO, represented by Subhash Sharma, ATP. At the last hearing on 26.2.2021, Show Cause Notice was issued to the respondent PIO, office of GMADA. The PIO has neither filed any reply to the Show Cause Notice nor has he given the information requested in this RTI application. Instead of providing the information as directed, the respondent PIO has attempted to transfer a part of the RTI application (Points 2 and 3) to the office of DTP, Mohali. The representative of the Estate Office, have written back to the respondent PIO stating that the requested information does not lie with their office and in fact pertain to PIO, GMADA.

3. This RTI application was filed on 15.1.2020, which is more than one and half hear ago and the huge delay in addressing this is unacceptable. In view of the above, this **Commission** **impleads the Chief Administrator, GMADA as the deemed PIO** and directs him to supply the requested information to the appellant under intimation to this Commission at the earliest

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**

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## Appeal Case No. 1388 of 2020 (Video Conference Proceedings)

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

29.10.2021

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**Rajiv Arora,**

S/o Ram Saroop Arora,

# 415, Chotti Baradari, Part-1,

District Jalandhar – 144 022

Versus

**Public Information Officer,**

o/o Greater Mohali Area Development Authority (GMADA),

S.A.S. Nagar (Mohali).

**First Appellate Authority,**

o/o Estate Officer,

Greater Mohali Area Development Authority (GMADA),

S.A.S. Nagar (Mohali).

**Appeal Case No. 1389 of 2020 (Video Conference Proceedings)**

PRESENT:

Rajiv Arora (Appellant) 98154-05500

Subhash Sharma, ATP (for the Respondent) 78378-50195

Jagdish Singh, Superintendent (for the Respondent)

ORDER:

*(To be read in continuity with earlier orders on **23.12.2020 and 26.2.2021**)*

1. The RTI application is dated **3.1.2020** vide which the appellant has sought information **regarding schemes and the status of allotment of SCOs to LOI holders in GMADA sectors 88-89 and 95-96**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.2.2020** and Second Appeal was filed in the Commission on **2.6.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.2.2021**.

2. Both parties are present through Video Conference Facility. The respondent PIO, represented by Subhash Sharma, ATP and Jagdish Singh, Superintendent. At the last hearing on 26.2.2021, Show Cause Notice was issued to the respondent PIO, office of GAMADA. The PIO has neither filed any reply to the Show Cause Notice nor has he provided the requested information. Instead of providing the information as directed, the respondent PIO has caused avoidable delays by opting to transfer a part of the RTI application (Point 2 and 3) to the office of DTP, Mohali, who has reverted to state that the information (points 2 and 3) does not lie with his office and in fact pertain to the PIO, GMADA.

3. This RTI application was filed on 15.1.2020, which is some 20 months ago. The delay in addressing it is unacceptable. In view of the above, this **Commission impleads the Chief Administrator, GAMADA as the deemed PIO** and directs him to supply the requested information to the appellant under intimation to this Commission at the earliest.

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## **Appeal Case No. 1389 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

29.10.2021

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## REGISTERED SHOW CAUSE NOTICE

**Sushil Kumar,**  
H.No.1410, Phase-1,  
Urban Estate, Dugri Road,  
Ludhiana.

Versus

**Public Information Officer,**  
o/o Additional Superintendent Engineer,  
Technical Audit,  
Provincial-1. PSPCL,  
Jalandhar.

### Complaint Case No. 542 of 2019 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on **28.1.2021 and 26.2.2021 and 25.8.2021**)

1. The complainant, **Sushil Kumar**, filed this RTI application dated **17.4.2019** and sought **Information regarding Complainant vide letter dated 14.9.2016 to CMD, PSPCL, Patiala from the PIO Addl. S.E. Technical, PSPCL, Jalandhar.** When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **18.8.2020**. The case was last heard on **25.8.2021**.

2. Both parties are absent. Notably, the respondent PIO in this case is absent without any intimation for the third time in succession and has not bothered to respond to this Commission's Notice of Hearing or subsequent orders. In view of the above, the Commission deems it fit to serve the respondent PIO with this Show Cause Notice.

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 **17.4.2019**.

"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.

Contd....2

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## **Complaint Case No. 542 of 2019 (Video Conference Proceedings)**

4. **Next hearing on 24.12.2021 at 11.00 am via Video Conference Facility at DC Office, Jalandhar.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

29.10.2021

**Cc:** Superintendent Engineer, Technical Audit, Provincial-1. PSPCL, Jalandhar, for information and further necessary action.

