



Sh. Nand Lal, S/o Sh. Paramjit Singh,
VPO Bahawal. Tehsil Balachaur,
Distt. SBS Nagar.

... Appellant

Versus

Public Information Officer,
O/o DEO (EE),
Ludhiana.

First Appellate Authority,
O/o DPI (EE),
Pb, Mohali.

... Respondent

Appeal Case No. 1707 of 2020

Present: None for the Appellant
Smt. Asha Rani, BPEO for the Respondent

ORDER:

The appellant through RTI application dated 04.01.2020 has sought information regarding grants received by Govt Primary School Phabra, Block Mangat-2 Ludhiana during 2016-17, 2017-18, 2018-19 & 2019-20 – cheques issued for payment – statement of account of Mid-day meal, Paswak SMC School Welfare - utilization certificates – resolution passed for expenditure and other information concerning the office of DEO(EE) Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 11.02.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the information (393 pages) has been supplied to the appellant vide letter dated 06.10.2020.

The appellant is absent and vide mail has informed that the information supplied by the PIO vide letter dated 06.10.2020 is incomplete. The appellant has also claimed that even after pointing out the discrepancies, the PIO has not removed the discrepancies.

Having gone through the RTI application, the Commission observes that there has been an enormous delay of nine months in providing the information. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to remove the discrepancies as pointed out by the appellant and provide the complete information within 15 days of the receipt of this order.

To come up for further hearing on **07.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 01.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
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Sh.Rohit Sabharwal,
Kundan Bhawan, 126 Model Gram,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Deptt of Local Govt,
Pb Civil Secretariat-2, Sec-9,
Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Deptt of Local Govt,
Pb Civil Secretariat-2, Sec-9,
Chandigarh.

...Respondent

Appeal Case No. 1103 of 2020

PRESENT: Ms.Sukhjinder Kaur for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 09.12.2019 has sought information regarding action taken on the letter dated 03.10.2019 issued by the Commissioner MC Ludhiana recommending the suspension of Sh.Rahul Kumar, Building Inspector - information showing the reasons for not suspending the said Rahul Kumar – day-to-day movement of aforesaid letter and other information concerning the office of Principal Secretary, Department of Local Bodies, Govt of Punjab Chandigarh. The appellant was not satisfied with the reply of the PIO dated 03.01.2020 stating that the matter is under consideration with the Govt. after which the appellant filed first appeal before the First Appellate Authority on 23.01.2020 which took no decision on the appeal.

The case first came up for hearing on 24.08.2020 through video conferencing at DAC Ludhiana. Due to network problem, the VC could not take place. The respondent was present and pleaded that the matter is under consideration with the State Govt.

The case was adjourned.

Hearing dated:01.03.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The representative appeared on behalf of the appellant informed that the appellant has received the information on point-2. However, regarding information on points 1 & 3, the PIO vide letter dated 26.10.2020 has only informed that a show cause has been issued to Sh.Rahul Kumar on 23.09.2020.

The respondent is absent. Having gone through the RTI application and hearing the appellant, the PIO is directed to provide information in accordance with the RTI application within 15 days. Failure to comply would attract proceedings under section 20 of the RTI Act.

To come up for further hearing on **07.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated: 01.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Rohit Sabharwal,
Kundan Bhawan, 126 Model Gram,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Deptt of Local Govt,
Pb Civil Secretariat-2, Sec-9,
Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Deptt of Local Govt,
Pb Civil Secretariat-2, Sec-9,
Chandigarh.

...Respondent

Appeal Case No. 1104 of 2020

PRESENT: Ms.Sukhjinder Kaur for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 09.12.2019 has sought information regarding action taken on the letter dated 23.07.2019 issued by the Commissioner MC Ludhiana recommending the suspension of Sh.Kuljeet Singh, Mangat, Building Inspector - information showing the reasons for not suspending the said Kuljeet Singh Mangat—day-to-day movement of aforesaid letter and other information concerning the office of Principal Secretary, Department of Local Bodies, Govt of Punjab Chandigarh. The appellant was not satisfied with the reply of the PIO dated 03.01.2020 stating that the matter is under consideration with the Govt.after which the appellant filed first appeal before the First Appellate Authority on 23.01.2020 which took no decision on the appeal.

