**PUNJAB STAE INFORMATION COMMISSION**

 RED CROSS BUILDING SECTOR-16, MADHYA MARG, CHANDIGARH

 Tele No.0`172-2864112 FAX No. 0172-2864125 vis us : @www.inforcommpunjab.com

 Email: psic22@punjabmail.gov.in

Sh. Jasbir Singh

Village Bholapur Jhabewal,

P.O. Ramgarh, Distt. Ludhiana Appellant

Versus

Public Information Officer

O/o Commissioner,

Municipal Corporation, Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation, Ludhiana Respondents

**APPEAL CASE NO.13/2018**

 Date of RTI application : 26.09.2017

Date of First Appeal :06.11.2017

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:20.12.2017

**Present:** None on behalf of the Appellant.

 Sh. Anish Bansal, Superintendent, Zone ‘C’, MC office, Ludhiana – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

The appellant is again absent. Sh. Anish Bansal, Superintendent appearing on behalf of the respondents says that the information has since been supplied to him. They have enclosed a copy of the same which seems to be in order. Final opportunity is afforded to him to react on the information thus sent to him failing which it shall be presumed that he is satisfied with the information thus provided to him.

 To come up on **11.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Rohit Sabharwal, (President),

Kundan Bhawan, 126, Model Grain,

Ludhiana Appellant

Versus

Public Information Officer

O/o Municipal Corporation, Zone –D,

Sarabha Nagar, Ludhiana

First Appellate Authority

O/o Municipal Corporation,

Ludhiana Respondents **APPEAL CASE NO.17/2018**

 Date of RTI application :29.09.2017

Date of First Appeal :01.11.2017

Date of order of FAA :30.11.2017

Date of 2nd Appeal/complainant:18.12.2017

**Present:** Adv. Sukhjinder Kaur, Counsel for the Appellant.

 Sh. Damanpreet Singh, Draftsman, Zone ‘D’, MC Office, Ludhiana – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

There is some technical glitch in the video conferencing.

 The matter shall be reheard on **20.06.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Rohit Sabharwal, (President),

Kundan Bhawan, 126, Model Grain,

Ludhiana

 Appellant

Versus

Public Information Officer

O/o Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Municipal Corporation,

Ludhiana Respondents

 **APPEAL CASE NO.18/2018**

 Date of RTI application :31.08..2017

Date of First Appeal :10.10.2017

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:16.12.2017

**Present:** Adv. Sukhjinder Kaur, Counsel for the Appellant.

 Sh. Damanpreet Singh, Draftsman, Zone ‘D’, MC Office, Ludhiana – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

There is some technical glitch in the video conferencing.

 The matter shall be reheard on **20.06.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STAE INFORMATION COMMISSION**

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 Email: psic22@punjabmail.gov.in

Sh. Baljeet Singh,

S/o Sh. Bachan Singh,

R/o Village Sunet, B.R.S. Nagar,

Ludhiana Appellant

Versus

Public Information Officer

O/o Improvement Trust,

Ludhiana

First Appellate Authority

O/o Deputy Director, Local Bodies, Pb. Govt..

Ludhiana Respondents

 **APPEAL CASE NO.49/2018**

 Date of RTI application : 12.09.2017

Date of First Appeal : 13.10.2017

Date of order of FAA : Nil

Date of 2nd Appeal/complainant:20.12.2017

**Present: None.**

**ORDER**

 The appellant is absent on trot.

 The respondents have intimated that the information was sent to him and acknowledgement of receipt has also been attached by them. Seemingly, the appellant is satisfied with the information. No further action is called for.

