

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
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Sh. Ramandeep singh,
Ward No-18, Street MO-2,
Kartar Nagar, Amloh Road,
Khanna, District Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Secretary,
Local Government,Pb
Sector-35-A, Chandigarh.

First Appellate Authority,
O/o Secretary,
Local Government,Pb
Sector-35-A, Chandigarh.

...Respondent

Appeal Case No. 2102 of 2020

PRESENT: Sh.Ramandeep Singh as the Appellant
Sh.Sandeep Kumar, Sr.Assistant (Establishment Branch),Local Govt. Pb for
the Respondent

ORDER:

The appellate through RTI application dated 05.03.2020 has sought information regarding list of employees posted as Junior Engineers who came through deputation from other departments and merged in different MCs/NCs – order/circular of Pb Govt for sending on deputation to these engineers – copy of agreement of deputation and other information concerning the office of Secretary Department of Local Govt. Pb. Chandigarh The appellant was not provided the information after the appellant filed first appeal before the First Appellate Authority on 24.04.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that only one person Sh.Rohit Kumar, Assistant Engineer Grade -2 from Punjab Alkalies and Chemicals Limited was appointed as Junior Engineer(Mechanical) on deputation and reply has been sent to the appellant vide letter dated 02.02.2021. Regarding points 2 & 3, the respondent stated that the said engineer was taken on deputation on his request and no more information is available in their record.

The appellant is not satisfied. Hearing both the parties, the PIO is directed to provide whatever information is available on points-2 & 3 and file a suitable reply.

The Commission further observes that the RTI application was filed on 05.03.2020 whereas the reply has been sent on 02.02.2021 with a delay of more than ten months. The PIO is directed to explain the reasons for not attending to the RTI application within the time frame as prescribed under the RTI Act.

To come up for further hearing on **26.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated 09.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 2103 of 2020

PRESENT: Sh.Ramandeep Singh as the Appellant
Sh.Sandeep Kumar, Sr.Assistant (Establishment Branch),
Local Govt. Pb for the Respondent

ORDER:

The appellate through RTI application dated 05.03.2020 has sought information regarding list of employees promoted as Junior Engineers/Assistant Municipal Engineers, Municipal Engineers and SE on the basis of qualification through deemed university and posted in different MCs/NCs – copy of order of Govt for promoting these engineers – copy of letter/circular through which no action taken against such JEs/AMEs/MEs & SEs promoted on the basis of qualification obtained through deemed university and other information concerning the office of Secretary Department of Local Govt. Pb. Chandigarh The appellant was not provided the information after the appellant filed first appeal before the First Appellate Authority on 24.04.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claims that the PIO has not provided the information. The respondent present pleaded that the information sought by the appellant is not specific. As per respondent, the reply has been sent to the appellant on 08.02.2021.

Having gone through the RTI application and hearing both the parties, the PIO is directed to relook at the RTI application and provide whatever information is available on record.

Appeal Case No. 2103 of 2020

The Commission further observes that the RTI application was filed on 05.03.2020 whereas the reply has been sent on 08.02.2021 with a delay of more than ten months. The PIO is directed to explain the reasons for not attending to the RTI application within the time frame, as prescribed under the RTI Act.

To come up for further hearing on **26.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated: 09.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

Note: Sh. Satwinder Singh, Suptd. (LG-3) Local Govt appeared late and informed that the information concerning them relating to Municipal Engineer and Superintending Engineer in point-2 has been sent to the appellant vide letter dated 21.01.2021 with a copy to the Commission and the remaining information pertains to Establishment Branch.

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Sh.Bharat Bhushan,
H No-153, Akash Nagar,
Near Greenland School,
P.O Netaji Nagar Salem Tabri,
District Ludhiana..

... Appellant

Versus

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

First Appellate Authority,
O/o DPI. (EE),
Phase-8, Mohali.

...Respondent

Appeal Case No. 2259 of 2020

PRESENT: None for the Appellant
Sh.Gurmeet Singh, Sr Assistant for the Respondent

ORDER:

The appellate through RTI application dated 10.03.2020 has sought information regarding recruitment of 9998 posts of JBT ETT teachers advertised in Sept.2007 – number of applications under SC(M&B) category – copies of caste certificates of SC category – experience certificates of the applicants – name of verification officers of certificates and other information as enumerated in the RTI application concerning the office of DEO(EE) Mohali. The appellant was not provided the information after the appellant filed first appeal before the First Appellate Authority on 01.07.2020 which took no decision on the appeal. After filing first appeal, the PIO sent information to the appellant on 17.07.2020 to which the appellant was not satisfied and filed 2nd appeal in the Commission.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the information has been sent to the appellant vide letter dated 17.07.2020 and remaining on 11.09.2020. The respondent further informed that the information was earlier sent to the appellant on 17.07.2020. Thereafter, the appellant pointed out some discrepancies which were sorted out and information was sent on 11.09.2020.

