

**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 Mullanpur,
Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Mandi Ahmedgarh,
District Sangrur.

First Appellate Authority

O/o Deputy Director,
Local Bodies, Patiala..

....Respondents

AC No.332 of 2020

Present: (i) **Shri Rakesh Kumar Gupta, appellant**
(ii) **Shri Avtar Singh, Assistant Municipal Engineer, M.C. Ahmedgarh**
On behalf of the PIO.

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 07.10.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant attends the hearing through Cisco Webex.
3. Shri Avtar Singh, Assistant Municipal Engineer, Municipal Council, Mandi Ahmedgarh attends the hearing through Webex on behalf of PIO. He states that the appellant was called to inspect the official records but he did not turn up and that the off-line and on-line plans (maps) as sought by the appellant have been supplied to the appellant on 08.03.2021 by e.mail.
4. On the asking of the Bench, the appellant states that he had visited the office of PIO on 28.12.2020, but he was not shown any record. He also denies the receipt of e.mail and states that he had received a letter for inspection of the records on 10.03.2021 which was not possible on short notice as the hearing was slated for 15.03.2021.

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AC No.332/2020

5. Post deliberations with the appellant and representative of PIO, the Bench directs the PIO to bring along all the relevant official records and receipt for having supplied the information by e.mail, registered post or by speed post and produce before the Bench on the next hearing. The Bench also directs the PIO to bring along an affidavit on a non-judicial stamp paper, duly signed by the PIO and attested by the Notary Public, to the effect that the information as available in the official records in AC No.332/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.03.2021**

**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 Mullanpur,
District Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer,
Municipal Council, Malerkotla
District Sangrur.

First Appellate Authority
O/o Deputy Director,
Local Bodies, Patiala..

....Respondents

AC No.334 of 2020

**Present: (i) Shri Rakesh Kumar Gupta, appellant
(ii) None on behalf of PIO.**

ORDER

(Heard through Cisco Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 07.10.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant attends the hearing through Cisco Webex. He states that he has not received any information as yet. He further states that he was called to visit for inspection of records on 12.03.2021 and he could not visit due a short notice. He also states that he had earlier visited the office of PIO on 28.12.2020. However, he was refused access to any official records stating that the concerned officer is not available.
3. Shri Lal Singh, Junior Engineer, Municipal Council, Malerkotla who attended the previous hearing is contacted on mobile. He states that he has been transferred from Municipal Council, Malerkotla. On the asking of the Bench, he gives the phone number of present Executive Officer/PIO, Municipal Council, Malerkotla Shri Sukhdev Singh who is contacted on mobile phone. He is apprised of the hearing in the instant case. He states that he has recently joined and is not fully aware of the facts of case.

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AC No.334/2020

4. Post deliberations, he is directed to bring along all the relevant record on the next hearing. He is also directed to file an affidavit on a non-judicial stamp paper, duly signed by the PIO and attested by the Notary Public, to the effect that the information as available in the official records in AC No.334/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.03.2021**

**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 Mullanpur,
Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council, Malerkotla
District Sangrur.

First Appellate Authority

O/o Deputy Director,
Local Bodies, Patiala..

....Respondents

AC No.335 of 2020

**Present: (i) Shri Rakesh Kumar Gupta, appellant
(ii) None on behalf of PIO.**

ORDER

(Heard through Cisco Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 07.10.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. Shri Rakesh Kumar Gupta, appellant attends the hearing through Cisco Webex. He states that he has not received any information as yet. He further states that he was called to visit for inspection of records on 12.03.2021 and he could not visit due a short notice. He also states that he had earlier visited the office of PIO on 28.12.2020. However, he was refused access to any official records stating that the concerned officer is not available.
3. Shri Lal Singh, Junior Engineer, Municipal Council, Malerkotla who attended the previous hearing, is contacted on mobile. He states that he has been transferred from Municipal Council, Malerkotla. On the asking of the Bench, he gives the phone number of present Executive Officer/PIO, Municipal Council, Malerkotla Shri Sukhdev Singh who is contacted on mobile phone. He is apprised of the hearing in the instant case. He states that he has recently joined and is not fully aware of the facts of case.

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AC No.335/2020

4. Post deliberations, he is directed to bring along all the relevant record on the next hearing. He is also directed to file an affidavit on a non-judicial stamp paper, duly signed by the PIO and attested by the Notary Public, to the effect that the information as available in the official records in AC No.335/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.03.2021**

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

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Shri Shakti Bhushan
S/o Shri Kewal Krishan Kaushal
R/o Street Bhaini Sahib,
Ward No.8, Dhanaula,
District Barnala.

.....Appellant

Versus

Public Information Officer

O/o Motor Vehicle Registration
Authority, Ferozepur.

First Appellate Authority

O/o Secretary, Regional
Transport Authority,
Ferozepur.

