

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

Harjit Singh,
S/o Sh. Chanan Singh,
VPO Qilla Raipur,
Patti Karma Parkash,
Raipur
District Ludhiana.

Versus

Public Information officer,
o/o Labour Commissioner,
Sector-64, Punjab,
District Mohali.

Complaint Case No. 476 of 2021 (Video Conference Proceedings)

PRESENT:

Harjit Singh (Complainant) 98552-42167
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 22.10.2021)

1. The complainant, **Harjit Singh**, filed this RTI application dated **27.1.2020** and sought information regarding action taken against defaulter labour officers, from the PIO o/o **Labour Commissioner, Mohali**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **15.4.2021**. The case was last heard on **21.10.2021**.

2. The respondent PIO is absent without intimation. At the last hearing on 22.10.2021, the respondent PIO represented by Kulwant Singh, Labour Inspector was directed to send a copy of the reply sent to the appellant vide Letter No. 126 Dated 12.2.2021, to this Commission. The respondent PIO has failed to comply. This Commission deems it fit to issue the respondent PIO with this Show Cause Notice.

3. The respondent PIO 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 **27.1.2020**.

“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.

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Complaint Case No. 476 of 2021 (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 11.3.2022 at 11.00 am via Video Conference Facility at DC Office, Mohali.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

3.12.2021

Cc: Labour Commissioner, Punjab, Mohali, for information and further necessary action.

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Harjeet Singh Dhillon,
S/o Late Gurbaksh Singh,
4072, Street No.3,
Gobind Colony, Jamalpur,
District Ludhiana – 141 015

Versus

Public Information Officer,
o/o Zonal Commissioner, Zone-B,
Municipal Corporation,
District Ludhiana.

Complaint Case No. 955 of 2020 (Video Conference Proceedings)

PRESENT:

Harjeet Singh Dhillon (Complainant) 93167-07146 (via Telephone)
Rohit Thakur, Building Clerk from Zone-B (for the Respondent) 70095-15793

ORDER:

(To be read in continuity with earlier orders on 18.3.2021, 12.8.2021, and 14.9.2021)

1. The complainant, **Harjeet Singh Dhillon**, filed this RTI application dated **31.8.2020** and sought information **regarding a site plan – No. 107-B, Permit No. 19310 of 14.10.2016 – in the names of Gurpreet Singh and Bhupinder Singh, both sons of Himmat Singh, in five points**, from the PIO o/o **M.C., Zone-B, Ludhiana**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **15.12.2020**. The case was last heard on **14.9.2021**.

2. Both parties are present. The complainant is present via telephone. At the last hearing on 14.9.2021, the respondent PIO was issued a Show Cause Notice to which he has failed to submit any reply or be heard in person. The respondent PIO, represented today Rohit Thakur, Building Clerk from Zone B, submitted Letter No. 12821/ATPB/RTI/D dated 3.7.2021 wherein the complainant was informed that the information sought in this RTI application has been supplied to him several times in the past i.e. in Appeal Case No. 66 of 2019, 67 of 2019, and 97 of 2019. The complainant however, denies this and says that copies of the challan/map cited in the RTI application supplied to him in earlier Appeal Cases is neither legible nor clear.

3. In the aforesaid letter, the respondent has also claimed exemption from disclosure of the requested information under Section 8(1)(b) of the RTI Act, based on the premise that the property cited in the RTI application is the subject of a civil writ petition (CWP No. 18116 / 2020) filed by the complainant Harjeet Singh Dhillon.

Section 8(1) *Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen (b) information which has been expressly forbidden to be published by any Court of law or Tribunal or the disclosure of which may constitute contempt of Court;*

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Complaint Case No. 955 of 2020 (Video Conference Proceedings)

It is clear from reading of Section 8(1)(b) that it does not include sub-judice matters. There is ample case law to support the fact that disclosure of information about sub-judice matters does not amount to contempt of Court in the absence of a specific order expressly forbidding its disclosure. In the present instance, the respondent PIO placed nothing on record to show that the Hon'ble Punjab & Haryana High Court has issued any direction expressly forbidding the matter cited in this RTI application. In view of the above, the respondent PIO's claim of exemption from disclosure under Section 8(1)(b) is rejected.