The case first came up for hearing on 24.08.2020 through video conferencing at DAC Ludhiana. Due to network problem, the VC could not take place. The respondent was present and pleaded that the matter is under consideration with the State Govt

The case was adjourned.

Hearing dated 01.03.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The representative appeared on behalf of the appellant informed that the appellant has received the information on point-2. However, regarding information on points 1 & 3, the PIO vide letter dated 26.10.2020 has only informed that a show cause has been issued to Sh.Kuljeet Singh on 23.09.2020.

The respondent is absent. Having gone through the RTI application and hearing the appellant, the PIO is directed to provide information in accordance with the RTI application within 15 day. Failure to comply would attract proceedings under section 20 of the RTI Act.

To come up for further hearing on **07.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated 01.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Rohit Sabharwal,
Kundan Bhawan, 126 Model Gram,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Chief Vigilance Officer,
Deptt of Local Bodies,
Govt of Pb, Municipal Bhawan,
Sector-35, Chandigarh.

First Appellate Authority,
O/o Chief Vigilance Officer,
Deptt of Local Bodies,
Govt of Pb, Municipal Bhawan,
Sector-35, Chandigarh.

...Respondent

Appeal Case No. 1154 of 2020

PRESENT: Ms.Sukhjinder Kaur for the Appellant
Sh.Rajiv Sagar, PIO for the Respondent

ORDER:

The appellant through RTI application dated 12.11.2019 has sought information regarding action taken on the complaint letter dated 09.04.2019 filed against the huge corruption prevailing in the building branch of MC Ludhiana that under the pretext of challans issued under section 269 of Punjab MC Act 1976, by taking protection money in return, allows the illegal compoundable construction to get completed and other information concerning the office of Chief Vigilance Officer, Department of Local Bodies, Govt of Punjab Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 26.12.2019 which took no decision on the appeal. After filing first appeal, the PIO-CVG, Department of Local Govt. sent reply to the appellant vide letter dated 13.01.2020 stating that the enquiry is pending, the information cannot be provided.

The case first came up for hearing on 24.08.2020 through video conferencing at DAC Ludhiana. Due to network problem, the VC could not take place. The Commission received a letter from the PIO dated 17.08.2020 stating that since the enquiry has not yet been completed, the information cannot be provided. The case was adjourned.

Hearing dated :01.03.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The representative appeared on behalf of the appellant pleaded that the PIO has not provided the information.

The respondent present pleaded that since the enquiry is still pending, the information cannot be provided.

Having gone through the RTI application and hearing both the parties, the Commission directs the PIO to provide whatever action has been taken on the complaint of the appellant along with documents generated and all correspondence made/notings during the enquiry proceedings. The information be provided within 15 days.

To come up for further hearing on **07.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. **The PIO to appear at Chandigarh.**

Sd/-

(Khushwant Singh)

State Information Commissioner

Chandigarh
Dated 01.03.2021



Sh. Vishnu Dutt Sharma,
H No-1459, Ward No-8,
Street No-6, Dasmesh Nagar,
Doraha, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Secretary to Deptt. of Local Bodies,
Govt of Pb, Municipal Bhawan,
Sector-35, Chandigarh.

First Appellate Authority,
O/o Chief Vigilance Officer,
Deptt of Local Bodies,
Govt of Pb, Municipal Bhawan,
Sector-35, Chandigarh.

...Respondent

Appeal Case No. 1117 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 28.09.2019 has sought information regarding copy of file of notification No.GSR-4/PA42/1976/571.AMD(ii)2007 dated 01.02.2007 - action taken on the notification and other information concerning the office of Secretary Department of Local Bodies, Govt of Punjab Chandigarh. The appellant was not provided the infokrmatin after which the appellant filed first appeal before the First Appellate Authority on 10.01.2020 which took no decision on the appeal. After filing first appeal, the PIO-Department of Local Govt. Branch-3 sent reply to the appellant vide letter dated 31.01.2020 stating that the information does not relate to them.

