**PUNJAB STATE INFORMATION COMMISSION**

**RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**

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Sh. Balbir Aggarwal,

R/o #1525/1, Street No. 33, Preet Nagar,

Shimlapuri, Ludhiana. Appellant

Versus

Public Information Officer,

O/o Commissioner (Senior Town Planner),

Municipal Corporation, Zone D,

Rotary Club Rd, Sarabha Nagar, Ludhiana, Punjab 141001

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Ludhiana. Respondents

**Appeal Case No.1437/2018**

Date of RTI application: 28.08.2017

Date of First Appeal : 13.10.2017

Date of Order of FAA or Reply: Nil

Date of 2nd Appeal/complaint: 24.04.2018

**Present: Sh. Gulshan Kumar on behalf of the Appellant.**

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

**ORDER**

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

Sh. Gulshan Kumar appearing on behalf of the appellant has informed that he is satisfied with the information. No malafide is attributed to the delay.

**Disposed.**

**Sd/-**

**26.09.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Gulshan Kumar,

R/o #1525/1, Street No. 33, Preet Nagar,

Shimlapuri, Ludhiana. Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation, Zone A,

Ludhiana.

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Ludhiana. Respondents

**Appeal Case No.1439/2018**

Date of RTI application: 14.08.2017

Date of First Appeal : 13.10.2017

Date of Order of FAA or Reply: Nil

Date of 2nd Appeal/complaint: 24.04.2018

**Present: Sh. Gulshan Kumar, Appellant in person.**

**Sh. Rahul Kumar, Building Inspector, Zone ‘A’, MC Office, Ludhiana – for Respondents.**

**ORDER**

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

The appellant is satisfied with the information thus provided to him. No further action is called for.

**Disposed.**

**Sd/-**

**26.09.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gulshan Kumar,

R/o #1525/1, Street No. 33, Preet Nagar,

Shimlapuri, Ludhiana. Appellant

Versus

Public Information Officer,

O/o Commissioner,

(Assistant Town Planner),

Municipal Corporation Zone A,

Ludhiana.

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Ludhiana. Respondents

**Appeal Case No.1441/2018**

Date of RTI application: 17.04.2017

Date of First Appeal : 10.07.2017

Date of Order of FAA or Reply: Nil

Date of 2nd Appeal/complaint: 24.04.2018

**Present: Sh. Gulshan Kumar, Appellant in person.**

**Sh. Rahul Kumar, Building Inspector, Zone ‘A’, MC Office, Ludhiana – for Respondents.**

**ORDER**

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

Sh. Rahul Kumar appearing on behalf of the respondents says that the information has since been provided to the appellant. He is dissatisfied and points towards its deficiency. He is advised to intimate the deficiency in writing to the respondents under intimation to the Commission.

The matter is adjourned to **05.12.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**26.09.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gulshan Kumar,

R/o #1525/1, Street No. 33, Preet Nagar,

Shimlapuri, Ludhiana. Appellant

Versus

Public Information Officer,

O/o Commissioner,

(Assistant Town Planner),

Municipal Corporation Zone A,

Ludhiana.

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Ludhiana. Respondents

**Appeal Case No.1442/2018**

Date of RTI application: 24.04.2017

Date of First Appeal : 10.07.2017

Date of Order of FAA or Reply: Nil

Date of 2nd Appeal/complaint: 24.04.2018

**Present: Sh. Gulshan Kumar, Appellant in person.**

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

**ORDER**

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

The appellant is satisfied with the information provided to him. No more action is required.

**Disposed.**

**Sd/-**

**26.09.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gulshan Kumar,

R/o #1525/1, Street No. 33, Preet Nagar,

Shimlapuri, 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.1443/2018**

Date of RTI application: 06.03.2017

Date of First Appeal : 03.05.2017

Date of Order of FAA or Reply: Nil

Date of 2nd Appeal/complaint: 24.04.2018

**Present: Sh. Gulshan Kumar, Appellant in person.**

**Sh. Jagan Nath, SDO (Civil), Zone ‘A’, MC Office, Ludhiana – for Respondents.**

**ORDER**

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

The appellant is satisfied with the information provided to him. No more action is required.

**Disposed.**

**Sd/-**

**26.09.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh.Tejinder Singh

R/o Village Bholapur, P.O. Ramgarh,

Chandigarh Road, Ludhiana

Appellant

Versus

Public Information Officer,

O/o Improvement Trust, Ludhiana

First Appellate Authority

O/o Improvement Trust, Ludhiana Respondents

**APPEAL CASE NO.255/2018**

Date of RTI application : 03.10.2017

Date of First Appeal : 12.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :08.01.2018

**Present: Sh. Tejinder Singh, Appellant at Commission’s off. Chd.**

**Sh. Harmeet Singh, APIO, Improvement Trust office, Ludhiana – for Respondents.**

**ORDER**

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

Sh. Harmeet Singh, APIO appearing on behalf of the respondents says that the order passed by the Commission earlier has not reached them. They are directed to access it from the internet and send response to the appellant in compliance with the observations made therein.

