

**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)



Shri Sarabjeet Singh Gill,
H.No.60-35-P-376-1, St. No.8,
Maha Singh Nagar,
Post Office Dhandari Kalan,
Ludhiana-141014.

...Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority-cum-

The Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.1817 of 2020

Present: (i) **Shri Amarjit Singh Dhamotia on behalf of the Appellant**
(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 23.11.2020 passed by this Bench on the previous hearing.
2. The case has been heard today through V.C. in D.C. Office, Ludhiana. Shri Amarjit Singh Dhamotia, comes present to attend the hearing through V.C. on behalf of the appellant. He states that no information has been received by the appellant from the PIO so far.
3. Neither the PIO has come present to attend the hearing through V.C. nor he has deputed any of his representatives to attend the hearing. Dr.Vipal Malhotra who is the designated PIO now in the instant appeal case, is contacted on mobile phone. In spite of repeated phone calls to him, no response was received. This indifferent attitude of the PIO is viewed adversely.
4. The Bench observes that the RTI application is dated 25.02.2020, First Appeal is dated 08.05.2020 and the second appeal was filed in the Commission on 07.07.2020. In spite of lapse of nearly one year, the appellant has not been supplied the requisite information. The PIO, O/o Medical Officer of Health, Municipal Corporation, Ludhiana is issued show cause notice to explain his absence and 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 non-supply of information to the appellant. He 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.



5. 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 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.

6. The PIO is further directed to ensure that complete information is supplied to the appellant before the next hearing.

7. With the aforesaid direction, the matter is adjourned. **To come up for hearing on 27.04.2021 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.02.2021**

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

Copy to (By Regd.Post)

**Public Information Officer,
O/o Medical Officer of Health,
Municipal Corporation,
Ludhiana.**

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Ludhiana-141014.

...Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority-cum-

The Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.1818 of 2020

Present: (i) **Shri Amarjit Singh Dhamotia on behalf of the Appellant.**
(ii) **Shri Sunil Kumar, ATP/PIO, Zone-B, Municipal Corporation, Ludhiana.**

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 23.11.2020 passed by this Bench on the previous hearing.
2. The appeal has been heard today through V.C. in D.C. Office, Ludhiana. Shri Amarjit Singh Dhamotia comes present to attend the hearing on behalf of the appellant.
3. Shri Sunil Kumar, ATP/PIO, Zone-B comes present to attend the hearing through V.C. He states that the necessary information has been supplied to the appellant vide letter dated 23.11.2020 and again vide letter dated 08.02.2021. He states that the construction at the colony referred to in the newspaper mentioned by the appellant was demolished by the team of Municipal Corporation. However, there is no record available on file to this effect. He further states that with regard to points No.2 & 3, the appellant was asked to intimate specifically as to the officer and the JCB machine about which the appellant seeks information.
4. On the asking of the Bench, Shri Amarjit Singh Dhamotia, representative of the appellant states that no such information has been supplied to the appellant yet.

Cont...P-2.



5. Post deliberations, the PIO Zone-B, Municipal Corporation, Ludhiana is directed to file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public to the effect that no record regarding the demolition of construction raised un-authorizedly is available in their official records. It be further stated that the information sought at points No.2 & 3 is not maintained in the format sought by the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 27.04.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.02.2021**

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

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Shri Sarabjeet Singh Gill,
H.No.60-35-P-376-1, St. No.8,
Maha Singh Nagar,
Post Office Dhandari Kalan,
Ludhiana-141014.

...Appellant

Versus

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

First Appellate Authority-cum-
The Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.1820 of 2020

Present: (i) **Shri Amarjit Singh Dhamotia on behalf of the Appellant.**
(ii) **Shri Sunil Kumar, ATP/PIO, Zone-B, Municipal Corporation, Ludhiana.**

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 23.11.2020 passed by this Bench on the previous hearing.
2. The has been heard today through V.C. in D.C. Office, Ludhiana. Shri Amarjit Singh Dhamotia comes present to attend the hearing on behalf of the appellant. The representative of the appellant states that no information has been supplied to the appellant.
3. Shri Sunil Kumar, ATP/PIO, Zone-B comes present to attend the hearing through V.C. He states that the necessary information has been supplied to the appellant vide letter dated 08.02.2021. He states that with regard to the information sought by the appellant on Points No.1, 2 & 3 of his RTI application, the appellant has been sent reply vide letter dated 08.02.2021 to the effect that the information sought by the appellant relates to a court case- CWP No.13014 of 2020 titled as Mahinder Kaur Grewal versus State of Punjab & ors. This case is still pending in the Hon'ble Punjab & Haryana High Court and as such, the information cannot be provided under Section 8(1)(h) of the RTI Act.

....Cont..P-2



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AC No.1820/2020

5. Post deliberations, the PIO Zone-B, Municipal Corporation, Ludhiana is directed to file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public to the effect that the information sought by the appellant relates to a court case- CWP No.13014 of 2020 titled as Mahinder Kaur Grewal versus State of Punjab & ors. This case is still pending in the Hon'ble Punjab & Haryana High Court and as such, the information cannot be provided under Section 8(1)(h) of the RTI Act.. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 27.04.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.02.2021**

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

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Shri Inderpal Singh,
S/o Shri Surjit Singh,
R/o 240-B, Block-B,
Ahluwalia Colony, Jamalpur,
District Ludhiana

...Appellant

Versus

Public Information Officer
O/o Regional Transport Authority,
Ludhiana.