 **Disposed.**

 **Sd/-**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Harjinder Singh

S/o Sh. Kapur Singh

Village Gobindgarh, P.O. Jugiana,

Distt. Ludhiana Appellant

Versus

Public Information Officer

O/o Commissioner,

Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Ludhiana Respondents **APPEAL CASE NO.99/2018**

 Date of RTI application :21.09.2017

Date of First Appeal :20.10.2017

Date of order of FAA :Nil

Date of 2nd Appeal/complainant: 21.12.2017

**Present:** Sh. Harjinder Singh, Appellant in person at Commission’s office, Chd.

 Sh. Harvinder Singh, PIO – cum - ATP, Zone ‘B’, MC Office, Ludhiana – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

The following order was made on 21.02.2018 by this forum:

 *“The original application was filed by the appellant on 21.09.2017. Despite the lapse of about six months no cogent action seems to have been taken on it. The respondents represented by Sh. Gaurav Kumar, Jr. Draftsman say that he has brought along a reply to one of the points made in the original application. It has been advised to be handed over to the appellant on spot. The appellant may like to go through and respond in case he so desires.*

 *Meanwhile, Sh. Harvinder Singh, PIO – cum – Assistant Town Planner is issued a show cause notice for having failed to provide the information within the stipulated period of thirty days. Any further dereliction shall invite serious consequences.”*

Sh. Havinder Singh, PIO submits that the issue is under process and as and when the action is completed the appellant shall be duly informed. The plea of the respondent is misplaced. They are directed to inform the appellant about the current status and provide certified copies of the documents available on relevant file before the next date of hearing positively.

 Be that as it is, no further opportunity shall be afforded and penal action shall be taken as a show cause notice stands already issued to him.

 To come up on **11.07.2018 at 11.30 AM through video conference at Ludhiana.**

  **Sd/-**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Raj Kumar Sethi,

#71-D, Rajguru Nagar,

Ludhiana

 Appellant

Versus

Public Information Officer

O/o Executive Officer,

Improvement Trust, Ludhiana

First Appellate Authority

O/o Deputy Director, Urban Local Bodies, Punjab,

Ludhiana Respondents

 **APPEAL CASE NO.104/2018**

 Date of RTI application :14.09.2017

Date of First Appeal :07.11.2017

Date of order of FAA : Nil

Date of 2nd Appeal/complainant:26.12.2017

**Present:** Sh. Raj Kumar Sethi, Appellant in person.

 Sh. Harmeet Singh, APIO, Improvement Trust, Ludhiana – for Respondent s.

**ORDER**

 **The case has been heard through video conferencing.**

Sh. Harmeet Singh appearing on behalf of the respondents says that the available information has been provided to him. The rest of the information as asked for, according to the respondent, is not available on record. He further says that the concerned file has been got inspected by the appellant. From the proceedings, it does not appear malafide on the part of the respondents of concealing any information. As the available information has been given no further action is called for.

 **Disposed.**

  **Sd/-**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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 Email: psic22@punjabmail.gov.in

Sh. Jaspal Singh,

S/o Sh.Ramesh Arora,

House No.319/3, Gurdeep Nagar,

Jagraon Distt. Ludhiana Appellant

Versus

Public Information Officer

O/o Executive Officer,

Nagar Council, Jagraon,

Distt. Ludhiana

First Appellate Authority

O/o Deputy Director,

Urban Local Bodies, Punjab

Ludhiana Respondents

 **APPEAL CASE NO. 159/2018**

 Date of RTI application :03.10.2017

Date of First Appeal :07.11.2017

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:28.12.2017

**Present:** None on behalf of the Appellant.

 Sh. Amarpal Singh, Clerk NC office, Jagraon – for Respondents.

**ORDER**

 **The case has been heard through video conferencing.**

The following order was passed by this forum on 21.03.2018:

 “Sh. Amar Pal Singh appearing on behalf of the respondents says that the requisite reply has been sent to the appellant vide their letter dated 26.02.2018. The appellant is questioning the veracity of information provided to him. He may visit the office and inspect the record in case he so desires after following the due process and payment of requisite fee, and revert in case he still intends to say anything.”

 Sh. Amar Pal Singh, Clerk appearing on behalf of the respondents reiterates that the information available on record has been given to him. The appellant neither is present nor anything in writing has been received from him. Seemingly, he is satisfied with the information provided.