To come up on **05.12.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**26.09.2018 ( Yashvir Mahajan )**

**State Information Commissioner**

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Sh. Love Kumar Dua,

House No. 125, Model Town, Samrala Road

Khanna, Distt. Ludhiana. Appellant

Public Information Officer

O/o Executive Officer,

Municipal Council,

Khanna.

First Appellate Authority,

O/o Deputy Director,

Local Bodies, Ludhiana. Respondents

**Appeal Case No.1070/2018**

Date of RTI application: 15.12.2017

Date of Reply : 05.01.2018

Date of First Appeal : 15.01.2018

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint 22.03.2018

**Present: Sh. Love Kumar Dua, Appellant in person.**

**Sh. Amarpal Singh, Inspector, MC Office, Khanna – for Respondents.**

**ORDER**

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

The Commission had made the following observations on 25.07.2018:

*“Point No. 1 of the original application refers to a Policy letter of the Government. The respondents are advised to provide him a copy of the same. The information with reference to Point No. 4 should be materially available with them and it should be supplied.*

*Point No. 2 and 3 are vague and in the shape of questions. The Commission is not inclined to enforce its requisition.*

*The respondents should inform the appellant within seven days from today failing which penal action shall be taken. Be it noted that no further notice shall be issued.”*

Sh. Amarpal Singh, Inspector appearing on behalf of the respondents says that in compliance with the directions of the Commission the requisite information has been provided to the appellant. As its copy has not reached the Commission it is not possible to assess its adequacy. The respondents are advised to send it by post immediately. Meanwhile, the appellant, if has any observation on the same, he should convey it to the respondents under intimation to the Commission.

To come up on **14.11.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**26.09.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Rakesh Kumar Gupta, (Advocate)

# 8/237, Jagraon Road, Mandi Mullanpur,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council, Jagraon,

Distt. Ludhiana

First Appellate Authority

O/o Deputy Director, Local Bodies, Punjab

Ludhiana Respondents

**APPEAL CASE NO.2776/2017**

Date of RTI application : 31.03.2017

Date of First Appeal : 05.05.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 03.10.2017

**Present: Sh. Rakesh Kuamr Gupta, Appellant at Commission’s office, Chd.**

**None on behalf of the Respondents.**

**ORDER**

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

None is present on behalf of the respondents. The Commission had desired the respondents to clinch an inspection of the record relating to the original application. The appellant apprehends physical harm at the hands of the respondents and the third party. They are directed to bring along the record in the office of the Commission at Chandigarh for inspection on **30.10.2018 at 11.30 AM.**

**Sd/-**

**26.09.2018 ( Yashvir Mahajan )**

**State Information Commissioner**

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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, Ludhiana Respondents

**APPEAL CASE NO.176/2018**

Date of RTI application : 16.10.2017

Date of First Appeal : 18.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :02.01.2018

**Present: Sh. Jaspal Singh, Appellant in person.**

**None on behalf of the Respondents.**

**ORDER**

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

This should be read in continuation of Commission’s order dated 08.08.2018.

The appellant is present. A letter has been received from the respondents seeking exemption from the hearing on the ground of occupation of the PIO with the conduct of the Zila Parishad and Panchayat Samiti Elections. The Commission understands that the election process has since been completed. To seek an exemption on this ground is not justifiable. The same is rejected. The Commission considers it as a willful attempt to suppress the information.

The PIO – cum – Executive Officer, Nagar Council, Jagraon is issued 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

Contd….page..2

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**Appeal Case No.176/2018**

20(1) of RTI Act, 2005 on himfor causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant 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.

To come up on **05.12.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**26.09.2018 ( Yashvir Mahajan )**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Parveen Kohli,

R/o 451/2, College Road,

Jagraon, Ludhiana. Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council,

Jagraon, Ludhiana.

First Appellate Authority,

O/o Deputy Director,

Urban Local Bodies,

Mini Secretariat,

Ludhiana. Respondents

**Appeal Case No.1836/2018**

Date of RTI application: 11.01.2018

Date of First Appeal : 15.02.2018

Date of Order of FAA or Reply: Nil

Date of 2nd Appeal/complaint: 21.05.2018

**Present: Sh. Parveen Kohli, Appellant in person.**

**None on behalf of the Respondents.**

**ORDER**

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

This should be read in continuation of Commission’s order dated 08.08.2018.

The appellant is present. A letter has been received from the respondents seeking exemption from the hearing on the ground of occupation of the PIO with the conduct of the Zila Parishad and Panchayat Samiti Elections. The Commission understands that the election process has since been completed. To seek an exemption on this ground is not justifiable. The same is rejected. The Commission considers it as a willful attempt to suppress the information.

The PIO – cum – Executive Officer, Nagar Council, Jagraon is issued 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 Contd…page…2

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**Appeal Case No.1836/2018**

20(1) of RTI Act, 2005 on himfor causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant 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.

To come up on **05.12.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**26.09.2018** **(Yashvir Mahajan)**

**State Information Commissioner**