

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



Shambu Nath Sood,
S/o Bal Krishan Sood,
515, Rama Street,
(Near Arya Girls School),
Arya School Road, Moga.

Versus

Public Information Officer,
o/o Commissioner,
Municipal Corporation,
Moga.
First Appellate Authority,
o/o Commissioner,
Municipal Corporation,
Moga.

Appeal Case No. 3832 of 2020 (Video Conference Proceedings)

PRESENT:

Shambu Nath Sood (Appellant) 94637-88711
Ritesh Kumar, Inspector (for the Respondent) 78378-65400

ORDER:

(To be read in continuity with earlier orders on 26.3.2021, 12.10.2021, and 20.5.2022)

1. The RTI application is dated **26.6.2020** vide which the appellant has sought information **regarding the file / proceedings vide which private contractors were given contracts for advertisement in public places etc. in Four points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.8.2020** and Second Appeal was filed in the Commission on **4.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.5.2022**.

2. Both parties are present. At the last hearing on 20.5.2022, the appellant had leveled some very serious allegations, wherein he had stated that he was attacked and sustained serious injuries, by persons pressurizing him to withdraw his RTI application. The Commission takes a very serious note of said allegations and once again requests the appellant to submit copies of the FIR and other relevant documents pertaining to the alleged attack, to the Commission. As regards status of the information requested, as per the appellant only point No. 2 has been addressed. The rest of the information is still pending.

3. The respondent PIO, represented by Ritesh Kumar, Inspector is herewith directed to supply the pending information pertaining to point no. 1, 3, and 4 of the RTI application, to the appellant before the end of working hours today itself. Each copy supplied must be duly attested. A copy of the reply and information pertaining to all 4 points is to be submitted to the Commission in person on Monday 1.8.2022. Meanwhile, the concerned PIO, Damanpreet Singh, Draftsman who has since been transferred, has made a detailed submission praying for a review of this Commission's Order of 20.5.2022, wherein a penalty of Rs. 5000/- was imposed upon him.

Contd....2

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Appeal Case No. 3832 of 2020 (Video Conference Proceedings)

4. In view of the fact that this Bench is not competent to review its own order, this case be sent back to the Registry Branch to be put up before the Hon'ble Chief Information Commissioner for allocation to larger bench, if he deems it fit. Next hearing to be notified after the Hon'ble Chief Information Commissioner's Order.

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

Chandigarh
29.7.2022

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REGISTERED SHOW CAUSE NOTICE

Shambu Nath Sood,
S/o Bal Krishan Sood,
515, Rama Street, (Near Arya Girls School),
Arya School Road, Moga.

Versus

Public Information Officer,
o/o Commissioner, Municipal Corporation,
Moga.

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

Third Party,
o/o R.K.S. Sen. Secondary Public School,
Anand Nagar, Shivala Soodan,
Main Bazar, Moga – 142 001

Appeal Case No. 4337 of 2021 (Video Conference Proceedings)

PRESENT:

Shambu Nath Sood (Appellant) 94637-88711

Harvinder Singh, Head Draftsman (for the Respondent) 98148-47495

ORDER:

(To be read in continuity with earlier orders on 20.5.2022)

1. The RTI application is dated **1.4.2021** vide which the appellant has sought information **regarding a temple property that has allegedly been usurped by certain individuals**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.5.2021** and Second Appeal was filed in the Commission on **23.9.201** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.5.2022**.

2. Both parties are present. At the last hearing on 20.5.2022, the respondent PIO was directed to submit a pointwise reply to the RTI application along with duly attested copies of requested information, which were to be submitted to the Commission in a sealed cover before today's hearing. The PIO has failed to comply.

3. The respondent PIO contends however, that he had in fact complied with the Commission's Order and had dispatched the pointwise reply and requested information in a sealed cover by registered post/speed post on 6.6.2022. However, said reply/information has still not been received in the Commission.

4. The Commission deems it fit to issue the Show Cause Notice to the respondent **PIO-cum-ATP, Sh. Vinod Kumar**. Meanwhile, a third party, in this instance R.K.S Senior Secondary Public School has made a detailed written submission in support of its refusal to give consent to disclosure of the information to the appellant. Said submission be taken on record.

Contd....2

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Appeal Case No. 4337 of 2021 (Video Conference Proceedings)

5. The respondent **PIO-cum-ATP, Vinod 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 **1.4.2021**.

“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 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

29.7.2022

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

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REGISTERED SHOW CAUSE NOTICE

Sh. Tejinder Singh Advocate,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur-144410

Versus

Public Information Officer,
o/o Advertisement Branch,
Municipal Corporation,
Moga.