4. The respondent PIO, **Sh. Kuljit Singh Mangat**, who was issued a Show Cause Notice vide this Commission's Order of 14.9.2021, is herewith once again directed to submit a written pointwise reply to this RTI application along with the map and other documents sought by way of information, to this Commission within five days. The map cited in the RTI application must be in the original size and duly attested as information provided under the RTI Act 2005. Similar attestation must be done for other documents like challans etc. All the above is to be sent to the Commission by registered post. Thereafter, the Commission will pass an appropriate Order.

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 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.

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

Chandigarh
3.12.2021

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Harjeet Singh Dhillon,
S/o Late Sh. Gurbaksh Singh,
4072, Street No.3,
Gobind Colony, Jamalpur,
District Ludhiana-141015

Versus

Public Information Officer,
o/o Municipal Town Planner-cum-Nodal Officer RTI,
Municipal Corporation,
Ludhiana.

Public Information Officer,
o/o Zonal Commissioner, Zone-B,
Municipal Corporation,
Ludhiana.

Complaint Case No. 956 of 2020 (Video Conference Proceedings)

PRESENT:

Harjeet Singh Dhillon (Complainant) 93167-07146 (via Telephone)
Rohit Thakur, Building Clerk from Zone-B (for the Respondent) 70095-15793

ORDER:

(To be read in continuity with earlier orders on 18.3.2021, 12.8.2021, and 14.9.2021)

1. The complainant, **Harjeet Singh Dhillon**, filed this RTI application dated **31.8.2020** and sought information **regarding his complaint (Diary No. 1106 dated 1.6.2020) to the Zonal Commissioner against M/s Simran Paint Hardware Store**, from the PIO o/o **M.C., Zone-B, Ludhiana**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **15.12.2020**. This complaint case was last heard on **14.9.2021**.

2. Both parties are present. At the last hearing on 14.9.2021, **Smt. Monika Anand**, MTP-cum-Nodal Officer RTI was impleaded as the deemed PIO directed to submit a pointwise reply to this RTI application along with the requested information within 10 days from receipt of that Order. Smt. Anand has submitted a reply to the Show Cause Notice, wherein she has once again pointed to the ATP Zone B, Sh. Kuljeet Singh Mangat's reply to the appellant claiming exemption from disclosure under Section 8(1)(b) of the RTI Act. Smt. Anand also states that she has never been assigned the duty of PIO Zone B. Her attention is drawn to paragraph 4 of this Commission's Order of 12.8.2021, wherein she was impleaded as the deemed PIO in this case.

3. Reiterating paragraph 3 of its Order of 12.8.2021, whereby the respondent's claim to exemption from disclosure of the requested information under Section 8(1)(b) was rejected, the respondent is given a final opportunity to submit a pointwise reply to the RTI application which seeks the status / action taken on the complaint submitted to the Zonal Commissioner on 1.6.2020. The respondent PIO must submit a written reply to the RTI application along with all other related documents duly attested. This must be done within 15 days of receipt of this order.

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Complaint Case No. 956 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 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
3.12.2021

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Gagnish Singh Khurana,
S/o Mohinder Singh Khurana,
180/B-XXIII, Tej Nagar, Bagh Suffian,
District Ludhiana – 141 003

Versus

Public Information Officer,
o/o Divisional Forest Officer,
H-J, 693, New Professor Colony,
Opposite West End Mall, Ferozepur Road,
District Ludhiana-141012
First Appellate Authority,
o/o Conservator of Forests, South Circle, Opposite District Jail,
District Patiala-147001

Appeal Case No. 3946 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Kulwant Singh, Forest Guard (for the Respondent) 99428-00020

ORDER:

(To be read in continuity with earlier orders on 5.3.2021 and 2.7.2021)

1. The RTI application is dated **23.7.2020** vide which the appellant has sought information **regarding the action plan for 'Clean Air Ludhiana'**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.9.2020**, and Second Appeal was filed in the Commission on **8.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.7.2021**.

