

**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.0172-2864100(From 10.00 AM to 04.00 PM on working days)



SHri Gulshan Kumar,
854, Dayal Nagar, Ghumar Mandi,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o District Sports Officer,
Guru Nanak Stadium,
Ludhiana.

First Appellate Authority

O/o Director,
State Sports Council, Punjab,
Chandigarh.

....Respondents

AC No. 5054 of 2022

Present: i) **Shri Gulshan Kumar, appellant in person.**
ii) **None on behalf of the PIO/Respondent.**

ORDER:

1. The RTI application is dated 12.08.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 12.09.2022 and the second appeal was filed in the Commission on 27.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 26.12.2022. Accordingly, the case has been heard today. Shri Gulshan Kumar, appellant comes present to attend the hearing in person before the Bench. He states that information was received by him on 04.11.2022 and since the same was not legible, he sent deficiencies to the PIO vide letter dated 07.11.2022. However, he has received nothing thereafter from the PIO.

3. The PIO O/o District Sports Officer, Guru Nanak Stadium, Ludhiana has not come present in person before the Bench or through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO. This indifferent attitude of the PIO is viewed adversely.

4. The PIO O/o District Sports Officer, Guru Nanak Stadium, Ludhiana is issued show cause notice show cause notice to explain his absence and as to why action should not be taken against him and

Cont..P-2

also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and not supplying complete 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, the PIO is 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. 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 proceedings against him ex-parte.

6. The PIO is directed to supply point-wise rectified legible information to the appellant after removal of deficiencies before the next hearing as also ensure to come present in person before the Bench on the next hearing.

7. With the aforesaid discussions, the matter is adjourned. **To come up for hearing on 09.02.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
26.12.2022**

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

Copy to (By Regd.Post)

Public Information Officer
O/o District Sports Officer,
Guru Nanak Stadium,
Ludhiana.

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Shri Rajinder Kumar,
S/o Shri Mehar Chand,
R/o Ward No.2, Supreme Enclave,
Near Vishavkarma Bhawan,
Link Road, Mansa.

.....Appellant

Versus

Public Information Officer

O/o Director,
Local Govt., Punjab, Chandigarh.

First Appellate Authority

O/o Director,
Local Govt., Punjab, Chandigarh.

....Respondents

AC No. 5029 of 2022

Present: i) **Appellant- absent.**
ii) **Shri Aman Kumar, Senior Assistant, Establishment Branch, Office of Director, Local Govt., Punjab on behalf of the PIO/Respondent-in peron.**

ORDER:

1. The RTI application is dated 15.07.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 25.08.2022 and the second appeal was filed in the Commission on 27.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 26.12.2022. Accordingly, the case has been heard today. Shri Rajinder Kumar, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.

3. Shri Aman Kumar, Senior Assistant, Establishment Branch, O/o Director, Local Govt., Punjab comes present in person before the Bench. He states that the information has been supplied to the appellant vide letters dated 05.08.2022 & 17.11.2022 on points No.5 & 6 comprising 13 pages, in addition the information was denied to the appellant on point No.1 to 4, being personal and third party. He further states that the letters mentioned at Point No.3 & 4 have not been received in their office, on which he has sought action taken report and this has been mentioned in the reply. He also states that point wise reply has again been sent to the appellant with a copy to the Hon'ble Commission. The respondent further

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states that the appellant was called by the First Appellate Authority on 12.10.2022 and 23.11.2022 but the appellant did not attend the hearing in first appeal and as such the first appeal was disposed off by the First Appellate Authority vide order dated 25.11.2022.

4. Shri Rajinder Kumar, appellant is contacted on mobile phone. He is made to talk to representative of PIO who explains to him the position regarding supply of information vide letter dated 05.08.2022 and 17.11.2022. The appellant denies receipt of information on point No.5 & 6. Then the Bench talks to the appellant and clarifies to him the information as supplied by the PIO.

5. Post deliberations, the Bench accepts the contention of PIO regarding point No.1 & 2, being personal and third party information, however, directs the PIO to provide information on point No.3 to 6 and also ensure to bring along the original record and produce the same before the Bench on the next hearing. The appellant is also advised to come present in person on the next hearing.

6. With the aforesaid directions, **the matter is adjourned. To come up for hearing on 09.02.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
26.12.2022**

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

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Dr. Sat Paul Sharma,
R/o Flat No.203/1, Block-2,
Housefed Complex,
Banur, Distt:Mohali.

.....Appellant

Versus

Public Information Officer

O/o Principal Secretary,
Local Bodies, Punjab, Chandigarh.

Public Information Officer

O/o Chief Vigilance Officer
Directorate of Local Govt., Punjab,
Punjab Municipal Bhawan,
Sector-35, Chandigarh.

First Appellate Authority

O/o Principal Secretary,
Local Bodies, Punjab, Chandigarh.

