

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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Helpline No.0172-2864100(10.00 AM to 04.00 PM on working days)



Shri Rohit Sabharwal
Kundan Bhawan,
#126, Model Gram,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Municipal Corporation
Zone-A, Ludhiana.

First Appellate Authority

O/o The Commissioner,
Municipal Corporation, Ludhiana.

....Respondents

AC No.984 of 2020

Present: (i) **Mrs. Sukhjinder Kaur, on behalf of the Appellant**
(ii) **Ms. Kashish Garg, Building Inspector, Zone-C, M.C. Ludhiana,**
(iii) **Shri Sunil Kumar, ATP, Zone-B, M.C. Ludhiana**
- **on behalf of the PIO.**

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 19.01.2021 passed by the Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. Mrs. Sukhjinder Kaur attends the hearing through Cisco Webex on behalf of the appellant.
3. Shri Sunil Kumar, ATP, Zone-B, M.C. Ludhiana comes present to attend the hearing through Cisco Webex. He states that information asked for by the appellant is not maintained in the form it has been sought. Ms. Kashish Garg, Building Inspector, Zone-C, M.C. Ludhiana attends the hearing through Cisco Webex. She refers to letter dated 09.02.2021 sent to the Commission and states that on their asking the representative of appellant Mrs.Sukhjinder Kaur, it has been informed by her that this information has to be supplied by Zone-A and Zone-B and not by Zone-C. Similarly, a letter dated 22.02.2021 has been received from Zone-D of M.C. Ludhiana stating that the information relates to Zone-A and Zone-B of M.C. Ludhiana who have to supply the information.
4. The Bench, on perusal of the RTI application, observes that RTI application of the appellant is dated 09.11.2019 and First Appeal is dated 16.12.2019 and second appeal in the Commission has been

Cont...P-2

filed on 03.03.2020. The Bench points out to the representative of appellant that the RTI application has been addressed to PIO, Headquarters, Zone-A which does not specifically mention as to who is the concerned PIO to supply the information. She replies that the RTI application is addressed to the Public Information Officer (HQs), Zone-A asking for the information regarding the buildings checked by Mrs. Monika Anand, Municipal Town Planner, M.C. Ludhiana. The representative of the appellant further states that the website of the Municipal Corporation, Ludhiana has not been updated and as such, details of PIO/APIO are not updated and hence, the RTI application was addressed to PIO (Hqs.)

5. Post deliberations, the Bench observes that as per the RTI application addressed to PIO, Headquarters, Zone-A, was supposed to coordinate and ensure supply of information from the concerned PIOs of Municipal Corporation, Ludhiana. But it has not happened so in the instant appeal case. The Bench further observes that due to lack of clarity in the matter as to who has to own responsibility to deal with such RTI applications, the supply of information in the case has been lingering on. The Bench now directs the PIO's of Building/Drawing Branches of Zone-A & B to supply information to the appellant relating to their respective zones, before next date of hearing.

6. The PIOs concerned are further directed to file reply to the show cause notice before the next hearing as also to ensure to come present for the hearing through V.C.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 06.07.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
20.04.2021**

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

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Shri Sarabjeet Singh Gill,
H.No.60-35-P-375-1, Street No.8,
Maha Singh Nagar, PO Dhandari Kalan,
Ludhiana, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o The Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o The Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.1012 of 2020

Present: (i) Shri Amarjit Singh Dhamotia, on behalf of the Appellant.
(ii) Shri Satish Kumar, ATP/PIO. Zone-C, M.C. Ludhiana.
(iii) Shri Sanjeev Uppal, Supdt., Tehbazari Branch, Zone-C, M.C. Ludhiana.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 19.01.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. Shri Amarjit Singh Dhamotia, attends the hearing on behalf of the appellant Shri Sarabjeet Singh Gill. He states that the appellant has not received any information as yet.
3. Shri Satish Kumar, PIO of Zone-C attends the hearing through Cisco Webex and states that the requisite information has to be supplied by Tehbazari Branch of Municipal Corporation, Ludhiana. Shri Sanjeev Uppal, Superintendent/PIO, Tehbazari Branch of M.C. Ludhiana attends the hearing through Cisco Webex and states that the information relates to the Police Department.
4. On the asking of the Bench, the representative of appellant states that the appellant has sought information regarding the action taken report from Zone-C regarding house tax.
5. The Bench, on perusal of RTI application, observes that the statement of Shri Sanjeev Uppal, Superintendent/PIO, Tehbazari Branch, Zone-C, M.C. Ludhiana is misplaced and not tenable.