2. The appellant is absent without intimation for the second successive Hearing. At the last Hearing on 2.7.2021, the respondent PIO was directed to make fresh copies of the requested information and send these to the appellant with a copy to the Commission by registered post after duly attesting each page. The respondent PIO failed to comply with said direction.

3. Following the Hearing, the respondent submitted the requested information vide Letter No. 6798 dated 6.12.2021 which was received and diarized in the Commission at No. 27698 dated 10.12.2021. The appellant is requested to examine the same and list deficiencies if any, to the respondent PIO, with a copy to the Commission.

4. **Next hearing on 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
29.12.2021 (Date of Hearing: 3.12.2021)

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Rohit Sabharwal,
S/o Vijay Sabharwal,
126, Model Gram,
District Ludhiana – 141 002
Versus

Public Information Officer,
o/o Municipal Corporation (Headquarter),
Ludhiana.

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

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

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

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

Appeal Case No. 3809 of 2020 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant)
Harwinder Singh, PIO-cum-XEN from Zone-A (Respondent)
Arvind, SDO from Zone-B (for the Respondent) 97800-39452
Baljinder Singh, JE from Zone-D (for the Respondent) 98147-20996

ORDER:

(To be read in continuity with earlier orders on 5.3.2021 and 2.7.2021)

1. The RTI application is dated **8.8.2020** vide which the appellant has sought information **regarding roads in Ludhiana**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.9.2020**, 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 **2.7.2021**.

2. Both parties are present. The appellant is represented by his lawyer Sukhjinder Kaur. The respondent PIO is represented by Arvind, SDO from Zone-B (B & R), Baljinder Singh, JE from Zone-D (B & R), and Harwinder Singh, PIO-cum-XEN from Zone-A (B & R). As per the appellant, point no. 2 of the RTI application which seeks certified copies of the measurement books available in the record of MC regarding 7 roads cited in the RTI application, is still pending. The appellant state that there is a vigilance enquiry i.e. investigating irregularity in the construction in the aforesaid 7 roads. The respondent PIOs of 3 Zones all A, C, and D, are reluctant to provide copies of the aforesaid MBs.

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Appeal Case No. 3809 of 2020 (Video Conference Proceedings)

3. Following deliberations at this hearing i) Harwinder Singh, PIO-cum-XEN (B & R) from Zone-A. ii) Rakesh Singla, PIO-cum-XEN (B & R) from Zone-C, and iii) Raman Kaushal, PIO-cum-XEN (B & R) from Zone-D, are herewith directed to submit duly certified copies of the MBs sought at point No. 2 of this RTI application. This must be submitted to the Commission within seven days of receipt of this Order. The Commission will thereafter provide copies to the appellant. Failure to submit the requested information shall invite penalties as per the RTI Act 2005.

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 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
3.12.2021

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REGISTERED SHOW CAUSE NOTICE

Rohit Sabharwal,
S/o Vijay Sabharwal,
126, Model Gram,
District Ludhiana – 141 002
Versus

Public Information Officer (Headquarters),
o/o Municipal Corporation,
Ludhiana.

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

Public Information Officer,
o/o B&R Branch, Zone-B, Municipal Corporation
Ludhiana.

Public Information Officer,
o/o B&R Branch, Zone-C, Municipal Corporation
Ludhiana.

Public Information Officer,
o/o B&R Branch, Zone-D, Municipal Corporation
Ludhiana.

