

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



Saurab Sharma,
S/o Subhash Sharma,
B-23, H.No.6163, St.No.4,
Hargobind Nagar, Near Hanuman Mandir,
Ludhiana.

Versus

Public Information officer,
o/o Improvement Trust,
Ludhiana.

First Appellate Authority,
o/o Additional Deputy Commissioner,
(Urban Development),
Ludhiana.

Appeal Case No. 4513/2021 and 4900/2021 (Heard together via Video Conference Proceedings)

PRESENT:

Saurab Sharma (Appellant) 98721-64341
Rama Shankar, Clerk (for the Respondent) 79734-99454

ORDER:

*(To be read in continuity with earlier orders on **22.4.2022 and 4.8.2022**)*

1. The RTI applications are dated **11.1.2021 and 24.5.2021** vide which the appellant has sought **regarding land acquired from one Mrs. Amravati**, information as enumerated in his RTI application. First Appeals were filed with the First Appellate Authority (FAA) on **23.2.2021 and 24.8.2021** and Second Appeals were filed in the Commission on **5.10.2021 and 27.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.8.2022**.

2. Both parties are present. At the last hearing on 4.8.2022, the respondent PIO was directed to inform the stated third party in writing regarding the RTI application filed by the appellant and allow said third party an opportunity to deny or consent to the disclosure of the requested information. The respondent PIO, represented at today's hearing Sh. Rama Shanker, Clerk, states that he has not been able to find the address for the stated third party..

3. The Commission notes that the requested information pertains to a plot of land bearing *khasra* No. 4097/3542/1409, *vakya* 1967-68 *tarf saida*, which was acquired from one Mrs. Amravati wife of Shadi Ram. The appellant Saurab Sharma, states that aforesaid plot is now under the illegal occupation of a private party and that he require to this information to expose the wrongdoing involved in the matter.

4. The Commission concurs with the appellant that the information requested by him is a matter of public interest and must be disclosed in the larger public interest. On the request of the respondent's representative today, the Commission grants the respondent PIO a final opportunity to furnish the requested information along with a covering letter bearing a pointwise reply to the RTI application within Ten days of receipt of this Order.

Contd....2

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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 30.11.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
7.10.2022

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Harbhagat Singh Grewal,
S/o Sh. Jasbir Singh Grewal,
151, Block J, Sarabha
Ludhiana – 141 001

Versus

Public Information officer,
o/o Executive Officer,
Improvement Trust, Ludhiana.
First Appellate Authority-cum-
o/o Additional Deputy Commissioner (UD),
Ludhiana.

Appeal Case No. 2055 of 2021 (Video Conference Proceedings)

PRESENT:

Harbhagat Singh Grewal (Appellant) 91606-00002
Ravinder Kumar, Clerk (for the Respondent) 79734-99545

ORDER:

*(To be read in continuity with earlier orders on **24.11.2021, 10.3.2022, 29.6.2022, and 4.8.2022**)*

1. The RTI application is dated **11.1.2021** vide which the appellant has sought information **regarding action taken on Letter No. 1165CEA/3 dated 2.3.20220**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.3.2021** and Second Appeal was filed in the Commission on **27.4.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.8.2022**.

2. Both parties are present. At the last hearing on 4.8.2022, the respondent PIO was given a final opportunity to comply with para 3 of this Commission's Order of 29.6.2022, failing which the Commission would be compelled to impose an appropriate penalty as per the RTI Act, 2005. In the interim, the Ludhiana Improvement Trust has been raided by the State Vigilance Bureau and an investigation is ongoing. In view of the same the representative of respondent PIO at today's hearing has requested Ten more days to file a suitable reply to this RTI application.

3. The respondent PIO is reminded that he is already under the Show Cause Notice, issued to him vide this Commission's Order of 10.3.2022. The Commission will brook no further delay beyond Ten days from the date of this hearing.

4. Next hearing on 30.11.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.

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

Chandigarh
7.10.2022

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Kamaljit Singh,
S/o Sh. Shiv Dev Singh,
395-L, Model Town,
Ludhiana.

