

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
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REGISTERED SHOW CAUSE NOTICE

Hakam Singh,
S/o Sh. Dadrshan Singh,
R/o Madhir, Tehsil Gidderbaha,
Sri Muktsar Sahib.

Versus

Public Information Officer,
o/o Conservator of Forests,
Ferozepur Circle, Ferozepur.
First Appellate Authority,
o/o Chief Conservator of Forests,
Sector-68, Mohali.

Appeal Case No. 3097 of 2022 (Video Conference Proceedings)

PRESENT:

Hakam Singh (Appellant) 99146-92355
Kanwaljit Kaur, Senior Stenographer (for the Respondent) 99888-84240

ORDER:

1. The RTI application is dated **24.3.2022** vide which the appellant has sought information **regarding the alleged loss of 6200 trees**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.5.2022** and Second Appeal was filed in the Commission on **1.7.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on 23.8.2022.

2. Both parties are present. As per the respondent PIO, a reply was first sent to the appellant vide Letter No. 329 Dated 18.4.2022, requesting him to visit the office to inspect the record which was voluminous. After said inspection, the PIO once again wrote to the appellant vide Letter No. 812 Dated 9.5.2022, that the information amounted to 821 pages for which he was asked to deposit a sum of Rs. 1,642.00. The information has however, still not been provided to the appellant even after he deposited the requisite copying charges.

3. The respondent PIO explained that the concerned file had been summoned by the Head Office and was not available for a period. However, said file has now been received back from the Head Office and requested copies will be supplied to the appellant. In view of the inordinate delay responded to this RTI application even after the appellant deposited the requisite copying charges of Rs. 1,642.00, the Commission deems it fit to serve the respondent PIO-cum-Conservator of Forests, Naresh Mahajan IFS, with this Show Cause Notice.

4. The respondent **PIO-cum-Conservator of Forests, Naresh Mahajan IFS**, 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 **24.3.2022**.

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Appeal Case No. 3097 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.

5. Beside a reply to the Show Cause Notice, the respondent PIO is given 15 days from the date of receipt of this Order to furnish a written reply along with duly attested copies of the requested information (821 pages) to the appellant. A copy of the reply must also be submitted to the Commission.

6. 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

7. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Ferozepur.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh
23.8.2022

Cc: Chief Conservator of Forest,
Sector-68, Mohali, for information and necessary action.

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REGISTERED SHOW CAUSE NOTICE

Daman Kapoor,
2226/10, Street No. 2,
Chander Nagar, Civil City,
Ludhiana.

Versus

Public Information officer,
o/o B&R Department, Zone A,
Municipal Corporation, Ludhiana.
First Appellate Authority-cum-
o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 2429 of 2021 (Video Conference Proceedings)

PRESENT:

Daman Kapoor (Appellant) 95014-22929
Sandeep Kumar, JE from Zone A (for the Respondent) 82848-00951

ORDER:

(To be read in continuity with earlier orders on 24.11.2021, 10.3.2022, and 29.6.2022)

1. The RTI application is dated **7.12.2020** vide which the appellant has sought information **regarding work orders, agreements, and sample test reports of all roads constructed in Ward Number 94 since 2017**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **11.1.2021** and Second Appeal was filed in the Commission on **20.5.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **29.6.2022**.

2. Both parties are present. At the last hearing on 29.6.2022, the respondent PIO was directed to supply attested copies of the pending information along with a covering letter to the appellant with a copy to this Commission. The respondent PIO, represented by Sandeep Kumar, JE from Zone A, is present but has no clue with regard to the status of the pending information. The appellant Daman Kapoor states that he has still to receive said information. The respondent PIO is hereby served with this Show Cause Notice.

3. The respondent **PIO-cum-XEN, B&R Branch, Zone A, Sh. Harwinder Singh**, 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 **7.12.2020**.

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Appeal Case No. 2429 of 2021 (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 the complete information listed as pending by the appellant, pertaining to Sunil Nagar and Kehar Singh Nagar, within 15 days of receipt of this Order. A copy of the same is also to be submitted to the Commission. Failure to comply shall invite a strict penalty as per the RTI Act 2005.

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 14.10.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh
23.8.2022

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

PUNJAB STATE INFORMATION COMMISSION

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Himanshu Raj,
C/o # 102, Sector 10 A,
Chandigarh.

Versus

Public Information officer,
o/o ATP, Building Branch, Zone B,
Municipal Corporation,
Mata Rani Chowk, Ludhiana.
First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 3448 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Munish Arora, Building Inspector from Zone B (for the Respondent) 98156-89864

Varinder Singh, JE from Zone B, B&R Branch (for the Respondent) 97803-00133

ORDER:

(To be read in continuity with earlier orders on 30.3.2022 and 22.6.2022)

1. The RTI application is dated **21.10.2019** vide which the appellant has sought information **regarding Vardhman Park, Park Estate, Park Avenue, Vardhman Amrante, Park Lane etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.2.2020** and Second Appeal was filed in the Commission on **31.3.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.6.2022**.

