

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



FINAL ORDER

Rohit Sabharwal,
S/o Sh. Vijay Shabharwal,
126, Model Gram, Kundan Bhawan,
Ludhiana-141002

Versus

Public Information officer,
o/o Municipal Corporation, Headquarters,
Zone A, Ludhiana.

First Appellate Authority,
Commissioner,
Municipal Corporation,
Ludhiana.

Appeal Case No. 5656 of 2021

PRESENT:

(Appellant) Absent

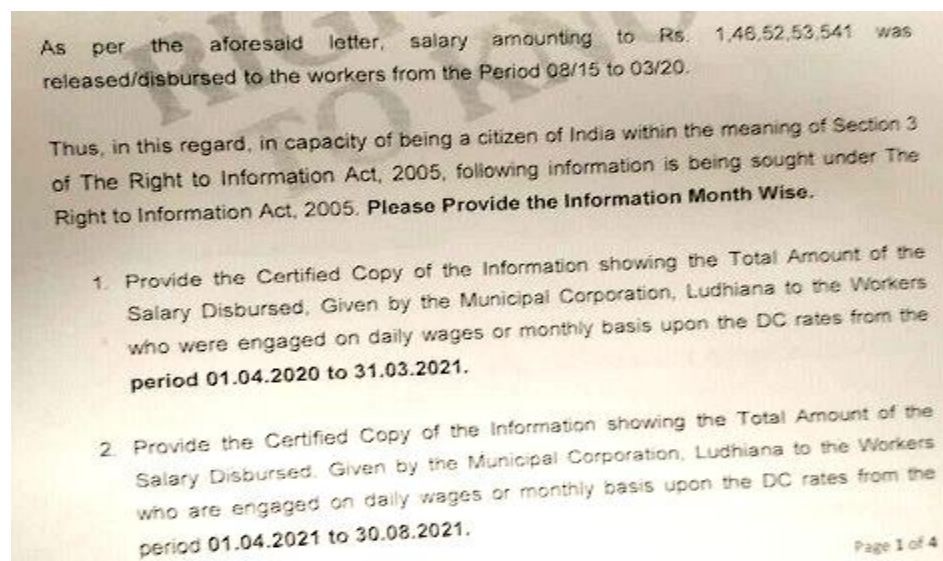
Sandeep Kumar, Accountant (for the Respondent) 98550-35033

Mahinder Singh, Clerk (for the Respondent) 94634-07895

ORDER:

(To be read in continuity with earlier orders on 2.9.2022)

1. The RTI application is dated **9.9.2021** vide which the appellant has sought information:



Contd....2

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Appeal Case No. 5656 of 2021

3. Provide the Certified Copy of the Information showing the Total Amount of Employee Share (EPF Contribution) yet to be deposited against the salary disbursed of Rs. 1,46,52,53,541 which was released/dispensed to the workers from the Period 08/15 to 03/20.
4. Provide the Certified Copy of the Information showing the Total Amount of Employer Share (EPF Contribution) yet to be deposited against the salary disbursed of Rs. 1,46,52,53,541 which was released/dispensed to the workers from the Period 08/15 to 03/20.
5. Provide the Certified Copy of the Information showing the Total Amount of Employee Share (EPF Contribution) yet to be deposited from Payment released/dispensed to the workers from the Period 01.04.2020 to 30.08.2021.
6. Provide the Certified Copy of the Information showing the Total Amount of Employer Share (EPF Contribution) yet to be deposited from Payment released/dispensed to the workers from the Period 01.04.2020 to 30.08.2021.
7. Provide the Certified Copy of the Information showing the Total Amount of Employee Share (ESI Contribution) yet to be deposited against the salary disbursed of Rs. 1,46,52,53,541 which was released/dispensed to the workers from the Period 08/15 to 03/20.
8. Provide the Certified Copy of the Information showing the Total Amount of Employer Share (ESI Contribution) yet to be deposited against the salary disbursed of Rs. 1,46,52,53,541 which was released/dispensed to the workers from the Period 08/15 to 03/20.
9. Provide the Certified Copy of the Information showing the Total Amount of Employee Share (ESI Contribution) yet to be deposited from Payment released/dispensed to the workers from the Period 01.04.2020 to 30.08.2021.
10. Provide the Certified Copy of the Information showing the Total Amount of Employer Share (ESI Contribution) yet to be deposited from Payment released/dispensed to the workers from the Period 01.04.2020 to 30.08.2021.
11. Provide the Certified Copy of the Information showing the Total Number of the Workers (whether in shape of list or any other format as available on the records of your public authority) who were engaged on daily wages or monthly basis upon the DC rates from the Period 01.04.2020 to 30.08.2021.

