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Sh. Rohit Sabharwal,

Kundan Bhawan, 126, Model Gram,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Municipal Town Planner, Zone –D,

Municipal Corporation, Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Commissioner,

Ludhiana Respondents

**APPEAL CASE NO.2636/2017**

Date of RTI application : 19.06.2017

Date of First Appeal : 17.08.2017

Date of Order of FAA : Reply 13.07.2017

Date of 2nd Appeal/complaint : 22.09.2017

**Present: Adv. Sukhjinder Kaur, Counsel for the Appellant.**

**Sh. Damanpreet Singh, Draftsman, MC Office, Ludhiana – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

This should be read in continuation of Commission’s orders passed on a couple of last hearings.

The respondents have brought along the information which has been handed over to the appellant in the video studio at Ludhiana. The appellant seeks sometime to go through it as reportedly it is quite a heavy bunch of documents.

To come up on **08.08.2018 at 11.30 AM through video conference at Ludhiana.** .

**Sd/-**

**04.07.2018 ( Yashvir Mahajan )**

**State Information Commissioner**

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Sh. Kuldip Kumar Kaura,

5-C, Phase I, Urban Estate,

Focal Point, Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council, Jagraon,

Distt. Ludhiana

First Appellate Authority

O/o Executive Officer,

Municipal Council, Jagraon,

Distt. Ludhiana Respondents

**APPEAL CASE NO.3723 /2017**

Date of RTI application : 21.08.2017

Date of First Appeal : 27.10.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :09.12.2017

**Present: Kuldip Kumar Kaura, appellant in person**

**Sh. Manohar Singh, Superintendent, MC Office, Jagraon - for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

The following order was passed by this forum on 02.05.2018:

*“The appellant has sought information about Co-operative Labour Society which has been executing the works floated by the respondent. The appellant submits that the information has been provided to him very belatedly and that too is deficient. No written statement has been filed by the respondent on the subject. The PIO is directed to explain his conduct in the shape of an affidavit with advance copy to the appellant positively before the next date of hearing.”*

*“The respondents have sent a communication to the appellant on 26.03.2018 which according to the appellant is not in accordance with the facts on record. He also points out that the respondents have failed to comply with the directions passed by the Commission in the aforesaid order. The appellant is desired to file his observations in writing with a copy to the respondents who shall file an affidavit in support of their contentions.”*

The case has come up today. The respondents say that an affidavit has been

Contd. Page…2

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**APPEAL CASE NO.3723 /2017**

brought along detailing the facts of the case along with the information which has been transmitted to the appellant during the course of the proceedings. The respondents are directed to send a copy to the Commission for its perusal.

The matter shall be heard on **12.09.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**04.07.2018**  **(Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Jaspal Singh

S/o Sh. Ramesh Arora,

R/o 319/3, Gurdeep Nagar,

Jagraon Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council, Jagraon

Distt. Ludhiana

First Appellate Authority

O/o Regional Deputy Director, Urban Local Bodies, Punjab

Ludhiana Respondents

**APPEAL CASE NO.2610/2017**

Date of RTI application : 06.07.2017

Date of First Appeal : 09.08.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 19.09.2017

**Present: Sh. Jaspal Singh, Appellant in person.**

1. **Sh. Manohar Singh, Superintendent, and**
2. **Sh. Shinder Pal Singh, SDO, MC office, Jagraon – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

The following order was made by this forum on 02.05.2018:

***“****The appellant had sought information about an Estate namely; Dashmesh Colony in Jagraon. The respondents’ plea is that it is an illegal colony which has never been approved by the Local Bodies Department. The record being asked for is not available with them. The appellant says that the work of laying sewage lines is under progress.*

*The Commission is at a loss to understand as to how the Sewerage Board is laying the sewerage lines without regularization or approval of the Committee. It is impleaded as a necessary party in the case. The PIO in the office of the XEN, Punjab Water Supply & Sewerage Board, Division No. 1, Old Courts, Ludhiana is directed to file a written statement. In fact the application should have been forwarded to them under Section 6(3) of the Act by the listed respondents. They shall part with the information if available within thirty days from today positively and file a written reply as well.”*

*Contd,page……2*

*-2-*

***APPEAL CASE NO.2610/2017***

*The case has come up today. Sh. Shinderpal Singh, SDO, Water Supply and Sewerage Board submits that colony under construction is a part of the Municipal area and is not a new development. The information relating to the Sewerage work has already been provided to him in response to other application filed by the appellant. The respondent is directed to file written statement in this behalf.”*

*“The case has been taken up today. No written statement has been filed by the respondents so far. Another opportunity is afforded to them to respond to the above order of the Commission before the next date of hearing positively.*

*Due to technical glitch the matter could not be heard properly in the video conference. The matter is adjourned to be heard on 04.07.2018 at 11.30 AM through video conference at Ludhiana.”*

The case has come up today. It transpires that the information has reached the appellant. The matter has already been decided as reported in Appeal Case No.3274 of 2017 by Sh. Pawan Kumar Singla, Ld.SIC also. No intervention on the part of this bench now seems called for.

