

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100

Email: psic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Shri Rakesh Kumar Gupta

8/237, Jagraon Road, Mandi Mullanpur

District Ludhiana

....Appellant

Vs

Public Information Officer

o/o E.O. Municipal Council Zirakpur

Mohali

First Appellate Authority

o/o Regional Deputy Director,

Room No. 409, Mini Secretariat,

Patiala

....Respondents

Appeal Case No. 676 of 2021

ORDER

This order may be read with reference to the previous order dated 22.9.2021 vide which the order was reserved to be pronounced.

2. The appellant has sought the following information:-

- i. Certified copies of list of offline and online submission of building plans by architects and engineers registered in the Municipal Council. Pls provide date of submission, date of approval by Draughtsman, Building inspector/clerk, JE/SO, AME/ATP/STP and EO.
 - ii. Certified copies of scrutiny report of each online submission of building plans along with current status and login records and details if the building plan is of residential, commercial, factory, school, hospital etc.
 - iii. Certified copies of site details, architect details, paid/unpaid fee and other charges payments details, Site specifications, documents uploaded details, comment made by various officials as per ENaksha portal of each case uploaded.
 - iv. Certified records of building plans that are not approved due to non regularisation of colonies and plots.
 - v. Certified records/policy of the local Govt. department under which any plot or building could be declared irregular.
 - vi. Certified copy of rules regarding passing time frame of each online submission of plans by Building Inspector, Draughtsman, JE/SO AME/ATP/STP, and EO.
 - vii. Certified copy of rules regarding time frames for auto approval of building plans and the process under which auto approved building plan could be reverted. Pls also provides the rules regarding action to be taken against Building clerks, Building Inspector, Draughtsman, JE/SO AME/ATP/STP and EO in case of auto approval of building plans.
 - viii. Certified copies of records of auto approved building plans in this municipal body.
 - ix. Certified copy of rules regarding time frames for which a applicant has to wait for approval of commercial, residential and any other type of building after applying of building plans.
 - x. Certified copies of records of reports regarding online and offline building plans received by municipal body, Building plans approved, rejected and pending giving to senior authorities of Local Govt. department. Also provide certified copies of letters of demand of reports regarding online and off line building plans sent by senior authorities of Local Govt. department to municipal body.
 - xi. Certified copied of online and offline amendments of building plans.
 - xii. Certified copies of permission letter of approved building plan and rejection letter/comment of rejected plan.
 - xiii. Certified record of present status of rejected building plans. †
 - xiv. Certified details of complaints received by MC directly or through other senior officer or other department against off line building plans. Provide copies of state recorded, record considered in inquiry report, inquiry report and action report on complaints.
 - xv. Certified record of joining letters and relieving letters of Building clerks, Building Inspector, Draughtsman, JE/SO AME/ATP/STP and EO of MC.
- rest of the information sought by the applicant pertains to some other PIO,

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Appeal Case No. 676 of 2021

3. During the hearing dated 22nd September, 2021 both the parties requested for a week's time to make the final submissions in this case. Accordingly, both the parties were directed to file their response within a week.

4. The response has already been filed by the respondent public authority on 24th September, 2021 which is taken on record. The respondent Public Information Officer also submitted that it is not in the public interest to publish the drawings related to the third party which is the voluminous information as requested by the appellant during the hearing dated 22nd September, 2021.

5. That no response was received from the appellant within a week as requested by him. In the interest of natural justice, the appellant was informed about the decision dated 22.9.2021 through an email on 6th October, 2021 and directed to make the final submissions within three days, if any. Even though, no submissions have been received from him.

6. That the Public Information Officer Shri Sandeep Tiwari sent the written submissions regarding the show cause notice issued to him in this case, after consideration the submissions made by the respondent Public Information Officer, the show cause notice issued to the respondent Public Information Officer Shri Sandeep Tiwari is hereby withdrawn.

7. That keeping in view the non submissions of written statement by the appellant despite a reminder, it appears that he is in agreement with the response already filed by the public authority in this case and has nothing to say. Therefore, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

Dated: 18.10.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Shri Rakesh Kumar Gupta

8/237, Jagraon Road, Mandi Mullanpur

District Ludhiana

....Appellant

Vs

Public Information Officer

o/o E.O. Municipal Council

Zirakpur, Mohali

First Appellate Authority

o/o Regional Deputy Director,

Room No. 409, Mini Secretariat,

Patiala

....Respondents

Appeal Case No. 680 of 2021

ORDER

This order may be read with reference to the previous order dated 22.9.2021 vide which the order was reserved to be pronounced.

