

**PUNJAB STATE INFORMATION COMMISSION**  
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Sh.Davinder Kumar, S/o Sh Lt Sh Ram Murti,  
VPO Sidhwan Bet, Tehsil Jagraon,  
Distt Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o Principal Secretary,  
Local Government,  
Sec-35-A, Pb, Chandigarh.

**First Appellate Authority,**  
O/o Principal Secretary,  
Local Government,  
Sec-35-A, Pb, Chandigarh.

...Respondent

**Appeal Case No. 471 of 2020**

**PRESENT:** Sh.Davinder Kumar as the Appellant  
Sh.Sanjeev Kumar, Suptd-cum-PIO(LG-2) and Sh.Harmeet Singh, JA-cum-  
APIO/Improvement Trust Ludhiana for the Respondent

**ORDER:**

The case was first heard on 17.08.2020. The appellant claimed that despite his visit to the office of PIO thrice and meeting & requesting the PIO, the information has not been provided. The respondent was absent.. The PIO was directed to provide whatever the information is available within 15 days as per the RTI application and send a compliance report to the Commission.

Having gone through the record, the Commission observes that there has been an enormous delay of more than eleven months in attending to the RTI application. The PIO was issued a show cause notice **under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

On the date of last hearing on **09.09.2020**, the respondent present pleaded that the information on points 1 & 2 has been provided to the appellant vide letter dated 16.10.2019 and since the information regarding points 3 to 7 relates to the Improvement Trust, Ludhiana, the RTI application was transferred to them under section 6(3) of the RTI Act.

The appellant was absent. The respondent from Improvement Trust was also absent. The PIO-cum-Executive Officer, Improvement Trust, Ludhiana was impleaded in the case and directed to look at the RTI application transferred by the department of Local Govt on 16.10.2019 and provide the information to the appellant within 15 days. The decision on show cause notice was to be taken on the next date of hearing.

**Appeal Case No. 471 of 2020**

**Hearing dated 22.03.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present from the office of Local Govt informed that the information concerning them (points 1 & 2) has already been provided on 16.10.2020. As per appellant, he has not received the information. The respondent has submitted a copy of the information to the Commission which has been taken on the file of the Commission. A copy of the same is being sent to the appellant alongwith the order.

The respondent present from Improvement Trust Ludhiana informed that the information relating to points 4 to 7 has been sent to the appellant vide letter dated 16.12.2020. The appellant is not satisfied with the information relating to point 3, 6 & 7.

Hearing both the parties I feel that the matter can only be resolved if the appellant himself inspects the record as there is a continuous disagreement between the information provided and the information sought. The appellant is advised to inspect the record on 24.03.2021 at 12.00 noon in the office of Improvement Trust Ludhiana and get the relevant information.

The PIO-improvement Trust is directed to allow inspection of the record at the time and date fixed above, and provide the relevant information to the appellant as per the provisions of RTI Act.

The PIO-Local Govt. has not filed a reply to the show cause notice. The PIO is directed to file reply to the show cause before the next date of hearing. This is the last opportunity, else the commission will presume that the respondent has nothing to say on the matter.

To come up for further hearing on **29.06.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Ludhiana.

**Chandigarh**  
**Dated 22.03.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

CC to PIO-Executive Officer,  
Improvement Trust, Ludhiana



Sh.Rakesh Kumar Gupta, Advocate,  
8/237, Jagraon Road, Mandi Mullanpur,  
Distt. Ludhiana

... Appellant

Versus

**Public Information Officer,**  
O/o Director, Local Govt. Department,  
Sector-35-A, Chandigarh.

**First Appellate Authority,**  
O/o Director, Local Govt. Department,  
Sector-35-A, Chandigarh

...Respondent

**AppealCase No. 761 of 2020**

**PRESENT:   None for the Appellant**  
**None for the Respondent**

**ORDER:**

The appellant through RTI application dated 13.02.2020 has sought information regarding certified copies of educational qualification, courses done (during jobs) by building clerks, building inspectors, JEs, AME & ME, their seniority list in Municipal Bodies( Municipal Councils, Municipal Committees, Certified area Committees & Nagar Panchayats), Municipal Trusts and Municipal Corporation all across Punjab from 01.01.1999 and other information concerning the office of Director, Local Govt. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 17.02.2020 which took no decision on the appeal. The appellant had filed RTI application under Life & Liberty but the Hon'ble CIC order to consider the case under General category.

The case came up for hearing on 24.08.2020 through video conferencing at DAC Ludhiana. Due to a network problem the VC could not take place. The respondents from different departments of Local Govt. are present at Chandigarh. The respondents present from recruitment cell & Trust Service Cell pleaded that since the information relates to the third party, it cannot be provided and the reply has been sent to appellant vide letter dated 17.07.2020 & 24.08.2020 respectively.

The respondent present from Municipal Trust Cell informed that the available information concerning them has been supplied to the appellant vide letter dated 02.07.2020. The respondent further informed that the information sought by the appellant is not specified and voluminous since the appellant has asked for information of different employees of Municipal Councils, Municipal Committees, Certified area Committees & Nagar Panchayats), Municipal Trusts and Municipal Corporation in the state of Punjab.

The respondent from LG-2 Branch also pleaded that the information sought by the appellant is not specified.

**Appeal Case No. 761 of 2020**

Having gone through the RTI application, reply submitted by the PIOs and discussions with the respondents, the Commission agreed that the information that has been sought by the appellant is very voluminous and not specific and involves huge manpower to procure the information of all employees of different departments of the department of Local Bodies, as well as involves many PIOs in the process. The information also involves privacy issue of the employees since he has asked for educational certificates of all the employees working under Local Govt. Department.

The appellant was directed to file a fresh application to the Commission and clearly specify the information that he seeks and also establish a larger public interest involved in revealing such voluminous and personal information.

**Hearing dated 22.03.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant is absent and vide email has sent his reply which has been taken on the file of the Commission.

The respondent is absent.

The case is adjourned. To come up for further hearing on **29.06.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated 22.03.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh.Rakesh Kumar Gupta, Advocate,  
8/237, Jagraon Road, Mandi Mullanpur,  
Distt Ludhiana

... Appellant

Versus

**Public Information Officer,**  
O/o Director, Local Govt Department,  
Sector-35-A, Chandigarh.

**First Appellate Authority,**  
O/o Director, Local Govt Department,  
Sector-35-A, Chandigarh

...Respondent

**Appeal Case No. 762 of 2020**

**PRESENT:   None for the Appellant**  
**None for the Respondent**

**ORDER:**

The appellant through RTI application dated 10.02.2020 has sought information regarding appointments and promotions/demotion to building clerks, building inspectors, JEs, AME , ME, Executive Officers in Municipal Bodies (Municipal Councils, Municipal Committees, Certified area Committees & Nagar Panchayats), Municipal Trusts and Municipal Corporation all across Punjab from 01.01.2010 – appointment letters, educational certificates – charge sheets – enquiry report charge sheets/enquiries pending and other information concerning the office of Director, Local Govt. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 13.02.2020 which took no decision on the appeal. The appellant had filed RTI application under Life & Liberty but the Hon'ble CIC ordered to consider the case under General category.

The case first came up for hearing on **24.08.2020** through video conferencing at DAC Ludhiana. Due to a network problem, the VC could not take place. The respondents from different departments of Local Govt. were present at Chandigarh. The respondents present from recruitment cell & Trust Service Cell have pleaded that since the available information concerning them has been provided to the appellant and remaining information being third party, it cannot be provided and the reply has been sent to appellant vide letter dated 16.07.2020 & 24.08.2020 respectively.

The respondents present from Municipal Trust Cell & LG-1, LG-2 & LG-3 Branch informed that the information sought by the appellant is not specified and voluminous since the appellant has asked for information of different employees of Municipal Councils, Municipal Committees, Certified area Committees & Nagar Panchayats), Municipal Trusts and Municipal Corporation in the state of Punjab.

**Appeal Case No. 762 of 2020**

Having gone through the RTI application, reply submitted by the PIOs and discussions with the respondents, the Commission agrees that the information that has been sought by the appellant is very voluminous and not specific and involves huge manpower to procure the information of all employees of different departments of the department of Local Bodies, as well as involves many PIOs in the process. The information also involves privacy issue of the employees since he has asked for educational certificates of all the employees working under Local Govt. Department.

The appellant was directed to file a fresh application to the Commission and clearly specify the information that he seeks and also establish a larger public interest involved in revealing such voluminous and personal information.

**Hearing dated 22.03.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant is absent and vide email has sent his reply which has been taken on the file of the Commission.

The respondent is absent.