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **11.10.2021** and Second Appeal was filed in the Commission on **14.12.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.9.2022**.

2. The appellant is absent. The respondent PIO, represented by Sh. Sandeep Kumar, Accountant from the office of DCFA and Mahinder Singh, Clerk from the office of DDO, B&R, are present. The PIO, office of DCFA submitted a copy of Letter No. 786 Dated 9.11.2022, whereby a suitable reply has been provided to the appellant with respect to points 1 to 10 of the RTI application. The PIO-cum-DDO, has submitted a copy of Letter No. 3801 Dated 11.11.2022, whereby a reply to point no. 11 has been provided.

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Appeal Case No. 5656 of 2021

3. The Commission has examined aforesaid replies alongside the RTI application and is of the view that these address the RTI application adequately. This Appeal is accordingly **Disposed of.**

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

Chandigarh
17.11.2022

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FINAL ORDER

Rohit Sabharwal,
S/o Sh. Vijay Shabharwal,
126, Model Gram, Kundan Bhawan,
Ludhiana-141002

Versus

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

Appeal Case No. 2552 of 2022

PRESENT:

(Appellant) Absent

Naresh Kumar, Clerk (for the Respondent) 98889-89036

ORDER:

1. The RTI application is dated **15.2.2022** vide which the appellant has sought information:

1. Provide the relevant document showing the Map Number of the above said Building.
2. Provide the Certified Copy of the Challan along with Photograph issued under Section-269 & 270 of the Punjab Municipal Act, 1976 to the above said Building.
3. Provide the Certified Copy of the Assessment Sheet of the Challan issued.
4. If till date, as per the statutory provision the Assessment of the Challan (as asked in point no. 3 of the application) has not been made/done of the above said building then provide the reasons for the same as available on the records of your public authority.
5. If till date, as per the statutory provision the Assessment of the challan (as asked in point no. 3 of the application) has not been made/done then provide the names & designations of the officers responsible that have failed to show compliance with the statutory provision.
6. Provide the Information showing the Details of the Non-Compoundable Violation which exists in the aforesaid Building.

Contd....2

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Appeal Case No. 2552 of 2022

7. As per the record of your Public Authority, Provide the information showing that on the day of application the Non-Compoundable Violation as asked under Point No. 6 of this application, exists or have been removed.
8. Provide Certified Copy of the Demolition Notice issued to the above said Building.
9. Provide the relevant documents showing the Compliance of the Demolition Notice issued.
10. If till date, Compliance of the Demolition Notice has not been made, then Provide the Reasons for the same as available on the records of your public authority.
11. If till date the demolition of the Non-Compoundable Portion of the aforesaid Building has not been done, then provide the Reasons for the same as available on the records of your public authority.
12. If till date, the demolition of the Non-Compoundable Portion of the Building was not done, then provide the Names & Designations of the officers responsible (Building inspector, ATP) that failed to demolish the Illegal Non-Compoundable Portion of the above said Building.
13. Provide the Information showing the Excess Coverage which is beyond the Permissible Limit made in the aforesaid Building.
14. Provide the Total CLU charges assessed by the concerned authorities of the Municipal Corporation, Ludhiana against the above said Property, Plot Area.
15. Provide the information showing the Amount Deposited (Part Payment) against the Total CLU charges assessed by the concerned authorities of the Municipal Corporation, Ludhiana.
16. Provide the Pending Amount of the CLU charges which is yet to be deposit against the Total CLU charges assessed by the concerned authorities of the Municipal Corporation, Ludhiana.

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.3.2022** and Second Appeal was filed in the Commission on **25.5.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.11.2022**.

2. The appellant is absent. The respondent PIO, represented by Sh. Naresh Kumar, Clerk from the Building Branch Zone D, has submitted a copy of the reply sent to the appellant vide Letter No. 241 Dated 21.10.2022 along with the requested information as available in the record.

3. The Commission has examined the aforesaid reply and is of the view that this adequately addresses the RTI application. The respondent PIO is directed to submit a duly attested copies of the information sent with the aforesaid reply to the appellant, to the Commission forthwith.