Cont...P-2



6. The PIO, Tehbazari Branch is directed to supply information to the appellant as asked for in the RTI application. After supplying the information, the PIO is also directed to file an affidavit on non-judicial stamp paper before the next hearing, 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.1012/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

7. The PIO/ATP, Zone-C and PIO/Superintendent, Tehbazari Branch of Zone-C, Municipal Corporation, Ludhiana are directed to file reply to the show cause notice before next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 06.07.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

Chandigarh
20.04.2021

Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
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Shri Sarabjeet Singh Gill,
H.No.60-35-P-376-1, Street No.8,
Maha Singh Nagar, PO Dhandari Kalan,
Ludhiana, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o The Commissioner,
Municipal Corporation,
Ludhiana.

Public Information Officer

O/o The Commissioner,
Tehbazari Branch,
Municipal Corporation, Ludhiana.

Public Information Officer

O/o The Medical Officer of Health,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o The Commissioner,
Municipal Corporation, Ludhiana.

....Respondents

AC No.1013 of 2020

- Present:**
- (i) Shri Amarjit Singh Dhamotia, on behalf of the Appellant.
 - (ii) Shri Satish Kumar, ATP/PIO Zone-C, M.C. Ludhiana.
 - (iii) Shri Sanjeev Uppal, Supdt./PIO PIO, Tehbazari Branch, M.C. Ludhiana.
 - (iv) None from PIO O/o Medical Officer of Health, M.C., Ludhiana.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 19.01.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. Shri Amarjit Singh Dhamotia attends the hearing through Cisco Webex on behalf of the appellant. He states that the appellant has been supplied partial information and the appellant is not satisfied by the information given, as virtually, the appellant has been denied information.
3. Shri Satish Kumar, PIO of Zone-C, M.C. Ludhiana attends the hearing through Cisco Webex and states that the appellant has been supplied information relating to their Branch vide letter dated 13.08.2020. The PIO, Tehbazari Branch Shri Sanjeev Uppal attends the hearing through Cisco Webex and states that the information relates to Police Department. Neither the PIO O/o Medical Officer of Health has come present to attend the hearing through Cisco Webex nor has deputed any of representatives to attend the hearing.

Cont.....P-2

4. During discussions, the representative of the appellant Shri Amarjeet Singh Dhamotia insists that the appellant has sought information regarding the House Tax, whereas the perusal of the RTI Application shows that the appellant has sought information pertaining to the illegally run Bhatthi causing pollution. It shows that the representative of appellant Shri Amarjeet Singh Dhamotia is creating confusion.

5. The Bench, however, on perusal of case file observes that the appellant has been provided only partial information. Issues relating to Tehbazari Branch and Medical Officer of Health Wing of Municipal Corporation, Ludhiana are pertinent and remain unaddressed. Thus, the PIOs of Tehbazari Branch and Medical Officer of Health Wing of Municipal Corporation, Ludhiana are impleaded as respondents Nos. 2 and 3 respectively. They are directed to supply information to the appellant relating of their branches before the next hearing.

6. With the aforesaid directions, the matter is adjourned. To **come up for hearing on 06.07.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
20.04.2021**

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

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Shri Sanjay Kumar Sharma
(Jan Hitaishi), SCO 22-23,
1st Floor, K10 Tower,
Feroze Gandhi Market,
Ludhiana-141001.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

First Appellate Authority
O/o Municipal Corporation,
Ludhiana.