  **Disposed.**

  **Sd/-**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. Harbans Singh

S/o Sh. Mahinder Singh R/o House No.40,

Aggarsain Colony, Near Greenland School, Bareta Kainchian

Bareta Tehsil Budhlada Distt. Mansa. Appellant

Versus

Public Information Officer

O/o Director,

Vigilance Bureau, Punjab,

SCO No.60-61, Sector-17-D, Chandigarh

First Appellate Authority

O/o Director,

Vigilance Bureau, Punjab,

SCO No.60-61, Sector-17-D, Chandigarh Respondents

**APPEAL CASE NO.162 /2018**

 Date of RTI application :05.08.2017

Date of First Appeal :24.11.2017

Date of order of FAA :Reply 05.09.2017

Date of 2nd Appeal/complainant: 26.12.2017

**Present:** Sh. Harbans Singh, Appellant in person at Commission’s office, Chandigarh.

1. Sh. Krishan Lal, Superintendent, Pb. Vigilance Bureau, Chd. And
2. SI Avtar Singh, RTI Incharge, Pb. Vigilance Bureau, Chandigarh at Commission’s office, Chandigarh – for Respondents.

**ORDER**

 The following order was passed on 21.03.2018:

 *“Due to a technical glitch the video conference has not matured.*

 *Constable Anil Kumar and Sh. Satnam Singh are present on behalf of the respondents. They have filed a written reply as well. They state that the enquiry into a complaint made by the appellant has been conducted by the Sr. Superintendent of Police (Vigilance), Ferozepur, the report of which has been sent to the concerned department for appropriate administrative action. The documents relating to the issue in hand have already been sent across to the appellant The case is adjourned to be heard on* ***23.05.2018 at 11.30 AM through video conference at Mansa****. Meanwhile the appellant may like to respond to the submissions made by the respondents.”*

The case has again come up today. The appellant has been heard in person. It has been admitted by the Punjab Vigilance Bureau that a misappropriation of funds has been detected in the enquiry conducted by the Vigilance Department. They have forwarded the enquiry report along Contd..page…2

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**APPEAL CASE NO.162 /2018**

with the connected documents to the Administrative Department for departmental action.

 This forum is constrained to observe that the malfeasance of funds should have been addressed under the Prevention of Corruption Act. The Chief Director, Punjab Vigilance Bureau may like to look into it.

 Meanwhile, the PIO in the office of the Chief Conservator of Forests & Wild Life, Punjab, Forest Bhawan, Mohali is impleaded as a necessary party. He is directed to send the certified copies of the complete file to the appellant under intimation to the Commission.

 To come up on **26.06.2018 at 11.30 AM at Chandigarh.**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: PIO, O/o Chief Conservator of Forests & Wild Life, Punjab, Forest Bhawan, Mohali, for n/a.**

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Sh.Sushil Kumar,

House No.1410, Phase 1, Urban Estate,

Dugri Road, Ludhiana

 Complainant

Versus

Public Information Officer

O/o Chief Incharge/Zonal Commissioner,

Zone –D, Municipal Corporation,

Ludhiana Respondent

**COMPLAINT CASE NO.5/2018**

 Date of RTI application :16.10.2017

Date of First Appeal :Nil

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:19.12.2017

**Present:** Sh. Sushil Kumar, Complainant in person.

 Sh. Balwinder Singh, SDO, Zone ‘D’, MC office, Ludhiana – for Respondent.

**ORDER**

 **The case has been heard through video conferencing.**

Sh. Balwinder Singh appearing on behalf of the respondent says that they have endeavoured to contact the complainant to arrange to provide him the information. However, that did not mature. This is not a valid defence. The respondent is directed to convey it in writing by post to the complainant under intimation to the Commission.