2. At the last hearing on 22.6.2022, a penalty of Rs. 5,000/- was imposed upon the concerned PIO with the further direction to submit a duly attested copies of the information along with a covering letter within 10 days of receipt of that Order. The PIO has failed to comply. While he has submitted copy of Letter No. 1615 Dated 18.8.2022, via email claiming that the requested information had been sent to the appellant, nothing has been received in the Commission. Furthermore, the appellant Himanshu Raj has informed the Commission that no information has been received by him, despite this Commission's Order of 22.6.2022.

3. The respondent PIO is herewith directed to appear in person before this Bench on Monday i.e. 29.8.2022 along with his reply to the appellant, the requested information and proof of payment of penalty imposed vide this Commission's Order of 22.6.2022.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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Appeal Case No. 3448 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 14.10.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

23.8.2022

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Baljeet Singh, Civil Engineer,
64-H, BRS Nagar,
Ludhiana.

Versus

Public Information Officer,
o/o District Fire Officer, Municipal Corporation,
Near Railway Station, Ludhiana.

Public Information Officer,
o/o (Establishment Department), B&R Branch, Zone-A,
Municipal Corporation, Ludhiana.

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

Appeal Case No. 2554 of 2022 (Video Conference Proceedings)

PRESENT:

Baljeet Singh (Appellant) 76965-00015
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 12.7.2022)

1. The RTI application is dated **3.12.2021** vide which the appellant has sought information **regarding No Objection Certificates (NOCs) from 2018 to date**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.1.2022** and Second Appeal was filed in the Commission on **25.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.7.2022**.

2. The respondent PIO is absent without intimation. This is despite the Show Cause Notice issued to the PIO-cum-District Fire Officer, MC, Ludhiana vide this Commission's Order of 12.7.2022. The PIO office of Fire Department, MC, Ludhiana, in a reply to the appellant vide Letter No. 675/FB/D Dated 10.8.2022, has furnished a pointwise reply to the RTI application wherein points A, C, and D have been replied to. Point B has been denied as third party information and point E and F have also been denied as "voluminous" citing Section 7(9) of the RTI Act 2005. With regard to point B, the PIO office of Fire Department, MC, Ludhiana's, decision to deny the information as third party information is herewith rejected.

3. The respondent PIO is directed to supply the requested information with regard to point B after duly attesting all copies with a covering letter within 15 days of receipt of this Order. With regard to the information requested at point E and F of the RTI application, the respondent PIO is directed to arrange an inspection of the record by the appellant at 11.00 am on Monday 5.9.2022, wherein the PIO Fire Department, MC, Ludhiana, must either be personally present or must depute an officer with suitable knowledge of said record to assist the appellant in conducting the inspection. Copies of documents as requested by the appellant are to be supplied to the appellant after due attestation free of cost. Both parties are to intimate the Commission after said inspection.

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Appeal Case No. 2554 of 2022 (Video Conference Proceedings)

4. At the last hearing, a Show Cause Notice issued to the PIO-cum-District Fire Officer, MC, Zone A, Ludhiana, which not correctly addressed. The above said Show Cause Notice is being reissued as under:

5 The respondent **PIO office of Fire Department, 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 **3.12.2021**.

“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.

6. 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

7. **Next hearing on 21.10.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

Sd/-
(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh
23.8.2022

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

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Meena Rani,
W/o Sh. Sat Paul,
R/o # 539/94-C, St. No.3,
New Vishnupuri, New Shivpuri Road,
Jodhewal, Ludhiana.

Versus

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

Appeal Case No. 2568 of 2022 (Video Conference Proceedings)

PRESENT:

Surinder Pal, Advocate (for the Appellant) 98154-66796
Parveen Kumar, PIO-Superintended (Respondent) 99881-54891

ORDER:

(To be read in continuity with earlier orders on 12.7.2022)

1. The RTI application is dated **29.12.2021** vide which the appellant has sought information **regarding two applications to the Superintendent House Tax Zone A by the appellant and her relative Sandeep Kumar,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.2.2022** and Second Appeal was filed in the Commission on **26.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.7.2022**.
2. Both parties are present. The respondent PIO, who was issued a Show Cause Notice at the last Hearing on 12.7.2022, has appeared in person and states that the two applications cited in the RTI application are not traceable since they were in the custody of an officer who unfortunately deceased.
3. The PIO-cum-Superintendent House Tax Branch Zone A, Municipal Corporation, Ludhiana, is hereby directed to submit a written reply to the Show Cause Notice issued by this Commission, stating all the contentions made at this hearing in writing. The respondent PIO is further directed to supply the requested information as available in the official record after duly attesting the same, to the appellant with a copy to this Commission. All the above must be done within 20 days of receipt of this Order.
4. The Commission also records here that the counsel representing the appellant namely Sh. Surinder Pal Singh Advocate failed to maintain the decorum of the Court during today's Hearing and repeatedly disrupted the proceedings, which were being conducted via video-conferencing. Said counsel is hereby advised to maintain decorum during future hearings.