....Respondents

AC No.2676 of 2020

Present: (i) **Shri Sandeep Sharma, on behalf of the appellant.**
(ii) **Shri Harjit Singh, Draftsman, Zone-D, Municipal Corporation, Ludhiana
on behalf of the PIO.**

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 19.01.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. Shri Sandeep Sharma attends the hearing through Cisco Webex.
3. Shri Harjit Singh, Draftsman, attends the hearing through Cisco Webex. He states that the information has been supplied to the appellant vide letter dated 15.04.2021 by speed post.
4. Shri Sanjay Kumar, appellant has sent an authority letter in the name of one Shri Sandeep Sharma, who comes present to attend the hearing through Cisco Webex on behalf of the appellant. He states that appellant has sought the copy of gazette notification with regard to the declaration of Satpal Mittal Road (Malhar Road) and Gurdwara Road as the commercial roads and the PIO has instead supplied to the appellant the proceedings of the meeting held in this regard.
5. On the asking of the Bench, the representative of the PIO, Zone-D, Municipal Corporation, Ludhiana states that no official gazette notification in this regard is available with their office and as such, it cannot be provided. However, the proceedings of the meeting as available in their official record have been

Cont...P-2

supplied to the appellant. He further states that the appellant had sought details regarding the commercial establishments on these roads and he was informed that the record of buildings is not maintained in Drawing/Building Branch road-wise and in case he wants information with regard to any specific building, then he should furnish the name of owner, address, plan number and date etc. so that the requisite information could be supplied to him.

6. Post deliberations, the PIO, Drawing/Building Branch, Zone-D is directed to call the appellant or his representative Shri Sandeep Sharma on 30.04.2021 at 02.30 PM to office and allow him access to the relevant official records. The appellant or his representative will identify the information required and the same will be provided by the PIO before the next hearing.

7. After supplying the information, the PIO is also directed to file an affidavit on non-judicial stamp paper, before next hearing 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.2676/2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 05.07.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
20.04. 2021**

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

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Shri Sanjay Kumar Sharma
(Jan Hitaishi), SCO 22-23,
1st Floor, K10 Tower,
Feroze Gandhi Market,
Ludhiana-141001.

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

First Appellate Authority
O/o Municipal Corporation,
Ludhiana.

....Respondents

AC No.2678 of 2020

Present: (i) **Shri Sandeep Sharma, on behalf of the Appellant.**
(ii) **None on behalf of PIO, B&R Branch, Zone-D, M.C. Ludhiana**

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 19.01.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. Shri Sanjay Kumar, appellant has sent an authority letter in the name of one Shri Sandeep Sharma, who comes present to attend the hearing on behalf of the appellant through Cisco Webex. He states that the appellant has been provided information vide letter dated 25.08.2021 and again vide letter dated 14.01.2021. However, the appellant is not satisfied with the reply to the RTI application given by PIO, B&R Branch, Zone-D, M.C. Ludhiana.
3. PIO B&R Branch, Zone-D, M.C. Ludhiana has not come present nor has deputed any of his representative to attend the hearing through Cisco Webex. This indifferent attitude of the PIO B&R Branch, Zone-D, M.C. Ludhiana is viewed adversely.
4. The Public Information Officer, O/o Executive Engineer, B&R Branch, Zone-D, Municipal Corporation, Ludhiana is issued show cause notice to explain his absence and to explain as to why penalty should not be imposed in the instant case for not supplying complete information. 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.
5. 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

Cont...P-2



-2-

AC No.2678/2020

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 proceedings against him ex-parte.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 05.07.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
20.04.2021**

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

Copy to (By Regd.Post)

**Public Information Officer
O/o Executive Engineer,
B & R Branch,
Municipal Corporation,
Ludhiana.**

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Shri Gurmej Lal, Whistle Blower,
H.No.6375, Street No.16,
Guru Gobind Singh Nagar
Backside Bachan Gas Agency,
PO Daba, Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.3301 of 2020

Present:

- (i) Shri Gurmej Lal, appellant
- (ii) Shri Harjit Singh, Draftsman, Zone-D, Municipal Corporation, Ludhiana
on behalf of the PIO.