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**Rakesh Kumar Gupta,**  
S/o Prem Parkash Gupta,  
# 7, Sukh Enclave, New Officers Colony,  
Patiala – 147 001

Versus

**Public Information Officer,**  
o/o Environmental Engineer,  
Punjab Pollution Control Board (PPCB),  
Regional Office, 2<sup>nd</sup> Floor, Near Water Tank,  
G.T. Road, Amritsar By-Pass, Industrial Focal Point,  
District Jalandhar.

**First Appellate Authority,**  
o/o Senior Environmental Engineer,  
Punjab Pollution Control Board (PPCB),  
Zonal Office, Industrial Focal Point, Near Water Tank,  
G.T. Road, Amritsar By-Pass,  
District Jalandhar

## **Appeal Case No. 1530 of 2020 (Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on **23.12.2020 and 26.2.2021**)*

1. The RTI application is dated **11.2.2020** vide which the appellant has sought information **regarding various categories of industries and the status of their consent to operate as per the Water Act 1974 and Air Act 1981, within the jurisdiction of jurisdiction of PPCB's Regional Office at Jalandhar,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **16.3.2020** and Second Appeal was filed in the Commission on **15.6.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.2.2021**.

2. Both parties are absent. At the last hearing of this Appeal Case on 23.12.2020, the respondent PIO had sent a copy of the reply to the appellant vide letter No.1218 dated 26/2/2020 which was well within the stipulated period of 30 days. In said reply, the PIO has cited the Ministry of Personnel Grievances and Pension Department of Personnel and Training letter No.1/18/2011-IR Dated 16.9.2011) wherein, it is stated that the Public Information Officer is bound to supply only information that is held by the Public Authority and is not required to be created etc.. Examination of the RTI application shows that the appellant has sought very specific information which should be available with this Public Authority.

Contd....2

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## **Appeal Case No. 1530 of 2020 (Video Conference Proceedings)**

3. The respondent PIO is herewith directed to file a pointwise reply to this RTI application within 15 days of receipt of this order. Failure to comply will invite penal action as per the RTI Act, 2005.

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 11.2.2022 at 11.00 am via Video Conference Facility at DC Office, Jalandhar.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

29.10.2021



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**Rakesh Kumar Gupta,**  
S/o Prem Parkash Gupta,  
# 7, Sukh Enclave, New Officers Colony,  
Patiala – 147 001

Versus

**Public Information Officer,**  
o/o Environmental Engineer,  
Punjab Pollution Control Board (PPCB),  
Regional Office, 2<sup>nd</sup> Floor, Near Water Tank,  
G.T. Road, Amritsar By-Pass, Industrial Focal Point,  
District Jalandhar.

**First Appellate Authority,**  
o/o Senior Environmental Engineer,  
Punjab Pollution Control Board (PPCB),  
Zonal Office, Industrial Focal Point, Near Water Tank,  
G.T. Road, Amritsar By-Pass,  
District Jalandhar

## **Appeal Case No. 1882 of 2020 (Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on 23.12.2020 and 26.2.2021)*

1. The RTI application is dated **18.2.2020** vide which the appellant has sought information **regarding conversion of brick kilns to induced draft technology, within the jurisdiction of PPCB's regional office Jalandhar**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **20.5.2020** and Second Appeal was filed in the Commission on **14.7.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **26.2.2021**.

2. Both parties are absent. At the last hearing of this Appeal Case on 23.12.2020, the respondent PIO had sent a copy of the reply to the appellant vide letter No.1218 dated 26/2/2020 which was well within the stipulated period of 30 days. In said reply, the PIO has cited the Ministry of Personnel Grievances and Pension Department of Personnel and Training letter No.1/18/2011-IR Dated 16.9.2011) wherein, it is stated that the Public Information Officer is bound to supply only information that is held by the Public Authority and is not required to be created etc. An examination of the RTI application shows that the appellant has sought very specific information, which should be available with this Public Authority.

Contd....2

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## **Appeal Case No. 1882 of 2020 (Video Conference Proceedings)**

3. The respondent PIO is herewith directed to file a point-wise reply to this RTI application within 15 days of receipt of this order. Failure to comply will invite penal action as per the RTI Act. 2005.

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 11.2.2022 at 11.00 am via Video Conference Facility at DC Office, Jalandhar.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

29.10.2021

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**R.C. Tandon,**  
146, Urban Estate, PO Chachoki,  
Phagwara.District Jalandhar.

