

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.
Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



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

Shri 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.984 of 2020

Present: (i) **Appellant- absent**
(ii) **Shri Ajay Kumar, Building Inspector, M.C. Ludhiana, on behalf of the PIO.**

ORDER:

(Heard through Video Conferencing/On Mobile Phone)

1. This order may be read with reference to the order dated 14.09.2020 passed by the Bench on the previous hearing.
2. The case has been heard today through V.C. in D.C. Office, Ludhiana.
3. Shri Ajay Kumar, Building Inspector, M.C. Ludhiana comes present to attend the hearing through V.C. He states that maximum information asked for by the appellant has been supplied vide letter dated 19.06.2020 and the balance information in the form sought by the appellant is not being maintained and as such, cannot be created. He further states that the reply to the show cause notice has also been filed.
4. Since the appellant is absent, the representative of the appellant Ms. Sukhjinder Kaur is contacted on mobile phone. She states that she has sent her submissions with regard to observations by e.mail and further states that she was not called to the office of PIO and no information has been supplied to the appellant.
5. Post deliberations, the PIO is directed to call the appellant to his office before the next hearing and allow access to the official records and after supply information as is available in the official record, he is directed to file an affidavit to the effect that the information as available in the official records has been provided and the balance information in the form sought is not being maintained and as such, cannot be created. The statement made is correct and authentic. Original copy of affidavit be sent to the appellant photocopy of the same be sent to the Commission for record.



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AC No.984/2020

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 19.01.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11.2020**

**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) Shri Satish Kumar, ATP/PIO, Zone-C, Municipal Corporation, Ludhiana.

ORDER:

(Heard through Video Conferencing/On Mobile Phone)

1. This order may be read with reference to the order dated 14.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. in D.C. Office, Ludhiana. Shri Sarabjeet Singh Gill, appellant is absent.
3. Shri Satish Kumar, ATP/PIO comes present to attend the hearing through V.C. He states that the information is yet to be supplied to the appellant.
4. Shri Amarjit Singh Dhamotia, father of the appellant, who used to attend hearings on his behalf, is contacted on mobile phone. On enquiring about the absence of appellant, he states that the appellant is not well and further states that no information has been received as yet.
5. Post deliberations, the PIO is directed to call the appellant to his office and allow him access to the official records. The appellant will identify the documents/information after inspection which will be supplied by the PIO.
6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 19.01.2021 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
09.11.2020**

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

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Shri Sarabjeet Singh Gill,
H.No.60-35-P-376-1, Street No.8,
Maha Singh Nagar, PO Dhandari Kalan,
Ludhiana, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o The Commissioner,
Municipal Corporation,
Ludhiana.

Public Information Officer

O/o The Commissioner,
Tehbazari Branch,
Municipal Corporation, Ludhiana.

Public Information Officer

O/o The Medical Officer of Health,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o The Commissioner,
Municipal Corporation, Ludhiana.

....Respondents

AC No.1013 of 2020

Present: (i) **Appellant- absent.**
(ii) **Shri Satish Kumar, ATP/PIO. Municipal Corporation, Zone-C, Ludhiana.**
(iii) **Shri Sanjeev Uppal, Superintendent,**

ORDER:

(Heard through Video Conferencing/On Mobile Phone)

1. This order may be read with reference to the order dated 14.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. in D.C. Office, Ludhiana.
3. Shri Satish Kumar, ATP/PIO states that the information relating to Zone-C has been supplied to the appellant vide letter dated 13.08.2020 and rest of information was to be supplied by Tehbazari Branch and the Medial Officer of Health. Shri Sanjeev Uppal, Supdt. Of Tehbazari Branch comes present through V.C. and states that information has been provided. He further states that action can be taken against those vend owners whose goods are lying in the public places and no action can be taken who store their goods inside their premises and that information to that effect has been supplied to the appellant.
4. Shri Sarabjeet Singh Gill, appellant is absent. Shri Amarjit Singh Dhamotia, father of the appellant, who used to attend hearings on his behalf, is contacted on mobile phone. On enquiring about the absence of appellant, he states that the appellant has not been supplied any information.

Cont.....P-2



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AC No.1013/2020

5. The Bench observes that no one has represented the hearing on behalf of the PIO O/o Medical Officer of Health of the Corporation though he had been impleaded on the previous hearing and information has also not been provided to the appellant.

6. The PIO of Building Branch and the PIO of the office of Medical Officer of Health, M.C. are directed to supply the information relating to their offices before the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 19.01.2021 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
09.11.2020**

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

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Shri Amandeep Singh
S/o Shri Surinder Singh
R/o No.610, Sector-39,
Urban Estate, Chandigarh Road,
Jamalpur, Ludhiana.

.....Appellant

Versus

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

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

....Respondents

AC No.1935 of 2020

**Present: (i) Appellant- absent.
(ii) Shri Satish Kumar, PIO, Municipal Corporation Zone-C, Ludhiana.**

ORDER:

(Heard through Video Conferencing)

1. This order may be read with reference to the order dated 14.09.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through V.C. in D.C. Office, Ludhiana. Shri Amandeep Singh, appellant has not come present to attend the hearing through V.C.
3. Shri Satish Kumar, PIO, Zone -C, Municipal Corporation, Ludhiana comes present to attend the hearing. He states that reply to the appellant has been given vide letter dated 01.10.2020 stating that a case with regard to the colony mentioned in his RTI application is pending in the Hon'ble Punjab and Haryana High Court in CWP No.15511 of 2019 of 2019 and COCP No.129 of 2019 titled as Navjot Singh vs. A. Venu Prasad, IAS & ors. and the matter is sub judice, as such, the information cannot be supplied.
4. The appellant is absent. He could not be contacted on mobile phone in spite of repeated attempts. The appellant, however, is being given another hearing to put forth his version on the appeal case.
5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 19.01.2021 at 11.30 AM through V.C. in DC. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11. 2020**

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

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Shri Sanjay Kumar Sharma
(Jan Hitaishi), SCO 22-23,
1st Floor K10 Tower,
Feroze Gandhi Marekt,
Ludhiana-141001.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

First Appellate Authority
O/o Municipal Corporation,
Ludhiana.