2. The appellant has sought the following information:-

- i. Certified copies of complaints along (with annexure) stated above lodged by individuals, societies and NGOs sent through post/Email. Provide receipt numbers of complaints and copies of receipt register pages of that days.
- ii. Certified details of Inquiry Officer in the complaints.
- iii. Certified copies of summons sent to parties. Provide postal receipt if summons sent by post, in person or on phone (Give name & phone No. of officer used for calling and phone no. called)
- iv. Certified copies of statements of complainant, accused and other persons recorded in all the complaints.
- v. Certified copies of inquiry report and supplementary inquiry reports in all cases.
- vi. Certified copies of Action taken report in all the complaints.

3. During the hearing dated 22nd September, 2021 both the parties requested for a week's time to make the final submissions in this case. Accordingly, both the parties were directed to file their response within a week.

4. The response has already been filed by the respondent public authority on 24th September, 2021 which is taken on record. The respondent Public Information Officer also submitted that it is not in the public interest to publish the drawings related to the third party which is the voluminous information as requested by the appellant during the hearing dated 22nd September, 2021.

5. That no response was received from the appellant within a week as requested by him. In the interest of natural justice, the appellant was informed about the decision dated 22.9.2021 through an email on 6th October, 2021 and directed to make the final submissions within three days, if any. Even though, no submissions have been received from him.

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Appeal Case No. 680 of 2021

-2-

6. That also the Public Information Officer Shri Sandeep Tiwari sent the written submissions regarding the show cause notice issued to him in this case, after consideration the submissions made by the respondent Public Information Officer, the show cause notice issued to the respondent Public Information Officer Shri Sandeep Tiwari is hereby withdrawn.

7. That keeping in view the non submissions of written statement by the appellant despite a reminder he is in agreement with the response already filed by the public authority in this case and has nothing to say. Therefore, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

Dated: 18.10.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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District Ludhiana

....Appellant

Vs

Public Information Officer

o/o E.O. Municipal Council

Zirakpur, Mohali

First Appellate Authority

o/o Regional Deputy Director,

Room No. 409, Mini Secretariat,

Patiala

....Respondents

Appeal Case No. 679 of 2021

ORDER

This order may be read with reference to the previous order dated 22.9.2021 vide which the order was reserved to be pronounced.

2. The appellant has sought the following information:-

- (c) Specify details of information required:
- i. Kindly provide the certified list of name and addresses of workplaces of architects/ draughtsman/diploma holders approved by the MC authority and their experience in building designs and supervision.
 - ii. Kindly provide certified copies of sections of building by laws and law/directions/ circulars/orders/notifications in which minimum qualification requirement is set from time to time.
 - iii. certified copies of law/directions/circulars/orders/notifications etc regarding eligibility in planning of area (Area Limitation) is set by the department for architects/ draughtsman/diploma holders from time to time.
 - iv. Kindly provide certified details of draughtsman/architects etc of the A, B & C Class plans submitted by them and passed by the MC authority. Pls give the area of the land of which the planning was made. The information should be draughtsman/architects wise since 1-1-18.
 - v. Certified copies of applications of architects/draughtsman/diploma holders for their approval by the MC authority and their renewals along with all annexure attached. Also provide copies of approval and renewal letters issued to them.
 - vi. Certified copies of complaints received against illegal workings of the draughtsman/ architects and notices given to them. Also provide inquiry report along with all documents (Statements, complaints and action taken report) and the reply filed by the Architects, draughtsmen etc.
 - vii. Certified copies of objections raised by and with higher authorities regarding the illegal/wrong plans or constructions by authorities and action taken/reply filed by concerned parties.
 - viii. Provide copies of impressions of rubber stamps/seals, letter heads, sign boards at workplaces of architects/draughtsman/diploma holders from time to time.

3. During the hearing dated 22nd September, 2021 both the parties requested for a week's time to make the final submissions in this case. Accordingly, both the parties were directed to file their response within a week.