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

Appeal Case No. 3811 of 2020 (Video Conference Proceedings)

PRESENT:

Sukhjinder Kaur, Advocate (for the Appellant)
Harwinder Singh, PIO-cum-XEN from Zone-A (Respondent)
Arvind, SDO from Zone-B (for the Respondent) 97800-39452
Baljinder Singh, JE from Zone-D (for the Respondent) 98147-20996

ORDER:

(To be read in continuity with earlier orders on 5.3.2021 and 2.7.2021)

1. The RTI application is dated **16.7.2020** vide which the appellant has sought information **regarding Speed Breakers in Ludhiana**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **24.8.2020**, 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 **2.7.2021**.

2. Both parties are present. The respondent PIO, represented by Arvind, SDO from Zone-B B&R, Baljinder Singh, JE from Zone-D B&R, and Harwinder Singh, PIO-cum-XEN from Zone-A B&R. As per the appellant's Counsel Sukhjinder Kaur, the information requested in this RTI application by way of a list of Speed Breakers in Ludhiana City has been received in another Appeal Case (No. 953/2021), which is also listed for hearing before this Bench on 10.12.2021. This RTI application

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Appeal Case No. 3811 of 2020 (Video Conference Proceedings)

was submitted on 16.7.2020 and it has taken more than a year for the information to be supplied. Notably, the specific information sought in this Appeal Case has technically still not been given.

3. In view of the above, the Commission deems it fit to serve with Show Cause Notice upon Harwinder Singh, PIO-cum-XEN (B & R) from Zone-A, Surinder Singh, PIO-cum-XEN (B & R) from Zone-B, Rakesh Singla, PIO-cum-XEN (B & R) from Zone-C, and Raman Kaushal, PIO-cum-XEN (B & R) from Zone-D.

4. The respondent PIO, Harwinder Singh, PIO-cum-XEN (B & R) from Zone-A, Surinder Singh, PIO-cum-XEN (B & R) from Zone-B, Rakesh Singla, PIO-cum-XEN (B & R) from Zone-C, and Raman Kaushal, PIO-cum-XEN (B & R) from Zone-D are 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 **16.7.2020**.

“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 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.

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

Chandigarh
3.12.2021

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

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Balbir Aggarwal,
1525/1, Street No.33,
Preet Nagar, Shimlapuri,
Ludhiana.

Versus

Public Information Officer,
o/o Joint Commissioner,
Municipal Corporation, Ludhiana.
First Appellate Authority,
O/o Commissioner,
Municipal Corporation, Ludhiana.

Appeal Case No. 1381 of 2021 (Video Conference Proceedings).

PRESENT:

(Appellant) Absent

Gurpreet Kaur, Building Inspector from Zone-A (for the Respondent) 99885-00257

ORDER:

(To be read in continuity with earlier orders on 27.8.2021)

1. The RTI application is dated **05.11.2020** vide which the appellant has sought information **regarding the action taken etc. on a number of complaints** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **01.01.2021** and Second Appeal was filed in the Commission on **16.03.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.08.2021**.

2. The appellant is absent without intimation. The respondent PIO, represented by Gurpreet Kaur, Building Inspector from Zone-A, has requested some additional time to trace out the complaints cited in this RTI application. She is granted until the next hearing, to submit a written, pointwise reply to this RTI application along with the information requested therein.

3. 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

4. **Next hearing on 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
3.12.2021

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Mohit Garu, S/o Dalip Kumar,
B-2/698/6-E, Chhawani Mohalla,
District Ludhiana – 141 008
Versus

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

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

Appeal Case No. 3602 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 5.3.2021 and 2.7.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant has sought information **regarding the staff in the O&M Branch of Zone-D**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and Second Appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.7.2021**.

