

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

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Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



**Mukesh Sahani,**

S/o. Vishwamitter Sahani,

Prop. M/s. Mitter Fastners,

Plot No. 218, Ward No.13,

G.T. Road, Doraha,

District Ludhiana.

**Versus**

**Public Information Officer,**

o/o District Town Planner,

Department of Town & Country Planning,

GLADA Complex, Ferozepur Road,

Ludhiana.

**First Appellate Authority,**

o/o Chief Town Planner, Punjab,

Department of Town & Country Planning,

PUDA Bhawan, 6<sup>th</sup> Floor,

Block-A, Sector -62,

Sahibzada Ajit Singh Nagar.

## **Appeal Case No. 2483 of 2021 (Video Conference Proceedings)**

PRESENT:

Krishan Singla (for the Appellant) 98763-24286

Mukesh Chadda, ATP-cum-APIO (for the Respondent) 9646996868.

ORDER:

1.The RTI application is dated **21.1.2020** vide which the appellant has sought information **by way of certified copies of the Base Plan of Master Plan of Ludhiana Drawing No. DTP(L)2/2008 Dated 22.2.2008 / 24.7.2008**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.8.2020** and Second Appeal was filed in the Commission on **25.5.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **31.8.2021**.

2. Both parties are present. The appellant, represented by his lawyer, Krishan Kumar Singla attended the hearing through CISCO WEBEX. The respondent PIO, represented by APIO-cum-ATP, Mukesh Kumar Chadha, is present via Video Conference Facility from Ludhiana.

3. The respondent has made a detailed submission to this Commission's Notice of Hearing vide Letter No. 81 dated 25.8.2021. In this, the respondent makes a prayer for the dismissal of this Second Appeal on grounds:

*"The appellant through multiple RTI applications and physical inspections of the records of the Office of respondent No. 1 (i.e. the PIO) has obtained the requisite information pertaining to his case, be it receiving the copies of the pre-revised Master Plans Ludhiana or information with respect to verification of his factory from various physical features present on the ground among others."*

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## **Appeal Case No. 2483 of 2021 (Video Conference Proceedings)**

However, nowhere in his submission does the respondent state that the specific information requested in this RTI application viz. "certified copies of the Base Plan of Master Plan of Ludhiana Drawing No. DTP(L)2/2008 Dated 22.2.2008 / 24.7.2008" have been provided to the appellant.

4. During deliberations at this hearing, the respondent has repeatedly stated that the requested record is not available in his office or that of the office of the Chief Town Planner Punjab at SAS Nagar (Mohali). However, the respondent fails to shed any light on the fate of the said record – as to whether it was damaged, destroyed, stolen? The respondent has neither stated whether any steps were or have been initiated to fix responsibility for the missing record, and relocate or reconstruct such a vital document.

5. The appellant restated his contention to the FAA vide his application dated 28.10.2020 as well as his affidavit dated 2.11.2020, that the requested record is a vital document which was commissioned by the state government and prepared at great state expense. Such records are meant to be permanent and that it was mandatory to preserve them.

6. The respondent PIO, represented at this hearing by APIO-cum-ATP Mukesh Chadha, sought some additional time to make a fresh search for the record / map requested in this RTI application, in both, his own office as well as the office of the Chief Town Planner, Punjab. He is granted 15 days from the date of receipt of this Order to comply.

7. In the event that the record / map still cannot be located, the respondent PIO is to intimate this Commission of steps initiated to: 1] fix responsibility of officials / officers responsible for the record going missing; 2] relocate and or reconstruct the said record; and 3] register an FIR against the responsible officer / officers who are the official custodians of the missing record.

**8. Next hearing on 2.11.2021 at 11.00 am through Video Conference at DC Office, Ludhiana.**

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

Chandigarh  
31.8.2021

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**Daljinder Singh,**  
S/o. Sucha Singh,  
Ward No.6, Palika Colony,  
Chandigarh Road, Samrala,  
District Ludhiana. 141114.

**Versus**

**Public Information Officer,**  
o/o Executive Officer,  
Nagar Council, Samrala,  
District Ludhiana.

**First Appellate Authority,**  
o/o Executive Officer,  
Nagar Council, Samrala,  
District Ludhiana.

## **Appeal Case No. 2683 of 2021 (Video Conference Proceedings)**

PRESENT:

Appellant (Absent)

Harpreet Singh, Junior Engineer (for the Respondent) 95018-00448

ORDER:

1. The RTI application is dated **24.11.2020** vide which the appellant has sought information **regarding Installation of interlocking tiles in Street No. 1 of Ward No. 6,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **27.4.2021** and second appeal was filed in the Commission on **8.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **31.8.2021**.