Public Information Officer,
o/o O&M Cell Branch,
Municipal Corporation, Moga

Public Information Officer,
o/o Nodal Officer-cum-Secretary,
Municipal Corporation,
Moga.

Public Information Officer,
o/o Municipal Corporation,
Moga.

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

Appeal Case No. 3535 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 22.3.2022)

1. The RTI application is dated **12.4.2021** vide which the appellant has sought information **regarding Government approved advertisements, submersible pumps, trees planted, action taken against shopkeepers, hotels and shopping complexes etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **31.5.2021**, and Second Appeal was filed in the Commission on **4.8.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.3.2022**.

2. Both parties are absent without intimation. At the last hearing on 22.3.2022, Show Cause Notice was issued to the deemed PIO namely Secretary, Municipal Corporation, Moga, Harbans Singh, who was directed to submit a pointwise reply to the RTI application. Said officer has informed the Commission that information pertaining to point no. 1, 4, and 5 has been provided to the appellant.

Contd....2

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Appeal Case No. 3535 of 2021 (Video Conference Proceedings)

3. He states that the information requested at point no. 2, pertains to the PIO, Advertisement Branch and point no. 3 pertains to the PIO, O&M Cell, who have not responded to repeated requests to provide the requested information. The Commission deems it fit to issue the Show Cause Notice to the PIO Advertisement Branch and O & M Cell Branch, Municipal Corporation, Moga.

4. The respondent **PIO, Advertisement Branch and O&M Cell, Municipal Corporation, Moga**, 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 **12.4.2021**.

“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.

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 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

29.7.2022

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

PUNJAB STATE INFORMATION COMMISSION

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Harpreet Kaur,
W/o Manwinder Singh,
R/o VPO Mahesari,
Tehsil & Distt. Moga.
C/o Sr. Scale Stenographer,
O/o ADC, Moga.

Versus

Public Information Officer,
o/o Dy. Commissioner, Moga.
First Appellate Authority,
Deputy Commissioner,
Moga.

Appeal Case No. 1974 of 2020 (Video Conference Proceedings)

PRESENT:

Harpreet Kaur (Appellant) 80546-51149

Rajwinder Kaur, Superintendent (for the Respondent) 95924-03330

ORDER:

1. The RTI application is dated **21.5.2020** vide which the appellant has sought information **regarding test for the promotion to senior scale**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.6.2020** 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 **29.7.2022**.

2. Both parties are present. The respondent PIO has submitted a copy of pointwise reply sent to the appellant along with requested information. The appellant states that she has only been provided the information at today's hearing and requests that she will be allowed to inspect the concerned file as cited in the RTI application, thereafter, she will intimate the Commission.

3. The respondent PIO, represented by APIO-cum-Superintendent, Rajwinder Kaur, office of Deputy Commissioner, Moga is hereby directed to arrange an inspection of the concerned file on 1.8.2022 at 10 am. Both parties to inform the Commission after the inspection.

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

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

Chandigarh
29.7.2022

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Rahul Gupta,
S/o Dharampal,
170, Street No. 6, Mohalla Hargobindpura,
Jagraon, Ludhiana.

Versus

Public Information Officer,
o/o Deputy Commissioner,
Moga.
First Appellate Authority,
o/o Deputy Commissioner,
Moga.

Appeal Case No. 3833 of 2020 (Video Conference Proceedings)

PRESENT:

Baljeet Singh Gill (for the Appellant) 84278-00076
Gurbhir Singh, Additional Program Officer (for the Respondent) 94640-94832

ORDER:

(To be read in continuity with earlier orders on 26.3.2021, 12.10.2021, and 20.5.2022)

1. The RTI application is dated **31.8.2020** vide which the appellant has sought information **regarding the MNREGA Scheme in Village Kokri Kalan from 2013 to 2018**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.10.2020** and Second Appeal was filed in the Commission on **4.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **20.5.2022**.

2. Both parties are present. As requested at the last hearing on 20.5.2022, the appellant has submitted a list of deficiencies in writing. The respondent PIO, represented by Gurbhir Singh, Additional Program Officer, Manrega, is directed hereby to submit a detailed pointwise reply to all 25 points of this RTI application along with duly attested copies of requested information. The respondent PIO states that much of the information is already available on the Website of the Corporation. In such case, the appellant is to be informed regarding the said website, where the information sought vide a particular point of the RTI application, can be publicly accessed. A copy of the PIO's reply and information also be submitted to the Commission. This must be done in 15 days of the receipt of this Order.

3. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility.** (The appellant will attend the hearing at DC Office, Ludhiana and the respondent PIO will attend the hearing at DC Office, Moga.)

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

Chandigarh
29.7.2022

PUNJAB STATE INFORMATION COMMISSION

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Ravinder Kataria,
S/o Sh.Hardwari Lal Kataria,
64, New Sant Fateh Singh Nagar,
Dugri Road, Ludhiana-141002

Versus

Public Information Officer,
o/o Sub Divisional Magistrate,
Moga.
First Appellate Authority,
o/o Sub Divisional Magistrate,
Licensing and Registration Officer,
Moga.

Appeal Case No. 2585 of 2021 (Video Conference Proceedings)

PRESENT:

Ravinder Kataria (Appellant) 85448-41830

Gurjit Singh, APIO-cum-Senior Assistant (for the Respondent) 98788-61408

ORDER:

*(To be read in continuity with earlier orders on **22.3.2022**)*

1. The RTI application is dated **1.2.2021** vide which the appellant has sought **information regarding registration of non-commercial vehicles**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.4.2021**, and Second Appeal was filed in the Commission on **3.6.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.3.2022**.

2. Both parties are present. On the request of the appellant that this case be heard by the Hon'ble Chief Information Commissioner, this Appeal Case be returned to the Registry Branch for being put up before the Hon'ble Chief Information Commissioner for the re-allocation.

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

Chandigarh
29.7.2022

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Ravinder Kataria,
64, New Sant Fateh Singh Nagar,
Dugri Road,
Ludhiana-141002

Versus

Public Information officer,
o/o Sub Divisional Magistrate,
Baghapurana.
First Appellate Authority,
o/o Sub Divisional Magistrate,
Baghapurana

Appeal Case No. 3746 of 2021 (Video Conference Proceedings)

PRESENT:

Ravinder Kataria (Appellant) 94631-33590
Naresh Kumar, PIO-cum-Superintendent (for the Respondent) 84377-35423

ORDER:

(To be read in continuity with earlier orders on 25.3.2022)

1. The RTI application is dated **1.2.2021** vide which the appellant has sought **information regarding registration of noncommercial vehicles**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.4.2021**, and Second Appeal was filed in the Commission on **19.8.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **25.3.2022**.

2. Both parties are present. On the request of the appellant that this case be heard by the Hon'ble Chief Information Commissioner, this Appeal Case be returned to the Registry Branch for being put up before the Hon'ble Chief Information Commissioner for the re-allocation.

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

Chandigarh
29.7.2022

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Raminder Mohan,
S/o Late Hardial Singh,
12-C, Model Town Extension,
Ludhiana.

Versus

Public Information Officer,
o/o Greater Ludhiana Area Development Authority (GLADA)
PUDA Complex, Near Rajguru Nagar,
Ferozepur Road, Ludhiana – 141 001.

First Appellate Authority,
o/o Greater Ludhiana Area Development Authority (GLADA)
PUDA Complex, Near Rajguru Nagar,
Ferozepur Road, Ludhiana – 141 001

Appeal Case No. 1618 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Narinder Singh, Clerk (for the Respondent) 98038-14780

ORDER:

(To be read in continuity with earlier orders on 9.9.2020, 17.12.2020, 12.2.2021, 30.9.2021, 2.11.2021, and 12.5.2022)

1. The RTI application is dated **7.2.2020** vide which the appellant has sought information **regarding the action taken against the Ganpati industrial colonies in villages Tibba and Umaidpur**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.3.2020** and Second Appeal was filed in the Commission on **18.6.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **12.5.2022**.

2. The appellant is absent without intimation. The respondent PIO has submitted a reply vide Letter No. 3447 Dated 24.5.2022, with a pointwise reply to the deficiencies listed by the appellant on 12.5.2022. The appellant is still not satisfied with the furnished information.

3. The respondent PIO is hereby directed to submit a pointwise reply to all 8 points of the RTI application by way of duly notarized affidavit along with fresh copies of the requested information indexed as annexure 1 to 8. This must be done before the next hearing.

4. **Next hearing on 30.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
29.7.2022

PUNJAB STATE INFORMATION COMMISSION

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Sat Pall Sharma,
S/o Gian Chand Sharma,
H.No. 3623, Street No. 1,
Durga Puri, Haibowal Kalan,
Ludhiana.

