

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

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



Shri Rakesh Kumar Gupta
Advocate,
8/237, Jagraon Road,
Mandi Maullanpur,
Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Mullanpur Dakha,
District Ludhiana.

First Appellate Authority

O/o Deputy Director,
Local Bodies,
Ludhiana.

....Respondents

AC No.763 of 2020

Present: (i) Appellant- absent.
(ii) None on behalf of the PIO, M.C. Mullanpur Dakha.

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 06.04.2022 passed by this Bench on the previous date of hearing.
2. The case has been heard today. Shri Rakesh Kumar Gupta, appellant has not come present to attend the hearing in person or through Cisco Webex. He has, however, sent an e.mail dated 12.07.2022 stating that he is away to Shirdi (Maharashtra) on religious pilgrimage and as such, he may be given adjournment as he is not able to attend the hearing even through cisco webex or on telephone.
3. Shri Manohar Singh, Executive Officer/PIO, Municipal Council, Mullanpur Dakha has also not come present to attend the hearing either in person or through Cisco Webex.
4. The Bench observes that as the directions of the Bench still remain to be complied with, another chance to the PIO to supply complete information to the appellant was given during the previous hearing. He was also directed to file a fresh affidavit, as directed during the previous hearing. However, the PIO has failed to comply with the directions of the Bench.

Cont..P-2



5. The PIO is again directed to come present in person before the Bench on the next hearing along with the original affidavit and copy of the information supplied. The appellant is also advised to come present in person before the Bench.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 12.09.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
13.07.2022

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

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Shri Rakesh Kumar Gupta
Advocate,
8/237, Jagraon Road,
Mandi Maullanpur,
Distt. Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Mullanpur Dakha,
District Ludhiana.

First Appellate Authority

O/o Deputy Director,
Local Bodies,
Ludhiana.

....Respondents

AC No.634 of 2020

Present: (i) Appellant- absent.
(ii) None on behalf of the PIO, M.C. Mullanpur Dakha.

ORDER

1. This order may be read with reference to the order dated 06.04.2022 passed by this Bench on the previous date of hearing.
2. The case has been heard today. Shri Rakesh Kumar Gupta, appellant has not come present to attend the hearing in person or through Cisco Webex. He has, however, sent an e.mail dated 12.07.2022 stating that he is away to Shirdi (Maharashtra) on religious pilgrimage and as such, he may be given adjournment as he is not able to attend the hearing even through cisco webex or on telephone.
3. Shri Manohar Singh, Executive Officer/PIO, Municipal Council, Mullanpur Dakha has also not come present to attend the hearing either in person or through Cisco Webex.
4. The Bench observes that as the directions of the Bench still remain to be complied with, another chance to the PIO to supply complete information to the appellant was given during the previous hearing. He was also directed to file a fresh affidavit, as directed during the previous hearing. However, the PIO has failed to comply with the directions of the Bench.



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AC No.634/2020

5. The PIO is again directed to come present in person before the Bench on the next hearing along with the original affidavit and copy of the information supplied. The appellant is also advised to come present in person before the Bench.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 12.09.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
13.07.2022**

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

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Shri Amarjit Singh Dhamotia,
RTI Activist, Whistle Blower,
Distt. President, Ludhiana NCAG Office,
Street No.5, # 1331-5, Visawkarma Bhawan,
Down Canal Road, Shimlapuri,
Ludhiana-141003.

...Appellant

Versus

Public Information Officer,
O/o Chief Administrator,
PUDA, Punjab, Chandigarh.

First Appellate Authority
O/o Addl. Chief Secretary,
Housing & Urban Development Deptt.,
Punjab, Chandigarh.