....Respondents

AC No. 5025 of 2022

Present: i) **Dr. Sat Paul Sharma, appellant in person.**
ii) **Shri Pankaj Thakkar, Senior Assistant, Local Govt.-1 Branch, Office of
Principal Secretary, Local Govt. on behalf of the PIO/Respondent-in person.**

ORDER:

1. The RTI application is dated 06.12.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 31.01.2022 and the second appeal was filed in the Commission on 27.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 26.12.2022. Accordingly, the case has been heard today. Dr. Sat Paul Sharma, appellant comes present to attend the hearing in person before the Bench.
3. Shri Pankaj Thakkar, Senior Assistant, Local Govt.-1 Branch comes present in person before the Bench. He states that the information has been supplied to the appellant vide letter dated 02.03.2022 by ordinary post.

Cont..P-2

4. On the asking of the Bench, the appellant denies receipt of information. Then the respondent states that the matter relates to Vigilance Cell O/o Chief Vigilance Officer, Directorate of Local Govt. Punjab, the case has been referred to them for conducting an enquiry on the complaint made by appellant to Personnel Department. Accordingly, the PIO Vigilance Cell O/o Directorate of Local Govt., Punjab be impleaded as respondent No.2.

5. The Bench observes that a letter dated 19.12.2022 has been received by e.mail from APIO, Vigilance Cell, O/o Director, Local Govt., Punjab requesting the PIO Local Govt.-1 Branch to attend the hearing, whereas the respondent states that matter relates to Vigilance Cell of Directorate of Local Govt. Since the matter is reported to be relating to a complaint into which enquiry is being conducted, the Bench directs the PIO Vigilance Cell O/o Director, Local Government, Punjab to supply related information. He is impleaded as Respondent No.2 and directed to supply information to the appellant before the next hearing. Both the PIOs are directed to ensure to come present before the Bench in person on the next date of hearing.

6. With the aforesaid directions, **the matter is adjourned. To come up for hearing on 09.02.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
26.12.2022**

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

Copy to (By Regd.Post)

Public Information Officer
O/o Chief Vigilance Officer
Directorate of Local Govt., Punjab,
Punjab Municipal Bhawan,
Sector-35, Chandigarh.

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Shri Navneet Kumar,
S/o Shri Rishi Ram,
Ward NO.5, Gandhi Basti,
Behind Public Club,
Mandi Dabwali, Distt. Sirsa(Hry.).

.....Appellant

Versus

Public Information Officer
O/o Executive Engineer,
PSPCL, Maur Mandi,
Distt:Bathinda.

First Appellate Authority
O/o Chief Engineer,
Distribution, PSPCL,
Bathinda.

....Respondents

AC No. 5018 of 2022

**Present: Appellant- absent.
None on behalf of the PIO/Respondent.**

ORDER:

1. The RTI application is dated 14.03.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 27.04.2022 and the second appeal was filed in the Commission on 20.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 26.12.2022. Accordingly, the case has been heard today. Shri Navneet Kumar, appellant has not come present to attend the hearing in person before the Bench or through cisco webex nor any intimation has been received from him.
3. The PIO O/o Executive Engineer, PSPCL, Maur Mandi, District Bathinda has not come present to attend the hearing in person before the Bench or through cisco webex.
4. The Bench observes that the notice sent to the appellant has been received back undelivered. The Bench observes some clerical mistake in the address which is rectified. In the absence of the appellant as well as the PIO, the Bench is unable to proceed further in the matter and deems it to be appropriate to adjourn the matter.

Cont...P-2

5. The PIO is directed to supply information to the appellant before the next hearing and ensure to come present in person before the Bench on the next hearing.

6. With the aforesaid discussions, **the matter is adjourned. To come up for hearing on 09.02.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
26.12.2022

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

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Shri Harmohan Singh,
S/o Shri Pritam Singh,
R/o Hargobind Nagar,
Sri Muktsar Sahib.

.....Appellant

Versus

Public Information Officer

O/o Secretary,
District Red Cross Society,
Sri Muktsar Sahib.

First Appellate Authority

O/o ADC (General),
Sri Muktsar Sahib.

....Respondents

AC No. 4960 of 2022

**Present: i) Appellant- absent..
li0 None on behalf of the PIO/Respondent.**

ORDER:

1. The RTI application is dated 11.06.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 23.08.2022 and the second appeal was filed in the Commission on 20.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 26.12.2022. Accordingly, the case has been heard today. Shri Harmohan Singh, appellant has not come present to attend the hearing in person before the Bench or through cisco webex. A letter dated 19.12.2022 has been received from him stating that he has not been provided complete information vide letter dated 24.11.2022 and that he has pointed out deficiencies vide letter dated 10.12.2022.

