

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



Sarabjit Singh Gill,

S/o Amarjit Singh Dhamotia,

60-35-P-376-1, Street No. 8, Maha Singh Nagar,

Post Office Dhandari Kalan,

District Ludhiana – 141 014

Versus

Public Information Officer,

o/o Commissioner,

Municipal Corporation,

Ludhiana.

First Appellate Authority,

o/o Commissioner, Municipal Corporation,

Ludhiana.

Appeal Case No. 3533 of 2020 (Video Conference Proceedings)

PRESENT:

Amarjit Singh Dhamotia (for the Appellant) 98884-90031

Davinder Singh, Draftsman (for the Respondent) 98558-24996

ORDER:

1. The RTI application is dated **17.8.2020** vide which the appellant has sought information **regarding Site Plan (Map) No. 71-A-2017 in Zone-A area M.C., Ludhiana and the complaints received against violations in the said building**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **19.9.2020**, and second appeal was filed in the Commission on **13.11.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.

2. Both parties are present through Video Conference Facility at the Deputy Commissioner's Office in Ludhiana. The appellant stated that he has not received any reply from the respondent PIO. The respondent PIO, represented by Davinder Singh, Draftsman, from the Drawing & Building Branch, Zone-A, Municipal Corporation, Ludhiana, stated that a reply vide Letter No. 264/ATP/A/RTI/D dated 20.11.2020 was sent to the appellant with some information.

3. The Commission directs the respondent PIO to submit a written, point-wise reply to all the points listed in the RTI application alongside the requested information. The PIO can cite specific provisions of the RTI Act where he seeks exemption from the disclosure of the information. This must be done within the next 10 days, with a copy to this Commission.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Contd. ...2

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Appeal Case No. 3533 of 2020 (Video Conference Proceedings)

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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021

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Sarabjit Singh Gill,

S/o Amarjit Singh Dhamotia,

60-35-P-376-1, Street No. 8, Maha Singh Nagar,

Post Office Dhandari Kalan,

District Ludhiana – 141 014

Versus

Public Information Officer,

o/o Commissioner,

Municipal Corporation,

Ludhiana.

First Appellate Authority,

o/o Commissioner,

Municipal Corporation,

Ludhiana.

Appeal Case No. 3534 of 2020 (Video Conference Proceedings)

PRESENT:

Amarjit Singh Dhamotia (for the Appellant) 98884-90031

Satish Kumar, ATP (for the Respondent) 96460-31802

ORDER:

1. The RTI application is dated **17.8.2020** vide which the appellant has sought information **regarding a complaint to the Commissioner MC bearing Diary No. 1464/PS/R dated 11.8.2020**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **19.9.2020**, and second appeal was filed in the Commission on **13.11.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.

2. Both parties are present through Video Conference Facility at Deputy Commissioner's Office, Ludhiana. The respondent PIO, represented by Satish Kumar, ATP, Zone-C, Municipal Corporation, Ludhiana, stated that a reply with the requested information was sent to the appellant vide Letter No. 246/DRG-C/D/PIO dated 16.11.2020. The appellant however, stated that the reply/information is insufficient.

3. This Commission directs the respondent PIO to send a copy of the reply sent to the appellant along with duly attested copy of the information, to this Commission before the next hearing.

Contd. ...2

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Appeal Case No. 3534 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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021

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Sarabjit Singh Gill, S/o Amarjit Singh Dhamotia,
60-35-P-376-1, Street No. 8, Maha Singh Nagar,
Post Office Dhandari Kalan,
District Ludhiana – 141 014

Versus

Public Information Officer,

o/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority,

o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 3535 of 2020 (Video Conference Proceedings)

PRESENT:

Amarjit Singh Dhamotia (for the Appellant) 98884-90031

Davinder Singh, Draftsman (for the Respondent) 98558-24996

ORDER:

1. The RTI application is dated **10.8.2020** vide which the appellant has sought information **regarding a hotel in a residential area in Zone-A M.C., Ludhiana**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **10.9.2020**, and second appeal was filed in the Commission on **13.11.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.

