

Sh. Amandeep Singh, S/o Sh. Surinder Singh,  
R/o H No-610, Sector 39,  
Urban Estate, Chandigarh Road,  
Jamalpur, Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o Principal Secretary,  
Department of Local Bodies, Pb  
Sector-35-A, Chandigarh.

**First Appellate Authority,**  
O/o Principal Secretary,  
Department of Local Bodies, Pb  
Sector-35-A, Chandigarh.

...Respondent

**Appeal Case No. 1929/2020 and 1936/2020**

**PRESENT:**     **None for the Appellant**  
                     **Ms.Kashish Garg O/o Local Govt.Pb and Sh.Rajiv Saggat, PIO O/o CVO-**  
                     **Local Bodies,Pb for the Respondent**

**ORDER:**

The appellate through RTI application dated 15.07.2019 has sought information regarding action taken on the complaint dated 04.07.2019 relating to construction of illegal colony by Vishal Sharma on Khasra no. 75/76 etc. in village Giaspura and other information concerning the office of Principal Secretary Department of Local Bodies, Pb Chandigarh. The appellant was not provided with the information after the appellant filed the first appeal before the First Appellate Authority on 06.09.2019 which took no decision on the appeal.

The case was first heard on **08.02.2021** through video conferencing at DAC Ludhiana.

The appellant was absent. The Commission received an email from the ATP O/o Director Local Govt in appeal case No.1929 of 2020 stating that since the information relates to the office of MC Ludhiana, the RTI application had been transferred to MC Ludhiana on 22.08.2019 under section 6(3) of the RTI Act.

In appeal case No.1936 of 2020, Sh.Rajiv Saggat-PIO appeared and informed that since the enquiry on the complaint is pending with their office, the information cannot be provided u/s 8(1)(h) of the RTI Act.

Since the appellant in appeal case No.1929/2020 and appeal case No.1936/2020 had sought exactly the same information from two different departments of Local Bodies, both the cases were clubbed together.

The case came up for hearing yesterday again on **25.05.2021**. Due to a network problem in the VC, the hearing could not take place and the case was adjourned.

**Hearing dated 26.05.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana/Mohali. The appellant is absent on the second consecutive occasion.

**Appeal Case No. 1929/2020 and 1936/2020**

The respondent present pleaded that no action on the complaint of the appellant has been taken since the case is pending in the Hon'ble Punjab and Haryana High Court and the reply has been sent to the appellant on 26.09.2020 and again on 20.03.2021.

The Commission has received a copy of the letter from the PIO-cum-ATP(Zone-C)MC Ludhiana on 30.04.2021 vide which the PIO has sent reply to the appellant with a copy to the Commission.

In the said letter, the PIO has mentioned that the appellant had earlier filed a similar appeal case No.1918 of 2020 for seeking exactly the same information which was disposed of by Lt Gen Ajae Kumar Sharma(Retd), State Information Commissioner on 14.09.2020 on the basis of the filing of an affidavit by the PIO that since the case is pending in the Hon'ble High Court (CWP No.15511 of 2019 & COCP No.129 of 2020 Sh. Navjot Singh v/s A Venu Gopal IAS and Others), the information cannot be provided and the action on the complaint will be taken after the decision of the High Court.

Information stands provided. The appellant has been absent on two consecutive occasions bring to further any arguments against the respondent's claims.

No further course of action is required.

The case is **disposed of and closed**.

Chandigarh  
Dated:26.05.2021

Sd/-  
(Khushwant Singh)  
State Information Commissioner

CC to 1. PIO-Chief Vigilance Officer of Local Bodies, Pb Chandigarh

2. PIO-Municipal Corporation, Ludhiana

Sh Rohit Sabharwal,  
Kundan Bhawan, 126,  
Model Gram, Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o Chief Vigilance Officer,  
Department of Local Bodies,  
Sector-35-A, Chd.

**First Appellate Authority,**  
O/o Chief Vigilance Officer,  
Department of Local Bodies,  
Sector-35-A, Chd.

...Respondent

**Appeal Case No. 2052 of 2020**

**PRESENT: Ms.Sukhjinder Kaur, Advocate for the Appellant**  
**Sh.Rajiv Saggar, PIO for the Respondent**

**ORDER:**

The appellate through RTI application dated 14.03.2020 has sought information on 10 points regarding a total number of cases in which enquiry against the complaints relating to the period 01.01.2010 to 31.12.2010 and for the period 01.01.2011 to 31.12.2011, 01.01.2012 to 31.12.2012, 01.01.2013 to 31.12.2013, 01.01.2014 to 31.12.2014, 01.01.2015 to 31.1.2015, 01.01.2016 to 31.12.2016, 01.01.2017 to 31.12.2017, 01.01.2018 to 31.12.2018 & 01.01.2019 to 31.12.2019 is pending with CVO office Department of Local Govt. Bodies and other information concerning the office of Chief Vigilance Officer, Local Bodies, Pb Chandigarh. The appellant was not provided the information after the appellant filed the first appeal before the First Appellate Authority on 21.05.2020 which took no decision on the appeal.

