



Sh. Rakesh Kumar,
Advocate, 8/237, Jagraon Road,
Mandi Mullanpur, Distt. Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Director, Local Govt. Pb
Municipal Bhawan, Plot N o-3,
Dakshin Marg, Sector-35, Chadigarh.

First Appellate Authority,
O/o Director, Local Govt. Deptt.
Municipal Bhawan, Plot N o-3,
Dakshin Marg,
Sector-35, Chandigarh.

..Respondent

Appeal Case No. 640 of 2020

PRESENT: None for the Appellant
Sh. Aman Kumar, Sr. Assistant for the Respondent

ORDER:

The appellant through RTI application dated 27.01.2020 has sought information on 09 points regarding the resolution of MC, estimates, tenders invited and submitted, work permit released for laying 300 ft sewage lane and street on Sekhon street on College road, contractors/persons involved in laying the street, letter of permission and other information concerning the office of Director, Local Govt. Department, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 30.01.2020 which took no decision on the appeal. The appellant had filed an appeal under Life & Liberty. However, as per the order of the Hon'ble CIC, the case is being considered under the general category.

The case first came up for hearing on 17.08.2020 through video conferencing facility at DAC Ludhiana. Both the parties were absent.

The Commission received a letter from Superintendent (Personnel Branch) O/o Director Local Govt. vide which they had asked the Executive Officer, NC Mullanpur Dakha to provide the information and attend the hearing in the Commission. It appeared that the information was in the custody of Executive Officer, NC Mullanpur Dakha. The PIO- Estate Officer, NC Mullanpur Dakha was directed to look at the RTI application and provide the information as per the RTI Act. The case was adjourned.

On the date of the next hearing on 29.09.2020, the appellant vide email has informed that the PIO has not provided the information. The respondent was absent. The case was adjourned.

On the date of hearing on **02.03.2021**, the appellant claimed that the PIO has not provided the information. The appellant vide email also informed that the information relating to points No.4,5 & 6 directly relates to the PIO/Director Local Govt Punjab whereas the PIO-Director Local Govt has transferred the entire application to EO-NC Mullanpur Dhaka after a lapse of six months which is a clear violation of the provisions of RTI Act.

Appeal Case No. 640 of 2020

The PIO-Director, Local Govt. Punjab was directed to relook at the RTI application and provide information on points 4 to 6.

The PIO-NC Mullanpur Dhakha was absent. The PIO-NC Mullanpur Dhakha was given one last opportunity to provide information to the appellant and appear personally before the Commission on the next date of hearing along with an explanation for not attending to the RTI application transferred by the PIO-Director Local Govt. Punjab on 13.08.2020, failure to which attract action under section 20 of the RTI Act.

On the date of the last hearing on **08.06.2021**, both the parties were absent. The case was adjourned.

Hearing dated 07.02.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana/Mohali. The respondent present from the office of Director, Local Govt. informed that they have already transferred the RTI application to the EO-NC Mullanpur Dhaka and the information has to be provided by the EO-NC Mullanpur Dhakha.

The EO-NC Mullanpur Dhaka is absent and now vide email has sought exemption due to election duty for assembly election 2022.

Since the EO-NC Mullanpur Dhakha is continuously absent on every hearing, the case is marked to the Secretary, Department of Local Govt. Pb with the direction to ensure that the information is provided to the appellant and the PIO-cum-EO-NC Mullanpur Dhakha appears before the Commission on the next date of hearing alongwith the explanation for not attending to the RTI application.

The case is adjourned. To come up for further hearing on **27.04.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, **Ludhiana**.
The PIO to appear at Chandigarh.

Chandigarh
Dated:07.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : 1. Secretary,
Department of Local Govt.Pb
Sector 35 Chandigarh.

2. PIO-Executive Officer,
Nagar Council, Mullanpur
Dakha (Ludhiana)



Sh. Ramandeep Singh,
Ward No.-18, Street No-2,
Kartar Nagar, Amloh Road, Khanna,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Director, Local Govt,
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Director, Local Govt,
Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 2825 of 2020

Present: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 24.04.2020 has sought information regarding the complete file of the complaint along with written statements recorded, copy of complaint, notings and action taken report in regard to complaints filed on 05.01.2017 against EO Sh.Chetan Sharma, Municipal Engineer Rajiv Kumar, AME and the Sanitary Inspector of MC Nangal and other information concerning the office of Secretary Local Govt. Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 01.06.2020 which took no decision on the appeal.

The case last came up for hearing on 02.03.2021 through video conferencing at DAC Ludhiana. The appellant claimed that no information has been provided by the PIO.

The respondent was absent. The PIO was directed to provide whatever action has been taken on the complaint of the appellant along with necessary correspondence/notings and send a compliance report to the Commission.

The PIO was also directed to appear personally before the Commission on the next date of hearing and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

On the date of the last hearing on **08.06.2021**, both the parties were absent.

