

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

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APPEAL CASE NO. 3486 OF 2019

Sh. Rakesh K. Gupta(9814924851),
8/237, Jagraon Road,
Mandi Mullanpur,
District Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o The Secretary,
Local Government Punjab,
Municipal Bhawan, Sector 35-A,
Chandigarh.

First Appellate Authority
O/o The Secretary,
Local Government Punjab,
Municipal Bhawan, Sector 35-A,
Chandigarh.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

Present : Shri Rakesh Gupta, the appellant.
Shri Satwinder Singh, Supdt-cum- PIO, Shri Ramaninder Singh, Sr.Assistant and Shri Harjit Singh, Superintendent-cum-PIO, LG-1, on behalf of the Respondents.

ORDER :

This order may be read with the previous order dated 04.03.2020.

2. The appellant is present today and states that the Respondent-PIO Shri Jasbir Dhanoa on the previous date of hearing had asked him to visit their office and he went there but nobody had attended him to identify the specific and relevant information. He further states that he has not received the information till date.

3. Shri Satwinder Singh, Superintendent-cum-PIO and Shri Ramaninder Singh, Sr.Assistant, appear and state that they are not aware that the appellant had visited their office. They also state that information demanded is lengthy, however, most of the information is available on their **office website**. They further request the Commission to direct the appellant to visit their office to identify the specific information and get the same on the spot.

4. The appellant is directed to telephone to Shri Satwinder Singh, Respondent PIO on his Phone 7888989190 to fix the date and time to visit their office, identify the information and get the attested information on the spot.

5. The Respondent-PIO is directed to be present **personally** on the mutually agreed date & time, co-operate the appellant to make available their record and supply the sought for information duly attested on the spot under intimation to the Commission. He is further directed to be present **personally** in the court on the next date of hearing alongwith all the relevant record / information for perusal of the Commission and the Appellant.

6. Respondent-PIO Shri Harjit Singh, LG-I is exempted for further appearance in the case.

7. Adjourned and to come up on **21.07.2020 at 11.00AM through VC at DC Office, Ludhiana**. Copies of order be sent to the parties.

Chandigarh
04.06.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 4518 OF 2019

Advocate Rakesh Kumar Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, District Ludhiana-141101

(9814924851)

...Appellant

Versus

Public Information Officer,
O/o The Director,
Local Government, Punjab,
Municipal Bhawan,
Sector-35, Chandigarh.

First Appellate Authority,
O/o The Director,
Local Government, Punjab,
Municipal Bhawan,
Sector-35, Chandigarh.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

Present: None on behalf the appellant.
Shri Rajinder Kumar, Sr. Assistant, on behalf of the Respondents.

ORDER

The appellant is present today and states the sought for information has not been supplied by the Respondents till date.

2. Shri Rajinder Kumar, Sr. Assistant, appears on behalf of the Respondents and states that the case pertains to the DLG General Branch.

3. On asking by the court that who is PIO of DLG, General Branch, he stated that Ms. Sudha Rani, Superintendent is the PIO of this branch.

4. Ms. Sudha Rani, Superintendent-cum-PIO, DLG(General Branch) is directed to Supply the sought for information duly attest to the appellant before the next date of hearing. She is further directed to be present **in person** in the court on the next date of hearing along with all the relevant record / information for perusal of the Commission and the Appellant failing which **Show-Cause-Notice** shall be issued against him.

5. The appellant is directed to be present in the court on the next date of hearing to pursue his case.

6. Adjourned and to come up on **21.07.2020 at 11.00AM through VC in DC Office, Ludhiana**. Copies of order be sent to the parties.

Chandigarh
04.06.2020

Copy forwarded for compliance to :- (Registered Post)

Sd/-
(Hem Inder Singh)
State Information Commissioner

Ms. Sudha Rani,
Superintendent-cum-PIO,
O/o Director Local Govt. Punjab
Municipal Bhawan, Sector 35-A,
CHANDIGARH.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

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APPEAL CASE NO. 4524 OF 2019

Advocate Rakesh Kumar Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, District Ludhiana-141101

(9814924851)

...Appellant

Versus

Public Information Officer,
O/o Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35, Chandigarh.