...Respondents

Appeal Case No.1437 of 2022

PRESENT : (i) **Shri Gurmej Lal, on behalf of the Appellant. (cisco webex)**
(ii) **None on behalf of the PIO/Respondent.**

ORDER:

(Heard Through Cisco Webex)

1. The RTI application is dated 06.12.2021 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 10.01.2022 and the second appeal was filed in the Commission on 24.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 13.07.2022. Accordingly, the case has been heard today. Shri Gurmej Lal comes present to attend the hearing on behalf of the appellant Shri Amarjit Singh Dhamotia through cisco webex. He states that no information has been supplied to the appellant so far.
3. Neither the PIO has come present to attend the hearing nor he has deputed any of his representatives to attend the hearing. On perusal of the case file, the Bench observes that the PIO-cum-Superintendent, Department of Housing and Urban Development, Govt. of Punjab has addressed a letter dated 21.04.2022, with a copy to the Bench, directing the PIO O/o GLADA, Ludhiana to supply information and to attend the hearing. However, nobody has come present on behalf of GLADA, Ludhiana.



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Appeal Case No.1437 of 2022

4. Shri Narinder Singh, Clerk O/o Chief Administrator, GLADA, Ludhiana who is present to attend the hearing in person before the Bench in another case is shown this letter and apprised of the appeal case. However, he is not aware of the details of the case.

5. Shri Gurmej Lal is apprised of the contents of the letter dated 21.04.2022 whereby the RTI application stands referred to PIO O/o GLADA, Ludhiana the matter being related to GLADA, Ludhiana.

6. In the absence of the PIO, the Bench is unable to proceed further in the matter and as such, the matter is adjourned. **To come up for hearing on 12.09.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
13.07.2022**

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

**Public Information Officer,
O/o Chief Administrator,
GLADA, Ludhiana.**

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Shri Verma Nand
S/o Sh. Tarsem Chand
R/o Ward No.4, Near Post Office,
Talwandi Sabo, District Bathinda.

...Appellant

Versus

Public Information Officer,
O/o Sub Divisional Officer
Sub Division, PSPCL, Talwandi Sabo,
District Bathinda.

First Appellate Authority
O/o Chief Engineer, Distribution,
West Zone, Thermal Colony,
PSPCL, Bathinda.

...Respondents

Appeal Case No.1510 of 2022

PRESENT : (i) **Shri Verma Nand, Appellant, in person.**
(ii) **Shri Jagjit Singh, SDO/PIO and Shri Kirandeep Singh, Revenue Accountant,
Sub Division, PSPCL, Talwandi Sabo, District Bathinda, in person.**

ORDER:

1. The RTI application is dated 07.10.2021 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 22.11.2021 and the second appeal was filed in the Commission on 25.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 13.07.2022. Accordingly, the case has been heard today. Shri Verma Nand, appellant comes present to attend the hearing in person before the Bench.
3. Shri Jagjit Singh, SDO/PIO and Shri Kirandeep Singh, Revenue Accountant, Sub Division, PSPCL, Talwandi Sabo, District Bathinda come present to attend the hearing in person before the Bench. Shri Jagjit Singh, SDO states that the appellant has sought information with regard to shifting of electricity meter relating to Account No.B54GC540049N, new Account No.3007359507 issued in the name of Gopal Krishan and the same has been supplied to him vide letter dated 09.11.2021 by registered post.

4. On the asking of the Bench, the appellant admits receipt of information. However, he states that the meter referred to in his RTI application has been installed in the name of Gopal Krishan who is his tenant and the house belongs to him. He states that a meter with load of 22 KV has been installed without getting his consent, being owner of the house. He further states that not only this, this meter has been installed only on the basis of a simple paper submitted by the said Gopal Krishan. He also states that the said person now claims himself to be the owner as the installed electricity meter is in his name.

5. The PIO, on the asking of the Bench, states that the electricity connection was released by installing meter at the premises in question after getting complete documents from the said person, but no document showing ownership of premises was required at that time.