2. The respondent PIO is absent without intimation. At the last hearing on 2.7.2021, the **Commissioner, Municipal Corporation, Ludhiana, was impleaded in this Appeal Case** and directed to upload a complete directory of all officers and regular and irregular employees of the Municipal Corporation alongwith the details of their remuneration, system of compensation etc. after excluding any details that qualify as personal information, on the official website of the Municipal Corporation, Ludhiana. The Commissioner, Municipal Corporation, Ludhiana, was granted 3 months from the date of publication of that Order, following which he was to report compliance to the Commission. The Order of the Commission has not been complied with.

3. **Reserved.**

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

Chandigarh
3.12.2021

PUNJAB STATE INFORMATION COMMISSION

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Mohit Garu

S/o Dalip Kumar,
B-2/698/6-E, Chhawani Mohalla,
District Ludhiana-141008

Versus

Public Information Officer,

o/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority,

o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 3599 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717
Anil Bakshi, APIO-cum-Clerk from Health Branch (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 5.3.2021 and 2.7.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant, who is a student, has sought information **regarding temporary workers etc. in Zone-B wards between 2017 and 2020 in five points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and Second Appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.7.2021**.

2. Both parties are present. The respondent PIO, is represented by Anil Bakshi, APIO-cum-Clerk from Health Branch. The respondent has handed over a list of 5,401 workers in a list (300 pages). The PIO states that there is no separate list of workers along with their dates of joining. Regarding permanent workers, the respondent submitted that the service book of 1,000 health worker will have to be individually scrutinized to determine individual dates of joining and other details. This, he contends, would amount to a disproportionate diversion of public resources and so he seeks exemption under Section 8(1)b of RTI Act 2005.

3. Regarding permanent workers, the respondent PIO Dr. Jasvir Kaur, is herewith directed to submit a duly notarised affidavit stating the contention that no separate list of workers along with date of joining is available in the record and that this would have to be collected from service books of individual permanent workers.

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Appeal Case No. 3599 of 2020 (Video Conference Proceedings)

4. Regarding temporary workers, respondent PIO's representative Anil Bakshi admitted that year-wise lists are being complied in view of the Hon'ble Punjab Chief Minister's announcement regarding regularization of temporary workers. The respondent PIO is herewith given 15 days time to submit certified copies of the year-wise lists of temporary workers as have been complied in view of the Hon'ble Chief Minister's announcement. This must be submitted to the Commission not later than 15 days from today.

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 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.

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

Chandigarh
3.12.2021

PUNJAB STATE INFORMATION COMMISSION

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Mohit Garu

S/o Dalip Kumar,
B-2/698/6-E,
Chhawani Mohalla,
District Ludhiana – 141 008
Versus

Public Information Officer,

o/o Commissioner, Municipal Corporation,
Ludhiana.

First Appellate Authority,

o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 3600 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717

Anil Bakshi, APIO-cum-Clerk from Health Branch (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 5.3.2021 and 2.7.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant, who is a student, has sought information **regarding workers etc in Zone-A wards**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and Second Appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.7.2021**.

2. Both parties are present. The respondent PIO, is represented by Anil Bakshi, APIO-cum-Clerk from Health Branch. The respondent has handed over a list of 5,401 workers in a list (300 pages). The PIO states that there is no separate list of workers along with their dates of joining. Regarding permanent workers, the respondent submitted that the service book of 1,000 health worker will have to be individually scrutinized to determine individual dates of joining and other details. This, he contends, would amount to a disproportionate diversion of public resources and so he seeks exemption under Section 8(1)b of RTI Act 2005.

3. Regarding permanent workers, the respondent PIO Dr. Jasvir Kaur, is herewith directed to submit a duly notarised affidavit stating the contention that no separate list of workers along with date of joining is available in the record and that this would have to be collected from service books of individual permanent workers.

Contd....2

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Appeal Case No. 3600 of 2020 (Video Conference Proceedings)

4. Regarding temporary workers, respondent PIO's representative Anil Bakshi admitted that year-wise lists are being complied in view of the Hon'ble Punjab Chief Minister's announcement regarding regularization of temporary workers. The respondent PIO is herewith given 15 days time to submit certified copies of the year-wise lists of temporary workers as have been complied in view of the Hon'ble Chief Minister's announcement. This must be submitted to the Commission not later than 15 days from today.