4. The response has already been filed by the respondent public authority on 24th September, 2021 which is taken on record. The respondent Public Information Officer also submitted that the list of registered architect along with their qualification can be published on the website and also a list of registered architect has already been supplied to the appellant, as per the request of the appellant.

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Appeal Case No. 679 of 2021

-2-

5. That no response was received from the appellant within a week as requested by him. In the interest of natural justice, the appellant was informed about the decision dated 22.9.2021 through an email on 6th October, 2021 and directed to make the final submissions within three days, if any. Even though, no submissions have been received from him.

6. That also the Public Information Officer Shri Sandeep Tiwari sent the written submissions regarding the show cause notice issued to him in this case, after consideration the submissions made by the respondent Public Information Officer, the show cause notice issued to the respondent Public Information Officer Shri Sandeep Tiwari is hereby withdrawn.

7. That also a copy of this order is being sent to the Principal Secretary to Govt. of Punjab and Director, Local Government, Sector 35, Chandigarh as per the submissions made by the respondent-Public Information Officer to look into the matter regarding publishing of the list of architect on its website.

8. That keeping in view the non submissions of written statement by the appellant despite a reminder he is in agreement with the response already filed by the public authority in this case and has nothing to say. Therefore, the Commission is of the view that no further action is required to be taken in this case. With the above directions, the case is disposed of and closed.

sd

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 18.10.2021

CC

Principal Secretary to Govt. of Punjab
Deptt. of Local Government,
Sector 35,
Chandigarh.

Registered

Director,
Local Government,
Sector 35, Chandigarh

Registered

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Vs

Public Information Officer

o/o E.O. Municipal Council

Kharar, Mohali

First Appellate Authority

o/o Regional Deputy Director,

Room No. 409, Mini Secretariat,

Patiala

....Respondents

Appeal Case No. 677, Appeal Case No. 678/2021

and Appeal Case No. 681 of 2021

ORDER

This order may be read with reference to the previous order dated 22.9.2021 vide which the order was reserved to be pronounced.

2. The appellant has sought the following information:-

Appeal Case No. 681 of 2021

- i. Certified copies of complaints along (with annexure) states -- individuals, societies and NGOs sent through post/Email. Provide receipt numbers of complaints and copies of receipt register pages of that days.
- ii. Certified details of Inquiry Officer in the complaints.
- iii. Certified copies of summons sent to parties. Provide postal receipt if summons sent by post, in person or on phone (Give name & phone No. of officer used for calling and phone No. called)
- iv. Certified copies of statements of complainant, accused and other persons recorded in all the complaints.
- v. Certified copies of inquiry report and supplementary inquiry reports in all cases.
- vi. Certified copies of Action taken report in all the complaints.

Information sought by the applicant pertains to some other PIO,

Appeal Case No. 678 of 2021

- (c) Specify details of information required:
- i. Kindly provide the certified list of name and addresses of workplaces of architects/draftsman/diploma holders approved by the MC authority and their experience in building designs and supervision.
 - ii. Kindly provide certified copies of sections of building by laws and law/directions/circulars/orders/notifications in which minimum qualification requirement is set from time to time.
 - iii. Certified copies of law/directions/circulars/orders/notifications etc regarding eligibility in planning of area (Area Limitation) is set by the department for architects/draftsman/diploma holders from time to time.
 - iv. Kindly provide certified details of draftsman/architects etc of the A, B & C Class plans submitted by them and passed by the MC authority. Pls give the area of the land of which the planning was made. The information should be draftsman/architects wise since 1-1-18.
 - v. Certified copies of applications of architects/draftsman/diploma holders for their approval by the MC authority and their renewals along with all annexure attached. Also provide copies of approval and renewal letters issued to them.
 - vi. Certified copies of complaints received against illegal workings of the draftsman/ architects and notices given to them. Also provide inquiry report along with all documents (Statements, complaints and action taken report) and the reply filed by the Architects, draughtsmen etc.
 - vii. Certified copies of objections raised by and with higher authorities regarding the illegal/wrong plans or constructions by authorities and action taken/reply filed by concerned parties.
 - viii. Provide copies of impressions of rubber stamps/seals, letter heads, sign boards at workplaces of architects/draftsman/diploma holders from time to time.