The case first came up for hearing on 24.08.2020 through video conferencing at DAC Ludhiana. Due to network problems, the VC could not take place. The respondent was present and informed that since this notification was issued in the year 2007, the information is not traceable in their record.

The PIO was directed to conduct an enquiry into the matter and submit a complete enquiry report which establishes that the record is missing and the responsibility has been fixed for the person under whose custody the record was found missing.

Hearing dated 01.03.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. Both the parties are absent.

The earlier order stands. The case is adjourned.

To come up for further hearing on **07.06.2021 at 11.00 AM.** through video conference facility available in the office of Deputy Commissioner, **Ludhiana.** The **PIO to appear at Chandigarh.**

Chandigarh
Dated 01.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Sarabjeet Singh Gill,
H No-60-35-P-376-1,
Street No-8, Maha Singh Nagar,
P.O Dhandari Kalan, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/oDirector, Deptt of Local Bodies,
Govt of Pb, Municipal Bhawan,
Sector-35, Chandigarh.

First Appellate Authority,
O/oDirector, Deptt of Local Bodies,
Govt of Pb, Municipal Bhawan,
Sector-35, Chandigarh.

...Respondent

Appeal Case No. 1180 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 30.12.2019 has sought information regarding action taken on the complaints of S.Amarjit Singh Dhamotia dated 27.12.2019 against encroachment on public land – name of inspecting officer – copy of diary register –statement of concerned parties – finding violation status and other information concerning the office of Department of Local Bodies, Govt of Punjab Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 31.10.2019 which took no decision on the appeal.

The case first came up for hearing on 24.08.2020 through video conferencing at DAC Ludhiana. Due to network problem, the VC could not take place. The appellant vide email sought exemption. In the same email, the appellant informed that the PIO has not provided the information.

Hearing dated 01.03.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. Both the parties are absent.

The case is adjourned. To come up for further hearing on **07.06.2021 at 11.00 AM.** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The **PIO to appear at Chandigarh.**

Chandigarh
Dated 01.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Amarjit Singh Dhamotia, Whistle Blower,
District President Ludhiana NCAG,
H No-60-35-P-330, Street No-8,
Maha Singh Nagar,
P.O. Dhandari Kalan, Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Principal Secretary, Local Bodies, Pb
Sec-35-A, Chandigarh.

First Appellate Authority,
O/o Principal Secretary, Local Bodies, Pb
Sec-35-A, Chandigarh.

....Respondent

Appeal case No.1334 of 2020

**PRESENT: None for the Appellant
None for the Respondent**

ORDER:

The appellant through RTI application dated 27.01.2020 has sought information regarding name of officer to whom the enquiry report (sent by DC Ludhiana after getting enquiry conducted by SDM-West) was marked by Principal Secretary Local Bodies – statement of both parties & fact finding report of officer – fine recovered from illegal colony and other information as enumerated in the RTI application concerning the office of Principal Secretary Local Govt Punjab, Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 27.02.2020 which took no decision on the appeal..

On the date of hearing on 29.09.2020, the appellant claimed that the PIO has not provided the information. The respondent was absent. The Commission received a copy of letter dated 18.09.2020 through email from Assistant Town Planner(HQ) O/o Directorate Local Govt Department vide which the ATP informed the appellant that since the information relates to the office of MC Ludhiana, the appellant to get the information from MC Ludhiana.

The PIO-Municipal Corporation, Ludhiana was impleaded in the case and directed to provide the information to the appellant which pertains to their office. A copy of the RTI application was attached with the order for reference.

On the date of last hearing on 10.12.2020, the Commission received a reply from the PIO-cum-ATP, Zone-D-MC Ludhiana vide letter diary No.16562 on 18.11.2020 which was taken on the file of the Commission.

The case was adjourned.

Hearing dated 01.03.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. Both the parties are absent. The appellant vide email has sought exemption.

