**STATE INFORMATION COMMISSION, PUNJAB**

**RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**

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Sh.Jasbir Singh,

Village Bholapur, Jhabewal,

Post Office Ramgarh Distt. Ludhiana

Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Mata Rani Chowk,

Distt. Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Mata Rani Chowk,

Distt. Ludhiana Respondents

**APPEAL CASE NO.1596/2017**

Date of RTI application : 07.04.2017

Date of First Appeal : 13.05.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :15.06.2017

**Present:** None on behalf of the Appellant.

Sh. Kuljit Singh, Building Inspector, O/o MC, Ludhiana – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

On the request of the appellant the matter is adjourned to be heard on **13.09.2017 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Rakesh Kumar

S/o Sh. Ranjit Singh

R/o House No.8505, Gali No.15, Guru Angad Dev.Colony,

ATI Road, Ludhiana Appellant

Versus

Public Information Officer,

O/o Municipal Corporation,

Zone-C, Gill Road, Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Ludhiana Respondents

**APPEAL CASE NO.1589/2017**

Date of RTI application : 07.01.2015

Date of First Appeal : 06.04.2015

Date of Order of FAA : Reply 11.02.2016

Date of 2nd Appeal/complaint : 08.06.2017

**Present:** Sh. Rakesh Kumar, Appellant in person.

Sh. Kuljit Singh, Building Inspector, M.C. Office, Ludhiana – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

The respondent says that copies of the order passed by the Hon’ble Punjab & Haryna High Court, Chandigarh in CWP No.3079 of 2015 and the consequential status of the action taken have already been provided to the information seeker.

The appellant says that the documents thus provided to him are uncertified. The respondent present in the Court undertakes to certify it then and there only. Thus being the case we do not see requirement of further intervention into the case.

**Disposed.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Jaspal Singh,

S/o Sh. Ramesh Arora,

319/3, Gurdeep Nagar, Jagraon,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon, Distt. Ludhiana

First Appellate Authority,

O/o Deputy Director. Urban Local Bodies,

Ludhiana Respondents

**APPEAL CASE NO.1183/2017**

**Date of RTI Application : 13.02.2017**

**Date of First Appeal : 15.03.2017**

**Date of Order of FAA : NIL**

**Date of Second Appeal : 27.04.2017**

**Present:** Sh. Jaspal Singh, Appellant in person.

Sh. Vijay Kumar, Accountant, Nagar Council, Jagraon – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

On the last date of hearing, the appellant was advised to revert on the information already reported to have been supplied to him by the respondents vide their memo dated 14.03.2017. The appellant has been sent a memo dated 14.07.2017 to the Executive Officer, N.C., Jagraon, with a copy to the Commission. The queries raised in the same, the Commission finds to be not relevant. The information available on record concerning the properties he has asked for has already been provided to him. The respondent submits that no other information on the subject is available with them. The Commission has no reason to disbelieve the respondents. Sufficient information has been provided.

The case is **closed.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Jaspal Singh,

S/o Sh. Ramesh Arora,

319/3, Gurdeep Nagar, Jagraon,

Distt.Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon, Distt. Ludhiana

First Appellate Authority,

O/o Deputy Director. Urban Local Bodies,

Ludhiana Respondents

**APPEAL CASE NO.1184/2017**

**Date of RTI Application : 11.02.2017 Date of First Appeal : 15.03.2017**

**Date of Order of FAA : NIL**

**Date of Second Appeal : 27.04.2017**

**Present:** Sh. Jaspal Singh, Appellant in person.

Sh. Vijay Kumar, Accountant, Nagar Council, Jagraon – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

The appellant had sought the information about plying of a municipal vehicle and allied information. The reply given by the respondent is quite sketchy. They are advised to give specific and clear reply to the issue raised by the appellant under intimation to the Commission.

To come up on **13.09.2017 at 11.30 AM through video conferencing at Ludhiana.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Nirbhail Singh,

S/o Sh. Ajaib Singh,

Ward No.5, G.P.O. Banur,

Mohalla Sainianwala, Distt. S.A.S.Nagar. Appellant

Versus

Public Information Officer,

O/o Senior Superintendent of Police,

Majitha, Distt. Amritsar.

