

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



Rajesh Kumar Sharma,
S/o Sh. Kans Raj,
249, Narotam Nagar Extn.,
Khanna, District Ludhiana – 141 401

Versus

Public Information officer,
o/o Improvement Trust, Khanna,
District Ludhiana.
First Appellate Authority,
o/o Additional Deputy Commissioner (UD),
Ludhiana.

Appeal Case No. 2542 of 2021 (Video Conference Proceedings)

PRESENT:

Rajesh Kumar Sharma (Appellant) 98146-08946
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 8.10.2021 and 10.12.2021)

1. The RTI application is dated **25.11.2020** vide which the appellant has sought information **regarding building plans of residential and commercial schemes of Narotam Nagar and Narotam Nagar Extension in Khanna,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.1.2021** and Second Appeal was filed in the Commission on **31.5.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **10.12.2021**.

2. The respondent PIO is absent without intimation. As per this Commission's Order of 10.12.2021, the respondent PIO has submitted copies of the relevant register, which is maintained in his office with entries regarding sanction plans etc vide Letter No. 10 Dated 24.12.2021, along with some 105 pages. In an earlier reply to this Commission's Notice of Hearing, vide Letter No. 6 Dated 26.10.2021, the respondent PIO, represented by APIO Avtar Singh submitted that the information pertaining to point no. 1, was offered to the appellant by way of copies of the register on which the record of sanctioned plans etc. is being maintained. This was however, refused by the appellant. With regard to point No. 2, the respondent states that the information / record, in the form requested by the appellant, is not maintained in the office of the Improvement Trust Khanna. Notably, the Appellant, who is present, insists that it was the "duty" of the respondent to maintain the record in the format sought in his RTI application.

3. In view of the contrary contentions, the Commission directs the respondent PIO, office of Improvement Trust, Khanna, to submit a duly **notarized affidavit** by way of a pointwise reply to this RTI application. The original affidavit is to be sent to the appellant by registered post and a copy of the same is to be submitted to the Commission within Two weeks of receipt of this Order.

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Appeal Case No. 2542 of 2021 (Video Conference Proceedings)

4. **Next hearing on 1.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
2.9.2022

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Rohit Sabharwal,
S/o Vijay Sabharwal,
Kundan Bhawan, 126, Model Gram,
Ludhiana.

Versus

Public Information Officer,
o/o Greater Ludhiana Area Development Authority,
Ferozpur Road, Ludhiana – 141 001.

First Appellate Authority,
o/o Additional Chief Administrator,
Greater Ludhiana Area Development Authority,
PUDA Complex, Near Rajguru Nagar,
Ferozpur Road, Ludhiana – 141 001.

Appeal Case No. 983 of 2020 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
Divleen Singh, PIO-cum-SDO (Respondent) 99150-30005

ORDER:

(To be read in continuity with earlier orders on 23.9.2020, 12.11.2020, 15.1.202, 6.8.2021, and 6.5.2022)

1. The RTI application is dated **23.10.2019** vide which the appellant has sought information **regarding the appointment of a Transparency Officer etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **29.11.2019** and Second Appeal was filed in the Commission on **3.3.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **6.5.2022**.

2. Both parties are present. The appellant is represented by Ms. Sukhjinder Kaur, Advocate. The respondent PIO-cum-SDO, Divleen Singh, has, as directed by the Commission, submitted a fresh pointwise reply to the RTI application in person on 5.9.2022. It is notable, that the PIO incumbent at the time of this Commission's Order of 6.5.2022 Sh. Preet Inder Singh, PCS, was issued a Show Cause Notice to which he has neither made any written submission nor opted to be heard in person. The PIO-cum-Estate Officer incumbent on 6.5.0222, Sh. Preet Inder Singh, is hereby directed to submit a written reply to the Show Cause Notice issued to him on 6.5.2022. He is also granted an opportunity to be heard at the next hearing.

3. Next hearing on 20.10.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

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

Chandigarh
2.9.2022

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

Versus

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

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

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

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

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

Public Information officer,
o/o Superintendent Headquarter,
Municipal Corporation, Ludhiana.