The Commission received a copy of a letter dated 16.03.2021 from the PIO vide which the PIO had sent a reply to the appellant stating that they had asked Regional Deputy Director, Local Govt Department, Ludhiana vide letters dated 03.04.2017, 28.08.2020 & 03.02.2021 to complete the enquiry and send enquiry report but the same has yet not been received. The PIO also sent copies of correspondence made with the Regional Dy Director, Local Govt. Ludhiana which was taken on the file of the Commission.

The PIO- Regional Dy. Director, Department of Local Govt.Pb Ludhiana was impleaded in the case and directed to provide to the appellant whatever information they have on the matter with a copy to the Commission. The appellant was also directed to appear on the next date of hearing to pursue the case.

Hearing dated 07.02.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant is absent and vide email has informed that the PIO has not supplied the information.

The respondents from the office of Director Local Govt. Pb Chandigarh and Regional Dy Director, Local Govt. Ludhiana are absent.

The Commission has received a letter through email from the PIO-Local Govt.(LG-3) stating that the Regional Dy Director Local Govt. Ludhiana has been dissolved and Additional Dy Commissioner (Urban Development) has been constituted in its place. That as per a report from the office of Addl.Deputy Commissioner, Ludhiana, the enquiry is still pending regarding the information that has been sought. The appellant has been informed of the same vide letter dated 01.10.2021.

The case is adjourned. To come up for further hearing on **27.04.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

**Chandigarh
Dated 07.02.2022**

**Sd/-
(Khushwant Singh)
State Information Commissioner**

**CC to PIO-Additional Deputy Commissioner
(Urban Development),**

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Ramandeep Singh,
Ward No.-18, Street No-2,
Kartar Nagar, Amloh Road, Khanna,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Director, Local Govt, Pb.
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Director, Local Govt,
Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 2826 of 2020

Present: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 24.04.2020 has sought information regarding the complete file of the complaint along with written statements recorded, copy of complaint, notings and action taken report in regard to the complaint filed on 02.02.2017 against EO Sh.Chetan Sharma, Municipal Engineer Rajiv Kumar, AME and Madan Suman, JE of MC Nangal and other information concerning the office of Secretary Local Govt. Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 01.06.2020 which took no decision on the appeal.

The case last came up for hearing 02.03.2021 through video conferencing at DAC Ludhiana. The appellant claimed that no information has been provided by the PIO.

The respondent was absent. The PIO was directed to provide whatever action has been taken on the complaint of the appellant along with necessary correspondence/notings and send a compliance report to the Commission. The PIO was also directed to appear personally before the Commission on the next date of hearing and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

On the date of the last hearing on **08.06.2021**, the appellant was absent and vide email informed that the PIO has not supplied the information.

The respondent was absent. There has been an enormous delay of more than one year in attending to the RTI application. The Commission has taken a serious view of this directed 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 and directed to file reply on an affidavit.**

Hearing dated 07.02.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant is absent and vide email has informed that the PIO has not supplied the information.

The respondent is absent.

The Commission has received a letter through email from the PIO-Local Govt.(LG-3) stating that the Regional Dy Director Local Govt. Ludhiana has been dissolved and in its place, Additional Dy Commissioner (Urban Development) has been constituted and that as per report of the office of Addl.Deputy Commissioner, Ludhiana, the enquiry is still pending. The appellant has been informed of the same vide letter dated 30.09.2021.

The PIO has, however, not filed a reply to the show-cause notice. The PIO is given one last opportunity to file reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will take a decision as per provisions of section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **27.04.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated 07.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Surjit Singh, S/o Sh. Gokul Singh,
VPO Jarg, Tehsil Payal,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o DPI (EE),
Phase-8, Mohali.

First Appellate Authority,
O/o Secretary, Education Department,
Phase-8, Mohali.

...Respondent

Appeal Case No. 3255 of 2020

PRESENT: Sh.Surjit Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 15.07.2020 has sought information regarding memo No.18/127-15m/2(5) dated SAS 22/19 – a copy of file relating to posts lying vacant and filled from 13.04.1991 and other information as enumerated in the RTI application concerning the office of DPI(EE) Mohali. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 17.08.2020 which took no decision on the appeal.

The case first came up for hearing on 28.07.2021 through video conferencing at DAC Mohali. The respondent had brought the information.

The appellant was absent and vide email sought exemption. The respondent was directed to send the information to the appellant through registered post with a copy to the commission.

The Commission observed that there has been an enormous delay of one year in attending to the RTI application. The PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file a reply on an affidavit.**

Hearing dated 07.02.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana/Mohali. The respondent is absent and vide letter dated 05.10.2021 received in the Commission on 08.10.2021 has sent his reply which has been taken on record. In the reply, the PIO has mentioned that the appellant has also filed numerous appeal cases for seeking the same information and has sent a list of such appeal cases.

The appellant stated that this RTI application does not relate to the other applications that he has filed.

The case is marked to the Secretary of Education with the direction to reconcile the case and ensure that the sought information is provided to the appellant as per record.

To come up for further hearing on **27.04.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated:07.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-DEO, Fatehgarh Sahib.