The Commission has received a reply from the PIO-cum-ATP, Zone-D,MC Ludhiana on 18.11.2020 which was taken on the file of the Commission. In the reply the PIO has mentioned that in an appeal cases No.217 to 220 of 2017, which was decided by the bench of SIC Sh.Yashvir Mahajan on 05.04.2017, the following had been observed -

Appeal case No.1334 of 2020

'That the appellant's act running not with filing repeated applications seeking inane and voluminous information has become counterproductive of public interest, and it has been held that the appellant is misusing the RTI Act with unsavory motives, accordingly, public authorities i.e. O/o MC Ludhiana has been allowed to ignore his applications in future', hence the appellant is violating the RTI Act, and as per order of the Commission, no information can be provided to the appellant.'

In view of the above, I am referring this case to the Chief Information Commissioner for taking an appropriate decision.

Chandigarh
Dated:01.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-Municipal Corporation, Ludhiana



Sh.Jagmohan Singh,
334, G.T Road, Salem Tabri,
Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Sub Registrar (East),
Transport Nagar, Ludhiana.

First Appellate Authority,
O/o SDM,
Ludhiana(East)

Respondent

Appeal case No.660 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

This order should be read in continuation to the earlier order.

The case has been earlier heard on 27.03.2019, 22.08.2019, 28.11.2019, 27.01.2020, 24.06.2020 & 17.08.2020

On the hearing on **24.06.2020**, the respondent present pleaded that the information has already been supplied to the appellant. The appellant was not satisfied. Having gone through the reply and hearing both the parties, the following was concluded:

- Point-1 - The respondent says that the sought information is available on the website of the department and the appellant can get the information from the Sewa Kendra by providing specific vasika numbers. The appellant is directed to get the information from Sewa Kendra by providing particular vasika numbers.
- Point-2 - As per respondent, no separate index for registration of agricultural property is prepared and the information is available on the website. The PIO to provide the link and assist the appellant in getting the information from the website.
- Point-3 - The respondent says that no document is available. The PIO is directed to give this in writing on an affidavit that no such document is available. And If such a letter exists, what action has been taken, And in persuasion of the letter received from the Govt of Punjab, if any list has been prepared, it be provided.

On the date of hearing on **17.08.2020**, the appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was directed to comply with the earlier order of the Commission and provide the information to the appellant within 10 days otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

On the date of hearing on **29.09.2020**, the appellant claimed that the PIO has not provided the information.

The respondent was absent nor had complied with the order of the Commission. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit**. The PIO was again directed to provide complete information to the appellant within 10 days of the receipt of order.

On the date of last hearing on 10.12.2020, both the parties were absent.

The Commission received a reply of the PIO dated 03.12.2020 which was taken on the file of the Commission. The case was adjourned.

Hearing dated 01.03.2021:

The case has come up for hearing today through video conferencing at DAC Ludhiana. Both the parties are absent.

I have gone through the reply of the PIO received in the Commission on 07.12.2020. The PIO in his reply has mentioned that regarding point-2, no separate index for agricultural property is prepared. Moreover, the information relates to 3rd party and as such it cannot be provided under section 8(1)(j) of the RTI Act and that the reply has already been given to the appellant vide letter dated 30.11.2018.

Regarding point-3, the PIO has mentioned in his reply that no such list as sought by the appellant is available in their office. The PIO has also given this in writing on an affidavit as per order of the Commission.

The PIO has further mentioned in the reply that the appellant had earlier filed an appeal case No.3845 of 2018 for seeking the same information which was disposed off and closed on 27.06.2019 by Ms.Preety Chawla, State Information Commissioner.

The appellant is absent. Having gone through the reply, I have observed that regarding point-2 the PIO has taken two separate and confused pleas- 1) that no separate index for agricultural property is prepared 2) that the information is 3rd party and is exempt u/s 8(1)(j) of the RTI Act.

The PIO is directed to file a suitable reply whether the denial of information is because the no document exists, is third party or is exempt under section 8(1)(j).

To come up for further hearing on **07.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated:01.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner