

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,

Email: psic21@punjabmail.gov.in



Kuldeep Singh Khaira,
S/o Sh. Ujjagar Singh Khaira,
125, Ishar Nagar,
District Ludhiana-141006

Versus

Public Information officer,
o/o Municipal Town Planner, Building Branch,
Municipal Corporation,
Ludhiana.

First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 2606 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Satish Malhotra, PIO-cum-ATP from Zone C (Respondent) 96460-31802

Kashish Garg, APIO-cum-Building Inspector from Zone C (for the Respondent) 96533-57060

Harjeet Singh, Draftsman from Zone D (for the Respondent) 98141-66090

Ajay Kumar, Building Inspector from Zone A (for the Respondent) 98762-99511

ORDER:

1. The RTI application is dated **11.1.2021** vide which the appellant has sought **information regarding action taken against the colonizers/developers for developing unauthorized colonies**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.3.2021** and Second Appeal was filed in the Commission on **21.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.9.2021**.

2. The appellant is absent but has made a written submission vide email Dated 8.9.2021. The respondent PIO-cum-ATP, Satish Malhotra, and Ms. Kashish Garg, APIO-cum-Building Inspector from Zone-C, and Harjeet Singh, Draftsman from Zone D, state that a reply vide Letter No. 844/DRG-C/D/PIO Dated 2.9.2021 was sent to the appellant along with the requested information. The representative from Zone D states that a reply vide Letter No. 416/ATP/A/RTID was sent to the appellant on 6.3.2021, wherein he was informed that the information sought by him is voluminous and could only be provided if his request was more specific.

3. The appellant in his submission, pointed out that instead of providing copies of correspondence cited in his RTI application, the representative from Zone C has only provided copies of the dispatch register upto 29.1.2021. Keeping in view that in his RTI application, the

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Appeal Case No. 2606 of 2021 (Video Conference Proceedings)

appellant has also sought inspection of the record, the Commission directs the respondent PIO from Zone A B C and D to arrange the same for the appellant to inspect the record as under:-

Zone D on 8.10.2021 at 3.00 pm

Zone C on 6.10.2021 at 3.00 pm

Zone A and D on 5.10.2021 at a time to be mutually decided with the appellant.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 2.11.2021 at 11.00 am through Video Conference Facility at DC Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

14.9.2021

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Kuldeep Singh Khaira,
S/o Sh. Ujjagar Singh Khaira,
125, Ishar Nagar,
District Ludhiana-141006

Versus

Public Information officer,
o/o Municipal Corporation,
Ludhiana.
First Appellate Authority,
o/o Municipal Corporation,
Ludhiana.

Appeal Case Nos. 2603 & 2607 & 2610 of 2021 (Heard together via Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Satish Malhotra, PIO-cum-ATP from Zone C (Respondent) 96460-31802

Kashish Garg, APIO-cum-Building Inspector from Zone C (for the Respondent) 96533-57060

Harjeet Singh, Draftsman from Zone D (for the Respondent) 98141-66090

Ajay Kumar, Building Inspector from Zone A (for the Respondent) 98762-99511

ORDER:

1. The RTI applications are dated **23.8.2019** vide which the appellant has sought **information regarding unauthorized colonies as notified by State Government on 18.10.2018**, as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **3.2.2020** and Second Appeal were filed in the Commission on **3.6.2021 and 21.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.9.2021**.

2. In concurrence with the Order of First Appellate Authority 27.10.2020, the Commission will also hear three appeal cases together, as these pertain to the same subject matter. As per the respondent PIOs from various zones of Municipal Corporation Ludhiana, the information in these Appeal Cases has already been supplied to the appellant and there has been no further communication from the appellant. However, in view of his absence at today's hearing the Commission grants him to list deficiencies if any.

3. **Next hearing on 2.11.2021 at 11.00 am through Video Conference Facility at DC Office, Ludhiana.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
14.9.2021

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Balwinder Singh Ladi,
S/o Sh. Sukhchain Singh,
418, Street No. 5,
Nanak Sar, Tehdi Road, Simla Puri,
District Ludhiana – 141 003

Versus

Public Information officer,
o/o Commissioner, Municipal Corporation,
Ludhiana.

First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 2617 of 2021 (Video Conference Proceedings)

PRESENT:

Gurmej (for the Appellant) 97816-72776

Satish Malhotra, PIO-cum-ATP from Zone C (Respondent) 96460-31802

ORDER:

1. The RTI application is dated **6.3.2021** vide which the appellant has sought **information regarding a complaint bearing Diary No. 4443/PS/R Dated 4.3.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **6.4.2021** and Second Appeal was filed in the Commission on **4.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.9.2021**.

2. Both parties are present via Video Conference Facility from Ludhiana. The appellant is represented by Gurmej Lal. The respondent PIO-cum-ATP, Satish Malhotra from Zone-C, stated that a reply along with the information was sent to the appellant by registered post vide Letter No. 572/DRG-C/D/PIO Dated 9.4.2021. The appellant however, claims that he did not receive any reply. A copy of the same has now been handed over to the appellant who is given an opportunity to examine the same and list deficiencies if any.

3. **Next hearing on 3.11.2021 at 11.00 am through Video Conference Facility at DC Office, Ludhiana.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
14.9.2021

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Balwinder Singh Ladi,
S/o Sh. Sukhchain Singh,
418, Street No. 5,
Nanak Sar, Tehdi Road, Simla Puri,
District Ludhiana-141003

Versus

Public Information officer,
o/o Commissioner, Municipal Corporation,
Ludhiana.

First Appellate Authority,
o/o Commissioner, Municipal Corporation,
District Ludhiana.

Appeal Case No. 2618 of 2021 (Video Conference Proceedings)

PRESENT:

Gurmej (for the Appellant) 97816-72776

(Respondent) Absent

ORDER:

1. The RTI application is dated **3.3.2021** vide which the appellant has sought **information regarding Work Order No. 112/EEC Dated 26.9.2019, laying BM and PC on Mata Rani Road from Kartar Chowk upto Village Daba Street No. 7 B, Shimlapuri, Ward No. 37,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.4.2021** and Second Appeal was filed in the Commission on **4.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.9.2021**.

2. The respondent is absent without intimation. The appellants representative Gurmej Lal is clueless about the case. Under the circumstances, this case is adjourned to its next hearing.

3. **Next hearing on 3.11.2021 at 11.00 am through Video Conference Facility at DC Office, Ludhiana.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
14.9.2021

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Balwinder Singh Ladi,
S/o Sh. Sukhchain Singh,
418, Street No. 5,
Nanak Sar, Tehdi Road, Simla Puri,
District Ludhiana-141003

Versus

Public Information officer,
o/o ATP, Zone-C,
o/o Commissioner, Municipal Corporation,
Ludhiana.
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 2619 of 2021 (Video Conference Proceedings)

PRESENT:

Gurmej (for the Appellant) 97816-72776

Satish Malhotra, PIO-cum-ATP from Zone C (Respondent) 96460-31802

ORDER:

1. The RTI application is dated **6.3.2021** vide which the appellant has sought **information regarding closure of illegal marriage palaces**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **6.4.2021** and Second Appeal was filed in the Commission on **4.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **14.9.2021**.

2. Both parties are present via Video Conference Facility from Ludhiana. The respondent PIO-cum-ATP, Satish Kumar from Zone C, stated that the requested information was sent to the appellant vide Letter No. 506/DRG-C/PIO/ Dated 9.3.2021. The appellant who states that he did not receive any reply/information has been handed over another copy and given time to examine the same.

3. **Next hearing on 3.11.2021 at 11.00 am through Video Conference Facility at DC Office, Ludhiana.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
14.9.2021

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REGISTERED SHOW CAUSE NOTICE

Harjeet Singh Dhillon,
S/o Late Gurbaksh Singh,
4072, Street No.3,
Gobind Colony, Jamalpur,
District Ludhiana – 141 015

Versus

Public Information Officer,
o/o Zonal Commissioner, Zone-B,
Municipal Corporation,
District Ludhiana.

Complaint Case No. 955 of 2020 (Video Conference Proceedings)

PRESENT:

Harjeet Singh Dhillon (Complainant) 93167-07146

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 18.3.2021 and 12.8.2021)

1. The complainant, **Harjeet Singh Dhillon**, filed this RTI application dated **31.8.2020** and sought information regarding a site plan – No. 107B, Permit No. 19310 of 14.10.2016 – in the names of Gurpreet Singh and Bhupinder Singh, both sons of Himmat Singh, in five points, from the PIO o/o **M.C., Zone-B, Ludhiana**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **15.12.2020**. This complaint case was last heard on **12.8.2021**.

2. The respondent PIO is absent without intimation. At the last hearing on 12.8.2021, the respondent PIO was directed to file a written, pointwise reply to the specific queries and documents sought by the complainant, including Point No. 1, which cited the report submitted by the building inspector after physical inspection of the property cited in this RTI application. This was to be done within 10 days from the receipt of the Commission's Order or 12.8.2021. The respondent PIO has failed to comply with the directions of this Commission and is herewith served with this Show Cause Notice.

3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **31.8.2020**.

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Complaint Case No. 955 of 2020 (Video Conference Proceedings)

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 3.12.2021 at 11.00 am through Video Conference Facility at DC Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

14.9.2021

Cc: Commissioner, Municipal Corporation, Ludhiana, for information and further necessary action.

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REGISTERED SHOW CAUSE NOTICE

Harjeet Singh Dhillon,
S/o Late Sh. Gurbaksh Singh,
4072, Street No.3,
Gobind Colony, Jamalpur,
District Ludhiana-141015

Versus

Public Information Officer,
o/o Municipal Town Planner-cum-Nodal Officer RTI,
Municipal Corporation,
Ludhiana.

Public Information Officer,
o/o Zonal Commissioner, Zone-B,
Municipal Corporation,
Ludhiana.

Complaint Case No. 956 of 2020 (Video Conference Proceedings)

PRESENT:

Harjeet Singh Dhillon (Complainant) 93167-07146
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 18.3.2021 abd 12.8.2021)

1. The complainant, **Harjeet Singh Dhillon**, filed this RTI application dated **31.8.2020** and sought information regarding his application to the Zonal Commissioner on 1.6.2020, from the PIO o/o **M.C., Zone-B, Ludhiana**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **15.12.2020**. This complaint case was last heard on **12.8.2021**.

2. The respondent PIO is absent without intimation. At the last hearing on 12.8.2021, the respondent PIO, represented by Rohit Thakur, Building Clerk, submitted that since a case is underway in the Punjab & Haryana High Court, the information in this RTI application was denied under Section 8(1)b() of the RTI Act 2005. The respondent PIO, however, failed to produce any document or Court Order in support of his claim that the information requested by the appellant had been forbidden to be published by the Punjab and Haryana High Court. Furthermore the Commission had impleaded Monika Anand, MTP-cum-Nodal Officer, RTI, Municipal Corporation, Ludhiana, as the deemed PIO in this Complaint Case with a direction to submit a pointwise reply to this RTI application along with the requested information within 10 days from receipt of the order. The respondent has failed to comply with the directions of this Commission. The MTP-cum-Nodal Officer, RTI, Municipal Corporation, Ludhiana, Monika Anand, who was impleaded as deemed PIO in this complaint case, is herewith, served with this show cause notice.

Contd. ...2

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Complaint Case No. 956 of 2020 (Video Conference Proceedings)

3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **31.8.2020**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*.” Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 3.12.2021 at 11.00 am through Video Conference Facility at DC Office, Ludhiana.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
14.9.2021

Cc: Commissioner, Municipal Corporation, Ludhiana, for information and further necessary action.