First Appellate Authority,
O/o Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35, Chandigarh.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

Present: None on behalf the appellant.
Shri Rajinder Kumar, Sr. Assistant, on behalf of the Respondents.

ORDER

The appellant is present today and states the sought for information has not been supplied by the Respondents till date.

2. Shri Rajinder Kumar, Sr. Assistant, appears on behalf of the Respondents and states that the case pertains to the DLG General Branch.

3. On asking by the court that who is PIO of DLG, General Branch, he stated that Ms. Sudha Rani, Superintendent is the PIO of this branch.

4. Ms. Sudha Rani, Superintendent-cum-PIO, DLG(General Branch) is directed to Supply the sought for information duly attest to the appellant before the next date of hearing. She is further directed to be present **in person** in the court on the next date of hearing along with all the relevant record / information for perusal of the Commission and the Appellant failing which **Show-Cause-Notice** shall be issued against him.

5. The appellant is directed to be present in the court on the next date of hearing to pursue his case.

6. Adjourned and to come up on **21.07.2020 at 11.00AM through VC in DC Office, Ludhiana**. Copies of order be sent to the parties.

Chandigarh
04.06.2020

Copy forwarded for compliance to :- (Registered Post)

Sd/-
(Hem Inder Singh)
State Information Commissioner

Ms. Sudha Rani,
Superintendent-cum-PIO,
O/o Director Local Govt. Punjab
Municipal Bhawan, Sector 35-A,
CHANDIGARH.

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APPEAL CASE NO. 4708 OF 2019

Advocate Rakesh Kumar Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, District Ludhiana-141101

(9814924851)

...Appellant

Versus

Public Information Officer,
O/o The Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35, Chandigarh.

First Appellate Authority,
O/o The Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35, Chandigarh.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

Present: None on behalf the appellant.
Shri Rajinder Kumar, Sr. Assistant, on behalf of the Respondents.

ORDER

The appellant is present today and states the sought for information has not been supplied by the Respondents till date.

2. Shri Rajinder Kumar, Sr. Assistant, appears on behalf of the Respondents and states that the case pertains to the DLG General Branch.

3. On asking by the court that who is PIO of DLG, General Branch, he stated that Ms. Sudha Rani, Superintendent is the PIO of this branch.

4. Ms. Sudha Rani, Superintendent-cum-PIO, DLG(General Branch) is directed to Supply the sought for information duly attest to the appellant before the next date of hearing. She is further directed to be present **in person** in the court on the next date of hearing along with all the relevant record / information for perusal of the Commission and the Appellant failing which **Show-Cause-Notice** shall be issued against him.

5. The appellant is directed to be present in the court on the next date of hearing to pursue his case.

6. Adjourned and to come up on **21.07.2020 at 11.00AM through VC in DC Office, Ludhiana**. Copies of order be sent to the parties.

Chandigarh
04.06.2020

Copy forwarded for compliance to :- (Registered Post)

Sd/-
(Hem Inder Singh)
State Information Commissioner

Ms. Sudha Rani,
Superintendent-cum-PIO,
O/o Director Local Govt. Punjab
Municipal Bhawan, Sector 35-A,
CHANDIGARH.

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APPEAL CASE NO. 2725 OF 2019

Sh. Suresh Aggarwal
S/o Sh.Prem Chand,
House No. 2585/2A, Jagat Nagar,
Basti Jodhewal, Ludhiana-141007

...Appellant

Versus

Public Information Officer

O/o Director,
Local Government, Punjab,
Municipal Bhawan,
Sector 35-A, Chandigarh.

Public Information Officer

O/o Local Govt. Punjab Branch-1,
Municipal Bhawan,
Sector 35-A, Chandigarh.

Public Information Officer

O/o Local Govt. Punjab Branch-3,
Municipal Bhawan,
Sector 35-A, Chandigarh.

