

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



Kadambini (Advocate)
D/o Mukand Lal,
4125, Abohar Road,
Sri Muktsar Sahib – 152026

Versus

Public Information Officer,
o/o Shiv Dham Welfare Society
Jalalabad Road, Sri Muktsar Sahib.
Public Information Officer,
o/o Executive Officer,
Municipal Council, Sri Muktsar Sahib.

Complaint Case No. 129 of 2020 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent

Gautam Arora Advocate (for the Respondent) 98728-00042

Vikram Dhuriya, PIO-cum-Superintendent (Respondent) 98889-00445

ORDER:

(To be read in continuity with earlier orders on 4.6.2020, 6.8.2020, 25.11.2020, 27.1.2021, 8.9.2021, 13.4.2022, and 13.5.2022)

1. The complainant, Kadambini, filed this RTI application dated **7.11.2019** and sought information as under:

“Shiv Dham Welfare Society Jalalabad Road, Sri Muktsar Sahib is on government land i.e. Municipal Committee, hence the following information (directly or indirectly aided by government):

1] Copies of Income Tax Returns for the last five years – 2015 till date along with annexures.

2]. Copies of Bank Statement account for the years 2015 to date.

3] Copies of cash book and ledger alongwith receipt and payment voucher (cash receipts issued) for the year 2015 till date.

4] Copies of Resolutions passed by the executive committee / general house for 2015 till date.

5] Copies of designs of construction work undertaken by the Society in the last five years i.e. 2015 till date alongwith approval by the competent authority i.e. Nagar Council.

6] Copies of audit Report conducted by the CA for the last five years and copies annexed with Income Tax Returns.”

from the **PIO o/o Executive Officer, Nagar Council, Sri Muktsar Sahib**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **28.1.2020**. The case was last heard on **13.5.2022**.

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Complaint Case No. 129 of 2020 (Video Conference Proceedings)

2. The complainant is absent. At the last hearing on 13.5.2022, the PIO office of Shiv Dham Welfare Society and PIO-cum-EO, Municipal Corporation, Sri Muktsar Sahib, were both issued Show Cause Notice for failing to comply this Commission's Order of 13.4.2022 and withholding/ denying the information requested by the complainant. Both respondents have submitted a written reply to said Show Cause Notice by way of a pointwise reply to the Four queries raised by the Commission in its Orders of 13.4.2022 and 13.5.2022. It has now been acknowledged by both respondents that the land, on which Shiv Dham Welfare Society operates the cremation ground, belongs to the MC, Sri Muktsar Sahib. Document (register of immoveable property) submitted by the EO-cum-PIO, MC, Sri Muktsar Sahib, duly attests to this fact.

3. The Commission has examined the RTI application submitted by the complainant on 17.11.2019 once again and hereby directs the respondent PIO Shiv Dham Welfare Society to submit a pointwise reply to all the Five points of said RTI application along with duly attested copies of the information pertaining to points 2 and 3 of RTI application. This must be done within Two weeks of receipt of this Order.

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 11.10.2022 at 11.30 am via Video Conference Facility at DC Office, Sri Muktsar Sahib.**

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

Chandigarh
3.8.2022

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REGISTERED SHOW CAUSE NOTICE

Aruna Devi,
w/o Bharat Bhushan Mattu,
322, Maskeen Nagar,
PO Netaji Nagar, Salem Tabri,
Ludhiana.

Versus

Public Information Officer,
o/o Sub Divisional Engineer, Estate Office,
Greater Mohali Area Development Authority (GMADA), Mohali.

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

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

Appeal Case No. 2842 of 2019 (Video Conference Proceedings)

PRESENT:

Bharat Bhushan Mattu (for the Appellant) 97799-28472
Gurvinder Singh, PIO-cum-AEO (Respondent) 98786-02071

ORDER:

(To be read in continuity with earlier order on 11.10.19, 28.11.19, 30.1.2020, 24.7.2020, 25.9.2020, 13.11.2020, and 13.1.2021, 8.7.2021, 15.12.2021, and 7.4.2022)

1. The RTI application is dated **6.5.19** vide which the appellant has sought **information pertaining to her complaint dated 6.3.17 in six points**, as enumerated in her RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **11.6.19**, and Second Appeal was filed in the Commission on **6.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **7.4.2022**.

2. Both parties are present in person. As per the respondent PIO-cum-AEO, GMADA, Gurvinder Singh, the Sub Divisional Engineer, Building Branch-cum-APIO, office of Estate Office, GMADA, was notified vide Letter No. 9583 Dated 11.5.2022, under Section 5(4) of the RTI Act 2005. He further states that the assistance of above officer was sought several times earlier also but there has been no cooperation from him. Under the circumstances, this Commission deems it fit to issue the Show Cause Notice to **Sub Divisional Engineer-cum-APIO, office of Estate Office, Sh. Dilraj Singh**.

3. The respondent **APIO-cum-Sub Divisional Engineer, office of Estate Office, Sh. Dilraj Singh**, 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 **6.5.2019**.

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Appeal Case No. 2842 of 2019 (Video Conference Proceedings)

“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. The Sub Divisional Engineer-cum-APIO, office of Estate Office, Sh. Dilraj Singh, is hereby directed to present in person at the next hearing of this Appeal Case, failing which the Commission will be constrained to issue warrants to ensure his presence in the Commission.

5. **Next hearing on 19.10.2022 at 11.30 am, at Punjab State Information Commission, Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh.**

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

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

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Kanwal Nain Singh,

S/o Raghbir Singh Wadhawan,
#62, Model Town, Ambala City – 134 003.

Versus

Public Information Officer,

o/o Greater Mohali Area Development Authority(GAMADA),
PUDA Bhawan, Sector-62, Mohali.

First Appellate Authority,

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

Appeal Case No. 1294 of 2020 (Video Conference Proceedings)

PRESENT:

Kanwal Nain Singh (Appellant) 98120-51827
Gurvinder Singh, PIO-cum-AEO (Respondent) 98786-02071
Aditi Mehta, Planning Officer (for the Respondent) 93549-21555
Shashi, Senior Planning Draftsman (for the Respondent)

ORDER:

(To be read in continuity with earlier order on 17.3.2021, 8.7.2021, 22.9.2021, 15.12.2021, and 7.4.2022)

1. The RTI application is dated **11.2.2020** vide which the appellant has sought information **regarding allotment of sites to religious bodies/institutions from 1999 to 2001, Mohali**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **20.3.2020** and Second Appeal was filed in the Commission on **15.5.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard **7.4.2022**.
2. Both parties are present in person. There is some confusion regarding the RTI application appended to this Appeal Case. Efforts were made to locate the correct RTI application which has now been included in the present Appeal Case No. 1294/2020. A copy of the same has been handed over to the respondent PIO-cum-AEO, Gurvinder Singh, who states that some of the information has already supplied on said RTI application.
3. The respondent PIO is directed to submit a pointwise reply to all the remaining points. In case the information pertains to any other officer/official of GMADA, the respondent PIO GMADA, must seek assistance from said office/officer under Section 5(4) of the RTI Act 2005 and mention this in a reply to the appellant with a copy to this Commission.

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Appeal Case No. 1294 of 2020 (Video Conference Proceedings)

4. **Next hearing on 19.10.2022 at 11.30 am via Video Conference Facility at DC Office, Sri Mohali.**

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

Chandigarh
3.8.2022

PUNJAB STATE INFORMATION COMMISSION

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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),
Mohali.

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

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

PRESENT:

Dharamvir Anariya (Appellant) 95922-82373

Gurvinder Singh, PIO-cum-AEO (Respondent) 98786-02071

ORDER:

(To be read in continuity with earlier orders on 17.2.2021, 27.10.2021, 10.2.2022, and 7.4.2022)

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 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 **7.4.2022**.

2. Both parties are present in person. The respondent PIO has once again expressed his inability to trace out said record. The Commission notes that the requested record is not very old and is based on an Order (3355/59 Dated 6.2.2018) by the then Chief Administrator GMADA, Ravi Bhagat, IAS, whereby he constituted a committee comprising Additional Chief Administrator, GMADA, Superintendent Engineer, GMADA, Estate Officer (plots) GMADA, and Legal Advisor, GMADA, for investigating the reasons due to which the record sought in Complaint Case No. 1565/2016 was not traceable and to try to ascertain as to who were the persons could be held responsible for such an eventuality.

3. The PIO-cum-AEO, Gurvinder Singh, is hereby directed to seek the assistance of the afore mentioned officers under Section 5(4) and 5(5) of the RTI Act 2005, to trace out information regarding the findings of aforesaid committee and supply attested copies of the same to the appellant. This must be done within one month of receipt of this Order.

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Appeal Case No. 3502 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 19.10.2022 at 11.30 am via Video Conference Facility at DC Office, Sri Mohali.**

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

Chandigarh
3.8.2022

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Ashok Kumar,
S/o Sh. Roop Lal,
214, Pine Homes,
Dhakoli, Zirakpur, Mohali.

Versus

Public Information Officer,
o/o Additional Deputy Commissioner (Urban Development),
District Administrative Complex, Room No. 402, 3rd Floor,
Sector 76, SAS Nagar (Mohali).

Public Information Officer,
o/o Additional Deputy Commissioner (Urban Development),
Patiala.

First Appellate Authority,
o/o Additional Deputy Commissioner (Urban Development),
Patiala.

Appeal Case No. 3155 of 2021 (Video Conference Proceedings)

PRESENT:

Ashok Kumar (Appellant) 88377-87496
Ramesh Vashisht, Advocate (for the Appellant)
Tarsem Chand, Junior Assistant (for the Respondent) 82830-09315

ORDER:

(To be read in continuity with earlier orders on 2.3.2022 and 25.5.2022)

1. The RTI application is dated **19.12.2020** vide which the appellant has sought **information regarding Gulmohar Valley-1, Village Kaulimajra, Tehsil Dera Bassi**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **1.2.2021**, and Second Appeal was filed in the Commission on **9.7.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **25.5.2022**.

2. Both parties are present. The appellant is present in person along with his Advocate Sh. Ramesh Vashisht. The respondent PIO, represented by Tarsem Chand, Junior Assistant, from the office of ADC(UD), Mohali, states that the information in regard to point no. 4 and 5 has been supplied to the appellant. The appellant confirmed receipt. The information sought at point no. 6 of the RTI application is still pending.

3. The respondent PIO is herewith directed to be personally present at the next hearing along with original file pertaining to the Gulmohar Valley, Village Kaulimajra, Derabassi.

4. **Next hearing on 19.10.2022 at 11.30 am, at Punjab State Information Commission, Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
3.8.2022

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Ashok Kumar,
S/o Sh. Roop Lal,
214, Pine Homes,
Dhakoli, Zirakpur, Mohali.

Versus

Public Information Officer,
o/o Additional Deputy Commissioner (Urban Development),
District Administrative Complex, Room No. 402, 3rd Floor,
Sector 76, SAS Nagar (Mohali).

Public Information Officer,
o/o Additional Deputy Commissioner (Urban Development),
Patiala.

First Appellate Authority,
o/o Additional Deputy Commissioner (Urban Development),
Patiala.

Appeal Case No. 3156 of 2021 (Video Conference Proceedings)

PRESENT:

Ashok Kumar (Appellant) 88377-87496
Ramesh Vashisht, Advocate (for the Appellant)
Tarsem Chand, Junior Assistant (for the Respondent) 82830-09315

ORDER:

(To be read in continuity with earlier orders on 2.3.2022 and 25.5.2022)

1. The RTI application is dated **22.12.2020** vide which the appellant has sought **information regarding Gulmohar Valley-1, Village Kaulimajra, Tehsil Dera Bassi**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **16.2.2021**, and Second Appeal was filed in the Commission on **9.7.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **25.5.2022**.

2. Both parties are present. The appellant is present in person alongwith his Advocate Sh. Ramesh Vashisht. The respondent PIO represented by Tarsem Chand, Junior Assistant, from the office of ADC(UD), Mohali, states that the information in regard to point no. 4 and 5 has been supplied to the appellant. The appellant confirmed receipt. The information sought at point no. 6 of the RTI application is still pending.

3. The respondent PIO is herewith directed to be personally present at the next hearing along with original file pertaining to the Gulmohar Valley, Village Kaulimajra, Derabassi.

4. **Next hearing on 19.10.2022 at 11.30 am, at Punjab State Information Commission, Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
3.8.2022

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Lal Chand Bansal,

S/o Shri Hukam Chand Bansal,
2795, Ward No. 16, Gugga Marhi Colony,
Kharar – 140 301

Versus

Public Information Officer,

o/o Executive Officer, Nagar Council,
Kharar, Mohali.

First Appellate Authority,

o/o Additional Deputy Commissioner,
Mohali.

Appeal Case No. 542 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 7.4.2022)

1. The RTI application is dated **5.8.2021** vide which the appellant has sought information **regarding development works, MBs etc. from 1.4.2019 to 30.5.2021 etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.12.2021** and Second Appeal was filed in the Commission on **24.1.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **7.4.2022**.

2. Both parties are absent despite being notified vide this Commission's Order of 7.4.2022. This Appeal Case is adjourned to its next hearing. Both parties are directed to appear in person at the Commission.

3. **Next hearing on 19.10.2022 at 11.30 am, at Punjab State Information Commission, Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

3.8.2022