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

Appeal Case No. 4882 of 2021 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
Simranjit Singh, SDO from Zone B (for the Respondent) 75082-43093

ORDER:

1. The RTI application is dated **19.7.2021** vide which the appellant has sought information **regarding cemented, interlocking tile and bitumen roads**, 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 **26.10.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.

2. Both parties are present. The respondent PIO, represented by Simranjit Singh, SDO, B&R from Zone B, states that a reply was sent to the appellant whereon the requested information was denied on the premise that it was "voluminous". The Commission has examined the RTI application and is of the view that the information could not be "voluminous" as claimed by the respondent PIO without providing any details.

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Appeal Case No. 4882 of 2021 (Video Conference Proceedings)

3. It is notable here that none of the other zones i.e. A, C, and D is present. The reply sent by the PIO-cum-XENs for Zones A, B, C, and D are rejected and they are herewith directed to submit a written, pointwise reply to this RTI application within four weeks of receipt of this Order. The replies must be accompanied by duly attested copies of the information sought by the appellant. The PIOs are further directed that any information pertaining to the PIO-cum-DCFA, MC, Ludhiana, is to be transferred to him under Section 6(3) of the RTI Act 2005 forthwith. The PIO-cum-DCFA, MC, Ludhiana, is thereafter directed to provide the requested information pertaining to his office, to the appellant within Four weeks of receipt of this Order along with copy to this Commission.

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 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

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

Chandigarh
2.9.2022

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

Versus

Public Information officer,
o/o Superintendent, House Tax Department, Zone A,
Municipal Corporation, Ludhiana.

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

First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 5168 of 2021 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
Gourav Kumar, JE from the Zone A (for the Respondent) 99882-91286
Simranjit Singh, SDO from Zone B (for the Respondent) 75082-43093

ORDER:

1. The RTI application is dated **12.8.2021** vide which the appellant has sought information **regarding complaint no. RS/93/03 Dated 15.2.2022**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.9.2021** and Second Appeal was filed in the Commission on **16.11.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.

2. Both parties are present. The Commission has examined the RTI application and finds that it has been wrongly marked to the PIO-cum-XEN, B&R, Zone A. The matter of the complaint cited in the RTI application pertains to the House Tax Department.

3. The PIO-cum-XEN, B&R, Zone A, is hereby directed to transfer this RTI application to the PIO, House Tax Department, Zone A, under Section 6(3) of the RTI Act 2005, forthwith. The PIO, House Tax Department, Zone, is directed to submit a pointwise reply to the RTI application to the appellant with a copy to this Commission along with any relevant documents, which must be duly attested as "information supplied under the RTI Act 2005".

4. **Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
2.9.2022

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Rohit Sabharwal,
S/o Sh. Vijay Shabharwal,
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 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
(Respondent) Absent

ORDER:

1. The RTI application is dated **21.8.2021** vide which the appellant has sought information **regarding fixing of interlock tiles**, 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. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.
2. The respondent PIO is absent without intimation. The appellant has appended copy of a reply received from the PIO-cum-XEN, B&R, Zone D, vide Letter No. 416 Dated 26.11.2021, denying the requested information as "voluminous". In his reply, the PIO has also cited a communication from the concerned contractor, namely, M/s Sumaya Infrastructure, stating that no information regarding to the works carried out by them should be disclosed to the appellant. The PIO's denial of information as per the request of the aforesaid contractor, is hereby rejected.
3. The respondent PIO-cum-XEN, B&R, Zone D, is directed to submit a pointwise reply to all 13 points of this RTI application, along with the requested information by way of duly attested copies. For any information whereon the respondent PIO seeks exemption from disclosure, he/she must cite specific provisions of the RTI Act 2005. This must be done within 15 days of receipt of this Order.
4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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Appeal Case No. 5653 of 2021 (Video Conference Proceedings)

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 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.9.2022

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

Versus

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

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

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

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. 5655 of 2021 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
Karan Pathak, JE from Zone B (for the Respondent) 98152-20788

ORDER:

1. The RTI application is dated **14.9.2021** vide which the appellant has sought information **regarding fixing of interlocking tiles**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.10.2021** and Second Appeal was filed in the Commission on **14.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.