4. This Appeal Case is accordingly **Disposed of**.

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

Chandigarh
17.11.2022

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FINAL ORDER

Rohit Sabharwal,
126, Model Gram, Kundan Bhawan,
Ludhiana-141002

Versus

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

Public Information officer,
o/o Municipal Corporation,
Zone-A, Headquarter, Mata Rani Chowk,
Ludhiana.

First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 4899 of 2021

PRESENT:

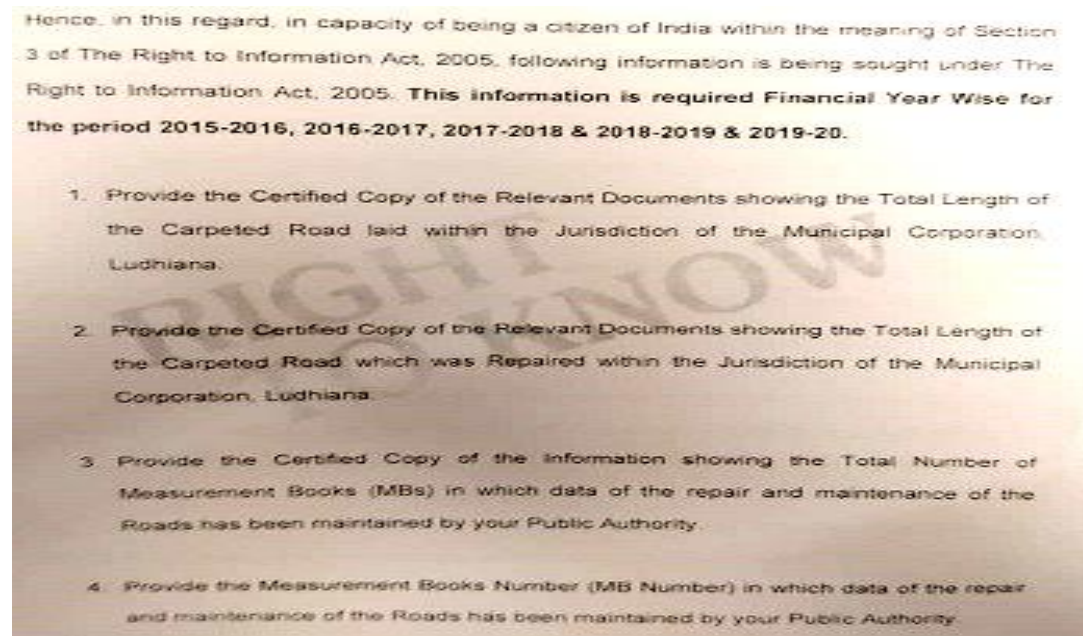
(Appellant) Absent

Maninderdeep Singh, SDO, B&R from Zone B (for the Respondent) 97800-08495

ORDER:

(To be read in continuity with earlier orders on 2.9.2022)

1. The RTI application is dated **19.7.2021** vide which the appellant has sought information:



Contd....2

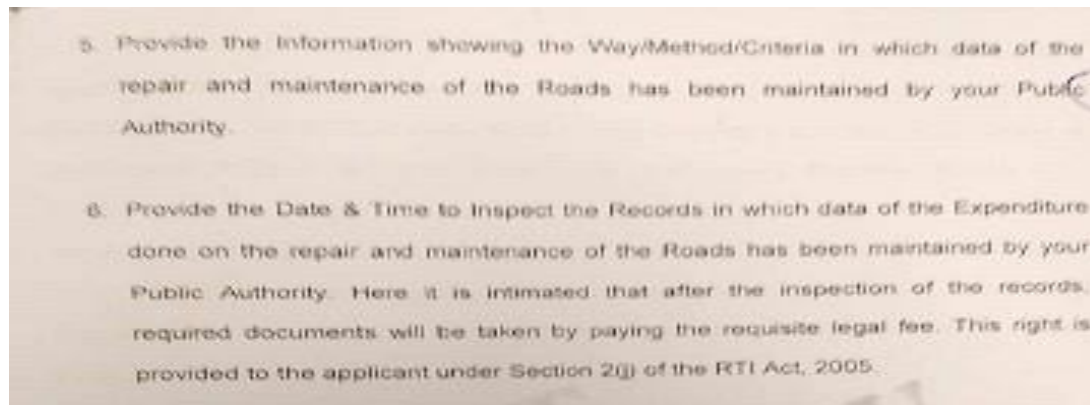
PUNJAB STATE INFORMATION COMMISSION

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Appeal Case No. 4899 of 2021



as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **26.8.2021** and Second Appeal was filed in the Commission on **27.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.9.2022**.