First Appellate Authority,

O/o Commissioner of Police,

Amritsar Respondents

**APPEAL CASE NO.1194/2017**

**Date of RTI Application : 28.05.2016 Date of First Appeal : 06.2016**

**Date of Order of FAA : Reply: 11.07.2016**

**Date of Second Appeal : 26.04.2017**

**Present:** Son of Sh. Nirbhail Singh, Appellant in Commission’s office at Chandigarh.

Sh. Ajit Singh Bhatia, O/o SSP, Amritsar – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

We had made the following observations on 21.06.2017 :-

*“What transpires is that the First Appellate Authority has advised the PIO to disclose the information. Having not done so the appellant has approached the Commission through second appeal.*

*The respondents have denied the information invoking clause 8(1) (j) of the RTI Act as according to them it has got no relation to the public activity and shall cause unwarranted invasion into the privacy of an individual.*

*The appellant reiterates that the official has been involved in certain notorious and disruptive activities inimical to the public cause. Though he has not been able to specifically pin-point any misconduct of the official, the Commission feels that in the face of such an allegation which if proved to be true and in the event of disclosure of the information, the public cause shall out-weigh Contd…page…2*

*-2-*

***APPEAL CASE NO.1194/2017***

*the damage caused to the individual. Moreover the information asked for concerns particulars associated with the performance of his public duties only. The Commission, thus, directs the respondents to disclose the information asked for on payment of the prescribed fee. However, it is added that the information concerning the bank accounts, where his pension credited shall not be revealed. The rest of the information be provided within fifteen days from today positively under intimation to the Commission.”*

The case has come up today for hearing*.*  The respondent appearing through video conference submits that the requisite information has been sent to the appellant on 17.07.2017 under registered cover.

The appellant is absent. The representative claiming to be the son of the appellant says that the information has not been received. He is appearing without any valid authority. No credence can be given to the submissions of the unauthorized person. The information sent under registered cover is deemed to have been delivered on the appellant. No more action is required.

The appeal is **disposed.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Jaspal Singh,

S/o Sh. Ramesh Arora,

R/o 319/3, Gurdeep Nagar, Jagraon,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon, Distt. Ludhiana

First Appellate Authority,

O/o Deputy Director. Urban Local Bodies,

Ludhiana Respondents

**APPEAL CASE NO.1214/2017**

**Date of RTI Application : 17.02.2017 Date of First Appeal : 20.03.2017**

**Date of Order of FAA : NIL**

**Date of Second Appeal : 02.05.2017**

**Present:** Sh. Jaspal Singh, Appellant in person.

Sh. Rajesh Saini, O/o, EO, Nagar Council, Jagraon – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

The appellant is asking the details of electrical works having been executed during the year 2012-13. The information has been provided to him along with the amount spent by it. However, he is getting into the details of old transactions which the Commission feels are vexatious in nature.

On being asked the appellant has not been able to come up with any plausible reason for such a dated information when he is regularly seeking the information from the respondents in a stream of applications. He has not been able to make a bonafide case to seek such an old information. The Commission finds that appropriate information has been given to him. No further action is called for.

The appeal is **disposed.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Jaspal Singh,

S/o Sh.Ramesh Arora,

R/o 319/3, Gurdeep Nagar, Jagraon,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon, Distt. Ludhiana

First Appellate Authority,

O/o Deputy Director. Urban Local Bodies,

Ludhiana Respondents

**APPEAL CASE NO.1215/2017**

**Date of RTI Application : 01.03.2017 Date of First Appeal : 20.03.2017**

**Date of Order of FAA : NIL**

**Date of Second Appeal : 02.05.2017**

**Present:** Sh. Jaspal Singh, Appellant in person.

Sh. Rajesh Saini, O/o, EO, Nagar Council, Jagraon – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

The appellant had sought information concerning the details of submersible motors/pumps having been installed in the municipal area and other allied information.

The respondents have given a reply on 16.03.2017 providing him the requisite information. The appellant insists that complete information has not been given. His further queries are vague and indistinct.

We find that sufficient information has been provided to him. No further intervention into the issue is called for.

**Disposed.**   **Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Jaspal Singh,

S/o Sh. Ramesh Arora,

R/o 319/3, Gurdeep Nagar, Jagraon,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon,

Distt. Ludhiana

First Appellate Authority,

O/o Deputy Director. Urban Local Bodies,

Ludhiana Respondents

**APPEAL CASE NO.1216/2017**

**Date of RTI Application : 08.03.2017 Date of First Appeal : 20.03.2017**

**Date of Order of FAA : NIL**

**Date of Second Appeal : 02.05.2017**

**Present:** Sh. Jaspal Singh, Appellant in person.

Sh. Vijay Kumar, Accountant, Nagar Council, Jagraon – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

The appellant is questioning the appearance of one Sh. Devinder Singh, Sewadar before the Information Commissioner, who, according to him, has impersonated as Supervisor while appearing in the Commission. The respondent says that the appellant was duly informed vide letter dated 16.07.2017.

The Commission reiterates that it is not a disciplinary authority of the official. In case an infringement has been made by an official, the competent authority in the official hierarchy is only entitled to take action against him. The Deputy Director, Urban Local Bodies, Ludhiana is desired to look into it and take appropriate action.

**Disposed.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**CC: The Deputy Director, Urban Local Bodies, Ludhiana for information and n/a.**

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Sh. Jasbir Singh,

Village Bholapur Jhabewal, P.O. Ramgarh,

Chandigarh Road, Ludhiana Appellant

Versus

Public Information Officer,

O/o District Transport Officer,

Jalandhar.