2. Both parties are present through Video Conference Facility at the Deputy Commissioner's Office in Ludhiana. The respondent PIO, represented by Davinder Singh, Draftsman, stated that a reply – Letter No.186/ATP/A/RTI/B – was sent to the appellant on 11.10.2020, wherein it is pointed out that the RTI is in the form of questions, which cannot be entertained as per the RTI Act, 2005. The respondent PIO is requested to send a copy of the said reply to this Commission by Registered Post at the earliest.

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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021

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Sarabjit Singh Gill,

S/o Amarjit Singh Dhamotia,

60-35-P-376-1, Street No. 8, Maha Singh Nagar,

Post Office Dhandari Kalan,

District Ludhiana – 141 014

Versus

Public Information Officer,

o/o Superintendent, Headquarter,

Municipal Corporation,

Ludhiana.

First Appellate Authority,

o/o Commissioner,

Municipal Corporation,

Ludhiana.

Appeal Case No. 3707 of 2020 (Video Conference Proceedings)

PRESENT:

Amarjit Singh Dhamotia (for the Appellant) 98884-90031

Surinder Singh, Senior XEN, Zone-A (for the Respondent)

Harjeet Singh, SDO, Zone-B (for the Respondent) 97800-39453

Rupinder Singh, J.E., Zone-D (for the Respondent)

ORDER:

1. The RTI application is dated **28.8.2020** vide which the appellant has sought information **regarding not deposited MB Books from 1990 to 2013 and the report reportedly sought by the Commissioner MC**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **28.9.2020**, and second appeal was filed in the Commission on **24.11.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.

2. Both parties are present through Video Conference Facility at the Deputy Commissioner's Office in Ludhiana. The respondent PIO, represented by Surinder Singh, Senior XEN, from Zone-A, Harjeet Singh, SDO Zone-B, and Rupinder Singh, JE of Zone-D, have stated that separate replies were sent to the appellant stating that the information requested was not available in their respective offices. However, as pointed out by the appellant, this RTI application was submitted to the PIO, Municipal Corporation, Ludhiana, regarding a report sought by the Municipal Commissioner, Ludhiana.

Contd. ...2

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Appeal Case No. 3707 of 2020 (Video Conference Proceedings)

3. This Commission requests Surinder Singh, Senior XEN, Zone-A, to collect copies of the replies sent from various zone's i.e. A to D to the appellant and send these to the Commission by Registered Post at the earliest.

4. The respondent PIO-cum-Superintendent (Headquarters), Municipal Corporation, Ludhiana **Rohit Sahota** is directed herewith to submit a point-wise reply to this RTI application along with a duly attested copy of the Commissioner's report as cited in this RTI application and other documents requested by the appellant. This must be done within the next 15 days falling which, the PIO-cum-Superintendent (Headquarters) Rohit Sahota, will be eligible for penalties as per the RTI Act, 2005.

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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021

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Sarabjit Singh Gill,
S/o Amarjit Singh Dhamotia,
60-35-P-376-1, Street No. 8,
Maha Singh Nagar,
Post Office Dhandari Kalan,
District Ludhiana – 141 014

Versus

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

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

Appeal Case No. 3708 of 2020 (Video Conference Proceedings)

PRESENT:

Amarjit Singh Dhamotia (for the Appellant) 98884-90031

Sandeep Kumar, Accountant (for the Respondent) 98550-35033

ORDER:

1. The RTI application is dated **31.8.2020** vide which the appellant has sought information **regarding the temporary advance issued by the DCFA to the MC from 91-92 to till date**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **1.10.2020**, and second appeal was filed in the Commission on **24.11.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.

2. Both parties are present through Video Conference Facility at the Deputy Commissioner's Office in Ludhiana. The respondent PIO, represented by Sandeep Kumar, Accountant, from the Accounts Branch, Municipal Corporation, Ludhiana, stated that the former PIO dealing with this case had raised a demand for Rs. 425 as copying charges (Rs. 5.00 per page of the over-sized registers) from the appellant on 2.11.2020. This, notably, was beyond the stipulated 30-day period as per the RTI Act. The incumbent PIO has meanwhile confirmed that the information requested is available in his custody.