Contd....2

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Appeal Case No. 2568 of 2022 (Video Conference Proceedings)

5. Next Hearing at 12:00 pm on 21.10.2022 at the Punjab State Information Commission, Red Cross Building (near Rose Garden), Sector 16, Chandigarh.

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

Chandigarh
23.8.2022

PUNJAB STATE INFORMATION COMMISSION

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Vishal Khullar,
#381-C, Rajguru Nagar,
Ludhiana.

Versus

Public Information Officer,
o/o Punjab Agriculture University,
Ludhiana.

First Appellate Authority,
o/o Punjab Agriculture University,
Ludhiana

Appeal Case No. 2618 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Kapil Bansal, Assistant Registrar (for the Respondent) 95011-20368

ORDER:

(To be read in continuity with earlier orders on 12.7.2022)

1. The RTI application is dated **18.4.2022** vide which the appellant has sought information **regarding an enquiry**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.5.2022** and Second Appeal was filed in the Commission on **31.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.7.2022**.

2. The appellant is absent without intimation. The respondent PIO as directed by the Commission on 12.7.2022, has submitted a pointwise reply to the RTI application along with some related documents which have been duly attested.

3. However, in view of the appellant's absence and his contention in a letter to this Bench, that the information furnished is misleading, he is granted one opportunity to be heard in person at the next hearing of this Appeal Case.

4. **Next hearing on 21.10.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Near Rose Garden, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
23.8.2022

PUNJAB STATE INFORMATION COMMISSION

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Mishri Lal,
S/o Sh. Ashok Kumar,
R/o 639, Field Ganj, Kucha No.9,
Ludhiana.

Versus

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

Appeal Case No. 2626 of 2022 (Video Conference Proceedings)

PRESENT:

Mishri Lal (Appellant) 98721-76230
Kirandeep Singh, Building Inspector (for the Respondent) 94463-46500

ORDER:

*(To be read in continuity with earlier orders on **12.7.2022**)*

1. The RTI application is dated **22.9.2021** vide which the appellant has sought information **regarding House No. 643, 645, 647, etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **11.4.2022** and Second Appeal was filed in the Commission on **31.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.7.2022**.

2. Both parties are present. At the last hearing on 12.7.2022, the respondent PIO was issued a Show Cause Notice following which he has submitted a reply stating

That the appellant was informed in an earlier reply vide Letter No. 22 Dated 19.5.2022 that details about building plans can only be traced and furnished if the map number is provided. On that basis the respondent PIO had denied the requested information.

3. After deliberations at this hearing, the respondent PIO, represented by Kirandeep Singh, Building Inspector from Zone A, is hereby directed to search his record for all details including notices, challans etc. pertaining to the houses cited in the RTI application and supply the same to the appellant by way of duly attested copies with copies to this Commission. This must be done within 20 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. 2626 of 2022 (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 21.10.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

23.8.2022

PUNJAB STATE INFORMATION COMMISSION

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REGISTERED SHOW CAUSE NOTICE

Paramjit Singh Bharaj,
1711/15, Street No.3,
Shimlapuri,
Ludhiana.

Versus

Public Information Officer,
o/o Municipal Corporation, Zone-C,
Ludhiana.

First Appellate Authority,
Commissioner,
Municipal Corporation,
Ludhiana.

Appeal Case No. 3080 of 2022 (Video Conference Proceedings)

PRESENT:

Parmjit Singh Bharaj (Appellant) 99140-22268
(Respondent) Absent

ORDER:

1. The RTI application is dated **5.4.2022** vide which the appellant has sought information **regarding ward no. 34, 39**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.5.2022** and Second Appeal was filed in the Commission on **1.7.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on 23.8.2022.
2. The respondent PIO is absent without intimation. This RTI application was submitted on 10.5.2022 and as per the appellant, the XEN-cum-PIO sent him a reply vide Letter No. 1130 Dated 27.5.2022, that the RTI application is in the form of questions and so not admissible.
3. The Commission however, notes that the respondent PIO has not bothered to respond to this Commission's Notice of Hearing Dated 8.8.2022. In view of the above the Commission deems it fit to serve the respondent PIO with this Show Cause Notice.
4. The respondent **PIO office of Municipal Corporation, Zone C, 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 **5.4.2022**.

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Appeal Case No. 3080 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.

5. Next hearing on 21.10.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

Chandigarh
23.8.2022

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