Versus

**Public Information Officer,**  
o/o Jalandhar Development Authority,  
Jalandhar.

**First Appellate Authority,**  
o/o Estate Officer,  
Jalandhar Development Authority,  
Jalandhar.

## **Appeal Case No. 2631 of 2020 (Video Conference Proceedings)**

PRESENT:

R.C Tandon (Appellant)

Sanjeev Sharma, PIO-cum-SDO (Respondent) 98151-48712

Yogesh Kumar, Clerk (for the Respondent) 98555-48283

ORDER:

*(To be read in continuity with earlier orders on **26.2.2021** and **23.6.2021**)*

1. The RTI application is dated **7.2.2020** vide which the appellant has sought information **regarding his own plot No. 481 at University View Estate-3, Chaheru,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **6.7.2020** and Second Appeal was filed in the Commission on **14.9.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.6.2021**.

2. Both parties are present. The respondent PIO-cum-SDO, Sanjeev Sharma, and Yogesh Kumar, Clerk, are present. At the last hearing on 23.6.2021, APIO, office of Estate Officer, was issued a Show Cause Notice. The said APIO has submitted a copy of the information given to the appellant vide letter No.3597 dated 19.10.2021. The appellant continue to argue that the information provided is deficient. The respondent contends that all the information pertaining to this RTI application has been provided to the appellant and there is no other record available in the office.

3. Under the circumstances, the respondent PIO is directed to submit a duly notarised affidavit stating that all the information pertaining to this RTI application has been supplied to the appellant and that there is no other information available in the records of his office.

4. **Next hearing on 11.2.2022 at 11.00 am via Video Conference Facility at DC Office, Jalandhar.**

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

Chandigarh  
29.10.2021

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**R.C.Tandon,**  
146, Urban Estate, PO Chachoki,  
Phagwara. District Jalandhar.

Versus

**Public Information Officer,**  
o/o Jalandhar Development Authority,  
Jalandhar.

**First Appellate Authority,**  
o/o Estate Officer,  
Jalandhar Development Authority,  
Jalandhar.

## **Appeal Case No. 2632 of 2020 (Video Conference Proceedings)**

PRESENT:

R.C Tandon (Appellant)

Sanjeev Sharma, PIO-cum-SDO (Respondent) 98151-48712

Yogesh Kumar, Clerk (for the Respondent) 98555-48283

ORDER:

*(To be read in continuity with earlier orders on 26.2.2021 and 23.6.2021)*

1. The RTI application is dated **14.8.2019** vide which the appellant has sought information **regarding Notice No.409 dated 11.7.2019**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.2.2020** and Second Appeal was filed in the Commission on **14.9.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.6.2021**.

2. Both parties are present. The respondent PIO has submitted a set of documents pertaining to this RTI application. However, the specific document requested by the appellant i.e. certified copy of the report submitted by field officer on the basis of which Notice No.409 dated 11.7.2019 was served on the appellant, has not been supplied. The respondent PIO contends that there was no separate report pertaining to the appellant's house which was included in a list of buildings with illegal constructions, to whom such notices were issued.

3. The respondent PIO is herewith directed to supply a copy of said list to the appellant after duly attesting it. A copy of the same may be sent to this Commission.

4. **Next hearing on 11.2.2022 at 11.00 am via Video Conference Facility at DC Office, Jalandhar.**

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

Chandigarh  
29.10.2021

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**R.C.Tandon,**  
146, Urban Estate, PO Chachoki,  
Phagwara. District Jalandhar.

Versus

**Public Information Officer,**  
o/o Jalandhar Development Authority,  
Jalandhar.

**First Appellate Authority,**  
o/o Estate Officer,  
Jalandhar Development Authority,  
Jalandhar.

## **Appeal Case No. 2633 of 2020 (Video Conference Proceedings)**

PRESENT:

R.C Tandon (Appellant)

Sanjeev Sharma, PIO-cum-SDO (Respondent) 98151-48712

Yogesh Kumar, Clerk (for the Respondent) 98555-48283

ORDER:

*(To be read in continuity with earlier orders on 26.2.2021 and 23.6.2021)*

1. The RTI application is dated **23.10.2019** vide which the appellant has sought information **regarding Technical Committee constituted by ACA, JDA Jalandhar vide Order No.1017-1024 for measuring existing building of Bahra Hospital, U.E. Phagwara,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.1.2020** and Second Appeal was filed in the Commission on **14.9.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.6.2021**.

2. Both parties are present. As per the respondent PIO, the information in this case has been provided some four times, the latest being vide Letter No. 1207 dated 12.8.2021. The respondent PIO has also stated that there is no other record pertaining to this RTI application in the office of Jalandhar Development Authority.

3. The respondent PIO is herewith directed to state this in a duly notarised affidavit. The original affidavit be given to the appellant and copy to be submitted to this Commission.

4. **Next hearing on 11.2.2022 at 11.00 am via Video Conference Facility at DC Office, Jalandhar.**

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

Chandigarh  
29.10.2021