2. The appellant is absent, but has written to the Commission that he has not received any information in response to his RTI application. The respondent PIO, represented by Harpreet Singh, Junior Engineer, stated that the appellant was called to the office and shown the existing record but he refused to accept any of the documents available on record.

3. This Commission directs the respondent PIO to supply duly attested copies of all available record pertaining to Street No.1, Ward No. 6 of Municipal Council, Samrala. This must include MB's/Maps etc. Copies must be submitted to this Commission within one month of receiving this order.

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**

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## **Appeal Case No. 2683 of 2020 (Video Conference Proceedings)**

5. Next hearing on 2.11.2021 at 11.00 am through Video Conference at DC Office, Ludhiana.

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

Chandigarh  
31.8.2021

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**Nitin Kumar Garg,**  
C/o Police Public Dairy,  
15-A, Shastri Nagar,  
Model Town,  
Ludhiana.

**Versus**

**Public Information Officer,**  
o/o Executive Officer,  
Ludhiana Draining Division,  
District Ludhiana.

**First Appellate Authority,**  
o/o Superintendent Engineer,  
Draining Circle,  
District Jalandhar.

## **Appeal Case No. 2830 of 2021 (Video Conference Proceedings)**

PRESENT:

Nitin Kumar Garg (Appellant) 82888-63200

Rakesh Kumar, SDO (for the Respondent) 98787-00768

ORDER:

1. The RTI application is dated **1.2.2021** vide which the appellant has sought information **regarding Comparative statements of all work of E-Tendering from 1.1.2019 to 1.2.2021,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **8.3.2021** and Second Appeal was filed in the Commission on **18.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **31.8.2021**.

2. Both parties are present through Video Conference Facility from Ludhiana. The respondent PIO, represented by Rakesh Kumar, SDO, stated that the information along with a written reply was sent to the appellant vide Letter No.6724-25/RTI dated 20.8.2021. The appellant has requested the time to examine the information supplied to him.

3. The Commission however, notes that some of the copies supplied are illegible and others are incomplete. The respondent PIO is herewith directed to make fresh legible copies of the information which must be duly attested and submitted to this Commission within 15 days of receipt of this order.

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**

Contd. ...2

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## **Appeal Case No. 2830 of 2021 (Video Conference Proceedings)**

**5. Next hearing on 2.11.2021 at 11.00 am through Video Conference at DC Office, Ludhiana.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

31.8.2021

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## REGISTERED SHOW CAUSE NOTICE

**Yogesh Maini,**  
S/o Kapil Bhushan Maini,  
H.No.678/1, Prem Nagar,  
Shiv Mandir Road,  
Civil Lines,  
Ludhiana.

### **Versus**

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

**First Appellate Authority,**  
o/o Commissioner,  
Municipal Corporation, Zone-D,  
District Ludhiana.

### **Appeal Case No. 2944 of 2021 (Video Conference Proceedings)**

#### **PRESENT:**

Yogesh Maini (Appellant) 99887-58800  
Sukhpal Singh, Clerk (for the Respondent) 82838-86802  
Yasin Sekh, Veterinary Doctor.

#### **ORDER:**

1. The RTI application is dated **26.3.2021** vide which the appellant has sought information **regarding MB of Ward No. 83 in six points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **26.4.2021** and Second Appeal was filed in the Commission on **29.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **31.8.2021**.
2. Both parties are present through Video Conference Facility from Ludhiana. The respondent PIO, represented by Sukhpal Singh, Clerk from Zone-D and Dr. Yasin Sheikh, veterinary doctor are present. Sukhpal Singh, clerk stated that a reply was sent to the appellant wherein most of the points have been denied for one reason or the other.
3. The Commission notes that the respondent PIO has failed to supply any of the requested information. Only the information pertaining to point 2 of the RTI application has been supplied by Dr. Yasin Sheikh, by way of a list of pet dogs. However, the said list is not certified.
4. Under the circumstances, this Commission deems it fit to serve the PIO-cum-XEN Zone D, Sh. **Raman Kaushal** with this Show Cause Notice.