6. The Bench, on the version of the PIO, does not agree that an electricity meter can be installed in anybody's premises without the consent of the owner (appellant). The Bench directs the PIO to send point-wise information to the appellant to his satisfaction before the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 12.09.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
13.07.2022**

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

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Shri Jaspal Singh,
S/o Shri Surjit Singh
#3334, A/2, Street No.2,
Adarsh Nagar, Roopnagar.

...Appellant

Versus

Public Information Officer,
O/o Sr. Superintendent of Police,
Roopnagar.

First Appellate Authority
O/o Inspector General of Police,
Roopnagar Range, Roopnagar.

...Respondents

Appeal Case No.1551 of 2022

PRESENT : (i) **Shri Jaspal Singh, Appellant, in person.**
(ii) **Shri Surinderpal Singh, DSP CAW, Ropar with ASI Naresh Kumar, RTI Cell
O/o SSP Fazilka, in person.**

ORDER:

1. The RTI application is dated 13.09.2021 vide which the appellant has sought information as enumerated in his RTI application. The case was remanded back to First Appellate Authority to treat RTI application as first appeal and being not satisfied with the order of First Appellate Authority (hereinafter FAA) the second appeal was filed in the Commission on 28.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 13.07.2022. Accordingly, the case has been heard today. Shri Jaspal Singh, appellant comes present to attend the hearing in person before the Bench. He states that he is not satisfied with the information supplied to him so far.
3. Shri Surinderpal Singh, DSP CAW, along with ASI Naresh Kumar, RTI Incharge O/o SSP Roopnagar comes present to attend the hearing in person before the Bench. Shri Surinderpal Singh states that there was a dispute regarding division of a plot of land/house between appellant and his brother and he is aggrieved by the action of his brother for having constructed a wall. The appellant has sought information with regard to the complaint made in connection with that dispute and as per report receipt from the concerned Police Post, Bela, the appellant has been given reply.
4. Shri Jaspal Singh, appellant states that he has sought information with regard to the action taken by the Police authorities on his complaint, including the copies of statements of both the parties recorded in this connection. He did not make mention of the wall constructed by his brother.

5. Post deliberations, the Bench directs the PIO to call the appellant to his office and allow him access to entire relevant documents and the information on each point as may be identified by the appellant, be provided to him before the next hearing. Shri Surinderpal Singh, DSP assures the Bench to make efforts to get the matter sorted out and to redress the grievance of the appellant.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 12.09.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
13.07.2022

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

Copy to: Shri Surinderpal Singh, DSP, CAW, O/o SSP Roopnagar.

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Shri Rajnish Bharara
520, Preet Colony,
Zirakpur, District Mohali.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Phagwara.

First Appellate Authority-cum-
O/o O/o Municipal Corporation,
Phagwara.

...Respondents

AC No.722/2022

Present: (i) Shri Rajnish Bharara, Appellant, in person.
(ii) Shri Ashok Kumar Garg, Superintendent , RTI/APIO, O/o Municipal Corporation, Phagwara, in person.

ORDER:

1. This order may be read with reference to the order dated 13.06.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Rajnish Bharara, appellant comes present to attend the hearing in person before the Bench.
3. Shri Ashok Kumar Garg, Superintendent, RTI/APIO, Municipal Corporation, Phagwara comes present to attend the hearing in person before the Bench and states that information has been provided to the appellant vide letter dated 07.07.2022 and also hands over a copy of the same to the appellant in the court itself. He further states that the information sought by the appellant on point no.1 & 2 has been partially supplied as it also involves creation of information from the records and thus, has been partially denied under the provision of Section 2(f) of RTI Act. He further states that as regards Point No.3 & 4, the Punjab Punishment & Appeal Rules, 1970 are applicable in case of absence from duty of an employee and the appellant can ask for it in respect of any specific official and that information on point No.5 has been denied under the RTI Act as amounts to creation of information which is not desirable and permissible under the RTI Act.

Cont..P-2



4. On the asking of the Bench, the appellant expresses his dis-satisfaction over the reply of the PIO and states that the information has not been supplied as per his RTI application. He is specifically not satisfied with the reply to points No.3 & 4 of RTI application. The appellant also refers to news clipping enclosed with his letter dated 11.07.2022 mentioning therein the decision of Hon'ble Court that penalty is to be imposed for the delay and PIO is not to be let off by giving warning.

5. From the version of the PIO, the Bench observes that the information asked for involves creation and collection of information. However, on the asking of the Bench as to whether he can visit the office of PIO to inspect the records and to identify the information as is sought by him, he refuses to do so.

6. Post deliberations, the Bench clarifies to the PIO that information available in the official records will be supplied and no creation/formatting of data will be done. The PIO is again directed to give point wise reply to the appellant and also bring along the entire relevant record and produce the same before the Bench on the next hearing .

7. With the aforesaid directions, **the matter is adjourned. To come up for hearing on 12.09.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
13.07.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
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Shri Rajnish Bharara
520, Preet Colony,
Zirakpur, District Mohali.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation, Phagwara.

Public Information Officer
O/o Superintending Engineer,
Municipal Corporation, Phagwara.

First Appellate Authority-cum-
O/o O/o Municipal Corporation,
Phagwara.

...Respondents

AC No.717/2022

Present: (i) **Shri Rajnish Bharara, Appellant, in person.**
(ii) **Shri Ashok Kumar Garg, Superintendent , RTI/APIO, and Shri Gurinder Singh, Chief Sanitary Inspector O/o Municipal Corporation, Phagwara, in person.**

ORDER:

1. This order may be read with reference to the order dated 13.06.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Rajnish Bharara, appellant comes present to attend the hearing in person before the Bench.
3. Shri Ashok Kumar Garg, Superintendent, RTI/APIO, Municipal Corporation, Phagwara comes present to attend the hearing in person before the Bench and states that information has been provided to the appellant vide letter dated 12.07.2022 and also hands over a copy of the same to the appellant in the court itself. Shri Gurinder Singh, Chief Sanitary Inspector explains to the appellant the details of information supplied and states that the information sought by the appellant on point no.1 & 5 has been supplied. He further states that as regards Point No.2, 3 & 4, no record in this regard is available in the Municipal Corporation, Phagwara.
4. On the asking of the Bench, the appellant expresses his dis-satisfaction over the reply of the PIO and states that the information has not been supplied as per his RTI application. He is specifically not satisfied with the reply to RTI application. He further states that information has only been supplied in respect of Sanitation Workers working in the Municipal Corporation, Phagwara, whereas in respect of other employees engaged through outsourcing, no details have been provided. The appellant also refers to news



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AC No.717/2022

clipping enclosed with his letter dated 11.07.2022 mentioning therein the decision of Hon'ble Court that penalty is to be imposed for the delay and PIO is not to be let off by giving warning.

5. On the asking of the Bench as to whether he can visit the office of PIO to inspect the records and to identify the information as is sought by him, he refuses to do so. Further, on enquiring from the PIO, he states that such employees are also engaged by the Engineering Branch and the Superintending Engineer (Civil) is the concerned officer. As per the version of the PIO, the Superintending Engineer (Civil), Municipal Corporation, Phagwara is impleaded as Respondent No.2 and copy of RTI application is sent to him. He is directed to supply point wise information to the appellant as asked for by the appellant, before the next hearing.

6. Post deliberations, the Bench clarifies to the PIOs concerned that information as available in the official records has only to be supplied and no creation/formatting of data will be done. Both the PIOs are directed to give point wise reply to the appellant and also bring along the entire relevant record and produce the same before the Bench on the next hearing .

7. With the aforesaid directions, **the matter is adjourned. To come up for hearing on 12.09.2022 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
13.07.2022**

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

Copy to:

**Public Information Officer/ Superintending Engineer (Civil),
Municipal Corporation, Phagwara.**