Versus

Public Information Officer,
o/o Greater Ludhiana Area Development Authority,
PUDA Complex, Near Raj Guru Nagar,
Ferozepur Road, Ludhiana.
Harminder Singh (Third Party)
President of Parja Self-Supporting Co-op. House Building Society Ltd.,
Ludhiana.

First Appellate Authority,
o/o Chief Administrator,
Greater Ludhiana Area Development Authority,
PUDA Complex, Near Raj Guru Nagar,
Ferozepur Road, Ludhiana.

Appeal Case No. 2942 of 2020 and 2945 of 2020 (Video Conference Proceedings)

PRESENT:

Sat Pall Sharma (Appellant) 94632-92433
Narinder Singh, Clerk (for the Respondent) 98038-14780

ORDER:

(To be read in continuity with earlier orders on 15.1.2021, 6.8.2021, and 6.5.2022)

1. The RTI application is dated **25.6.2020**, vide which the appellant has sought information **regarding the Parja Cooperative Housing Building Society limited**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **27.7.2020** and Second Appeal was filed in the Commission on **6.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **6.5.2022**.

2. Both parties are present. The appellant has informed the Commission that the information provided by the respondent PIO vide Letter No.2356 Dated 2.8.2021, has not been attested and is also deficient. The respondent PIO points out that a pointwise reply to the RTI application along with all the information available in the official records and that no other information is available.

3. The respondent PIO is hereby directed to attest all the documents provided as information to the appellant at the appellant's convenience. The respondent PIO is further directed to furnish a notarized affidavit clearly listing all 7 points of the RTI application and clearly stating that all the information pertaining to said RTI application as available in the records, has been provided to the appellant and that there is no other information is available.

Contd....2

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Appeal Case No. 2942 of 2020 and 2945 of 2020 (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

Date

5. **Next hearing on 30.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
29.7.2022

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REGISTERED SHOW CAUSE NOTICE

Sat Pall Sharma,
S/o Gian Chand Sharma,
H.No. 3623, Street No.-1,
Durga Puri, Haibowal Kalan,
Ludhiana.

Versus

Public Information Officer,
o/o Senior Town Planner,
Municipal Corporation, Ludhiana.

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

Public Information Officer,
o/o Superintendent Engineer,
Greater Ludhiana Area Development Authority,
Ludhiana.

Public Information Officer,
o/o Naib Tehsildar,
Greater Ludhiana Area Development Authority,
Ludhiana

Public Information Officer,
o/o Greater Ludhiana Area Development Authority,
PUDA Complex, Near Raj Guru Nagar,
Ferozepur Road, Ludhiana.

First Appellate Authority,
o/o Chief Administrator,
Greater Ludhiana Area Development Authority,
PUDA Complex, Near Raj Guru Nagar,
Ferozepur Road, Ludhiana.

Appeal Case No. 2944 of 2020 (Video Conference Proceedings)

PRESENT:

Sat Pall Sharma (Appellant) 94632-92433
Narinder Singh, Clerk (for the Respondent) 98038-14780

ORDER:

(To be read in continuity with earlier orders on 15.1.202, 6.8.2021, and 6.5.2022)

1. The RTI application is dated **9.4.2019**, vide which the appellant has sought information **regarding JP Villas, Bhani Sahib Road, Ludhiana**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.5.2019** and Second Appeal was filed in the Commission on **6.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **6.5.2022**.

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Appeal Case No. 2944 of 2020 (Video Conference Proceedings)

2. Both parties are present. As directed at the last hearing on 6.8.2021, the respondent had sought the assistance of the below stated officers

1. Senior Town Planner, Municipal Corporation, Ludhiana.
2. Superintendent Engineer, GLADA, Ludhiana.
3. District Fire Officer, Municipal Corporation, Ludhiana.
4. Naib Tehslidar, GLADA, Ludhiana.

asking them to provide the information concerning to their offices directly to the appellant. The appellant has stated that he has received no information. The Commission deems it fit to serve Show Cause Notices to the aforesaid officers who are all deemed PIOs in this case as per section 5(4) and 5(5) of the RTI Act 2005.

3. The respondent **PIOs, Senior Town Planner, Municipal Corporation, Ludhiana, Superintendent Engineer, GLADA, Ludhiana, District Fire Officer, Municipal Corporation, Ludhiana., and Naib Tehslidar, GLADA, 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 **9.4.2019**.

“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 30.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
29.7.2022

Cc:

1. Commissioner Municipal Corporation Ludhiana, for information and further necessary action.
2. Chief Administrator, Greater Ludhiana Area Development Authority, Ludhiana.