

**PUNJAB STATE INFORMATION COMMISSION  
RED CROSS BUILDING, NEAR ROSE GARDEN,  
SECTOR 16, CHANDIGARH.**

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Helpline No.0172-2864100(10.00 AM to 04.00 PM on working days)



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

.....Appellant

Versus

**Public Information Officer**

O/o Municipal Corporation  
Zone-A, Ludhiana.

**First Appellate Authority**

O/o The Commissioner,  
Municipal Corporation, Ludhiana.

....Respondents

**AC No.4189 of 2019**

**Present:** (i) **Ms. Sukhjinder Kaur, Advocate on behalf of the appellant**  
(ii) **None on behalf of the PIO.**

**ORDER:**

**Heard through video Conferencing**

1. This order may be read with reference to the order dated 22.06.2020 passed by the Bench on the previous hearing.
2. Ms. Sukhjinder Kaur, Advocate attends the hearing through V.C. on behalf of the appellant. She states that the appellant has not been supplied any information in spite of the specific directions given by the Hon'ble Commission. She has also written twice requesting for time for the inspection of official record to identify the information, but no response has been received from the PIO.
3. The PIO has not come present to attend the hearing through V.C. nor he has any of his officials to attend hearing on his behalf.
4. The Bench observes that it is the fifth consecutive hearing in this case. Neither any information has been supplied to the appellant nor any reply to show cause notice has been given by the PIO, O/o Commissioner, Municipal Corporation Zone-A, Ludhiana. The Bench also observes that the PIO is adopting casual approach towards the directions of the Commission and does not bother even to attend the hearing in person. This attitude of the PIO is viewed adversely.
5. The facts of the case prove beyond any doubt that the PIO/Respondent does not deserve any leniency. Hence, in exercise of the powers conferred by Section 20(1) of the RTI Act, a penalty to the tune of Rs.10,000/- (Rupees Ten Thousand only) is imposed upon the Public Information Officer of Municipal Corporation Zone-A, Ludhiana to be deducted from his salary, which is to be deposited in the State Treasury



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**AC No.4189/2019**

under the relevant head. The Drawing & Disbursing Officer concerned is directed to deduct the amount of penalty of Rs.10,000/- from the salary of the PIO and deposit the same in State Treasury in the following Head of Account and to report its compliance to the Commission before the next hearing:-

**- 0070-Other Administrative Services – 60-Other Services-**

**-0800-Other Receipts- 86-Fee under the RTI Act, 2005.**

6. The PIO is directed to supply complete information to the appellant and also file reply to the Show Cause Notice and send the documentary evidence for the deposit of penalty amount in the Treasury, before the next date of hearing. PIO is also directed to come in person on the next date of hearing and.

7. With the above directions, the matter is adjourned. To come up for hearing on **14.09.2020 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of the order be sent to the parties.

**Chandigarh  
05.08.2020**

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

**Copy (By Regd.Post) to:**

**The Public Information Officer O/o Municipal Corporation, Zone-A, Ludhiana.**

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.....Appellant

Versus

**Public Information Officer**  
O/o Municipal Corporation  
Zone-A, Ludhiana.

**First Appellate Authority**  
O/o The Commissioner,  
Municipal Corporation, Ludhiana.

....Respondents

**AC No.980 of 2020**

**Present:** (i) **Ms. Sukhjinder Kaur, Advocate on behalf of the appellant**  
(ii) **None on behalf of the PIO.**

**ORDER:**

**Heard through video Conferencing**

1. This order may be read with reference to the order dated 22.06.2020 passed by this Bench on the previous date of hearing.
2. Ms. Sukhjinder Kaur, Advocate attends hearing through V.C. on behalf of the appellant. She states that the appellant has not been provided any other information beyond the information relating to Zone C & D, as stated on the previous date of hearing and the information relating to Zone A & B is yet to be supplied. She further states that she has also written twice requesting for time for the inspection of official record to identify the information, but no response has been received from the PIOs.
3. Neither the PIOs concerned have come present to attend the hearing through V.C. nor anybody else has been deputed to attend the hearing. Moreover, no response with regard to the directions given on the previous hearing has been received from the concerned PIOs.
4. The PIOs of Zone A & B are issued show cause notice to explain their absence and to explain as to why action should not be taken against them and also as to why penalty should not be imposed in the instant case for not supplying the information to the appellant. The PIOs are 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, PIOs are hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. They may take

Cont... P-2



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**AC No.980/2020**

note that in case they do not file the written reply and do not avail themselves of the opportunity of personal hearing on the next date fixed, it will be presumed that they have nothing to say and the Commission shall proceed to take further proceeding against them ex-parte.