ORDER:

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 19.01.2021 passed by this Bench on the previous hearing.
2. The case has been heard today through Cisco Webex. Shri Gurmej Lal attends the hearing through Cisco Webex. He states that the information has not been provided to the appellant.
3. Ms. Kashish Garg, Building Inspector, Zone-C, M.C. Ludhiana comes present to attend the hearing through Cisco Webex. She states that as per directions of the Bench, the appellant was called for inspection of records on 05.03.2021, but the appellant did not come present for inspection of the records on the stipulated date and time.
4. On the asking of the Bench, the appellant states that he had visited the office of Municipal Corporation, Ludhiana to inspect the record with the concerned PIOs, but Ms. Kashish Garg was not present on that day.
5. The Bench, on perusal of the case file, finds that a letter dated 08.03.2021 is available in the case file. It is also accompanied by a photograph showing four persons therein along with the records which shows that the PIOs of all zones were present along with the record on 05.03.2021 to allow inspection of records by the appellant. The Bench apprises the appellant of the same.



-2-

AC No.3301/2020

6. Post deliberations with the appellant and representative of PIO, the Bench directs the PIOs concerned to again call the appellant to their office on a mutually agreed date and time and allow him access to the relevant official records. The appellant will identify the information and the same will be provided by the respective PIOs before the next hearing.

7. With the afore said directions, the matter is adjourned. **To come up for hearing on 05.07.2021 at 11.30 AM through V.C. in D.C. Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
20.04.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
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Shri Mohinder Singh
S/o Shri Gurjit Singh,
R/o Village Chak Dumaal @
Tindawala, Tehsil Jalalabad,
District Fazillka.

.....Appellant

Versus

Public Information Officer

O/o SDM –cum-Registration Authority,
Motor Vehicle, Abohar, Distt. Fazilka.

First Appellate Authority

O/o Regional Transport Authority,
Ferozepur.

....Respondents

AC No.2137 of 2020

Present: (i) **Shri Mohinder Singh, appellant.**
(ii) **None on behalf of the PIO.**

ORDER:

(Heard Through Cisco Webex)

1. This order may be read with reference to the order dated 09.11.2020 passed by this Bench on the previous hearing.
2. The case has been heard today through V.C. in D.C. Office, Fazilka. Shri Mohinder Singh, appellant comes present to attend the hearing through Cisco Webex. He states that no information has been supplied to him as yet, moreover, the tractor regarding which he has sought information, has also been taken away by Shri Joga Singh from whom he had purchased the tractor. The tractor is, however, reportedly registered in the name of Shri Lakhbir Singh.
3. The PIO has not come present to attend the hearing through Cisco Webex nor any other official has been deputed to attend the hearing on her behalf through Cisco Webex. The PIO Mrs. Hardeep Kaur, Superintendent O/o SDM Abohar, District Fazilka was informed by the staff of the Bench regarding today's hearing. Incidentally, this is the fourth hearing of the second appeal before the Bench and the PIO has absented herself on all the occasions.
4. The Bench observes that the directions of the Commission given on the previous date of hearing have also not been complied with. The PIO has neither filed reply to the show cause notice nor has deposited the penalty imposed on the PIO.

5. The appellant was most upset during the hearing at the approach of the PIO at not addressing his RTI application and not providing him any information. The PIO in the instant appeal case has flouted all provisions of RTI Act and has been most insensitive.

6. The Bench observes that the PIO has also not complied with the orders of the Bench and no reply to the show cause notice has been filed. In addition, deposit of the amount of penalty imposed on the PIO is also pending.

7. The PIO is directed to come in person to attend the next hearing before the Bench in Commission's office at Chandigarh and bring along the entire relevant official records and produce before the Bench. The PIO is also directed to produce the evidence for having deposited the penalty and reply to show cause notice. The appellant is advised to be present before the Bench on 26.05.2021.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 26.05.2021 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
20.04. 2021

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