3. This Commission directs the respondent PIO to arrange for an inspection of the record by the appellant at 2:30 pm on Tuesday, 9.3.2021. Following this, duly attested copies of documents selected by the appellant are to be provided to him, free of any cost. The Commission also directs that Sandeep Kumar, Accountant, be personally present and facilitate the inspection.

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Appeal Case No. 3708 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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021

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REGISTERED **SHOW CAUSE NOTICE**

Sarabjit Singh Gill,
S/o Amarjit Singh Dhamotia,
60-35-P-376-1, Street No. 8, Maha Singh Nagar,
Post Office Dhandari Kalan,
District Ludhiana – 141 014

Versus

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

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

Appeal Case No. 3709 of 2020 (Video Conference Proceedings)

PRESENT:

Amarjit Singh Dhamotia (for the Appellant) 98884-90031
(Respondent) Absent

ORDER:

1. The RTI application is dated **24.8.2020** vide which the appellant has sought information **regarding two Vidhan Sabha constituencies – Atam Nagar and Ludhiana South**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **28.9.2020**, and second appeal was filed in the Commission on **24.11.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.

2. The respondent PIO is absent without intimation. The Commission notes that the respondent PIO has not submitted a single reply to this RTI application which was filed on 24.8.2020. He has also not deemed it fit to attend this hearing. The respondent PIO is herewith served with a 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 **24.8.2020**.

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Appeal Case No. 3709 of 2020 (Video Conference Proceedings)

“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*.”

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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021

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

PUNJAB STATE INFORMATION COMMISSION

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REGISTERED SHOW CAUSE NOTICE

Sham Lal,
S/o Chanan Ram,
1277/1, Street No. 4, Rahon Road,
Valmiki Nagar, Near Sidhu Factory,
District Ludhiana.

Versus

Public Information Officer,
o/o Superintendent, Headquarter,
Municipal Corporation,
Ludhiana.

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

Appeal Case No. 3565 of 2020 (Video Conference Proceedings)

PRESENT:

Sham Lal (Appellant) 94635-80837

Tarun Goyal, PIO-cum-Superintendent (for the Respondent) 99881-54892

Pardeep Saluja, O & M Branch (for the Respondent)

ORDER:

1. The RTI application is dated **31.7.2020** vide which the appellant has sought information **regarding permanent, contractual and outsourced workers in the MC etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **3.9.2020**, and second appeal was filed in the Commission on **18.11.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.
2. Both parties are present through Video Conference Facility at the Deputy Commissioner's Office in Ludhiana. The respondent PIO-cum-Superintendent Establishment Branch, Tarun Goyal and Pardeep Saluja, XEN, (O&M), Branch, have both sent piecemeal replies to the appellant.
3. The Commission takes a very dim view of the evidently problematic system adopted by this public authority wherein, various branches are called upon to send separate replies to the appellant in response different parts of the same RTI application. This should have been done by the PIO-cum-Superintendent (Headquarters) Municipal Corporation, Ludhiana **Rohit Sahota**.

Contd. ...2

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Appeal Case No. 3565 of 2020 (Video Conference Proceedings)

4. The respondent PIO-cum-Superintendent (Headquarters) 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 **31.7.2020**.

“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*.”

5. He is also directed to collect all the information pertaining to this RTI application and send duly attested copies to the appellant with a set of copies to this Commission.

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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021

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

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Email: psic21@punjabmail.gov.in



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

Versus

Public Information Officer,
o/o Executive Officer,
Nagar Council,
Jagraon,
District Ludhiana.
First Appellate Authority,
o/o Deputy Director,
Urban Local Bodies,
District Ludhiana.