2. Both parties are present. The respondent PIO, represented by Karan Pathak, JE from Zone B, states that a reply was sent vide Letter No. 485 Dated 8.11.2021, wherein the requested information was denied as "voluminous". A similar reply has also been received from the PIO-cum-XEN, B&R, Zone A, as per the appellant.

3. The Commission has examined the RTI application and finds that PIO's reply seeks blank exemption without giving any detail in respect of the volume of the record or the man hours required to collate/collected the information sought.

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Appeal Case No. 5655 of 2021 (Video Conference Proceedings)

4. The PIO-cum-XEN, B&R, Zones A, B, C, and D, are hereby directed to submit a written pointwise reply to both points of this RTI application along with the requested information either by way of attested hard copies or on a CD/Pen Drive, as requested by the appellant. Aforesaid information is to be supplied free of cost. For information whereon the respondent PIO seeks exemption from disclosure, he/she must cite specific provisions of the RTI Act 2005. All the above must be done within 4 weeks of receipt of this Order.

5. **Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
2.9.2022

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REGISTERED SHOW CAUSE NOTICE

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 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
(Respondent) Absent

ORDER:

1. The RTI application is dated **9.9.2021** vide which the appellant has sought information **regarding total amount of salary disbursed**, 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. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.
2. The respondent PIO is absent without intimation. This RTI application was filed to the PIO Headquarters MC, Ludhiana on 9.9.2021, since then, there has been no reply from the PIO. The Commission takes a very serious view of the PIO Headquarters' failure to send a reply/provide the requested information within the time stipulated by the RTI Act 2005. The PIO Headquarters, MC, Ludhiana, is hereby served with this Show Cause Notice.
3. The respondent **PIO-cum-Superintendent Headquarter, MC, Ludhiana**, 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 **9.9.2021**.

“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.”

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Appeal Case No. 5656 of 2021 (Video Conference Proceedings)

4. The PIO, Headquarter, MC, Ludhiana, is further directed to transfer this RTI application under Section 6(3) to the concerned PIO forthwith, so that the information requested by the appellant can be supplied without any further delay. Failure to do so, shall invite penalties as per the RTI Act, 2005.

5. **Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
2.9.2022

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

PUNJAB STATE INFORMATION COMMISSION

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

Versus

Public Information officer,
o/o Superintendent Engineer, Zone-D,
(B&R), Municipal Corporation,
Sarabha Nagar, Ludhiana.
First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 5654 of 2021 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
(Respondent) Absent

ORDER:

1. The RTI application is dated **31.8.2021** vide which the appellant has sought information **regarding four complaints**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.10.2021** and Second Appeal was filed in the Commission on **14.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.
2. The respondent PIO is absent without intimation. The respondent PIO-cum-XEN, B&R Zone D, in a reply vide Letter No. 409 Dated 17.11.2021, denied the requested information, instead advising the appellant to seek the information with respect to point no. 1 and 2 of the RTI application regarding the appellant's complaint, from the concerned office to which the complaint is made. The information pertaining to point no. 2 and 3 is also inadequate and the respondent PIO has merely made a statement of the requisite procedure without providing any document etc.
3. The Commission rejects the reply filed by the PIO-cum-XEN, B&R, Zone D, vide Letter No. 409 Dated 17.11.2021 and hereby directs him / her to file a fresh pointwise reply to the RTI application along with requested information. The PIO is also reminded that this RTI application was filed to his office and it is incumbent upon him / her to furnish a reply and information. It is also notable that the complaints cited in the RTI application were copied to the office of the Commissioner, MC, Ludhiana, besides other public authorities. The fresh reply/information, after due attestation, must be provided to the appellant with a copy to the Commission within four weeks of receipt of this Order.