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## Appeal Case No. 2944 of 2021 (Video Conference Proceedings)

5. 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 **27.1.2021**.

“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 2.11.2021 at 11.00 am through Video Conference at DC Office, Ludhiana.

Sd/-  
(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh  
31.8.2021

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



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**Yogesh Maini,**

S/o Late Sh. Kapil Bhushan Maini,

H.No.678/1, Prem Nagar,

Shiv Mandir Road,

District Ludhiana.

**Versus**

**Public Information Officer,**

o/o Municipal Corporation,

Zone-A,

Ludhiana.

**First Appellate Authority,**

o/o Commissioner,

Municipal Corporation, Zone-A,

Ludhiana.

## **Appeal Case No. 2949 of 2021 (Video Conference Proceedings)**

PRESENT:

Yogesh Maini (Appellant) 99887-58800

Ajay Kumar, Building Inspector (for the Respondent) 98762-99511

ORDER:

1. The RTI application is dated **2.3.2021** vide which the appellant has sought information **regarding compounding fees for commercial and residential buildings etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.4.2021** and Second Appeal was filed in the Commission on **29.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **31.8.2021**.

2. Both parties are present through Video Conference Facility from Ludhiana. The respondent, PIO represented by Ajay Kumar, Building Inspector from Zone-A, stated that a reply along with the requested information was sent to the appellant vide Letter No.440/ATP/A/RTI Dated 19.4.2021.

3. The appellant states that the document supplied is not attested and there are some deficiencies in the information supplied to him. The appellant is advised to list deficiencies in the information in writing to the respondent PIO with a copy to this Commission.

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**

Contd. ...2

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## **Appeal Case No. 2949 of 2021 (Video Conference Proceedings)**

**5. Next hearing on 2.11.2021 at 11.00 am through Video Conference at DC Office, Ludhiana.**

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

Chandigarh  
31.8.2021

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**Surjit Singh,**

H.No.2990/76,

St. No.4, Guru Gobind Singh Nagar,

Near Bachan Gas Agency,

Mair Di Chakki, PO Daba,

Lushiana.

**Versus**

**Public Information Officer,**

o/o Commissioner,

Municipal Corporation,

District Ludhiana.

**First Appellate Authority,**

o/o Commissioner,

Municipal Corporation,

District Ludhiana.

## **Appeal Case No. 2624 of 2021 (Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

1. The RTI application is dated **3.3.2021** vide which the appellant has sought information **regarding work of Zone-C, B&R branch etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.4.2021** and Second Appeal was filed in the Commission on **4.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **31.8.2021**.

2. Both parties are absent. This appeal case is adjourned to its next hearing.

**3. Next hearing on 2.11.2021 at 11.00 am through Video Conference at DC Office, Ludhiana.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

31.8.2021

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**James**

S/o Raj Kumar,

H.No.94, St.No.1,

Peeru Banda, Salem Tabri,

District Ludhiana.

**Versus**

**Public Information Officer,**

o/o Commissioner,

Municipal Corporation,

District Ludhiana.

**First Appellate Authority,**

o/o Commissioner,

Municipal Corporation,

District Ludhiana.

## **Appeal Case No. 2791 of 2021 (Video Conference Proceedings)**

PRESENT:

(Appellant) Absent

Charanjit Singh, Superintendent (for the Respondent) 99880-14564

ORDER:

1. The RTI application is dated **11.2.2020** vide which the appellant has sought information **regarding Gill Factory, Sufian Chowk, Ludhiana**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.4.2021**, and Second Appeal was filed in the Commission on **16.6.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **31.8.2021**.

2. The appellant is absent without intimation. The respondent PIO, represented by Charanjit Singh, Superintendent submitted that a reply was sent to the appellant vide letter No. 50/Supdt./RTI/Z-A, dated 18.2.2021 which is well within the stipulated time period. In the reply, the appellant was requested for the specific details of the information he was seeking. He was also invited to visit the office of the respondent PIO and inspect the record.

3. The respondent PIO is directed to send a copy of his reply Dated 18.2.2021, sent to the appellant, to this Commission forthwith.

**4. Next hearing on 2.11.2021 at 11.00 am through Video Conference at DC Office, Ludhiana.**

**Sd/-**

**(ASIT JOLLY)**

State Information Commissioner, Punjab.

Chandigarh

31.8.2021