The case is adjourned. To come up for further hearing on **29.06.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated 22.03.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh.Rakesh Kumar Gupta, Advocate,  
8/237, Jagraon Road, Mandi Mullanpur,  
Distt Ludhiana

... Appellant

Versus

**Public Information Officer,**  
O/o Director, Local Govt Department,  
Sector-35-A, Chandigarh.

**First Appellate Authority,**  
O/o Director, Local Govt Department,  
Sector-35-A, Chandigarh

...Respondent

**Appeal Case No. 971 of 2020**

**PRESENT: None for the Appellant**  
**None for the Respondent**

**ORDER:**

The appellant through RTI application dated 17.02.2020 has sought information regarding appointments and promotions/demotion of draftsmen, their qualifications certificates at the time of appointment and acquired thereafter during jobs. Vacancies of draftsmen, building clerks, building inspectors, JE, AME, ME-executive officers – permission sought and permission granted for further education, leaves sought and granted – PCP – details of vacancies of draftsmen, building clerks, building inspectors, JE-AME-ME in Municipal Bodies (Municipal Councils, Municipal Committees, Certified area Committees & Nagar Panchayats), Municipal Trusts and Municipal Corporation all across Punjab from 01.01.1999 and other information concerning the office of Director, Local Govt. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 27.02.2020 which took no decision on the appeal. The appellant had filed RTI application under Life & Liberty but the Hon'ble CIC ordered to consider the case under General category.

The case first came up for hearing on 24.08.2020 through video conferencing at DAC Ludhiana. Due to a network problem, the VC could not take place. The respondents from different departments of Local Govt. were present at Chandigarh. The respondents present from recruitment cell & Trust Service Cell pleaded that since the available information concerning them has been provided to the appellant and remaining information being third party, it cannot be provided and the reply has been sent to appellant vide letter dated 17.07.2020 & 24.08.2020 respectively

The respondents present from Municipal Trust Cell & LG-1, LG-2 & LG-3 Branch informed that the information sought by the appellant is not specified and voluminous since the appellant has asked for information of different employees of Municipal Councils, Municipal Committees, Certified area Committees & Nagar Panchayats), Municipal Trusts and Municipal Corporation in the state of Punjab.

**Appeal Case No. 971 of 2020**

Having gone through the RTI application, reply submitted by the PIOs and discussions with the respondents, the Commission agreed that the information that has been sought by the appellant is very voluminous and not specific and involves huge manpower to procure the information of all employees of different departments of the department of Local Bodies, as well as involves many PIOs in the process. The information also involves privacy issue of the employees since he has asked for educational certificates of all the employees working under Local Govt. Department.

The appellant was directed to file fresh application to the Commission and clearly specify the information that he seeks and also establish a larger public interest involved in revealing such voluminous and personal information.

**Hearing dated 22.03.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant is absent and vide email has sent his reply which has been taken on the file of the Commission.

The respondent is absent.

The case is adjourned. To come up for further hearing on **29.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

**Chandigarh**  
Dated 22.03.2021

**Sd/-**  
**(Khushwant Singh)**  
State Information Commissioner





Sh.Sukhdhir Singh, Head Teacher,  
Block-Mangat-2, Ludhiana.  
R/o H No-4, BabaNand Singh Nagar,  
Basant Avenue Dugri,  
Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o DEO (EE),  
Ludhiana.

**First Appellate Authority,**  
O/o DEO (EE),  
Ludhiana.

...Respondent

**Appeal Case No. 847of 2020**

**PRESENT: Sh.Sukhdhir Singh as the Appellant**  
**Sh.Kuldeep Singh, Dy.DEO(EE) for the Respondent**

**ORDER: Facts of the case:-**

That the appellant through RTI application dated 06.09.2019 has sought information regarding observations /objections of DEO(EE) Ludhiana about his case on the state awards for the years 2018-19 & 2019-20, any objection if any, statement of complainant, enquiry report of the enquiry officer and other information concerning the office of DEO(EE) Ludhiana. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 01.01.2020 which took no decision on the appeal. After filing first appeal, the PIO sent a reply to the appellant vide letter dated 05.02.2020. On being not satisfied with the reply, the appellant filed a second appeal in the Commission.

That the case first came up for hearing on **24.08.2020** through video conferencing at DAC Ludhiana. Due to a network problem the VC could not take place. The appellant was present at Chandigarh and informed that the PIO has not supplied the information as per the RTI application.

Having gone through the reply, the Commission observed that the reply was incomplete and without application of mind. The PIO was then directed to provide the information as per the RTI application. It was also stated that should the PIO seek any exemption to not provide the sought information, the PIO should give a speaking order using the exemptions provided under the RTI Act..

The Commission further observed that there had been an enormous delay in attending to the RTI application. Taking a serious view of this, the PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file a reply on an affidavit.**

That the case has come up for **hearing today** through video conferencing at DAC Ludhiana.

- 1) Smt.Sukhbir Kaur, the PIO in this case is absent, nor has she filed any reply to the show cause notice.
- 2) She is being represented by her colleague , who, however is not the PIO in this particular case and has no authority letter to represent the PIO in this case.
- 3) The said information has not been provided.