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Appeal Case No. 5654 of 2021 (Video Conference Proceedings)

4. Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

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

Chandigarh
2.9.2022

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

Versus

Public Information officer,
o/o Superintendent Engineer, Zone-D,
(B&R), Municipal Corporation,
Sarabha Nagar, Ludhiana.
First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 5657 of 2021 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
(Respondent) Absent

ORDER:

1. The RTI application is dated **27.8.2021** vide which the appellant has sought information **regarding Sumaya Infrastructure**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.10.2021** and Second Appeal was filed in the Commission on **14.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.
2. The respondent PIO is absent without intimation. In a reply sent to the appellant vide Letter No. 415 Dated 26.11.2021, the respondent PIO has denied the information as "voluminous" while also citing an advisory from the concerned contractor namely, Sumaya Infrastructure, stating that no information pertaining to the public works carried out by it, should be disclosed to the appellant.
3. The respondent PIO's reply is herewith rejected. It is notable here that in his RTI application, the appellant has merely sought an inspection of the relevant record/original tender file related to M/s Sumaya Infrastructure, which has been wrongfully denied as voluminous etc. The respondent PIO's denial is, notably, a violation of the RTI Act, 2005.
4. The respondent PIO-cum-XEN, B&R, Zone D, is hereby directed to arrange for the appellant to inspect the relevant record in his office at 11.00 am on 19.9.2022. The respondent PIO-cum-XEN, B&R, Zone D, must be present in person or depute somebody with adequate knowledge of record to assist the appellant in said inspection. Documents cited by the appellant during said inspection are to be copied, certified, and supplied to the appellant free of cost. Failure to comply this Commission's direction, shall invite penalty as per the RTI Act 2005.

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Appeal Case No. 5657 of 2021 (Video Conference Proceedings)

5. Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

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

Chandigarh
2.9.2022

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

Versus

Public Information officer,
o/o Superintendent Engineer, Zone-D,
(B&R), Municipal Corporation,
Sarabha Nagar, Ludhiana.
First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 5658 of 2021 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
(Respondent) Absent

ORDER:

1. The RTI application is dated **20.8.2021** vide which the appellant has sought information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.9.2021** and Second Appeal was filed in the Commission on **14.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.
2. The respondent PIO is absent without intimation. In a reply sent to the appellant vide Letter No. 411 Dated 17.11.2021, the respondent PIO has denied the information as "voluminous", while also citing an advisory from the concerned contractor namely, Sumaya Infrastructure, stating that no information pertaining to the public works carried out by it, should be disclosed to the appellant.
3. The respondent PIO's reply is herewith rejected. It is notable here that in his RTI application, the appellant has merely sought an inspection of the relevant record/original tender file related to M/s Sumaya Infrastructure which has been wrongfully denied as voluminous etc. The respondent PIO's denial is a violation of the RTI Act, 2005.
4. The respondent PIO-cum-XEN, B&R, Zone D, is hereby directed to arrange for the appellant to inspect the relevant record in his office at 11.00 am on 19.9.2022. The respondent PIO-cum-XEN, B&R, Zone D, must be present in person or depute somebody with adequate knowledge of record to assist the appellant in said inspection. Documents cited by the appellant during said inspection are to be copied, certified, and supply to the appellant free of cost. Failure to comply this Commission's direction, shall invite penalty as per the RTI Act 2005.

Contd....2

PUNJAB STATE INFORMATION COMMISSION

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Appeal Case No. 5658 of 2021 (Video Conference Proceedings)

5. Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

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

Chandigarh
2.9.2022

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REGISTERED SHOW CAUSE NOTICE

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

Versus

Public Information officer,
o/o Superintendent Engineer, Zone-D,
(B&R), Municipal Corporation,
Sarabha Nagar, Ludhiana.
First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 5663 of 2021 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
(Respondent) Absent

ORDER:

1. The RTI application is dated **19.8.2021** vide which the appellant has sought information **regarding fixing of interlocking tiles**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.9.2021** and Second Appeal was filed in the Commission on **14.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.
2. The respondent PIO is absent without intimation. This RTI application was submitted on 19.8.2021, and it is now more than a year wherein has neither supplied information nor submitted any reply to said RTI application. The respondent PIO-cum-XEN, B&R, Zone D, hereby placed under Show Cause Notice.
3. The respondent **PIO-cum-XEN, B&R, Zone D, MC, Ludhiana**, 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 **19.8.2021**.

“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.”