2. The appellant is absent. At the last hearing on 2.9.2022, PIO-cum-Secretary, MC, Ludhiana and Sh. Sushil Kumar, Record Keeper, MC, Ludhiana, were directed to arrange an inspection of the relevant record by the appellant at 11.00 am on 20.10.2022. Sh. Maninderdeep Singh, SDO, B&R, Zone B, informed the Commission that Sh. Sushil Kumar had spoken to the appellant's lawyer Smt. Sukhjinder Kaur, asking her to come and inspect the record as per this Commission's Order of 2.9.2022. However, neither the appellant nor his lawyer Smt. Sukhjinder Kaur came to inspect the record on the date and time notified by the Commission.

3. In view of the above, this Appeal Case is accordingly **Disposed of**.

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

Chandigarh
17.11.2022

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FINAL ORDER

Rohit Sabharwal,
126, Model Gram, Kundan Bhawan,
Ludhiana-141002

Versus

Public Information officer,
o/o XEN, B&R, Zone D,
Municipal Corporation,
Ludhiana.

Public Information officer,
o/o Municipal Corporation, Headquarters,
Zone A, Ludhiana.

First Appellate Authority,
Commissioner,
Municipal Corporation,
Ludhiana.

Appeal Case No. 5653 of 2021

PRESENT:

(Appellant) Absent

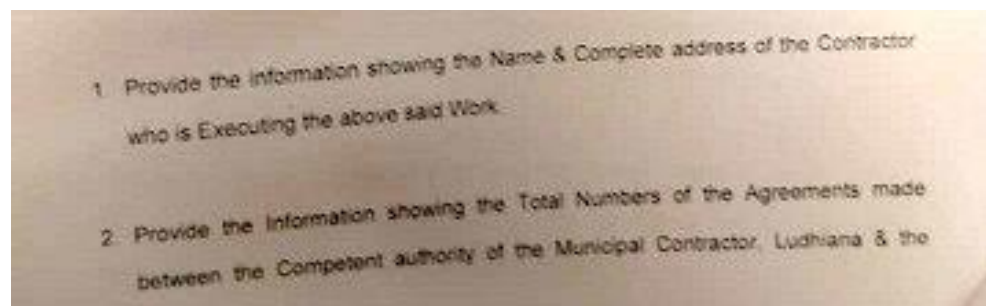
Sanjeev Sharma, PIO-cum-XEN from Zone D (Respondent) 97800-39448

Rupinder Singh, JE from Zone D (for the Respondent) 78371-00158

ORDER:

(To be read in continuity with earlier orders on 2.9.2022)

1. The RTI application is dated **21.8.2021** vide which the appellant has sought information:



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Appeal Case No. 5653 of 2021

Contractor as asked in Point No.1 of the Application. This information is required from 01.01.2015 to Till date.

3. Provide the Copies of all the Agreements along with Complete NIT & Tender Documents Containing Terms & Conditions made between the Competent authority of the Municipal Contractor, Ludhiana & the Contractor as asked in Point No.1 of the Application. This information is required from 01.01.2015 to Till date.

4. Provide the Copies of Form- 111, Form - V or any other document which was issued to the Contractor as asked in Point No. 1 for the Issuance of Labour License. This information is required from 01.01.2015 to Till date.

5. Provide the Copies of Labour License (issued by the Concerned Labour Department) of the each Agreements, Contract made between the Competent authority of the Municipal Contractor, Ludhiana & the Contractor as asked in Point No.1 of the Application. This information is required from 01.01.2015 to Till date.

6. Provide copy of the Contract Ledger of the Contractor as asked in Point No.1 of the Application. This information is required from 01.01.2015 to Till date.

7. Provide the relevant documents showing the payment made by the Municipal Corporation, to Contractor as asked in Point No.1 from the period 2015-16, 2016-17 & 2017-18, 2018-2019, 2019-20, 2020-21 & 2021-22.

8. Provide the relevant documents showing the EPF & ESI number of the said Contractor as asked in Point No.1

9. Provide the relevant documents showing the enlistment of the Contractor as asked in Point No.1 with the Municipal Corporation, Ludhiana.

10. Provide copies of the EPF & ESI Challans by the virtue of which the Contractor as asked in Point No.1 has deposited EPF & ESI of his workers with the concerned departments. This information is required from the period 01.01.2015 to till date.