**Disposed.**

**Sd/-**

**04.07.2018 ( Yashvir Mahajan )**

**State Information Commissioner**

**CC: The PIO, O/o The Executive Engineer, Punjab Water Supply & Sewerage Board, Division No. 1, Old Courts, Ludhiana.**

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Sh. Jaspal Singh

S/o Sh. Rajesh Arora,

319/3, Gurdeep Nagar,

Jagraon, Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon,

Distt. Ludhiana

First Appellate Authority,

O/o Regional Dy. Director,

Urban Local Bodies Department,

Ludhiana Respondents

**APPEAL CASE NO.1427/2017**

Date of RTI application : 15.03.2017

Date of First Appeal : 18.04.2017

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 23.05.2017

**Present: Sh. Jaspal Singh, Appellant in person.**

**Sh. Manohar Singh, Superintendent, NC Office, Jagraon – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

The Commission had desired the respondents to arrange the inspection of the relevant record which has not materialized so far. The Parties attribute the fault to each other The Commission directs that the respondents shall get the relevant record inspected on 31.07.2018 at 11.30 AM in the office of the Superintendent, Nagar Council, Jagraon. They shall handover the certified copies of the documents identified by him not beyond one hundred pages free of cost.

To come up on **12.09.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**04.07.2018 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Jaspal Singh

S/o Sh. Ramesh Arora,

319/3, Gurdeep Nagar, Jagraon,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon,

(Distt. Ludhiana)

First Appellate Authority,

O/o Deputy Director, Local Govt.

Ludhiana Respondents

**APPEAL CASE NO. 4208 of 2016**

**Date of RTI Application :24.09.2016**

**Date of First Appeal :29.10.2016**

**Date of Order of FAA :NIL**

**Date of Second Appeal :19.12.2016**

**Present: Sh. Jaspal Singh, Appellant in person.**

**Sh. Manohar Singh, Superintendent, NC Office, Jagraon – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

The Commission had desired the respondents to arrange the inspection of the relevant record in this case which has not materialized so far. Both the Parties attribute the fault on each other for having not clinched the issue. The Commission directs that the respondents shall get the relevant record inspected on 31.07.2018 at 11.30 AM in the office of the Superintendent, Nagar Council, Jagraon. They shall handover the certified copies of the documents identified by him not beyond one hundred pages free of cost.

To come up on **12.09.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**04.07.2018 (Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Harjinder Pal

S/o Late Sh. Gurdev Singh,

R/o House No.9342 Main Road,

Kot Mangal Singh, Ludhiana Appellant

Versus

Public Information Officer,

O/o Registrar, Firms & Societies, Punjab

Sector-17, Chandigarh

First Appellate Authority

O/o Registrar, Firms & Societies, Punjab

Sector-17, Chandigarh Respondents

**APPEAL CASE NO.3535/2017**

Date of RTI application : 01.08.2017

Date of First Appeal : 24.10.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :01.12.2017

**Present: Sh. Harjinder Pal, Appellant in person at Chandigarh.**

**None on behalf of the Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

The following order was made on 02.05.2018:

*“Sh. Satnam Singh appearing on behalf of the respondents says that the record pertains to a very old Society. They have not been able to trace it despite their best efforts. It shall have to be dug out from massive information and is quite difficult to be located with skeleton staff. They seek some time to look for it and try to make it available to the appellant at the earliest. His request is acceded.”*

The respondents are absent. Nothing has been heard from them as well.

The Commission is inclined to believe that they are willfully suppressing the information. According the PIO is issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete Contd…page…2

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**APPEAL CASE NO.3535/2017**

information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on himfor causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, 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.