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 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
3.12.2021

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Mohit Garu, S/o Dalip Kumar,
B-2/698/6-E, Chhawani Mohalla,
District Ludhiana – 141 008

Versus

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

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

Appeal Case No. 3603 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717
Anil Bakshi, APIO-cum-Clerk from Health Branch (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 5.3.2021 and 2.7.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant has sought information **regarding sweepers working ward-wise in Zone-D, in five points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and Second Appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.7.2021**.

2. Both parties are present. The respondent PIO, is represented by Anil Bakshi, APIO-cum-Clerk from Health Branch. The respondent has handed over a list of 5,401 workers in a list (300 pages). The PIO states that there is no separate list of workers along with their dates of joining. Regarding permanent workers, the respondent submitted that the service book of 1,000 health worker will have to be individually scrutinized to determine individual dates of joining and other details. This, he contends, would amount to a disproportionate diversion of public resources and so he seeks exemption under Section 8(1)b of RTI Act 2005.

3. Regarding permanent workers, the respondent PIO Dr. Jasvir Kaur, is herewith directed to submit a duly notarised affidavit stating the contention that no separate list of workers along with date of joining is available in the record and that this would have to be collected from service books of individual permanent workers.

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Appeal Case No. 3603 of 2020 (Video Conference Proceedings)

4. Regarding temporary workers, respondent PIO's representative Anil Bakshi admitted that year-wise lists are being complied in view of the Hon'ble Punjab Chief Minister's announcement regarding regularization of temporary workers. The respondent PIO is herewith given 15 days time to submit certified copies of the year-wise lists of temporary workers as have been complied in view of the Hon'ble Chief Minister's announcement. This must be submitted to the Commission not later than 15 days from today.

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 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.

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

Chandigarh
3.12.2021

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Mohit Garu,

S/o Dalip Kumar,
B-2/698/6-E, Chhawani Mohalla,
District Ludhiana – 141 008

Versus

Public Information Officer,

o/o Commissioner, Municipal Corporation,
Ludhiana.

First Appellate Authority,

o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 3604 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717

Anil Bakshi, APIO-cum-Clerk from Health Branch (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 5.3.2021 and 2.7.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant has sought information **regarding sweepers working ward-wise in Zone-C, in five points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and Second Appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.7.2021**.

2. Both parties are present. The respondent PIO, is represented by Anil Bakshi, APIO-cum-Clerk from Health Branch. The respondent has handed over a list of 5,401 workers in a list (300 pages). The PIO states that there is no separate list of workers along with their dates of joining. Regarding permanent workers, the respondent submitted that the service book of 1,000 health worker will have to be individually scrutinized to determine individual dates of joining and other details. This, he contends, would amount to a disproportionate diversion of public resources and so he seeks exemption under Section 8(1)b of RTI Act 2005.

3. Regarding permanent workers, the respondent PIO Dr. Jasvir Kaur, is herewith directed to submit a duly notarised affidavit stating the contention that no separate list of workers along with date of joining is available in the record and that this would have to be collected from service books of individual permanent workers.

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Appeal Case No. 3604 of 2020 (Video Conference Proceedings)

4. Regarding temporary workers, respondent PIO's representative Anil Bakshi admitted that year-wise lists are being complied in view of the Hon'ble Punjab Chief Minister's announcement regarding regularization of temporary workers. The respondent PIO is herewith given 15 days time to submit certified copies of the year-wise lists of temporary workers as have been complied in view of the Hon'ble Chief Minister's announcement. This must be submitted to the Commission not later than 15 days from today.

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 16.3.2022 at 11.00 am via Video Conference Facility at DC Office, Ludhiana.**

**Sd/-
(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh
3.12.2021