Versus

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

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

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

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

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

Appeal Case No. 289 of 2021 (Video Conference Proceedings)

PRESENT:

Kamaljit Singh (Appellant) 80547-81350

Gurjeet Singh, Building Inspector from Zone A (for the Respondent)

Ravinder Singh Walia, DM from Zone B (for the Respondent) 98551-99191

Harjeet Singh, Draftsman from Zone D (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 20.8.2021, 6.1.2022, 5.5.2022, and 2.8.2022)

1. The RTI application is dated **22.9.2020** vide which the appellant has sought information **regarding unauthorized constructions/ demolition notices issued etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **3.11.2020** and Second Appeal was filed in the Commission on **31.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.8.2022**.

2. Both parties are present. The respondent PIOs are represented by Gurjeet Singh, Building Inspector from Zone A, Ravinder Singh Walia, DM from Zone B, and Harjeet Singh, Draftsman from Zone D. As per the appellant, only Zone D has complied with the Commission's Order of 4.8.2022 and has provided him the requested record. The PIO's of Zone A, B, and C, who were all issued a Show Cause Notice vide this Commission's Order of 5.5.2022, have once again failed to comply.

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Appeal Case No. 289 of 2021 (Video Conference Proceedings)

3. In view of this, the PIO's Building Branch, Zone A, B, and C, are hereby directed to appear in person at the Commission at the next hearing of this Appeal Case on 31.10.2022, along with original record and duly attested copies of the same. The aforesaid PIOs are reminded that they are still under the Show Cause Notice issued by this Commission on 5.5.2022 and any failure to comply with this Order or failure to be present in person, shall compel the Commission to ensure their presence by service of Bailable Warrants.

4. **Next hearing on 31.10.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
7.10.2022

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Tejinder Singh,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur – 144 410

Versus

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

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

Appeal Case No. 3040 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 19.4.2022 and 2.8.2022)

1. The RTI application is dated **23.11.2020** vide which the appellant has sought information **regarding direction by Commissioner on 21.11.2022 regarding Ward No. 30,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.5.2021** and Second Appeal was filed in the Commission on **1.7.2021** under Section 19 of the Right to Information Act 2005. The case was last heard on **2.8.2022**.

2. Both parties are absent without intimation. The Commission notes that a Show Cause Notice was issued to the PIO office of Commissioner, MC, Ludhiana, which is, PIO-cum-Superintendent Headquarters, vide this Commission's Order Dated 19.4.2022. Despite this, the respondent PIO-cum-Superintendent Headquarters office of Commissioner, MC, Ludhiana, has been successively absent for Two hearings.

3. The aforesaid PIO is given a final opportunity to submit a written explanation to the Commission's Show Cause Notice of 19.4.2022 and furnish the information to the appellant.

4. **Next hearing on 30.11.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
7.10.2022

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Kamal Deep Kaur,
W/o Ajay Pal Singh,
VPO Guntala, Opposite Government Dispensary,
Amritsar.

Versus

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

Appeal Case No. 2059 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 27.8.2021, 10.11.2021, 9.2.2022, 26.5.2022, and 11.8.2022)

1. The RTI application is dated **27.01.2021** vide which the appellant has sought information **regarding the Municipal Commissioner's Order dated 14.08.20 etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **27.02.2021** and Second Appeal was filed in the Commission on **28.04.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.8.2022**.

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

3. **Next hearing on 2.12.2022 at 11.30 am via Video Conference Facility at DC Office, Amritsar.**

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

Chandigarh
7.10.2022

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Pardeep Kumar Mahajan,
#494, Basant Nagar,
Majitha Road, Near Gopal Mandir,
Amritsar.

Versus

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

Appeal Case No. 2234 of 2022 (Video Conference Proceedings)

PRESENT:
(Appellant) Absent
(Respondent) Absent

ORDER:
(To be read in continuity with earlier orders on **11.8.2022**)

1. The RTI application dated **3.6.2018** vide which the appellant has sought information **regarding illegal construction and encroachment in Basant Nagar**, as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **1.8.2018** and Second Appeal was filed in the Commission on **6.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.8.2022**.