....Respondents

AC No.1098 of 2020

Present: (i) Appellant –absent.
(ii) None on behalf of the PIO

ORDER

(Contacted on Mobile Phone)

1. This order may be read with reference to the order dated 19.10.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. The appellant Shri Shakti Bhushan has not come present to attend the hearing through Cisco Webex. He is contacted on mobile phone. He states that he has not received any information so far.
3. Neither the PIO has come present nor has deputed any of his representatives to attend the hearing through Cisco Webex. The Bench observes that PIO or his representative were also not available to attend the previous hearing through Cisco Webex and Shri Sukhjinder Singh, Clerk who had attended the hearing dated 24.08.2020, was contacted on mobile phone. Today again, he is contacted on mobile phone. He makes reference to a letter dated 26.11.2020 sent to the Commission vide which reply to show cause notice has been given. He states that the information is not maintained in the format it has been sought and moreover, it has to be gathered from different sources and is voluminous.



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AC No.1098/2020

4. Post deliberations, he is directed to bring along all the relevant record on the next hearing. He is also directed to file an affidavit on a non-judicial stamp paper, duly signed by the PIO and attested by the Notary Public, to the effect that the information as available in the official records in AC No.1098/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 04.05.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
15.03.2021**

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

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Shri Jagjit Singh,
R/o Aman Nagar, Street No.3,
Backside Green Land School,
Near Jalandhar By-pass, Ludhiana.

...Appellant

Versus

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

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

....Respondents

Appeal Case No. 1121 of 2020

PRESENT : (i) **Shri Jagjit Singh, Appellant.**
(ii) **None on behalf of the PIO.**

ORDER:

(Heard through Cisco Webex/On Mobile Phone)

1. This order may be read with reference to the order dated 19.10.2020 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex/On mobile phone. Shri Jagjit Singh, appellant attends the hearing through Cisco Webex. He states that he has not received any information except that a letter dated 23.06.2020 was received vide which he was denied information on the ground of being third party information. He states that he has sought information regarding a building and not personal information of any individual.
3. Neither the PIO has come present nor any of his representatives has come present to attend the hearing through Cisco Webex.
4. Shri Ajay Kumar, Building Inspector, Zone-A, Municipal Corporation, Ludhiana is contacted on mobile phone. He states that Shri Davinder Singh, Draftsman has been nominated to attend the hearing and has gone to D.C. Office, Ludhiana to attend the hearing through V.C. On the asking of the Bench, he informs his mobile phone. Then, Shri Davinder Singh, Draftsman is contacted. On enquiring regarding the latest status of the case, he does not give any satisfactory reply.

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AC No.1121/2020

5. The Bench takes serious note of the absence of PIO to attend the hearing through Cisco Webex as well as non-compliance of the directions of the Bench and the casual approach being adopted towards the directions of Bench.

6. The PIO, Zone-A, Municipal Corporation, Ludhiana is issued show cause notice to explain his absence and as to why action should not be taken against him for not complying with the directions of Bench and also as to why penalty should not be imposed in the instant case for not supplying information to the appellant. The PIO 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. Post deliberations with the appellant and representative of PIO, the Bench directs the PIO to bring along all the relevant official records and produce before the Bench on the next hearing. The Bench also directs the PIO to bring along an affidavit on a non-judicial stamp paper, duly signed by the PIO and attested by the Notary Public, to the effect that the information as available in the official records in AC No.1121/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is correct and authentic.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 30.06.2021 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
15.03.2021

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

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Shri Gurmukh Singh,
S/o Shri Mahinder Singh
R/o H.No.610, Sector-11,
Preet Nagar, Kharar,
District S.A.S..Nagar (Mohali)

...Appellant

Versus

Public Information Officer,
O/o Pepsu Road Transport Corporation,
Chandigarh Depot, Chandigarh.

First Appellate Authority-cum-
O/o Pepsu Road Transport Corporation,
Head Office, Patiala.

....Respondents

Appeal Case No. 2149 of 2020

PRESENT : (i) Shri Gurmukh Singh, appellant, in person before the Bench.
(ii) Smt. Meena Bansal, Superintendent/APIO O/o G.M., PRTC
Chandigarh.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 19.10.2020 passed by the Bench on the previous hearing.
2. Smt. Meena Bansal, Superintendent, APIO, O/o G.M. PRTC, Chandigarh attends the hearing through Cisco Webex. She states that the information has been supplied to the appellant vide letter dated 17.12.2020 by registered post.
3. The appellant comes present to attend the hearing in person before the Bench. He states that he has received information, but he is not satisfied with the information supplied and he has also pointed out certain deficiencies in the information vide letter dated 31.12.2020.
4. On the asking of the Bench, the appellant states that he has sent the letter dated 31.12.2020 to the Commission and not to the PIO. The PIO is apprised of the version of the appellant and is informed that the said letter of the appellant will be sent

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along with the order. The PIO will then remove the deficiencies and supply information to the appellant in Punjabi Language as requested by the appellant. The PIO is also directed to bring along all the relevant record and produce before the Bench on the next date of hearing.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing in Commissions' office at Chandigarh on 30.06. 2021 at 11.30 AM.** Copies of the order be sent to the concerned parties. A copy of the letter dated 31.12.2020 of the appellant be sent to the PIO.

**Chandigarh
15.03.2021**

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