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Appeal Case No. 5663 of 2021 (Video Conference Proceedings)

4. The respondent PIO is further directed to arrange an inspection of requisite record along with 2 other inspections fixed by this Commission in Appeal Case No. 5656 of 2021 and 5657 of 2021 on 19.9.2022. The PIO-cum-XEN, B&R, Zone D, must be present in person or depute a subordinate with adequate knowledge of the concerned record to assist the appellant during said inspection. Duly attested copies of the documents cited by the appellant during said inspection are to be provided to him free of cost. This must be done within 4 weeks of receipt of this Order.

5. **Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
2.9.2022

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

PUNJAB STATE INFORMATION COMMISSION

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REGISTERED SHOW CAUSE NOTICE

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. 1623 of 2022 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
(Respondent) Absent

ORDER:

1. The RTI application is dated **21.12.2021** vide which the appellant has sought information **regarding letter no. SS/CVO-2021/661 Dated 26.2.2021 and SS/CVO-2021/153 Dated 28.4.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.1.2022** and Second Appeal was filed in the Commission on **4.4.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.

2. The respondent PIO is absent without intimation. As per the appellant, represented by Ms. Sukhjinder Kaur, Advocate, there has been no reply to this RTI application which was submitted on 21.12.2021. The Commission has examined said RTI application and deems it fit to issue the Show Cause Notice to the PIO office Municipal Corporation, Ludhiana.

3. The respondent **PIO-cum-Superintendent Headquarter, MC, Ludhiana**, 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 **21.12.2021**.

“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.”

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Appeal Case No. 1623 of 2022 (Video Conference Proceedings)

4. The respondent PIO is further directed to submit a written reply to this RTI application before the next date of hearing.

5. 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

6. **Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.9.2022

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

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REGISTERED SHOW CAUSE NOTICE

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. 1625 of 2022 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
(Respondent) Absent

ORDER:

1. The RTI application is dated **21.12.2021** vide which the appellant has sought information **regarding letter no. SS/CVO-2021/3507 Dated 22.9.2021 and SS/CVO-2021/4089 Dated 26.10.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.1.2022** and Second Appeal was filed in the Commission on **4.4.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.

2. The respondent PIO is absent without intimation. As per the appellant represented by Ms. Sukhjinder Kaur, Advocate, there has been no reply to this RTI application which was submitted on 21.12.2021. The Commission has examined said RTI application and deems it fit to issue the Show Cause Notice to the PIO office Municipal Corporation, Ludhiana.

3. The respondent **PIO-cum-Superintendent Headquarter, MC, Ludhiana**, 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 **21.12.2021**.

“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.”

Contd....2

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Appeal Case No. 1625 of 2022 (Video Conference Proceedings)

4. The respondent PIO is further directed to submit a written reply to this RTI application before the next date of hearing.

5. 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

6. **Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.9.2022

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

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REGISTERED SHOW CAUSE NOTICE

Rohit Sabharwal,
S/o Sh. Vijay Shabharwal,
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. 1665 of 2022 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671
(Respondent) Absent

ORDER:

1. The RTI application is dated **21.12.2021** vide which the appellant has sought information **regarding letter no. SS/CVO-2021/2239 Dated 22.6.2021 and SS/CVO-2021/3009 Dated 16.8.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.1.2022** and Second Appeal was filed in the Commission on **5.4.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.9.2022**.

2. The respondent PIO is absent without intimation. This RTI application was submitted on 20.12.2021, since then the respondent PIO-cum-XEN, B&R, Zone D, has failed to submit any reply or provide the requested information to the appellant. This is despite an order by the FAA on 13.4.2021, wherein the respondent PIO was directed to provide the requested information within 7 days. Under the circumstances, the Commission deems list fit to issue the Show Cause Notice to the respondent PIO-cum-XEN, B&R, Zone D, MC, Ludhiana.

3. The respondent **PIO-cum-XEN, B&R, Zone D, MC, Ludhiana**, 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 **21.12.2021**.

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Appeal Case No. 1665 of 2022 (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. The respondent PIO is further directed to submit a written reply to the RTI application along with attested copies of the relevant information within 4 weeks of receipt of this Order.

5. 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

6. Next hearing on 17.11.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.9.2022

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