The appellant is absent and vide letter received in the Commission on 28.01.2021 has informed that the PIO has not removed the discrepancies as pointed out on 27.07.2020.

Since a fresh set of information was sent to the applicant after he had pointed out the discrepancies, the appellant can contact the PIO to highlight any further discrepancy. The PIO is directed to remove the same, and if there is no further information available, to state it in an affidavit that no further information, as sought in the RTI application, is available. .

To come up for further hearing on **26.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated:09.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sukhdhir Singh,
R/o H No-4, Baba Nand Singh Nagar,
Backside B.C.M School,
Basant Avenue, Dugri,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o DEO (EE),
Mini Secretariat, Ludhiana.

First Appellate Authority,
O/o DEO (EE),
Mini Secretariat, Ludhiana.

...Respondent

Appeal Case No. 2280 of 2020

PRESENT: Sh.Sukhdhir Singh as the Appellant
Smt.Sukhveer Kaur, Suptd.O/o DEO(EE) Ludhiana for the Respondent

ORDER:

The appellate through RTI application dated 25.02.2020 has sought information regarding information provided under RTI Act to Sh.Kuldeep Kumar Kaura in 2017-18, 2018-19, 2019-20 – penalty imposed on the employees for not providing the information – amount of penalty and case number –mode of deposit of penalty and other information concerning the office of DEO(EE) Ludhiana. The appellant was not provided he information after the appellant filed first appeal before the First Appellate Authority on 29.06.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claims that the PIO has not provided the information.

The respondent present pleaded that the information on point-1 is not specific and the information on points 2, 3 & 4 is not readily available and has to be created and that the reply has been sent to the appellant vide letter dated 29.01.2021.

Having gone through the RTI application and hearing both the parties, the appellant is directed to inspect the record relating to point -1 on 10.02.2021 at 12.00 noon and obtain the relevant information. The PIO is directed to allow inspection of the record and provide relevant information to the appellant as per the cost. The PIO is also directed to provide whatever information is available on record regarding points 2,3 & 4.

To come up for further hearing on **26.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated:09.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Sukhdhir Singh,
R/o H No-4, Baba Nand Singh Nagar,
Backside B.C.M School,
Basant Avenue, Dugri,
Distt Ludhiana.

... Appellant

Versus

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

First Appellate Authority,
O/o DPI (EE),
Phase-8, Mohali.

...Respondent

Appeal Case No. 2284 of 2020

PRESENT: Sh.Sukhdhir Singh as the Appellant
Sh.Mohinder Singh, Asstt.Director O/o DPI(EE) Mohali for the Respondent

ORDER:

The appellate through RTI application dated 27.05.2020 has sought information regarding copy of complainant filed by Sh.Kuldeep Kora against the appellant alongwith documents enclosed –copy of enquiry report of the enquiry conducted by Sh.Jagtar Singh Assistant Director on 27.02.2020 – statement of witnesses and other information concerning the office of DPI(EE) Mohali. The appellant was not provided he information after the appellant filed first appeal before the First Appellate Authority on 29.06.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claims that the PIO has not provided the information.

The respondent present pleaded that the information on point-1 has been sent to the appellant on his email and since the enquiry at the level of DEO is still pending, the disclosure of information on point-2 is not possible as it may hamper the investigation. The appellant informed that he has not received information on point-1 also. The respondent has submitted a copy of information on point-1 which is being sent to the appellant alongwith the order.

The Commission is not convinced with the reply of the PIO, since the appellant has sought a copy of enquiry report on the enquiry which has already been completed. The PIO is directed to file a suitable reply. The PIO is also directed to send a copy of the enquiry report to the Commission in a sealed cover.

To come up for further hearing on **26.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated:09.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
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Sh.Kuldip Kumar Kaura,
5-C, Phase-1, Urban Estate,
Focal Point, Ludhiana.

... Appellant

Versus

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

First Appellate Authority,
O/o DPI (EE),
Phase-8, Mohali.

...Respondent

Appeal Case No. 2343 of 2020

PRESENT: Sh.Kuldip Kumar Kaura as the Appellant
Sh.Mohinder Singh, Asstt.Director O/o DPI(EE) Mohali for the Respondent

ORDER:

The appellate through RTI application dated 29.05.2020 has sought information regarding Sukhdev Singh Sekhon Ex Head teacher Sukhdev Nagar Mangat Ludhiana – copy of order No.19/01-2020 dt.01.07.2020 transferring the said teacher – copy of noting – copy of order of cancellation of transfer – copy of order of retransfer – copy of enquiry report submitted by Jagtar Singh on enquiry held on 27.02.2020 and other information concerning the office of DPI(EE) Mohali. The appellant was not provided the information after the appellant filed first appeal before the First Appellate Authority on 04.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant stated that the PIO has denied the information vide letter dated 17.08.2020 taking a ground u/s 8(1)(d) & 8(1)(j) which is not maintainable since the information is part and parcel of the file of the department. The appellant has filed reply through email, which has been taken on the file of the Commission.

The respondent present pleaded that some of the information has been provided to the appellant vide letter dated 04.02.2021 with a copy to the Commission.

A copy of the reply filed by the appellant has been supplied to the respondent and the respondent is directed to file a suitable reply on all points.

To come up for further hearing on **26.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated:09.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Kuldip Kumar Kaura,
5-C, Phase-1, Urban Estate,
Focal Point, Ludhiana.

... Appellant

Versus

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

First Appellate Authority,
O/o DPI (EE),
Phase-8, Mohali.

...Respondent

Appeal Case No. 2344 of 2020

PRESENT: Sh.Kuldip Kumar Kaura as the Appellant
None for the Respondent

ORDER:

The appellate through RTI application dated 23.03.2020 has sought information regarding DEO letter No.5/2019 dated 08.01.2020 – receipt no. and date – copy of noting – copy of all communication – copy of Pb govt letter deciding the case – status of case of fraud and other information concerning the office of DPI(EE) Mohali. The appellant was not provided the information after the appellant filed first appeal before the First Appellate Authority on 11.06.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant stated that the PIO has denied the information vide letter dated 14.08.2020 on the plea that the information is 3rd party and the 3rd party has not given its consent to disclose the information which is not maintainable under the law.

The respondent is absent. Having gone through the RTI application, the response of the PIO of denying the information under Section 11 of the RTI ACT, the commission rules that since the sought information is a part of public record, it should be given to the appellant.

The PIO is directed to provide the information to the appellant on all points.

To come up for further hearing on **26.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated:09.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Gagandeep Singh,
SCO-6, Shant Park,
Main Sua Road Threake,
Ludhiana.

....Appellant.

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

First Appellate Authority,
O/o Chief Vigilance Officer,
Local Govt, Sector-35-A,
Chandigarh.

....Respondent

Appeal Case No. 2474 of 2020

PRESENT: None for the Appellant
Sh.Rajiv Sagar PIO for the Respondent

ORDER:

The appellate through RTI application dated 06.03.2020 has sought information regarding action taken on complaint dated 12.09.2019 against officer/officers of Improvement Trust Ludhiana – name and designation of the officers/official found guilty on enquiry alongwith their present posting & order of transfer and other information concerning the office of Chief Vigilance Officer, Local Govt. Pb Chandigarh. The appellant was not provided the information after the appellant filed first appeal before the First Appellate Authority on 12.06.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that since the enquiry on the complaint is still pending, the information cannot be provided u/s 8(1)(h) of the RTI Act. and the reply has been sent to the appellant on 15.01.2021.

The appellant is absent. Having gone through the RTI application, the Commission observes that the PIO has not justified the reasons and has blanketly denied the information. The PIO is directed to file a suitable reply.

The Commission further observes that there has been an enormous delay in attending to the RTI application since the RTI application was filed on 06.03.2020 whereas the reply was sent on 15.01.2021. The PIO is directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

To come up for further hearing on **26.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated:09.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Davinder Singh, S/o Late Sh Ram Murti,
VPO Sidhwan Bet, Tehsil Jagraon,
Distt Ludhiana.

Appellant.

Public Information Officer,
O/o Additional Chief Secretary,
Local Govt, Sector-35-A,
Chandigarh.

First Appellate Authority,
O/o Additional Chief Secretary,
Local Govt, Sector-35-A,
Chandigarh.

...Respondent

Appeal case No.2486/2020, 2487/2020 & 2488/2020

PRESENT: None for the Appellant
Sh.Kuldeep Singh, Sr Assistant (Trust Service Cell) for the Respondent

ORDER:

The appellate through RTI application dated 09.01.2020 has sought information regarding copy of land of law of the condition imposed at s.no.2 of submission by Director Local Govt and said resolution passed by Secretary of Pb Govt under TSC 1356 dt. 303.07.2014 and other information as enumerated in the RTI application concerning the office of Additional Chief Secretary, Local Govt Pb Chandigarh. The appellant was not provided the information after the appellant filed first appeal before the First Appellate Authority on 17.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that no such record regarding "Land of law" is available in their record and the reply has been sent to the appellant vide letter dated 27.01.2021.

The Commission observes that there has been an enormous delay in attending to the RTI application since the RTI application was filed on 19.01.2020 whereas the reply was sent on 27.01.2021. In reply, the respondent stated that no RTI application was received by them and the RTI was received along with the notice of the Commission only.

The reply received from the PIO is being sent to the appellant, and the appellant, if wants to pursue the case, to send his observations to the PIO.

The Commission further observes that the appellant has filed two more appeal cases No.2487/2020 & 2488/2020 for seeking exactly the same information from Director Local Govt and Law Officer, Local Govt. and the respondent has submitted same reply in all cases, all these cases are clubbed together.

To come up for further hearing on **26.05.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

Chandigarh
Dated:09.02.2021

Sd/-
(Khushwant Singh)
State Information Commissioner