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Appeal Case No. 677, Appeal Case No. 678/2021
and Appeal Case No. 681 of 2021

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Appeal Case No. 677 of 2021

- (b) The period to which the information relates**: From 1-1-2016 to date of providing information.
- (c) Specify details of information required***:
- i. Certified copies of list of offline and online submission of building plans by architects and engineers registered in the Municipal Council. Pls provide date of submission, date of approval by Draughtsman, Building inspector/clerk, JE/SO, AME/ATP/STP and EO.
 - ii. Certified copies of scrutiny report of each online submission of building plans along with current status and login records and details if the building plan is of residential, commercial, factory, school, hospital etc.
 - iii. Certified copies of site details, architect details, paid/unpaid fee and other charges payments details, Site specifications, documents uploaded details, comment made by various officials as per ENaksha portal of each case uploaded.
 - iv. Certified records of building plans that are not approved due to non regularisation of colonies and plots.
 - v. Certified records/policy of the local Govt. department under which any plot or building could be declared irregular.
 - vi. Certified copy of rules regarding passing time frame of each online submission of plans by Building Inspector, Draughtsman, JE/SO AME/ATP/STP, and EO.
 - vii. Certified copy of rules regarding time frames for auto approval of building plans and the process under which auto approved building plan could be reverted. Pls also provides the rules regarding action to be taken against Building clerks, Building Inspector, Draughtsman, JE/SO AME/ATP/STP and EO in case of auto approval of building plans.
 - viii. Certified copies of records of auto approved building plans in this municipal body.
 - ix. Certified copy of rules regarding time frames for which a applicant has to wait for approval of commercial, residential and any other type of building after applying of building plans.
 - x. Certified copies of records of reports regarding online and offline building plans received by municipal body, Building plans approved, rejected and pending giving to senior authorities of Local Govt. department. Also provide certified copies of letters of demand of reports regarding online and off line building plans sent by senior authorities of Local Govt. department to municipal body.
 - xi. Certified copied of online and offline amendments of building plans.
 - xii. Certified copies of permission letter of approved building plan and rejection letter/comment of rejected plan.
 - xiii. Certified record of present status of rejected building plans.
 - xiv. Certified details of complaints received by MC directly or through other senior officer or other department against off line building plans. Provide copies of statements recorded, record considered in inquiry report, inquiry report and action report on complaints.
 - xv. Certified record of joining letters and relieving letters of Building clerks, Building Inspector, Draughtsman, JE/SO AME/ATP/STP and EO of MC.

3. During the hearing dated 22nd September, 2021 both the parties requested for a week's time to make the final submissions in this case. Accordingly, both the parties were directed to file their response within a week.

4. The response has already been filed by the respondent public authority on 24th September, 2021 which is taken on record. The respondent Public Information Officer also submitted that the list of registered architect along with their qualification can be published on the website and also a list of registered architect has already been supplied to the appellant, as per the request of the appellant.

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Appeal Case No. 677, Appeal Case No. 678/2021

and Appeal Case No. 681 of 2021

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5. That no response was received from the appellant within a week as requested by him. In the interest of natural justice, the appellant was informed about the decision dated 22.9.2021 through an email on 6th October, 2021 and directed to make the final submissions within three days, if any. Even though, no submissions have been received from him.

6. That the Public Information Officer Shri Sandeep Tiwari sent the written submissions regarding the show cause notice issued to him in this case, after consideration the submissions made by the respondent Public Information Officer, the show cause notice issued to the respondent Public Information Officer Shri Sandeep Tiwari is hereby withdrawn.

7. That a copy of this order is being sent to the Principal Secretary to Govt. of Punjab and Director, Local Government, Sector 35, Chandigarh as per the submissions made by the respondent-Public Information Officer to look into the matter regarding publishing of the list of architect on its website.

8. That keeping in view the non submissions of written statement by the appellant despite a reminder, it appears that he is in agreement with the response already filed by the public authority in this case and has nothing to say. Therefore, the Commission is of the view that no further action is required to be taken in this case. With the above directions, the case is disposed of and closed.

Dated: 18.10.2021

sd

(Suresh Arora)

Chief Information Commissioner,
Punjab.

CC

Principal Secretary to Govt. of Punjab
Deptt. of Local Government,
Sector 35,
Chandigarh.

Registered

Director,
Local Government,
Sector 35, Chandigarh

Registered