To come up on **24.07.2018 at 11.30 AM at Chandigarh.**

**Sd/-**

**04.07.2018**  **(Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Jasbir Singh,

Village Bholapur Jhabewal,

Post Office Ramgarh, Distt. Ludhiana. Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Ludhiana. Respondents

**APPEAL CASE NO.3421/2017**

Date of RTI application : 14.09.2017

Date of First Appeal : 14.10.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :30.11.2017

**Present: Sh. Jasbir Singh, Appellant in person at Commission’s office, Chd.**

**None on behalf of the Appellant.**

**ORDER**

**The case has been heard through video conferencing.**

The Commission had made the following order on 09.05.2018:

*“The appellant had sought an information about the personnel details of one*

*Sh. Charanjit Singh, Clerk, Municipal Corporation, Ludhiana.*

*Sh. Viney Kumar appearing on behalf of the respondents submits that the same cannot be parted with being the ‘personal information of the official. On being approached as entailed in Section 11 of the RTI Act, the concerned official has not allowed the respondents to furnish it to the appellant. The Commission does not agree with their contention. Some of the points relate to the information which is desirable to be in public domain.*

*The respondents are directed to file a reply to the Commission stating their position on each point justifying their stand.”*

*Contd…page…2*

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**APPEAL CASE NO.3421/2017**

The Commission had desired the respondents to file a written reply stating the position with reference to each point of the RTI application. Neither their representative is present nor any reply has been filed. Another opportunity is afforded to them to comply with the order failing which action to impose penalty shall be taken.

To come up on **12.09.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**04.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Love Kumar Dua

S/o Late Sh. Megh Raj Dua

R/o House No.125, Model Town,

Samrala Road, Khanna Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Nagar Council, Khanna

First Appellate Authority

O/o Deputy Director, Local Bodies, Punjab,

Ludhiana. Respondents

**APPEAL CASE NO.3425/2017**

Date of RTI application : 22.09.2017

Date of First Appeal : 26.10.2017

Date of Order of FAA : Reply 29.09.2017

Date of 2nd Appeal/complaint :24.11.2017

**Present: Sh. Love Kumar Dua, Appellant in person.**

**Sh. Amarpal Singh, Inspector, NC Office, Khanna – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

The following order was made on 09.05.2018

*“The respondents say that the appellant has been duly informed in response to his application. The appellant is not satisfied. The respondents are directed to file a written reply with the Commission under endorsement to the appellant. The appellant may revert to the Commission about the infirmity, if any, in the information provided to him in writing.*

*The matter shall be taken up again on 04.07.2018 at 11.30 AM through video conference at Ludhiana.”*

The case has come up today. Sh. Amarpal Singh, Inspector appearing on behalf of the respondents says that the reply has been sent to the appellant on 16.02.2018. The appellant is not satisfied.

Contd…page…2

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**APPEAL CASE NO.3425/2017**

The Commission finds that the appellant in fact is aggrieved with the illegal operation of rehris and pharies in a market area. It is not within the domain of the Commission to take any action to correct the situation. The respondents say that the documents available with reference to the subject have been supplied to him. In case the appellant feels that they are deficient he should convey it in writing before the next date of hearing.

To come up on **12.09.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**04.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Raj Kumar

S/o Sh. Sohan Lal (RTI Activist),

H.No.2286/A, Abdulapur Basti,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Director, Local Bodies, Punjab,

Plot No.3, (Sathanic Sarkar Bhawan) Sector-35, Chandigarh Respondents

**APPEAL CASE NO.3445/2017**

Date of RTI application : 02.05.2017

Date of First Appeal : 10.08.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :15.11.2017

**Present: None on behalf of the Appellant.**

**Sh. Raman Kaushal, SDO, Zone D-3, MC Office, Ludhiana – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

The Commission had made the following observations on 09.05.2018:

*“The respondents say that they have sent the information to the appellant. They have also endorsed a copy of the same to the Commission.*

*The appellant is not present. In the interest of fair play another opportunity is afforded to him to advert on the information thus submitted to him.*

The case has come up today. The appellant has failed to attend the consecutive hearings or send any communication to the Commission. Apparently, he is satisfied with the information provided to him. No further action is called for.

The appeal is **disposed.**

**Sd/-**

**04.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

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Mahant Kashmir Giri,

Chela Bant Gir, Prachin Shiv Diwala Mandir,

Sidh Shani Shakati Peeth, Gulkohar Road Chowk, Khanna

Distt. Ludhiana

Complainant

Versus

Public Information Officer,

O/o Tehsildar, Khanna

First Appellate Authority,

O/o Deputy Commissioner,

Ludhiana. Respondents

**COMPLAINT CASE NO.1342/2017**

Date of RTI application : 05.10.2016

Date of First Appeal : 15.11.2016

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 24.11.2017

**Present: None.**

**ORDER**

None is present on behalf of the Parties.