First Appellate Authority,

O/o Director,
Local Government, Punjab,
Municipal Bhawan,
Sector 35-A, Chandigarh.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

PRESENT:

Shri Suresh Aggarwal, the Appellant.
Shri Harjit Singh, Superintendent-cum-PIO, Shri Balwinder Pal, APIO of LG-I and Shri Satwinder Singh, Superintendent-cum-PIO, LG-III on behalf of Respondents.

ORDER:

This order may be read with reference to the previous order dated 13.02.2020.

2. Shri Harjit Singh, Superintendent-cum-PIO, Shri Balwinder Pal, APIO of LG-I and Shri Satwinder Singh, Superintendent-cum-PIO, LG-III, appear on behalf of Respondents and submit a copy of Dispatch Register vide which the sought information in respect of Point No.1 & 2 relating to LG-I and LG-III, containing 22 pages, has already been sent to the appellant by registered post vide No.249, dated 12.02.2020.
3. Shri Satwinder Singh, Superintendent-PIO of LG-III states that the remaining information to their branch has already been sent to the appellant on 15.05.2020. He is directed to send again this information by Registered Post within 5 days under intimation to the Commission.
4. The above PIOs state that information in respect of point No.3 to 6 pertains to Director, Local Government Punjab.
5. On perusal of case file it reveals that the appellant has filed the appeal in Commission and the first hearing of the case was on 26.09.2019 but the Respondent PIO Ms. Sudha Rani, Superintendent, DLG Punjab, has not bothered to supply the information even after a lapse of 9-10 months.

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-2-

APPEAL CASE NO. 2725 OF 2019

6. The Commission takes a serious view of this lapse on the part of respondents for taking orders of the Commission in a casual manner and thus, denying the appellant his legitimate right to get the sought for information. Therefore, viewing the delaying attitude of the respondent-PIO, Ms. Sudha Rani, a **Show Cause Notice** under Section 20(1) of the RTI Act 2005, is issued to her to explain the reasons through a duly attested affidavit as to why a penalty at the rate of Rs.250/- per day subject to maximum of Rs.25000/- be not imposed upon her for the delay in the supply of information. She is also afforded an opportunity of personal hearing on the next date of hearing before taking any action.

7. Both the above said PIOs of LG-I and III submit reply/explanation of the show cause notices issued to them and decision on the same shall be taken on the next date of hearing.

8. The case is adjourned to **21.07.2020 at 11:30 AM through Video Conferencing in the DC Office, Ludhiana**. Copies of the order be sent to the parties.

Chandigarh
04.06.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy to Intimation & Necessary Action: - **(Regd. Post)**

1. Sh. Harjit Singh,
Superintendent –cum- PIO,
O/o Local Govt. Punjab Branch-1,
Municipal Bhawan,
Sector 35-A, Chandigarh.
2. Sh. Satwinder Singh,
Superintendent –cum- PIO,
O/o Local Govt. Punjab Branch-3,
Municipal Bhawan,
Sector 35-A, Chandigarh.
3. Ms. Sudha Rani,
Superintendent –cum- PIO,
O/o Director Local Govt. Punjab,
Municipal Bhawan,
Sector 35-A, Chandigarh.

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APPEAL CASE NO. 3080 OF 2019

Sh. Surjit Singh,
H. No. 2999/76, Street No. 4,
Guru Gobind Singh Nagar,
Near Mair Di Chakki,
P.O. Lohara, District Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Local Government, Punjab,
Municipal Bhawan,
Sector-35, Chandigarh.

Public Information Officer,
O/o Commissioner,
Municipal Corporation, Ludhiana.

First Appellate Authority,
O/o Principal Secretary,
Local Government, Punjab,
Municipal Bhawan,
Sector-35, Chandigarh.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

PRESENT: None on behalf of the Appellant.
Ms. Manpreet Kaur, Building Inspector O/o the DLG Punjab and Shri Satish Kumar,
ATP-cum-PIO, Zone-C, Ludhiana, for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 13.02.2020.

2. Ms. Manpreet Kaur, Building Inspector O/o the DLG Punjab and Shri Satish Kumar,
ATP-cum-PIO, Zone-C, Ludhiana, appear and state that the sought for information has already been
supplied to the appellant.

3. The Appellant is absent from today's hearing also. However, a letter has been
received in the Commission vide Diary No.4919, dated 16.03.2020 from the appellant acknowledging
the receipt of demanded information, expressing his satisfaction and requesting the Commission to
file the case.

4. In the light of above the Commission feels that no more intervention in the case is
required and hence the case is ordered to be **disposed and closed**. Copies of the order be sent to
the parties.

Chandigarh
04.06.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy of this forwarded for immediate compliance to:- (Registered)

- 1) **Public Information Officer**
Assistant Town Planner,
Town Planning Wing
O/o Local Government, Punjab
Municipal Bhawan, Sector-35, Chandigarh.
- 2) **Sh. Satish Kumar,**
PIO –cum - Assistant Town Planner,
Zone-C, Municipal Corporation,
Ludhiana.

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COMPLAINT CASE NO. 977 OF 2019

Sh. Subhash Chander Kundra,
Judge Advocate Pedit Organisation-JAPO, Ludhiana,
Society For Fast Justice,
1447, Sector-32-A, Chandigarh Road,
Ludhiana.
Mo: 9872909200; 8872909200

...Complainant

Versus

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

...Respondent

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

Present : Shri Subhash Chander Kundra, the Complainant, in person
Ms. Sukhbir Kaur, Superintendent-cum-PIO, O/o DEO(EE) Ludhiana, on
behalf of the Respondents.

ORDER :

This order may be read with the previous order dated 13.02.2020.

2. The complainant appears for today's hearing and states that he has not received the sought for information till date.

3. Ms. Sukhbir Kaur, Superintendent-cum-PIO, O/o DEO(EE) Ludhiana, appears and states that the sought for information has already been supplied to the complainant on 27.02.2020 and 23.04.2020.

4. This is a Complaint Case. Therefore, at this juncture it is relevant to invite the attention of the complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) in para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

5. An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The complainant is advised to approach the first appellate authority in this behalf.

6. In view of the above, the case is ordered to **disposed and closed**. Copies of the order be sent to the parties.

Chandigarh
04.06.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 2427 OF 2019

Smt. Madhu Sharma,
W/o Sh. Sawtantar Sharma,
R/o H. No. 4811/1, Sector-38 (West),
Chandigarh-160014

...Appellant

Versus

Public Information Officer,
O/o XEN/Executive Engineer,
Water Supply & Sanitation Division No. 2,
Ludhiana.

First Appellate Authority,
O/o Superintending Engineer,
Water Supply & Sanitation Circle,
Ludhiana.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

PRESENT: Shri Sawtantar K. Sharma, Husband, on behalf of the Appellant.
Sh. Joginder Singh, S.D.O. on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 03.03.2020.

2. The representatives of the Appellant states that he has not received the information against the furnished deficiencies to the Respondent till date.
3. Sh. Joginder Singh, S.D.O. appears on behalf of the Respondent and states that information has already been prepared and the same will be supplied to the appellant by Registered post.
4. The Respondent is again directed to supply the attested sought for information by registered post after removing the deficiencies furnished by the representative of the Appellant, before the next date of hearing, by registered post, under intimation to the Commission. If there is no other information then file **an affidavit** from XEN-cum-PIO stating therein that the information as available in their office record has been provided to the Appellant as available on Public Authority Record, failing which **Show Cause Notice** will be issued to the PIO as per provisions of the RTI Act, 2005.
5. The case is adjourned to **21.07.2020 at 11:00 AM through Video Conferencing at DC Office, Ludhiana**. Copies of the order be sent to the parties.

Chandigarh
04.06.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3161 OF 2019

Smt. Madhu Sharma,
W/o Sh. Sawtantar Sharma,
R/o H. No. 4811/1, Sector-38 (West),
Chandigarh-160014

...Appellant

Versus

Public Information Officer,
O/o XEN/Executive Engineer,
Water Supply & Sanitation Division No. 2,
Ludhiana.

First Appellate Authority,
O/o Superintending Engineer,
Water Supply & Sanitation Circle,
Ludhiana.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

PRESENT: Shri Sawtantar K. Sharma, Husband, on behalf of the Appellant.
Sh. Joginder Singh, S.D.O. on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 03.03.2020.

2. The representatives of the Appellant states that he has not received the information against the furnished deficiencies to the Respondent till date.
3. Sh. Joginder Singh, S.D.O. appears on behalf of the Respondent and states that information has already been prepared and the same will be supplied to the appellant by Registered post.
4. The Respondent is again directed to supply the attested sought for information by registered post after removing the deficiencies furnished by the representative of the Appellant, before the next date of hearing, by registered post, under intimation to the Commission. If there is no other information then file **an affidavit** from XEN-cum-PIO stating therein that the information as available in their office record has been provided to the Appellant as available on Public Authority Record, failing which **Show Cause Notice** will be issued to the PIO as per provisions of the RTI Act, 2005.
5. The case is adjourned to **21.07.2020 at 11:00 AM through Video Conferencing at DC Office, Ludhiana**. Copies of the order be sent to the parties.

Chandigarh
04.06.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 4226 OF 2019

Sh. Kewal Singh, (9465647658)
President,
Parents Association (Regd.),
Sri Machhiwara Sahib, District Ludhiana-141115

...Appellant

Versus

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

First Appellate Authority,
O/o District Education Officer, (EE),
Ludhiana.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

PRESENT: Sh. Sukhwinder Singh on behalf of the Appellant.
Shri Major Singh, Legal Adviser on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 05.03.2020.

2. The Representative of the Appellant appears on behalf of the Appellant without any authority letter and states that incomplete information has been provided to the Appellant. He is directed to bring original Authority Letter from the Appellant, Shri Kewal Singh, on the next date of hearing otherwise the Commission will not allow him to appear on the behalf of the appellant.
3. Shri Major Singh, Legal Adviser appears on behalf of the Respondents and states that the requisite information has already been provided to the Appellant and no more information is available in their office record.
4. The Respondent – PIO is directed to supply the remaining information to the Appellant, before the next date of hearing. In case no other information is available with them then file an affidavit from Dy.DEO(EE), Shri Kuldip Singh stating therein that the information as available in their office record has been provided to the Appellant and no more information is available in their office record.
5. The case is adjourned to **21.07.2020 at 11:00 AM through VC in the DC Office Ludhiana**. Copies of the order be sent to the parties.

Chandigarh
04.06.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 4274 OF 2019

Sh. Rajesh Kumar Garg, (9417133054)
150, Balaji Estate, Adjoining Kunal Colony,
33 Feet Road, Bhamian Khurd,
Mundian Kalan, District Ludhiana-141015

...Appellant

Versus

Public Information Officer,
O/o Deputy Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35, Chandigarh.

First Appellate Authority,
O/o Additional Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35, Chandigarh.

...Respondents

HEARD THROUGH VIDEO CONFERENCING : LUDHIANA

PRESENT: Sh. Rajesh Kumar Garg, Appellant.
Sh. Rajinder Kumar, Sr. Assistant O/o DLG Punjab, Estt. – I for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 05.03.2020.

2. Sh. Rajinder Kumar, Sr. Assistant, appears on behalf of the Respondents and reiterates his earlier stand that the requisite information has already been sent to the Appellant vide letter no. Estt.-II-DLG-R.T.I. (Khanna)-2019/45377, dated 09.10.2019 by simple post.
3. The Appellant is present for today's hearing and states that the sought for information has been received by him from the Respondent – PIO. He expresses his satisfaction and requests the court to file the case.
4. Keeping in view of the above, the Commission is not inclined to further intervene and orders the case to be **disposed and closed**. Copies of the order be sent to the parties.

Chandigarh
04.06.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner