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Amarjit Singh Dhamotia,

#1331-5, Near Vishawkarma Bhawa, Down Canal Road, Shimlapuri, Ludhiana-141003

Versus

Public Information Officer, o/o EO, Nagar Council, Jagroan, Ludhiana. First Appellate Authority, o/o EO, Nagar Council, Jagroan, Ludhiana.

Appeal Case No. 1181 of 2022 (Video Conference Proceedings)

PRESENT: (Appellant) Absent (Respondent) Absent

ORDER:

- 1. The RTI application is dated **28.10.2021** vide which the appellant has sought information <u>regarding private hospitals, schools, restaurants etc.</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **20.12.2021** and Second Appeal was filed in the Commission on **7.3.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. Both parties are absent. The appellant, in an email Dated 22.7.2022 has informed the Commission that Inspection pertaining to this Appeal Case has already been ordered along with other Appeal Cases, to be conducted on 29.7.2022. Both parties are directed to intimate the Commission following said inspection.
- 3. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

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Amarjit Singh Dhamotia,

#1331-5, Near Vishawkarma Bhawa, Down Canal Road, Shimlapuri, Ludhiana-141003

Versus

Public Information Officer, o/o EO, Nagar Council, Payal, Ludhiana. First Appellate Authority, o/o Additional Deputy Commissioner (UD) Ludhiana.

Appeal Case No. 1182 of 2022 (Video Conference Proceedings)

PRESENT: (Appellant) Absent (Respondent) Absent

ORDER:

- 1. The RTI application is dated **13.11.2021** vide which the appellant has sought information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **20.12.2021** and Second Appeal was filed in the Commission on **7.3.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. Both parties are absent. As per an email received from the appellant on 22.7.2022, an inspection has already been ordered in this Appeal Case along with that in three other Appeal Cases on 25.7.2022. Both parties to intimate the Commission following said inspection.
- 3. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

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Amarjit Singh Dhamotia,

#1331-5, Near Vishawkarma Bhawa, Down Canal Road, Shimlapuri, Ludhiana-141003

Versus

Public Information Officer, o/o EO, Nagar Council, Payal, Ludhiana. First Appellate Authority, o/o Additional Deputy Commissioner (UD), Ludhiana.

Appeal Case No. 1185 of 2022 (Video Conference Proceedings)

PRESENT: (Appellant) Absent (Respondent) Absent

ORDER:

- 1. The RTI application is dated **29.10.2021** vide which the appellant has sought information, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **20.12.2021** and Second Appeal was filed in the Commission on **7.3.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. Both parties are absent. As per an email received from the appellant on 22.7.2022, an inspection has already been ordered in this Appeal Case along with that in three other Appeal Cases on 25.7.2022. Both parties to intimate the Commission following said inspection.
- 3. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

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Rohit Sabharwal,

S/o Sh. Vijay Sabharwal, Kundan Bhawan, # 126, Model Gram, Ludhiana – 141 002

Versus

Public Information Officer,

o/o Headquarter, Zone A, Municipal Corporation, Near Mata Rani Chowk, Ludhiana. **First Appellate Authority**,

o/o Commissioner, Municipal Corporation, Ludhiana.

Appeal Case No. 3496 of 2021 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671 Gurjit Singh, Junior Draftsman from Zone A (for the Respondent) Kashish Garg, Building Inspector from Zone C (for the Respondent) Harjeet Singh, Draftsman from Zone D (for the Respondent) 98141-66090

ORDER:

(To be read in continuity with earlier orders on 19.4.2022)

- 1. The RTI application is dated **18.2.2021** vide which the appellant has sought information regarding compoundable and non-compoundable violations from 1.1.2015 to date, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.4.2021** and Second Appeal was filed in the Commission on **3.8.2021** under Section 19 of the Right to Information Act 2005. The case was last heard on **19.4.2022**.
- 2. Both parties are present. The respondent PIO, represented by Gurjit Singh, Junior Draftsman from Zone A, Kashish Garg, Building Inspector from Zone C, and Harjeet Singh, Draftsman from Zone D, state that that the practice of uploading 'remarks' pertaining to building violations has been started for current cases. With regard to earlier violations, the respondents state that it involves the great deal of work and difficult to achieve with the current staffing. The respondent PIOs are advised to make their respective submissions in writing to the Commission in light of this Commission's Order of 19.4.2022.
- 3. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

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Rohit Sabharwal.

S/o Sh. Vijay Sabharwal, Kundan Bhawan, # 126, Model Gram, Ludhiana – 141 002

Versus

Public Information Officer,
o/o Executive Officer, Improvement Trust,
Feroze Gandhi Market, Ludhiana.
First Appellate Authority,
o/o Regional Deputy Director,
Local Government, Punjab,
Mini Secretariat, Ludhiana.

Appeal Case No. 164 of 2022 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671 Vishal Sharma, Clerk (for the Respondent) 75892-02222

ORDER:

- 1. The RTI application is dated **4.9.2021** vide which the appellant has sought information <u>regarding a complaint dated 25.2.2020</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **12.10.2021** and Second Appeal was filed in the Commission on **30.12.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. Both parties are present. The respondent PIO has submitted a copy of reply sent to the appellant vide Letter No. 3346 Dated 5.7.2022, wherein the appellant has been informed that no list of defaulters has been prepared by the Ludhiana Improvement Trust. The appellant has pointed out that said reply does not address the RTI application, which seeks the status and the information generated from the complaint cited in the application. This has been explained to the representative of the PIO with a direction that the requisite information be submitted within 14 days of receipt of this Order, with a copy to this Commission.
- 3. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

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Rohit Sabharwal, # 126, Model Gram, Ludhiana- 141002

Versus

Public Information Officer, o/o Assistant Town Planner, Zone-D Municipal Corporation, Ludhiana. First Appellate Authority, o/o Joint Commissioner, Municipal Corporation, Ludhiana.

Appeal Case No. 772 of 2022 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671 Harjit Singh, Draftsman from Zone D (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on **1.4.2022**)

- 1. The RTI application is dated **28.10.2021** vide which the appellant has sought information regarding illegal, under construction building being constructed in violation of the building bylaws, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.12.2021** and Second Appeal was filed in the Commission on **10.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.4.2022**.
- 2. Both parties are present. The respondent PIO, has submitted a copy of reply sent to the appellant vide Letter No. 123 Dated 21.7.2022, wherein most of the information has been denied as not available in the record. The appellant has objected the said reply saying the respondent is malafidely denying the information, since the building cited in RTI application is linked with some influential person/persons.
- 3. In view of the appellant's objection, the respondent PIO, Building Branch, Zone-D, is hereby directed to submit a duly notarized affidavit reproducing the contents of his reply sent to the appellant vide Letter No. 123 Dated 21.7.2022. The original affidavit must be sent to the appellant with a copy to this Commission.
- 4. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

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Rohit Sabharwal, # 126, Model Gram, Ludhiana – 141002.

Versus

Public Information Officer,
o/o Assistant Town Planner, Building Branch, Zone B,
Municipal Corporation, Ludhiana.
Public Information Officer,
o/o Assistant Town Planner, Zone-A,
Municipal Corporation, Ludhiana.
First Appellate Authority,
o/o Commissioner, Municipal Corporation,

Appeal Case No. 1970 of 2022 (Video Conference Proceedings)

PRESENT:

Ludhiana.

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

ORDER:

- 1. The RTI application is dated **23.12.2021** vide which the appellant has sought information <u>regarding an under construction building</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **16.2.2022** and Second Appeal was filed in the Commission on **20.4.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. The respondent PIO is absent. In a reply to the appellant vide Letter No. 1590 Dated 21.2.2022, the requested information was denied as per Section 8(1)(j) as 'personal information'. However, as pointed out by the appellant, point No.1 of the RTI application has sought information pertaining to the appellant's complaint dated 15.7.2021.
- 3. The respondent is hereby directed to submit a written reply specifically with regard to point No. 1 of the RTI application which reads as under:-

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

4. To seek exemption from disclosure of any specific information, the PIO must cite the relevant provisions of the RTI Act, 2005.

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Appeal Case No. 1970 of 2022 (Video Conference Proceedings)

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 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

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REGISTERED SHOW CAUSE NOTICE

Rohit Sabharwal, # 126, Model Gram, Ludhiana – 141002.

Versus

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

Appeal Case No. 1237 of 2022 (Video Conference Proceedings)

PRESENT:

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

ORDER:

- 1. The RTI application is dated **29.11.2021** vide which the appellant has sought information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.1.2022** and Second Appeal was filed in the Commission on **9.3.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. The respondent PIO is absent. This RTI application was submitted on 29.11.2021, since then as per the appellant, there has been no reply/information from the respondent PIO. The Commission deems it fit to issue this Show Cause Notice to the respondent PIO-cum-Superintendent Headquarter, Rohit Kumar.
- 3. The respondent <u>PIO-cum-Superintendent Headquarter</u>, Rohit Kumar, 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 **29.11.2021**.