Appeal Case No. 3764 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Sanjay Kumar, PIO-cum-E.O. (for the Respondent) 70097-45269

ORDER:

1. The RTI application is dated **26.8.2020** vide which the appellant has sought information **regarding 'private' employees working in Municipal Council Jagraon from 2015 to August 2020**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **14.10.2020**, and second appeal was filed in the Commission on **2.12.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.

2. The appellant is absent without intimation. The respondent PIO-cum-EO, Municipal Council, Jagraon, Sanjay Kumar, present through Video Conference Facility at the Deputy Commissioner's Office in Ludhiana, stated that the appellant has not appended a copy of his ID Proof and did not do so even after he was requested. However, the ID proof is now available on file as part of the Second Appeal.

3. The respondent PIO is directed to submit a point-wise reply to this RTI application along with the requested information where available, with a copy to this Commission.

Contd. ...2

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Appeal Case No. 3764 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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021

PUNJAB STATE INFORMATION COMMISSION

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Jagjit Singh,
S/o Harbans Singh,
Street No. 3, Aman Nagar,
Back Side Green Land School,
Near Jalandhar Bye Pass,
Ludhiana.

Versus

Public Information Officer,
o/o Municipal Corporation Zone-A,
Ludhiana.
First Appellate Authority,
o/o Commissioner Municipal Corporation,
Ludhiana.

Appeal Case No. 3584 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Davinder Singh, Draftsman (for the Respondent) 98558-24996

ORDER:

1. The RTI application is dated **1.3.2019** vide which the appellant has sought information **regarding the Greenland Kindergarten (School) in Ludhiana in ten points**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **16.4.2019**, and second appeal was filed in the Commission on **18.11.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.

2. The appellant is absent without intimation. The respondent PIO, represented by Davinder Singh, Draftsman, Zone-A, M.C., Ludhiana, present through Video Conference Facility at the Deputy Commissioner's Office in Ludhiana, stated that a reply along with the information was sent to the appellant vide Letter No. 347/ATP/A/RTI/B dated 5.4.2019 and a copy of the said reply was also sent to this Commission vide Letter No. 400/RTI/A-B dated 25.2.2021. The respondent is however, not aware of what information was sent along with reply to the appellant.

3. He is directed to make fresh copies of information that was sent to the appellant and send duly attested copies of the same, to this Commission before the next hearing.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Contd. ...2

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Appeal Case No. 3584 of 2020 (Video Conference Proceedings)

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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021

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Email: psic21@punjabmail.gov.in



Jagjit Singh,

S/o Harbans Singh,

Street No. 3, Aman Nagar, Back Side Green Land School,

Near Jalandhar Bye Pass,

Ludhiana.

Versus

Public Information Officer,

o/o Municipal Corporation Zone-A,

Ludhiana.

First Appellate Authority,

o/o Commissioner Municipal Corporation,

Ludhiana.

Appeal Case No. 3687 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Davinder Singh, Draftsman (for the Respondent) 98558-24996

ORDER:

1. The RTI application is dated **18.7.2019** vide which the appellant has sought information **regarding his complaint (# EP566164547IN dated 2.7.2019 to the Commissioner MC**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **8.8.2019**, and second appeal was filed in the Commission on **25.11.2020** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **4.3.2021**.

2. The appellant is absent without intimation. The respondent PIO represented by Davinder Singh, Draftsman, Zone-A, M.C., Ludhiana, present through Video Conference Facility at the Deputy Commissioner's Office in Ludhiana, stated that a reply was sent to the appellant vide Letter No. 331/ATP/A/RTI/D dated 27.2.2019. When it is pointed out to him that the reply could not have been sent before the filing of RTI application dated 18.7.2019, The respondent PIO stated that the above-mentioned reply was in response to a similar RTI filed by the same appellant earlier.

3. This Commission directs the respondent PIO to submit a fresh reply to the RTI application 18.7.2019, along with the requested information before the next hearing. A copy must also be sent to this Commission.

Contd. ...2

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Appeal Case No. 3687 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 1.7.2021 at 11.00 am through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

4.3.2021