....Respondents

AC No.2676 of 2020

Present: (i) **Appellant- absent**
(ii) **Shri Harjit Singh, Draftsman, Zone-D, Municipal Corporation, Ludhiana
on behalf of the PIO.**

ORDER:

(Heard through Video Conferencing/On Mobile Phone)

1. The RTI application is dated 15.06.2020 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 30.07.2020 and the second appeal was filed in the Commission on 17.09.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 09.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. Shri Sanjay Kumar, appellant has not come present to attend the hearing through V.C.
3. Shri Harjit Singh, Draftsman, attend the hearing through V.C. He states that the information has been sent to the appellant vide letter dated 14.07.2020 by speed post and intimation has also been given to the Commission by e.mail sent on 09.11.2020.
4. Since the appellant is absent, repeated attempts are made to contact him on mobile so as to know his version, but he did not respond.
5. The PIO, Zone-D, Municipal Corporation, Ludhiana is directed to again send a copy of the information to the appellant by regd. post.



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AC No.2676/2020

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 19.01.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11. 2020**

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

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Shri Sanjay Kumar Sharma
(Jan Hitaishi), SCO 22-23,
1st Floor K10 Tower,
Feroze Gandhi Marekt,
Ludhiana-141001.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

First Appellate Authority
O/o Municipal Corporation,
Ludhiana.

....Respondents

AC No.2678 of 2020

Present: (i) **Appellant- absent**
(ii) **Shri Harjit Singh, Draftsman, Zone-D, M.C. Ludhiana and
Ms. Gurpreet Kaur, Junior Assistant, B & R Branch, M.C. Ludhiana
on behalf of the PIO.**

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 15.06.2020 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 30.07.2020 and the second appeal was filed in the Commission on 17.09.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 09.11.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. Shri Sanjay Kumar, appellant has not come present to attend the hearing through V.C.
3. Shri Harjit Singh, Draftsman, Zone-D, M.C. Ludhiana comes present and states that the RTI application of the appellant had been transferred to B&R Branch of Zone-D vide letter dated 22.07.2020 as the same related to that Branch. He explains that the delay occurred in transfer of application due to COVID-19. He also states that from B&R Branch, Ms. Gupreet Kaur is also present.
4. On the asking of the Bench, Ms. Gurpeet Kaur, Junior Assistant, B&R Branch, Zone-D, Municipal Corporation, Ludhiana states that the reply to RTI application has been given to the appellant and the appellant has also received the information.
5. Since the appellant is absent, he is contacted on mobile phone to know his version regarding the receipt of information, but the repeated attempts to contact him did not yield any result.



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AC No.2678/2020

6. The PIO B&R Branch, Zone-D, M.C. Ludhiana is again directed to send information to the appellant by registered post.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 19.01.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.11. 2020**

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

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Shri Mohinder Singh
S/o Shri Gurjit Singh,
R/o Village Chak Dumaal @
Tindawala, Tehsil Jalalabad,
District Fazillka.

.....Appellant

Versus

Public Information Officer

O/o SDM –cum-Registration Authority,
Motor Vehicle, Abohar, Distt. Fazilka.

First Appellate Authority

O/o Regional Transport Authority,
Ferozepur.

....Respondents

AC No.2137 of 2020

Present: (i) **Shri Mohinder Singh, 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 14.09.2020 passed by this Bench on the previous hearing.
2. The case has been heard today through V.C. in D.C. Office, Fazilka. Shri Mohinder Singh, appellant comes present to attend the hearing through V.C. He states that no information has been supplied to him as yet. He further states that he has received letter dated 11.06.2020 stating that the information, being third party information cannot be supplied.
3. Neither the PIO himself has come present nor has deputed any of his representative to attend the hearing through V.C.
4. On enquiring from the appellant, he states that he had bought a tractor from the Mandi from Shri Joga Singh and he was given a slip that the R.C. will be got transferred in his name within a month, but later on, he came to know that the said tractor is registered in the name of one Shri Lakhbir Singh since 2005, though the appellant is still in possession of the said tractor.
5. The Bench observes that the RTI application of the appellant is 10.02.2020 and First Appeal is dated 17.03.2020. The PIO is absent for today hearing and in spite of a lapse of more than 10 months, the appellant has not been supplied information. This indifferent and lackadaisical attitude of the PIO is viewed adversely.

..Cont...P-2



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AC No.2137/2020

6. The PIO Office of Sub Divisional Magistrate, Abohar, District Fazilka 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 and for not complying with the directions of the Commission. 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.

7. 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 he 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.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 19.01.2021 at 11.30 AM in D.C. Office, Fazilka.** Copies of the order be sent to the concerned parties.

Chandigarh
09.11. 2020

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

Copy to (By Regd. Post):

The Public Information Officer
O/o Sub Divisional Magistrate,
Abohar, District Fazilka(By name).