6. The PIOs concerned are directed to supply complete information to the appellant before the next date of hearing. The PIOs are also directed to come in person on the next date of hearing.

. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 14.09.2020 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh  
05.08.2020**

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

**Copy (By Regd. Post) to:**

- i) **Public Information Officer, O/o Municipal Corporation, Zone-A, Ludhiana.**
- ii) **Public Information Officer, O/o Municipal Corporation, Zone-B, Ludhiana.**

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Ludhiana.

.....Appellant

Versus

**Public Information Officer**  
O/o Municipal Corporation  
Zone-A, Ludhiana.

**First Appellate Authority**  
O/o The Commissioner,  
Municipal Corporation, Ludhiana.

....Respondents

**AC No.984 of 2020**

**Present:** (i) **Ms. Sukhjinder Kaur, Advocate on behalf of the appellant**  
(ii) **None on behalf of the PIO.**

**ORDER:**

**Heard through video Conferencing**

1. This order may be read with reference to the order dated 22.06.2020 passed by this Bench on the previous date of hearing.
2. Ms. Sukhjinder Kaur, Advocate attends hearing through V.C. on behalf of the appellant. She states that the appellant has not been provided requisite information relating to Zone A & B which is yet to be supplied by the concerned PIOs. She further states that she has also written twice to PIO requesting for time for the inspection of record to identify the information, but no response has been received from the PIOs.
3. Neither the PIOs concerned have come present to attend the hearing through V.C. nor anybody else has been deputed to attend the hearing. Moreover, no response with regard to the directions given on the previous hearing has been received from the concerned PIOs.
4. The PIOs of Zone A & B are issued show cause notice to explain their absence and to explain as to why action should not be taken against them and also as to why penalty should not be imposed in the instant case for not supplying the information to the appellant. The PIOs are 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, PIOs are hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. They may take note that in case they do not file the written reply and do not avail themselves of the opportunity of personal hearing on the next date fixed, it will be presumed that they have nothing to say and the Commission shall proceed to take further proceeding against them ex-parte.



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**AC No.984/2020**

6. The PIOs concerned are directed to supply complete information to the appellant before the next date of hearing. The PIOs are also directed to come in person on the next date of hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 14.09.2020 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh  
05.08.2020**

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

**Copy (By Regd. Post) to:**

- i) Public Information Officer, O/o Municipal Corporation, Zone-A, Ludhiana.**
- ii) Public Information Officer, O/o Municipal Corporation, Zone-B, Ludhiana.**

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Ludhiana.

.....Appellant

Versus

**Public Information Officer**

O/o Municipal Corporation  
Zone-A, Ludhiana.

**First Appellate Authority**

O/o The Commissioner,  
Municipal Corporation, Ludhiana.

....Respondents

**AC No.986 of 2020**

**Present:** (i) **Ms. Sukhjinder Kaur, Advocate on behalf of the appellant**  
(ii) **Sh. Rohit Kumar, Superintendent, Zone-A, M.C. Ludhiana/PIO.**

**ORDER:**

**Heard through video Conferencing**

1. This order may be read with reference to the order dated 22.06.2020 passed by this Bench on the previous date of hearing.
2. Ms. Sukhjinder Kaur, Advocate attends hearing through V.C. on behalf of the appellant. Ms. Sukhjinder Kaur, Advocate states that the information, beyond the information provided on the previous date of hearing, has not been provided to the appellant.
3. Shri Rohit Kumar, Superintendent-cum-PIO attends the hearing. He states that no Transparency Officers have been appointed in the Municipal Corporation. He further remarks that a letter dated 17.06.2020 was written to the appellant to the effect that no Transparency Officers have been appointed by the Municipal Corporation as action regarding appointment of Transparency Officers is to be taken by the Punjab State Information Commission under Section 19(8) of the RTI Act, 2005.
4. The Bench discussed the issue and rebuked the PIO for making a statement without adequate knowledge of the issue. The Bench observed that no provision exists under the RTI Act under which Punjab State Information Commission has been entrusted the responsibility to appoint Transparency Officers in Public Authorities. However, a letter had been written by the Punjab State Information Commission dated 23.05.2019 to the Principal Secretary, Department of Governance Reforms to issue requisite instructions to all Public Authorities to appoint Transparency Officers in their departments. Thus, the onus to appoint

Transparency Officers rested with the Municipal Corporation, Ludhiana in this case and not with the Punjab State Information Commission as is being contended by the PIO.