First Appellate Authority-cum-
State Transport Commissioner, Punjab,
Sector-17, Chandigarh

....Respondents

AC No.1792 of 2020

Present: (i) **Shri Inderpal Singh, Appellant.**
(ii) **Shri Ravinder Singh, Clerk O/o Secretary, R.T.A. Ludhiana.**

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 23.11.2020 passed by this Bench on the previous hearing.
2. The case has been heard today through V.C. in the office of D.C. Ludhiana. The appellant Shri Inderpal Singh comes present to attend the hearing through V.C.
3. Shri Ravinder Singh, Clerk, O/o Secretary, R.T.A. Ludhiana comes present to attend the hearing through V.C. He states that the information has been supplied to the appellant on 19.11.2020 by registered post. As per order dated 23.11.2020, the appellant was asked to point out deficiencies, if any, in the information supplied. However, no such deficiencies have been received from the appellant.
4. On the asking of the Bench, the appellant states that the information supplied is not in conformity with his RTI application. He points out certain deficiencies during the hearing.
5. Post deliberations, the Bench direct the PIO to supply the rectified information after removing deficiencies, before next hearing by registered post.
6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.04.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.02.2021**

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

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Shri Gurmej Lal,
R/o H.No.6375, Street No.16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
Near Mair Di Chakki, PO Daba,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.1810 of 2020

Present:

- (i) Shri Gurmej Lal, Appellant
- (ii) Shri Harjit Singh, Draftsman, Zone-D, Municipal Corporation, Ludhiana
on behalf of PIO/Respondent.

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 23.11.2020 passed by this Bench on the previous hearing.
2. The appeal has been heard today through V.C. in D.C. Office, Ludhiana. Shri Gurmej Lal, appellant comes present to attend the hearing. He states that no information has been received by him.
3. Shri Harjit Singh, Draftsman, Zone-D, Municipal Corporation, Ludhiana comes present to attend the hearing through V.C. on behalf of the PIO. He states that the information has already been supplied to the appellant. On the asking of the Bench, he again hands over a copy of the same to the appellant during the hearing. He states that the information as available in the official records has been supplied to the appellant.
4. The appellant, on receiving the information, requests the Bench that he needs time to examine the information supplied and requests for another date.

....Cont..P-2



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AC No.1810/2020

5. Post deliberations, the Bench directs the PIO to supply rectified information after removing the deficiencies, if any, pointed by the appellant and file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official record in AC No.1810/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 27.04.2021 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

Chandigarh
09.02.2021

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

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Shri Gurmej Lal,
R/o H.No.6375, Street No.16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
Near Mair Di Chakki, PO Daba,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.1807 of 2020

Present:

- (i) Shri Gurmej Lal, Appellant.
- (ii) None on behalf of PIO, Zone-B, & Zone-D, Municipal Corporation, Ludhiana.

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 23.11.2020 passed by this Bench on the previous hearing.
2. The appeal has been hearing today through V.C. in D.C. Office, Ludhiana. Shri Gurmejj Lal, appellant comes present to attend the hearing through V.C. He states that he has received information from PIO, Zone-B, M.C. Ludhiana but the same is unattested. He further states that he has not received any information from PIO Zone-D of M.C. Ludhiana.
3. Neither the PIOs from Zone-B and Zone-D of Municipal Corporation, Ludhiana have come present to attend the hearing through V.C. nor they have deputed any of their representatives to attend the hearing on their behalf. This indifferent attitude of the concerned PIOs is viewed adversely.
4. The Bench, on perusal of the case file, observes that the RTI application is dated 03.02.2020 and First Appeal was filed on 07.03.2020. The second appeal was filed in the Commission on 07.07.2020. In spite of lapse of over one year, the appellant has not been supplied the requisite information. The PIO, Zone-B and Zone-D, Municipal Corporation, Ludhiana are issued show cause notice to explain their absence and as to why action should not be taken against them and also as to why penalty should not be imposed in the



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AC No.1807/2020

instant case for non-supply of information to the appellant. They 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, 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. They may take note that in case 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 further directed to ensure that complete information is supplied to the appellant before the next hearing.

7. With the aforesaid direction, the matter is adjourned. **To come up for hearing on 27.04.2021 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.02.2021**

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

Copy to (By Regd.Post)

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

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

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Shri Balwinder Singh Ladi,
Whistle Blower,
H.No.418, Street No.5,
Mohalla Nanaksar,
Tehdi Road, Shimlapuri,
Ludhiana-141003.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation, Ludhiana.

First Appellate Authority-cum-

Commissioner,
Municipal Corporation, Ludhiana.

....Respondents

AC No.3513 of 2020

Present:

- (i) **Shri Balwinder Singh Laddi, appellant**
- (ii) **Shri Sunil Kumar, ATP/PIO, Zone-B, Municipal Corporation, Ludhiana.**

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 03.08.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 05.09.2020 and the second appeal was filed in the Commission on 13.11.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing has been issued to the parties by the Commission for 09.02.2021 through V.C. in D.C. Office, Ludhiana. The appellant Shri Balwinder Singh Ladi comes present to attend the hearing through V.C.
3. Shri Sunil Kumar, ATP/PIO, Zone-B, Municipal Corporation, Ludhiana comes present to attend the hearing through V.C. He states that the information has been supplied to the appellant vide letter dated 13.01.2021 and that a copy has also been handed over to the appellant during the hearing.
4. On the asking of the Bench, Shri Balwinder Singh, appellant states that he has sought a copy of complaint as also the action taken on the same. He further states that the information supplied is not to his satisfaction.
5. Post deliberations with the appellant and PIO, the Bench directs the PIO to call the appellant to his office today itself and allow him access to the relevant official records. The appellant, after inspecting the official records, will identify the information as required by him. The information so identified by the

appellant will be supplied by the PIO before the next hearing.

Cont...P-2



-2-

AC No.3513/2020

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 27.04.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.02.2021**

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

