

Gurmej Lal,
H. No. 6375, Street – 16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
P. O. – Daba, Ludhiana(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Ludhiana(Punjab)

First Appellate Authority,
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab)

... Respondents

Appeal Case No. 402 of 2020

Present : Sh. Gurmej Lal, the appellant in person.
Sh. Harjit Singh, Draftsman , on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

This case was last heard on 09.06.2020 and the respondent PIO concerned was directed to supply certified copies of the required information to the appellant on 11.06.2020 at 02:00 P. M. The appellant was advised to visit the office of the respondent PIO concerned on 11.06.2020 at 02:00 P. M. to collect the certified copies of the required information.

Sh. Harjit Singh, Draftsman, who appeared on behalf of the respondent PIO in today's hearing, states that in response to the RTI request, the requisite information has been supplied to the appellant, Sh. Gurmej Lal.

After examining the documents placed on record, it is found that the respondent PIO through a copy of reply vide letter no. 633 dated 22.07.2020 signed by Assistant Town Planner-cum- Public Information Officer, Zone – D, Municipal Corporation, Ludhiana, which has been received in the Commission vide Diary No. 8933 dated 28.07.2020, has intimated the Commission that complete information has been supplied to the appellant, Sh. Gurmej Lal vide letter no. 527 dated 19.02.2020. On that reply, the appellant has put his signatures on 11.06.2020 as an acknowledgement of having received the complete information. It, alongwith annexure, is taken on record.

The appellant, Sh. Gurmej Lal, who appeared in person in today's hearing, states that he has received the complete information in the instant appeal case.

As the appellant has given his consent to dispose the case, the case is **disposed of and closed.**

Copies of the orders be sent to the parties.

Date :4th August, 2020

(Sanjiv Garg)
State Information Commissioner
Punjab

Gurmej Lal,
H. No. 6375, Street – 16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
P. O. – Daba, Ludhiana(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Ludhiana(Punjab)

First Appellate Authority,
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab)

... Respondents

Appeal Case No. 404 of 2020

Present : Sh. Gurmej Lal, the appellant in person.
Sh. Harjit Singh, Draftsman , on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

This case was last heard on 09.06.2020 and the respondent PIO concerned was directed to supply certified copies of the required information to the appellant on 11.06.2020 at 02:00 P. M. The appellant was advised to visit the office of the respondent PIO concerned on 11.06.2020 at 02:00 P. M. to collect the certified copies of the required information.

Sh. Harjit Singh, Draftsman, who appeared on behalf of the respondent PIO in today's hearing, states that in response to the RTI request, the requisite information has been supplied to the appellant, Sh. Gurmej Lal.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 633 dated 22.07.2020 signed by Assistant Town Planner-cum- Public Information Officer, Zone – D, Municipal Corporation, Ludhiana, which has been received in the Commission vide Diary No. 8933 dated 28.07.2020, has intimated the Commission that complete information has been supplied to the appellant, Sh. Gurmej Lal vide letter no. 527 dated 19.02.2020. On that reply, the appellant has put his signatures on 11.06.2020 as an acknowledgement of having received the complete information. It, alongwith annexure, is taken on record.

The appellant, Sh. Gurmej Lal, who appeared in person in today's hearing, states that he has received the complete information in the instant appeal case.

As the appellant has given his consent to dispose the case, the case is **disposed of and closed.**

Copies of the orders be sent to the parties.

Date :4th August, 2020

(Sanjiv Garg)
State Information Commissioner
Punjab

Gurmej Lal,
H. No. 6375, Street – 16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
P. O. – Daba, Ludhiana(Punjab)

...Appellant

V/s

(Regd. Post) Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Ludhiana(Punjab)

First Appellate Authority,
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab)

... Respondents

Appeal Case No. 405 of 2020

Present : Sh. Gurmej Lal, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

This case was last heard on 09.06.2020 and the respondent PIO concerned was directed to send a copy of the information to the appellant with a copy to the Commission and an opportunity was also given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned. **A show cause notice under Section 20 (1) of the RTI Act was issued to Public Information Officer concerned of office of Commissioner, Municipal Corporation, Ludhiana**

The appellant, Sh. Gurmej Lal, who appeared in person in today's hearing, states that no information has been received by him so far.

After examining the documents placed on record, it is found that a show-cause notice was issued vide orders dated 09.06.2020 to the concerned PIO with the directions to the concerned PIO to appear personally during the hearing but he did not attend today's hearing through facility of Software/application 'CISCO Webex Meetings', moreover, he has also not sent any document, showing that the requisite information has been supplied to the appellant, which reflects that he is trying to delay in supplying the required information to the information-seeker. The Commission took a serious view of this casual approach of the respondent PIO.

For making delay in supplying the requisite information to the information-seeker under Section 20 (1) of the RTI Act, a penalty of Rs. 5,000/- (Rupees Five Thousand Only) is imposed upon the concerned Public Information Officer of office of Municipal Corporation, Ludhiana. **A copy of this order be sent to him through registered post.**

The amount of penalty will be deposited in the treasury of Punjab Government under the head.....

Major Head .. 0070 -Other Administrative Services
Sub-Major Head .. 60 - Other Services
Minor Head .. 800 - Other Receipts
Sub-Head .. 86 - Fee under the Right to Information Act, 2005
Detailed Head .. 0070 Other Administrative Services
 60 Other Services- 800- Other Receipts-
 86- Fees under the Right to Information Act, 2005

And a copy of challan receipt be sent to the Commission by the next date of hearing.

The case is **adjourned to 12th October, 2020 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

Date :4th August, 2020

**(Sanjiv Garg)
State Information Commissioner
Punjab**

Gurmej Lal,
H. No. 6375, Street – 16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
P. O. – Daba, Ludhiana(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Ludhiana(Punjab)

First Appellate Authority,
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab)

... Respondents

Appeal Case No. 406 of 2020

Present : Sh. Gurmej Lal, the appellant in person.
Sh. Sunil Kumar, Assistant Town Planner, Zone-B, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

This case was last heard on 09.06.2020 and the respondent PIO concerned was directed to send a copy of the information to the appellant with a copy to the Commission and an opportunity was also given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned. **A show cause notice under Section 20 (1) of the RTI Act was issued to Public Information Officer concerned of office of Commissioner, Municipal Corporation, Ludhiana**

Sh. Sunil Kumar, Assistant Town Planner, Zone-B, who appeared on behalf of the respondent PIO in today's hearing. states that in response to the RTI request, the requisite information has been supplied to the appellant, Sh. Gurmej Lal.

After examining the documents placed on record, it is found that the respondent PIO through a reply vide letter no. 855 dated 27.07.2020 signed by Assistant Town Planner-cum- Public Information Officer, Zone – B, Municipal Corporation, Ludhiana, which has been received in the Commission vide Diary No. 9270 dated 31.07.2020, has intimated the Commission that a point-wise reply has been supplied to the appellant, Sh. Gurmej Lal vide letter no. 731 dated 09.12.2019 through registered post and again sent on 27.07.2020. It, alongwith annexure and a copy of postal receipt, is taken on record.

The appellant, Sh. Gurmej Lal, who appeared in person in today's hearing, states that no such reply/information has been received by him till date.

The respondent PIO concerned is directed to hand over the above-mentioned reply/information to the appellant today itself i. e. 04.08.2020 at 03:00 P. M. and the appellant is advised to visit the office of the respondent at the above fixed time to collect the same.

An opportunity is given to the appellant to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned by the next date of hearing.

The case is **adjourned to 12th October, 2020 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

Date :4th August, 2020

**(Sanjiv Garg)
State Information Commissioner
Punjab**

Gurmej Lal,
H. No. 6375, Street – 16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
P. O. – Daba, Ludhiana(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Ludhiana(Punjab)

First Appellate Authority,
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab)

... Respondents

Appeal Case No. 2218 of 2019

Present : Sh. Gurmej Lal, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

This case was last heard on 09.06.2020 and the respondent PIO concerned was directed to hand over certified copies of the remaining information, at point no. 04 and 05 of the RTI request, to the appellant on 11.06.2020 at 12:00 noon and the appellant was advised to collect the same.

The appellant, Sh. Gurmej Lal, who appeared in person in today's hearing, states that information at point no. 04 is still pending.

Neither the respondent PIO nor any of his representative is present in today's hearing.

Last and Final opportunity is given to the respondent PIO concerned to supply the remaining information at point no. 04 of the RTI request to the appellant through registered post at his residential address and send a copy of the same with a copy of postal receipt, to the Commission by the next date of hearing fixed through facility of Software/application 'CISCO Webex Meetings'.

An opportunity is also given to the appellant to confirm whether he has received the information or not, by the next date of hearing.

The case is **adjourned to 12th October, 2020 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

Date :4th August, 2020

(Sanjiv Garg)
State Information Commissioner
Punjab

Gurmej Lal,
H. No. 6375, Street – 16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
P. O. – Daba, Ludhiana(Punjab)

...Appellant

V/s

Public Information Officer,
O/o The Commissioner,
Municipal Corporation,
Ludhiana(Punjab)

First Appellate Authority,
O/o The Commissioner,
Municipal Corporation,
Ludhiana (Punjab)

... Respondents

Appeal Case No. 4612 of 2019

Present : Sh. Gurmej Lal, the appellant in person.
None on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

This case was last heard on 09.06.2020 and Sh. Sanjeev Uppal, Superintendent-cum-PIO(Tehbazari) Zone-C, appeared in person and intimated the Commission that in response to the RTI request, the requisite information has already been sent to the appellant, Sh. Gurmej Lal through speed post. Sh. Balwinder Singh, who appeared on behalf of the appellant, Sh. Gurmej Lal on that day, had stated that no information has been received by the appellant. Accordingly, the respondent PIO concerned was directed to supply the certified copies of the required information to the appellant on 11.06.2020 at 12:00 noon and the appellant was advised to collect the same.

Neither the respondent PIO nor any of his representative is present in today's hearing.

The appellant, Sh. Gurmej Lal, who appeared in person in today's hearing, states that the required information is still pending as inspection of the official record could not be done due to Covid - 19.

Accordingly, another opportunity is given to the respondent PIO concerned to facilitate the appellant to inspect the relevant official record on 31.08.2020 at 11:00 A. M. so that the appellant could identify the information. The appellant is also advised to visit the office of the respondent to inspect the relevant official record on 31.08.2020 at 11:00 A. M. to identify the information.

Last and final opportunity is given to Sh. Sanjeev Uppal, Superintendent-cum-PIO(Tehbazari) Zone – C (the respondent-PIO concerned) to supply the required information, which would be identified by the appellant after inspection, to him as per official record by the next date of hearing.

Sh. Sanjeev Uppal, Superintendent-cum-PIO(Tehbazari) Zone –C, would remain present during the inspection of the relevant official record.

An opportunity is also given to the appellant to confirm whether he has received the information, which would be supplied to him by the respondent PIO after inspection, or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned by the next date of hearing.

The case is **adjourned to 12th October, 2020 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

Date :4th August, 2020

**(Sanjiv Garg)
State Information Commissioner
Punjab**

Bimal P. Jain,
H. No. 4949,
Jain Street,
P. O. – Bazar,
Bathinda (Punjab)

...Appellant

V/s

Public Information Officer,
O/o The President,
S. S. Jain Sabha,
Wholesale Cloth Market,
Bathinda(Punjab)

...Respondent

Complaint Case No. 152 of 2020

Present : Sh. Bimal P. Jain, the complainant in person.
Sh. Mohinder Jain, Chairman, on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

This case was last heard on 30.06.2020 and an opportunity was given to the respondent PIO of office of S. S. Jain Sabha (Regd.), Bathinda to remain present in person or represent this case through his representative on the fixed date of hearing positively so that facts of this case could be cleared.

The complainant, Sh. Bimal P. Jain, who appeared in person in today's hearing, states that no information has been supplied to him by the respondent PIO so far. He also states that the 'respondent institute' falls in the category of 'public authority' and it takes grant from time to time from State and Central Government.

Sh. Mohinder Jain, Chairman, who appeared in person for the respondent, states that S. S. Jain Sabha (Regd.), Bathinda (Respondent Institute) is religious organization, moreover, is not a 'public authority', hence, does not fall under the purview of the RTI Act and running its social, religious, academic activities on charitable basis and it has never received regular grant from State or its agencies and during the years of 2011-12/2012-13, the three sheds, dispensary were constructed and Tractor Ambulance and medical instruments were purchased and the funds 'Utilization Certificates' were sent to the concerned authorities. He also states that a reply dated 26.05.2019 has also been sent to the complainant, intimating him that S. S. Jain Sabha (Regd.), Bathinda (Respondent Institute) is not a 'public authority'.

The respondent also through a reply vide letter dated 26.06.2019 signed by General Secretary, S. S. Jain Sabha, Bathinda, which was received in the Commission vide Diary No. 7391 dated 26.06.2019, intimated the Commission that S. S. Jain Sabha (Regd.), Bathinda (Respondent Institute) is religious organization, moreover, is not a 'public authority', hence, does not fall under the purview of the RTI Act and running its social, religious, academic activities on charitable basis and it has never received regular grant from State or its agencies and during the years of 2011-12/2012-13, the three sheds, dispensary were constructed and Tractor Ambulance and medical instruments were purchased and the funds 'Utilization Certificates' were sent to the concerned authorities. The respondent has also appended a copy of reply dated 26.05.2019 (addressed in the name of the complainant, intimating him that S. S. Jain Sabha (Regd.), Bathinda (Respondent Institute) is not a 'public authority' as per Chapter 1, 2 (h) of the RTI Act and returned the 'Indian Postal Order' (in original) to the complainant through registered post. It, alongwith annexure and a copy of postal receipt is placed in the case-file.

An opportunity is given to the complainant to file written-submission (alongwith supporting documents) in support of his contention that the respondent institute is public authority within the meaning under Section 2 (h) of the RTI Act, 2005 and send the same to the Commission, by the next date of hearing positively.

An opportunity is given to the respondent PIO of office of S. S. Jain Sabha (Regd.), Bathinda to file a detailed written reply alongwith supporting documents showing that the 'respondent Institute' is not a 'public authority' as it is not owned, controlled or substantially financed by the government and it does not fall within the definition of public authority as defined under Section 2 (h) of the RTI Act and send the same to the Commission, by the next date of hearing positively.

The case is **adjourned to 12th October, 2020 (Monday) at 11:00 A. M. for hearing through facility of Software/application 'CISCO Webex Meetings'.**

Copies of the orders be sent to the parties.

Date :4th August, 2020

**(Sanjiv Garg)
State Information Commissioner
Punjab**