3. The PIO O/o Secretary, District Red Cross Society, Sri Muktsar Sahib has not come present to attend the hearing in person before the Bench or through cisco webex. However, a letter dated 07.12.2022 has been received from Secretary, District Cross Society stating that the staff of office has been detailed for duty with regard to the arrangements on the eve of Maghi Mela-2023 and that information has been supplied to the appellant.

Cont..P-2

4. The Bench observes that the appellant has pointed out deficiencies to the PIO which still remain unaddressed. The PIO is directed to supply information to the appellant after removing the deficiencies before the next hearing and ensure to come present in person before the Bench on the next hearing.

5. With the aforesaid discussions, **the matter is adjourned. To come up for hearing on 09.02.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
26.12.2022**

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

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Shri Naresh Chander Gupta,
S/o Shri Amar Nath,
Flat 1001, Tower-1, Motiaz Royal City,
Ambala Road, Zirakpur, Distt. Mohali.

.....Appellant

Versus

Public Information Officer

O/o PUDA, Punjab
Mohali.

First Appellate Authority

O/o PUDA, Punjab
Mohali.

....Respondents

AC No. 4882 of 2022

Present: i) **Shri Naresh Chander Gupta, appellant in person.**
ii) **Shri Raj Kumar Bansal, Admn. Officer/PIO, O/o PUDA, Mohali-cisco webex.**

ORDER:

1. The RTI application is dated 30.07.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 30.08.2022 and the second appeal was filed in the Commission on 18.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 26.12.2022. Accordingly, the case has been heard today. Shri Naresh Chander Gupta, appellant comes present to attend the hearing in person before the Bench.
3. Shri Raj Kumar Bansal, Admn. Officer/PIO, PUDA, Mohali attends the hearing through cisco webex. He states that the RTI application was transferred to GMADA, Mohali under Section 6(3) of RTI Act vide letter dated 08.12.2022 and that PIO, GMADA has further transferred the same to Municipal Council, Zirakpur under Section 6(3) of RTI Act.
4. The appellant objects to the version of the PIO O/o PUDA and the PIO O/o GMADA regarding the transfer of RTI application to the Municipal Zirakpur and states that he has sought information with regard to Royal City, Zirakpur under the provisions of Punjab Apartment Ownership (Amendment) Bill, 2021 which has to be supplied by PUDA, Mohali.

Cont..P-2

5. The Bench, on perusal of the contents of RTI application and hearing the version of appellant, does not agree with the action taken by PUDA and GMADA, Mohali whereby the RTI application has been transferred to Municipal Council, Zirakpur and it amounts to shifting of responsibility to another without going into the contents of the RTI application minutely. The Bench directs the PIO O/o PUDA, Mohali to give point-wise reply to the appellant as per provisions of Punjab Apartment Ownership (Amendment) Bill, 2021 in English language as he does not know the Punjabi language and the same be sent by registered post.

6. With the aforesaid discussions, **the matter is adjourned. To come up for hearing on 09.02.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
26.12.2022**

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

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Shri Sukhbir Singh Mahal,
R/o 816, Diamond Avenue,
Majitha Road,
Amritsar.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Amritsar.

First Appellate Authority
O/o Commissioner,
Municipal Corporation,
Amritsar.

....Respondents

AC No. 4948 of 2022

Present: i) **Shri Sukhbir Singh Mahal, appellant in person.**
ii) **Shri Dheeraj Kumar, Building Inspector, Municipal Corporation, Amritsar,
on behalf of the PIO/Respondent- in person.**

ORDER:

1. The RTI application is dated 13.06.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 19.07.2022 and the second appeal was filed in the Commission on 20.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 26.12.2022. Accordingly, the case has been heard today. Shri Sukhbir Singh Mahal, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.
3. Shri Dheeraj Kumar, Building Inspector, Municipal Corporation, Amritsar comes present in person before the Bench to attend the hearing on behalf of the PIO/Respondent. He states that point-wise information has been supplied to the appellant vide letter dated 23.12.2022 and copy has been sent to Hon'ble Commission by e.mail.
4. The appellant is contacted on his mobile phone and made to talk to the respondent Shri Dheeraj Kumar who apprises the appellant of the reply sent to him. Then, the Bench talks to the appellant who expresses dis-satisfaction over the reply of PIO.

Cont..P-2

5. The Bench peruses the reply of the PIO and observes that the same is inappropriate and ridiculous as the term used 'open market' is not appropriate in the context referred to in the reply. The PIO is directed to reply appropriately to the appellant quoting the relevant website and the Link to access the information as sought by the appellant, before the next hearing. Reasons sought by the appellant on Point No.4 of his RTI application amount to asking question & opinion and has rightly been denied.

6. The PIO and the appellant are directed to come present in person before the Bench on the next hearing.

7. With the aforesaid discussions, **the matter is adjourned. To come up for hearing on 09.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
26.12.2022**

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