**Appeal Case No. 847of 2020**

Since the PIO has neither provided the information on time as prescribed under section 7, which is within 30 days of the receipt of the request, nor has replied to the show cause, it is presumed that the PIO has nothing to say on the matter.

Given the facts of the case, the PIO is clearly guilty of not providing the information on time, wrongful denial as well as not providing the information even after the orders of the commission.

A penalty of **Rs.10,000/-** is hereby imposed upon Smt.Sukhbir Kaur, PIO-DEO(EE) Ludhiana which will be deposited in the Govt. Treasury. The PIO-DEO(EE) is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

To come up for further hearing on **29.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

**Chandigarh**  
**Dated 22.03.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to :Director General School Education,Pb**  
**Mohali.**

**PUNJAB STATE INFORMATION COMMISSION**  
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Sh.Sukhdir Singh, Head Teacher,  
Block-Mangat-2, Ludhiana.  
R/o H No-4, BabaNand Singh Nagar,  
Basant Avenue Dugri, Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o DEO (EE),  
Ludhiana.

**First Appellate Authority,**  
O.o DEO (EE),  
Ludhiana.

...Respondent

**Appeal Case No. 1162 of 2020**

**PRESENT: Sh.Sukhdir Singh as the Appellant**  
**Sh.Kuldeep Singh, Dy.DEO(EE) for the Respondent**

**ORDER:**

The appellant through RTI application dated 09.01.2020 has sought information regarding order dated 07.01.2020 & 08.01.2002 regarding complaint against the appellant with documents attached with the complaint, name of enquiry officer and enquiry report – observations of DEO and other information concerning the office of DEO (EE) Punjab, Ludhiana. The appellant was not satisfied with the information provided by the PIO vide letter dated 16.01.2020 after which the appellant filed a first appeal before the First Appellate Authority on 30.01.2020 which took no decision on the appeal.

The case first came up for hearing on 24.08.2020 through video conferencing at DAC Ludhiana. Due to network problem, the VC could not take place. The appellant was present at Chandigarh and informed that the PIO has not supplied the information as per the RTI application.

Having gone through the reply, the Commission observed that the reply is incomplete. The PIO was directed to provide the complete information as per the RTI application within 15 days. If the PIO seeks any exemption, he was directed to give a speaking order.

**Hearing dated 22.03.2021:**

The case has come up for **hearing today** through video conferencing at DAC Ludhiana. The respondent present has pleaded that since he is the enquiry officer in the case, and the RTI application has been marked to him by the Superintendent, it was inappropriate for an enquiry officer to give an enquiry to the person against whom the enquiry was conducted.

He further added that the complete enquiry report has been sent to Director General, School Education Mohali for further action.

Director General School Education, Mohali is impleaded in the case and directed to provide information to the appellant. A copy of the RTI application is being attached with the order for the PIO's perusal. I'm also directing the DGSE office to conduct an enquiry into the factual position of handling of this RTI.

To come up for further hearing on **29.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana

**Chandigarh**  
**Dated 22.03.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to :Director General School Education,Pb Mohali**



Sh.Lakhvir Singh, S/o Sh.Harbans Singh,  
Village Gharkhana, P.O Manki ,  
Tehsil Samrala, Distt Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o Water Supply and Sanitation Deptt,  
Phase-2,Pb, Mohali.

**First Appellate Authority,**  
O/o Water Supply and Sanitation Deptt,  
Phase-2, Pb, Mohali.

...Respondent

**Appeal Case No. 778 of 2020**

**PRESENT: Sh.Lakhvir Singh as the Appellant**  
**None for the Respondent**

**ORDER:** The appellant through RTI application dated 10.10.2019 has sought information regarding permission granted for cultivating land around the water tank, income from that cultivation to the department and other information concerning the office of Water Supply and Sanitation Department, Punjab Mohali. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 28.11.2019 which took no decision on the appeal.

On the date of first hearing on 24.08.2020, the respondent present pleaded that since the water supply scheme is being looked after by the concerned Municipal Committee and the chairman of concerned gram panchayat, the information is not available with them and the reply has been sent to the appellant vide letter dated 11.08.2020. The respondent was directed to procure the information from the concerned Sarpanch/Municipal Committee and provide to the appellant.

**Hearing dated 22.03.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claims that the PIO has not provided the information.

The Respondent is absent nor has complied with the order of the Commission. The Commission further observes that there has been an enormous delay of more than one year and five months in providing the information. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide information to the appellant within 15 days of the receipt of this order.

The case is adjourned. To come up for further hearing on **29.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated 22.03.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**