First Appellate Authority

O/o State Transport Commissioner, Punjab,

SCO No.177-178, Sector-17-C,

Chandigarh. Respondents

**APPEAL CASE NO.2981/2016**

**Date of RTI Application : 20.06.2016 Date of First Appeal : 28.07.2016**

**Date of Order of FAA : Reply :27.03.2017**

**Date of Second Appeal : 07.09.2016**

**Present:** None on behalf of the appellant.

Sh. Vijay Kumar, Sr. Assistant, DTO Office, Jalandhar – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

Vide his application dated 20.06.2016 the appellant had sought an information concerning the applications received under RTI Act. He has asked for the copies of the applications filed during the period between 01.01.2014 to 31.05.2016. He had also asked for the copies of the register maintained under Rule 3(3) of the RTI Act.

Sh. Vijay Kumar, Sr. Assistant who is present in the NIC studio of Jalandhar, submits that vide their memo dated 04.07.2016 they had requested the appellant to deposit Rs.190/- as cost of the information. He was also advised to visit the office and inspect the record. Having failed to deposit the mandatory fee the appellant is not entitled to the information asked for.

We find that the respondents had timely asked the appellant to deposit the fee as Contd…page…2

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**APPEAL CASE NO.2981/2016**

prescribed under rules. Having failed to do so no right is conferred on him to procure the information. The appellant is absent. No communication on the issue has been received from him also. We find that the application seemingly is directed to ensure the implementation of the RTI Act by the Public Authority in its true spirit. The Commission impresses upon the respondents to scrupulously follow the rules and instructions towards the implementation of the Act in the right earnest. No more action seems called for.

The appeal is **disposed.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Hari Om Jindal,

C-37, Kichlu Nagar, Ludhiana

Ludhiana Bharat Nagar Chowk,

Ludhiana Complainant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana Respondent

**COMPLAINT CASE NO.471/2017**

**Date of RTI application: 10.03.2017**

**Date of First Appeal : Nil**

**Date of Order of FAA: Nil**

**Date of 2nd Appeal/Complaint: 24.04.2017**

**Present:** Sh. Hari Om Jindal, Complainant in person.

Sh. Ajit Singh, Superintendent, Health Br. O/o M.C., Ludhiana – for Respondent.

**ORDER**

**The case has been heard through video conferencing.**

We had observed on 28.06.2017 as under:-

*“The complainant has shown a serious concern about the health of the slum children who are found to be playing near the garbage dump of the Municipal Corporation lying near the office of the Tehsildar, Ludhiana. He had requested the authorities to stop dumping the garbage at the aforementioned site. The complainant has asked for the action taken on the above score.*

*Whereas this forum appreciates the concern of the complainant towards some fundamental rights of the citizens to have a neat and wholesome environment and also the right to education of the children particularly coming from the lower strata of society, we are afraid that the RTI is a forum to agitate such concerns! We can assist him in providing the information which is available with the Public Authority in terms of its definition under Section 2(f) of the Act which he can Contd…page…2*

*-2-*

***COMPLAINT CASE NO.471/2017***

*avail to approach the appropriate authorities to improve the things around. Having said so the respondents are advised to inform the complainant about the status of the action having been taken by them whatsoever under intimation to the Commission.”*

The matter has been taken up today. The respondent says that they are addressed to the issue and taking appropriate action to correct the situation. Be that as it is, the respondents are advised to inform the appellant about the status of the issue in writing after liaising with the relevant wings of the Corporation.

To come up on **13.09.2017 at 11.30 AM through video conferencing at Ludhiana.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Ashu K. Bansal

C/o Adv. Hari Om Jindal,

C-37, Kitchlu Nagar,

Ludhiana. Appellant

Versus

Public Information Officer,

O/o Commissioner,

Zone -D, Municipal Corporation,

Ludhiana

First Appellate Authority,

O/o Jt. Commissioner,

Municipal Corporation,

Ludhiana Respondents

**APPEAL CASE NO.1353/2017**

**Date of RTI application: 21.04.2016**

**Date of First Appeal 05.09.2016**

**Date of Order of FAA: 21.11.2016**

**Date of 2nd Appeal :23.02.2017**

**Present:** Sh. Hari Om Jindal on behalf of the Complainant.

Sh. Damanpreet Singh, O/o M.C., Ludhiana – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

The respondent says that the information asked for is in the shape of a questionnaire and they are not obliged to provide answers to such queries. The appellant says that he is only asking for the information which exists materially on record. The respondents are directed to identify the property and part with the information available with them on the subject in hand.

To come up on **13.09.2017 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**02.08.2017 (Yashvir Mahajan)**

**State Information Commissioner**