5. Post deliberations, the Bench directed that correct response on the RTI application and appeal be given to the appellant, before next date of hearing. The Bench also observes and directed that in view of vagueness on the policy regarding appointment of Transparency Officers in the instant appeal case, PIO & First Appellate Authority will attend the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 14.09.2020 at 11.30 AM through V.C. in the office of DC Ludhiana.** Copies of the order be sent to the concerned parties.

Chandigarh  
05.08.2020

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



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Shri Sarabjeet Singh Gill,  
H.No.60-35-P-375-1, Street No.8,  
Maha Singh Nagar, PO Dhandari Kalan,  
Ludhiana, District Ludhiana.

.....Appellant

Versus

**Public Information Officer**

O/o The Commissioner,  
Municipal Corporation,  
Ludhiana.

**First Appellate Authority**

O/o The Commissioner,  
Municipal Corporation,  
Ludhiana.

....Respondents

**AC No.1010 of 2020**

**Present:** (i) **Appellant- absent.**  
(ii) **None on behalf of the PIO/respondent.**

**ORDER:**

**Heard through video Conferencing**

1. This order may be read with reference to the order dated 22.06.2020 passed by this Bench on the previous date of hearing.
2. Shri Sarabjeet Singh Gill, appellant is absent. He has, however, sent an e-mail dated 05.08.2020 stating that he is unable to attend the hearing and Shri Balwinder Singh Ladi will attend the hearing on his behalf. However, nobody comes present on behalf of the appellant. Also an e-mail dated 05.08.2020 has been received from the appellant confirming receipt of information to his satisfaction
3. Neither the PIO has come present to attend the hearing nor he has sent any other official to attend the hearing on his behalf.
4. Shri Sarabjeet Singh Gill was contacted on phone to ascertain the receipt of information by - him. He confirms the receipt of information in the instant case and gives his consent for closure of the case.
5. In view of the above, no further action in the matter is called for. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh  
05.08.2020**

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

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Shri Sarabjeet Singh Gill,  
H.No.60-35-P-375-1, Street No.8,  
Maha Singh Nagar, PO Dhandari Kalan,  
Ludhiana, Distt.Ludhiana.

.....Appellant

Versus

**Public Information Officer**

O/o The Commissioner,  
Municipal Corporation,  
Ludhiana.

**First Appellate Authority**

O/o The Commissioner,  
Municipal Corporation,  
Ludhiana.

....Respondents

**AC No.1012 of 2020**

**Present:** (i) Appellant- absent.  
(ii) None on behalf of the PIO.

**ORDER:**

**Heard Through Video Conferencing**

1. This order may be read with reference to the order dated 22.06.2020 passed by this Bench on the previous date of hearing.
2. Shri Sarabjeet Singh Gill, appellant is absent. He has, however, sent an e-mail dated 05.08.2020 stating that he is unable to attend the hearing and in his place, Shri Balwinder Singh Ladi will attend the hearing. He has also stated that he has not received any information as yet.
3. Neither the PIO has come present to attend the hearing nor he has sent any other official to attend the hearing on his behalf. In addition, no compliance of the directions given by the Bench on the previous hearing has been reported.
4. Since the appellant Shri Sarabjeet Singh Gill is absent, he was contacted on phone. He states that he has not been provided any information as yet.
5. The Bench views the absence of the PIO as well as the non compliance of the directions given by the Bench on previous hearing adversely. The PIO, Municipal Corporation Zone-D, Ludhiana is issued show cause notice to explain his absence and to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for not supplying the information to



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**AC No.1012/2020**

the appellant. The PIO 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.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case they 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 proceeding against him ex-parte.

7. The PIO is directed to supply complete information to the appellant before the next date of hearing. The PIO is also directed to come in person on the next date of hearing and file an affidavit duly signed by the PIO and attested by the Notary Public, to the effect that the entire information in AC No.1012 of 2020 as available in the official records, has been provided and nothing has been concealed therein. The information supplied is correct and authentic. The original copy of the affidavit be sent to the appellant and photocopy thereof be sent to the Commission for record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 14.09.2020 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh  
05.08.2020**

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

**Copy (By Regd. Post) to:**

i) **Public Information Officer, O/o Municipal Corporation, Zone-D, Ludhiana.**

**PUNJAB STATE INFORMATION COMMISSION  
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Shri Sarabjeet Singh Gill,  
H.No.60-35-P-375-1, Street No.8,  
Maha Singh Nagar, PO Dhandari Kalan,  
Ludhiana, Distt.Ludhiana.

.....Appellant

Versus

**Public Information Officer**

O/o The Commissioner,  
Municipal Corporation,  
Ludhiana.

**First Appellate Authority**

O/o The Commissioner,  
Municipal Corporation,  
Ludhiana.

....Respondents

**AC No.1013 of 2020**

**Present:** (i) Appellant- absent.  
(ii) None on behalf of the PIO.

**ORDER:**

**Heard Through Video Conferencing**

1. This order may be read with reference to the order dated 22.06.2020 passed by this Bench on the previous date of hearing.
2. Shri Sarabjeet Singh Gill, appellant is absent. He has, however, sent an e-mail dated 05.08.2020 stating that he is unable to attend the hearing and in his place, Shri Balwinder Singh Ladi will attend the hearing. He has also stated that he has not received any information as yet.
3. Neither the PIO has come present to attend the hearing nor he has sent any other official to attend the hearing on his behalf. In addition, no compliance of the directions given by the Bench on the previous hearing has been reported.
4. Since the appellant Shri Sarabjeet Singh Gill is absent, he was contacted on phone. He states that he has not been provided any information as yet.
5. The Bench views the absence of the PIO as well as the non compliance of the directions given by the Bench on previous hearing adversely. The PIO, Municipal Corporation Zone-D, Ludhiana is issued show cause notice to explain his absence and to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for not supplying the information to



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**AC No.1013/2020**

the appellant. The PIO 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.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case they 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 proceeding against him ex-parte.

7. The PIO is directed to supply complete information to the appellant before the next date of hearing. The PIO is also directed to come in person on the next date of hearing and file an affidavit duly signed by the PIO and attested by the Notary Public, to the effect that the entire information in AC No.1013 of 2020 as available in the official records, has been provided and nothing has been concealed therein. The information supplied is correct and authentic. The original copy of the affidavit be sent to the appellant and photocopy thereof be sent to the Commission for record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 14.09.2020 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh  
05.08.2020**

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

**Copy (By Regd. Post) to:**

i) **Public Information Officer, O/o Municipal Corporation, Zone-D, Ludhiana.**

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Ludhiana.

.....Appellant

Versus

**Public Information Officer**

O/o Municipal Corporation,  
Ludhiana.

**First Appellate Authority**

O/o Municipal Corporation,  
Ludhiana.

....Respondents

**AC No.1106 of 2020**

**Present:** (i) **Ms. Sukhjinder Kaur, Advocate on behalf of the appellant**  
(ii) **Sh.Parvinder Singh Kalra,Sudpt., M.C. Zone-D, Ludhiana/ PIO,**

**ORDER:**

**Heard through video Conferencing**

1. This order may be read with reference to the order dated 22.06.2020 passed by this Bench on the previous date of hearing.
2. Ms. Sukhjinder Kaur, Advocate attends the hearing through V.C. on behalf of the appellant. Ms. Sukhjinder Kaur, Advocate states to have received the copy of Affidavit from the PIO vide letter dated 23.06.2020.
3. Shri Parvinder Singh Kalra, PIO attends the hearing. He states that in compliance with the directions of Commission given on the previous date of hearing, information as available in official records has been given and an affidavit has also been filed as directed by the Bench.
4. On the asking of the Bench, Ms. Sukhjinder Kaur, the representative of the appellant reads out the contents of the affidavit and requests the Bench to give directions to the PIO that as and when, the said enquiry is completed, copy of the same be sent to the appellant.
5. The Bench observes that the affidavit filed by the PIO is in order and directions of the Commission given to the PIO stand complied with. No further intervention of the Bench in the instant appeal case is called for.

Contd...p-2

6. In view of the above, no further action in the matter is called for. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties. Original affidavit be also sent to the appellant along with the order and photocopy be retained in the Commission.

**Chandigarh  
05.08.2020**

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