11. Provide the relevant document showing the GST number of the Contractor as asked in Point No.1.

12. Provide the Copies of the Latest Bills (Running Bill, Final Bill) given/submitted by the Contractor as asked in Point No.1 to the Municipal Corporation, Ludhiana. This information is required from the period 01.01.2021 to till date.

13. Regarding the Contractor as asked in Point No.1 Provide the Date and Time for the Inspection of Complete Information Original Records/ Files (within the meaning of Section- 2 (f) read with Section- 2 (j) of the RTI Act, 2005.) regarding the entire work executed relating to the Bitumen (whether its carpeting, re-carpeting of the roads etc.), RCC & Interlocking Tiles executed under the Jurisdiction of the Zone -

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.9.2021** and Second Appeal was filed in the Commission on **14.12.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.9.2022**.

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Appeal Case No. 5653 of 2021

2. The appellant is absent. The respondent PIO-cum-XEN, B&R, Zone-D, Sh. Sanjeev Sharma, has submitted a reply to the commission vide Letter No. 122 Dated 15.11.2022, wherein, he has once again stated that the information requested by the appellant at point no. 1 to 13 of his RTI application is (1) not available in the format requested and (2) would involve searching and collecting a large volume of documents. The PIO has sought exemption from disclosing the requested information citing an Order of the Hon'ble Supreme Court of India:

"THE HON'BLE SUPREME COURT OF INDIA in CIVIL APPEAL NO. 6454 OF 2011 (Arising out of SLP (C) No.7526/2009) in the cases of Central Board of Secondary Education & Anr. Vs. Aditya Badoadhyay & Ors. Held the..... The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the Peace, tranquility and harmony among citizens. Nor Should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicant instead of discharging their regular duties. The threat of penalties under the PTI act and the pressure of authorities under the RTI act Should not be lead to employees of a public authorities prioritizing information Furnishing at the cost of their normal and regular duties."

3. The Commission has examined the RTI application and herewith upholds the respondent PIO's claim for exemption as per the Section 7(9) of the RTI Act, 2005, as well as the cited Judgment.

4. This Appeal is accordingly **Disposed of.**

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

Chandigarh
17.11.2022

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FINAL ORDER

Rohit Sabharwal,
126, Model Gram, Kundan Bhawan,
Ludhiana-141002

Versus

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

Appeal Case No. 2469 of 2022

PRESENT:

(Appellant) Absent

Maninderdeep Singh, SDO, B&R from Zone B (for the Respondent) 97800-08495

Gaurav Kumar, JE from Zone B (for the Respondent)

ORDER:

1. The RTI application is dated **14.12.2021** vide which the appellant has sought information:

Kindly refer to our Office Letter No. Complaint No. RS/ 200 /05 dated 23rd August, 2021, copy of which is enclosed herewith for your kind reference.

Thus, in this regard, in capacity of being a citizen of India within the meaning of Section 3 of The Right to Information Act, 2005, following information is being sought under The Right to Information Act.

1. Provide the Certified Copy of Complete Information (falling within the meaning of Section- 2 (f) read with Section- 2 (j) of the RTI Act, 2005) along with Note Sheets generated in connection to the aforesaid letter while taking action over the matter and as available on the records of your Public Authority.

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **29.3.2022** and Second Appeal was filed in the Commission on **20.5.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.11.2022**.

2. The appellant is absent. The respondent PIOs, representing the B&R branch of all the four zones have submitted copies of suitable replies sent to the appellant. The Commission has examined the aforesaid replies and is of the view that these adequately address the RTI application. This Appeal is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
17.11.2022

PUNJAB STATE INFORMATION COMMISSION

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Madhya Marg, Sector 16, Chandigarh.

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FINAL ORDER

Rohit Sabharwal,
126, Model Gram, Kundan Bhawan,
Ludhiana-141002

Versus

Public Information officer,
o/o Property Tax Branch, Zone D,
Municipal Corporation,
Ludhiana.

First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 2529 of 2022

PRESENT:

(Appellant) Absent

Abdul Sattar, PIO-cum-Superintendent from Zone D (for the Respondent) 96461-41633

ORDER:

1. The RTI application is dated **3.2.2022** vide which the appellant has sought information:

Kindly refer to the following letters preferred by the undersigned, copy of which is enclosed herewith for your kind reference.