The case first came up for hearing on 08.02.2021 through video conferencing at DAC Ludhiana. The advocate appeared on behalf of the appellant informed that PIO has neither provided the information nor has replied to the RTI application even after a period of more than ten months.

The respondent PIO pleaded that the enquiry on the complaints for which the appellant has sought information is pending. Further all complaints which are received in the vigilance department, are being entered in the receipt register and after taking necessary action on the complaints as per instructions, these are entered in the dispatch register. Now the entry of the dak received in CVO after 17.05.2017 has been computerized whereas prior to this, the record was maintained manually. Further, since the appellant has asked for information from 01.01.2010 to 31.12.2019 relating to pending enquiries, the information is readily not available and has to be created by segregating all dak registers which is very voluminous.

The respondent further pleaded that if the appellant wants information on any specific complaint, he may specify and get the information or he may inspect the record on any working day during office hours.

**Appeal Case No. 2052 of 2020**

Hearing both the parties, the PIO was directed to give in writing on an affidavit that the information is not available in the format as sought by the appellant. If the appellant still wants information, he should inspect the record and get the relevant information by fixing a mutually convenient date and time with the PIO.

Since there had been an enormous delay of more than ten months in attending to the RTI application, in reply, the respondent informed that he had just joined as PIO and the earlier PIO Sh. Sanjay Tandon was on long leave. Having taken a serious view of this, the earlier PIO- Sh. Sanjay Tandon, 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.**

The case came up for hearing yesterday again on **25.05.2021**. Due to a network problem in the VC, the hearing could not take place and the case was adjourned.

**Hearing dated 26.05.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana/Mohali. The respondent present pleaded that since the information is not available in the format as sought by the appellant, in compliance with the order of the Commission, an affidavit has been provided to the appellant with a copy to the Commission. The Commission has received the same.

The information stands provided.

Regarding the delay in providing the information, the respondent pleaded that since the earlier PIO remained on long leave due to a serious ailment of his wife and thereafter retired in Dec.2020, the information was delayed. The respondent joined as PIO in Dec.2020 and a reply has been sent to the appellant on 08.02.2021.

I accept the plea of the PIO and drop the show cause notice.

However, the appellant has made some observation regarding non-compliance with section 4(1) of the RTI Act in the office of CVO. I am sending a copy of the observations to the Secretary, Department of Local Bodies, Pb Chandigarh for appropriate action on updating the data and compliance of section 4(1) of the RTI Act.

With the above, the case is **disposed of and closed.**

**Chandigarh**  
**Dated:26.05.2021**

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

**CC to: The Secretary,**  
**Department of Local Bodies, Pb**  
**Sector 35, Chandigarh.**



Sh.Kuldip Kumar Kaura,  
# 5-C, Phase-1, Urban Estate,  
Focal Point, Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o DPI (EE),  
Phase-8, Mohali.

**First Appellate Authority,**  
O/o DPI (EE),  
Phase-8, Mohali.

...Respondent

**Appeal Case No. 2344 of 2020**

**PRESENT: Sh.Kuldip Kumar Kaura as the Appellant**  
**Mrs.Jasir Kaur Sr.Assistant O/o DPI(EE) for the Respondent**

**ORDER:**

The appellate through RTI application dated 23.03.2020 has sought information regarding DEO letter No.5/2019 dated 08.01.2020 – receipt no. and date – a copy of noting – a copy of all communication – a copy of Pb govt letter deciding the case – status of the case of fraud and other information concerning the office of DPI(EE) Mohali. The appellant was not provided with the information after the appellant filed the first appeal before the First Appellate Authority on 11.06.2020 which took no decision on the appeal.

The case first came up for hearing on **09.02.2021** through video conferencing at DAC Ludhiana. The appellant stated that the PIO has denied the information vide letter dated 14.08.2020 on the plea that the information is 3<sup>rd</sup> party and the 3<sup>rd</sup> party has not given its consent to disclose the information which is not maintainable under the law.

The respondent was absent. Having gone through the RTI application, the response of the PIO of denying the information under Section 11 of the RTI ACT, the commission ruled that since the sought information is a part of public record, it should be given to the appellant.

The PIO was directed to provide the information to the appellant on all points.

**Hearing dated 26.05.2021:**

The case has come up for hearing today through video conferencing at DAC Ludhiana/Mohali. The respondent present pleaded that the information has been provided to the appellant.

The appellant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed**.

**Chandigarh**  
**Dated: 26.05.2021**

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