"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. 1237 of 2022 (Video Conference Proceedings)

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

5. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

Sd/-(ASIT JOLLY)

Date

State Information Commissioner, Punjab.

Chandigarh 22.7.2022

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

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Rohit Sabharwal, # 126, Model Gram, Ludhiana – 141002.

Versus

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

Appeal Case No. 1238 of 2022 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671 Sukhdeep Singh, SDO from Zone A (for the Respondent) 98889-77577 Gokaran Kumar, JE from Zone C (for the Respondent) 99888-31600 Gurjit Singh, JE from Zone D and Zone B, O&M Cell (for the Respondent) 70096-21098

ORDER:

- 1. The RTI application is dated **23.10.2021** vide which the appellant has sought information <u>regarding manholes</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.12.2021** and Second Appeal was filed in the Commission on **9.3.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. Both parties are present. The respondent PIOs are represented by Sukhdeep Singh, SDO from Zone A, Gokaran Kumar, JE from Zone C, and Gurjit Singh, JE from Zone D and Zone B, O&M Cell. The PIOs O&M Cell, Zone-A, B, and C are hereby granted 15 days from the date of receipt of this Order to furnish a pointwise reply to the RTI application along with the requested information as available in the record, to the appellant. A copy of the same be submitted to the Commission.
- 3. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

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REGISTERED SHOW CAUSE NOTICE

Rohit Sabharwal, # 126, Model Gram, Ludhiana – 141002.

Versus

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

Appeal Case No. 1239 of 2022 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671 Vikas Kumar, JE from Zone A, B&R (for the Respondent) Pawanpreet Singh, JE from Zone B (for the Respondent) 98886-63023 Rashpal Singh, JE from Zone C (for the Respondent)

ORDER:

- 1. The RTI application is dated **21.10.2021** vide which the appellant has sought information regarding two complaints dated **2.1.2020** and **15.2.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **16.12.2021** and Second Appeal was filed in the Commission on **9.3.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. Both parties are present. The respondent PIO's, B&R branch Zone A, B. and C are present. This RTI application was filed to the PIO, Headquarters, MC Ludhiana on 21.10.2021 since then no reply/information has been furnished by the respondent PIO. The Commission deems it fit to issue the respondent PIO-cum-Superintendent, Headquarters, Municipal Corporation, Ludhiana with this Show Cause Notice.
- 3. The respondent <u>PIO-cum-Superintendent</u>, <u>Headquarters</u>, <u>Municipal Corporation</u>, <u>Ludhiana</u>, is herewith ordered to <u>SHOW CAUSE</u> 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 **21.10.2021**.

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Appeal Case No. 1239 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. 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 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

Sd/-(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh 22.7.2022

Cc: Commissioner,

MC, Ludhiana, for information and necessary action.

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Rohit Sabharwal,

126, Model Gram, Ludhiana – 141002.

Versus

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

Appeal Case No. 506 of 2022 (Video Conference Proceedings)

PRESENT:

Ludhiana.

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671 Gurjit Singh, JE from B, O&M Cell (for the Respondent) 70096-21098

ORDER:

- 1. The RTI application is dated **23.10.2021** vide which the appellant has sought information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.12.2021** and Second Appeal was filed in the Commission on **21.1.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. Both parties are present. The respondent, represented by Gurjit Singh, JE, O&M Cell, Zone B is present. The respondent PIO is directed to submit a pointwise reply to this RTI application. This must be done before the next hearing.
- 3. 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

4. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

Sd/-(ASIT JOLLY)

State Information Commissioner, Punjab.

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Rohit Sabharwal, # 126, Model Gram, Ludhiana – 141002.

Versus

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

Appeal Case No. 631 of 2022 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant) 99882-51671 Pawanpreet Singh, JE from B&R (for the Respondent) 98886-63023 Rashpal Singh, JE from Zone C (for the Respondent)

ORDER:

- 1. The RTI application is dated **21.10.2021** vide which the appellant has sought information regarding three complaints dated **27.8.2021**, **27.8.2021** and **15.9.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **1.12.2021** and Second Appeal was filed in the Commission on **27.1.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **22.7.2022**.
- 2. Both parties are present. As per the appellant, no reply has yet been received to this RTI application. The respondent PIO, representing the B&R Branch, Zone B and C are hereby directed to submit a written reply to the RTI application within 30 days of receipt of this Order.
- 3. Next hearing on 29.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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