- Reference No. Complaint No. RS/ 250 /06 dated 16th November, 2021
- Reference No. Complaint No. RS/ 254 /06 dated 23rd November, 2021
- Reference No. Complaint No. RS/ 258 /06 dated 24th November, 2021

Thus, in this regard, in capacity of being a citizen of India, within the meaning of Section 3 of The Right to Information Act, 2005, following information is being sought under The Right to Information Act, 2005.

1. Provide the Certified Copy of the Complete Information (falling within the meaning of Section- 2 (f) read with Section- 2 (j) of the RTI Act, 2005) along with Note Sheets generated in connection to the aforesaid letters while taking action over the matter and as available on the records of your Public Authority.

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.3.2022** and Second Appeal was filed in the Commission on **24.5.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.11.2022**.

2. The appellant is absent. The respondent PIO-cum-Superintendent from Property Tax branch, Zone-D, Abdul Sattar, has submitted a reply to the commission's Notice of Hearing vide Letter No. 303 Dated 14.11.2022 along with a copy of the reply sent to the appellant vide Letter No.

Contd....2

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Appeal Case No. 2529 of 2022

189 Dated 3.3.2022. The Commission has examined the said reply and is of the view that this adequately addresses the RTI application. The PIO states that the complaints cited in the RTI application are still under process and the appellant had been accordingly informed in the above said letter. The PIO has confirmed that the process on said complaints is still underway and the appellant will be apprised as soon as said process is concluded.

3. This Appeal Case is accordingly **Disposed of**.

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

Chandigarh
17.11.2022

PUNJAB STATE INFORMATION COMMISSION

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FINAL ORDER

Harbans Lal,
S/o Rattan Chand,
VPO Patiari,
Distt. Hoshiarpur.

Versus

Public Information Officer,
o/o Divisional Forest Officer,
Hoshiarpur.
First Appellate Authority,
o/o Conservator of Forests,
North Circle,
Hoshiarpur.

Appeal Case No. 2440 of 2022 (Video Conference Proceedings)

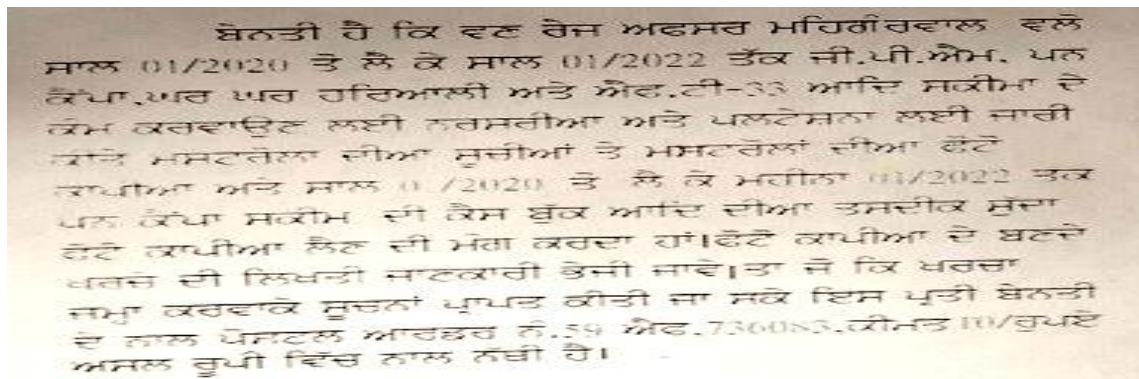
PRESENT:

Harbans Lal (Appellant) 94176-06171
Parminder Singh, Forest Block Officer (for the Respondent) 94175-17193

ORDER:

(To be read in continuity with earlier orders on 2.9.2022)

1. The RTI application is dated **1.2.2022** vide which the appellant has sought information:



as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.3.2022** and Second Appeal was filed in the Commission on **18.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.9.2022**.

2. Both parties are present. At the last hearing on 22.9.2022, the appellant was given an opportunity to examine the furnished information for any deficiency. The appellant had listed some deficiencies vide his letter to the PIO Dated 24.9.2022. Following, this, the PIO has brought the pending information (50 pages) and this has been handed over to the appellant vide Letter No. 452 Dated 15.11.2022.

Contd....2

PUNJAB STATE INFORMATION COMMISSION

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Appeal Case No. 2440 of 2022 (Video Conference Proceedings)

3. This RTI application has been adequately addressed by the respondent PIO. This Appeal Case is accordingly **Disposed of**.

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

Chandigarh
17.11.2022