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

3. **Next hearing on 2.12.2022 at 11.30 am via Video Conference Facility at DC Office, Amritsar.**

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

Chandigarh
7.10.2022

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Darshan Kumar Sharma,
S/o Sh. Prithvi Raj Sharma, #25, Pink Park
Purai Chungi, Barewal Road,
Ludhiana.

Versus

Public Information Officer,
o/o XEN, (Divisional Engineer) Division No. 2,
Punjab Water Resource, Mansa

Public Information Officer,
o/o Superintendent Engineer Construction Circle No. 1,
Punjab Water Resource Department Ltd.,
Faridkot.

First Appellate Authority,
Superintendent Engineer Construction Circle No. 1,
Punjab Water Resource Department Ltd.,
Faridkot.

Appeal Case No. 2509 of 2022 (Video Conference Proceedings)

PRESENT:

Darshan Kumar (Appellant)
Jatinder Kumar, SDO (for the Respondent) 99159-33081

ORDER:

(To be read in continuity with earlier orders on 11.8.2022)

1. The RTI application dated **15.7.2021** vide which the appellant has sought information **regarding a government vehicle (CH-01-1515)**, as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **Nil** and Second Appeal was filed in the Commission on **12.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **11.8.2022**.

2. Both parties are present. As directed at the last hearing, the respondent PIO has paid a compensation of Rs. 5,000/- to the appellant vide Letter No. 1724-26 Dated 15.9.2022. The respondent PIO has also provided partial information vide Letter No. 1776-77 Dated 10.8.2022. As per the appellant the requested copy of the log book and TA Bills pertaining to the vehicle cited in the RTI application, have not been supplied.

3. The PIO-cum-XEN (Divisional Engineer, Division 2) Punjab Water Resources Mansa, is hereby directed to retrieve the information requested at point no. 5 of the RTI application and appear in person at the next hearing of this Appeal Case at Chandigarh along with original record and duly attested copies of the same. The PIO-cum-XEN, is granted the option of being present in person or deputing a subordinate officer with adequate knowledge of the case, to attend the hearing. In case the information is to be retrieved from some alternative office, the PIO-cum-XEN, is directed to do so by invoking Section 5(4) and 5(5) of the RTI Act, 2005, whereby the officer from whom that information has been requested, will thereafter be the deemed PIO in this Appeal Case and will be liable for any penalties.

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Appeal Case No. 2509 of 2022 (Video Conference Proceedings)

4. Next hearing on 2.12.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

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

Chandigarh
7.10.2022

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Sukhdhir Sekhon,
Head Teacher,
Government Primary School,
Moti Nagar, Block Mangat-2,
Chandigarh Road, Ludhiana.

Versus

Public Information Officer,
o/o Registrar, Births & Deaths,
Municipal Corporation, Ludhiana.
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 1263 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Davinder Singh, Clerk (for the Respondent) 98554-00226

ORDER:

(To be read in continuity with earlier orders on 21.7.2022 and 30.8.2022)

1. The RTI application is dated **7.12.2021** vide which the appellant has sought information **regarding the Births and Deaths record of Raj Hospital from 2.10.2021 to date,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.1.2022** and Second Appeal was filed in the Commission on **10.3.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **30.8.2022**.

2. The appellant is absent. The respondent PIO has, as directed at the last hearing on 30.8.2022, submitted a written reply vide Letter No. 565 Dated 19.9.2022, along with redacted photocopies of the requested information. The Commission notes that the supplied information is neither attested nor adequately legible.

3. In view of the above, the Commission directs the respondent PIO-cum-Registrar, Birth and Death, **Dr. Gulshan Rai**, to be present in person along with requested record without any redaction but after due attestation as **"information supplied under the RTI Act, 2005,"** in the Commission on 28.10.2022. In case Dr. Gulshan Rai, is otherwise occupied on the day, the Commission grants him the opportunity to depute a subordinate officer with adequate knowledge of this Appeal Case, in his place.

4. **Next hearing on 28.10.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
7.10.2022