 To come up for **confirmation on 11.07.2018 at 11.30 AM through video conference at Ludhiana.**

  **Sd/-**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STAE INFORMATION COMMISSION**

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Sh. P.D.Bansal (President),

Lok Sewa Club, Shop No.57,
Sant Market, G.T. Road, Khanna

Distt. Ludhiana Complainant

Versus

Public Information Officer

O/o Executive Officer,

Municipal Council, Khanna,

Distt. Ludhiana Respondents

**COMPLAINT CASE NO.14/2018**

 Date of RTI application :28.10.2017

Date of First Appeal : Nil

Date of order of FAA :Nil

Date of 2nd Appeal/complainant:26.12.2017

**Present:** Sh. P.D.Bansal, Complainant in person.

 Sh. Amar Pal Singh, Inspector, MC Office, Khanna - for Respondent.

 **ORDER**

 **The case has been heard through video conferencing.**

The following order was passed on 21.03.2018:

 *“The original application has been filed on 23.10.2017. The information sought concerns the leasing out of a parking lot by the Municipal Council in Guru Amardass Market, Khanna and the amount involved therein. The information sought is simple and concise and should have been parted with promptly in any case within the stipulated time.*

 *Sh. Amar Pal Singh, Inspector, Municipal Committee Khanna submits that he has brought along the information for handing it over to the complainant. It transpires that information thus brought is deficient as it does not pertain to all the years for which it has been sought. The Commission believes that the respondent is willfully withholding the information with malafide intent.*

 *Sh. Ravneet Singh, PIO – cum – E.O, Municipal Council, Khanna, therefore, is issued Contd..page…2*

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***COMPLAINT CASE NO.14/2018***

*a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.*

 *In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, 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.”*

The case has come up today.

 Sh. Amarpal Singh, Inspector appearing on behalf of the respondent submits that the information has been given. They have endorsed a copy of the same to the Commission as well. Though the information has been supplied yet the respondent has failed to explain the inordinate delay in having delivered the information. Another opportunity is afforded to them to provide a convincing explanation for the delay as already asked for in the show cause notice issued.

 To come up on **11.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**23.05.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Harmel Singh,

S/O Harchand Singh

R/o Bir Behman,

Distt Bathinda Appellant

Versus

Public Information Officer,

O/o Director General of Police Home Guards Punjab

Sector-17-C, 17 Bays Building, Chandigarh

First Appellate Authority,

Cum Director General of Police Home Guards Punjab

Sector-17-C, 17 Bays Building, Chandigarh

 Respondents

 **APPEAL CASE NO.867/2018**

Date of RTI application: 20.07.2016

Date of First Appeal : 29.03.2017

Date of Order of FAA: Reply 28.07.16

Date of 2nd Appeal/complaint 06.03.2018

**Present:** Sh. Harmel Singh, Appellant in person along with Adv. S.K.Nahar, Counsel. None on behalf of the Respondents.

 **ORDER**

 **The case has been heard through video conferencing.**

The respondents are absent. The Commission takes a serious note of the apathy shown by the respondents. They are directed to file a written reply before the next date of hearing positively and explain the reasons for having denied the information so far.

 To come up on **11.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**23.05.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Roop Singh,

House No 3205/1, Chungi No 7,

Agwara Rada, Jagraon, Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Nagar Council, Jagraon, Distt Ludhiana

First Appellate Authority,

O/o Deputy Director, Local Government, Punjab

 Ludhiana Respondents

 **APPEAL CASE NO.860/2018**

Date of RTI application: 01.09.2017

Date of First Appeal : 06.12.2017

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 03.03.2018

**Present:** None on behalf of the Appellant.

 Sh. Anil Kumar, Sanitary Inspector, NC office, Jagraon – for Respondents.

 **ORDER**

 **The case has been heard through video conferencing.**

The appellant is not present. Sh. Anil Kumar, Sanitary Inspector appearing on behalf of the respondents submits that the information asked for is massive. The appellant was desired to make payment of Rs.8,572/- being the cost of information. Having failed to do so he is not entitled to the information. The appellant may like to react on the submissions thus made by the respondent.

 To come up on **11.07.2018 at 11.30 AM through video conference at Ludhiana.**

 **Sd/-**

**23.05.2018**  **(Yashvir Mahajan)**

 **State Information Commissioner**