Having gone through the record it transpires that the issue relates to the dispute about the receipts in the offerings made in a temple. The competent authority has already appointed a receiver under Section 145 of the Cr.P.C. The issue is not within the domain of the Commission. The application is misplaced and is **disposed.**

**Sd/-**

**04.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Rajesh Giri

S/o Sh. Mohan Giri,

Opp. Tank No.2, Chungi No.5, Ward No.22, Gali No.10,

Basant Nagar, Khanna Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Khanna Distt. Ludhiana

First Appellate Authority

O/o Deputy Director, Urban Local Bodies,

Ludhiana. Respondents

**APPEAL CASE NOs.3366 and 3368 of 2017**

Date of RTI application : 25.06.2017

Date of First Appeal : 01.08.2017

Date of Order of FAA : 08.09..2017

Date of 2nd Appeal/complaint :11.11.2017

**Present: Sh. Rajesh Giri, Appellant in person.**

1. **Sh. Raghbir Singh, Sanitary Inspector,**
2. **Sh. Ashwini Kumar, Clerk, MC Office, Khanna – for Respondents..**

**ORDER**

**The case has been heard through video conference.**

The following order was made by the Commission on 09.05.2018:

*“As the appellant, respondents are the same and the issues involved are identical, the single order shall dispose of both the appeals.*

*It is a long standing unattended request of the applicant. The information sought seems very important which materially exists with the respondents. The respondents seemingly have shown complete nonchalance and indifference not only to the application but even to the directions passed by the First Appellate Authority, the Deputy Director, Local Bodies. Prima facie they have rendered themselves liable for penal consequences. With the directions to part with the information at once, the PIO – cum – EO in the office of the Municipal Council, Khanna is issued a show cause notice to explain in a self-attested affidavit as to why penalty @ Rs.250/- per day of delay subject to Contd….page..2*

*-2-*

***APPEAL CASE NOs.3366 and 3368 of 2017***

*maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.*

*In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, 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. He is also directed to come present on the next date of hearing.”*

The case has come up today. A show cause notice was issued to the PIO – cum – E.O., MC Office, Khanna, for having failed to provide the information. The representatives of the respondents say that his original application has been repeated and the information was passed on to him earlier as well and an order of the Commission on the same subject has been passed. The appellant denies their contention. The Commission affords another opportunity to the Parties to put forward their viewpoint on the next date of hearing which is fixed on **24.07.2018 at 11.30 AM at Chandigarh.**

**Sd/-**

**04.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Parveen Kohli,

S/o Sh. Savdesh Kohli,

451/2, College Road, Jagraon

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council, Jagraon,

Distt. Ludhiana.

First Appellate Authority

O/o Regional Deputy Director,

Urban Local Bodies, Punjab,

Ludhiana. Respondents

**APPEAL CASE NO.1678/2017**

Date of RTI application : 16.03.2017

Date of First Appeal : 24.04.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :17.06.2017

**Present: Sh. Parveen Kohli, Appellant in person.**

**Sh. Manohar Singh, Superintendent, NC Office, Jagraon – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

The following order was made by the Commission on 09.05.2018:

*“A penalty of Rs.10,000/- (Rupees Ten Thousand only) on the delinquent PIO – cum – EO, Nagar Council, Jagraon was imposed vide order dated 27.12.2017. Sh. Sukhdev Singh Randhawa, PIO has submitted an application that he was incorrectly penalized as the delay could not be attributed to him. Taking cognizance of his submission, the implementation of the above order was withheld by this forum.*

*The case has come up today. The delay has to be accounted for. He is directed to send the history of the postings of the PIO – cum – EOs of the Public Authority in question to the Commission from the date the original application seeking information was filed by the appellant.”*

The case has again come up today. The respondents have communicated the details of officials who were incumbents during the period of default. It transpires that one Sh. Gurdip Singh and Sh. Balwinder Singh had been holding the charge during the period of delinquency. The

Contd…page…2

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**APPEAL CASE NO.1678/2017**

show cause notice issued to Sh. Sukhdev Singh is directed to be served on them. They should show cause as to why penalty already imposed on Sh. Sukhdev Singh should not be recovered equally from them having been responsible for the default in dispensing the information. In case they fail to show any cause the penalty of Rs.10,000/- shall be directed at them and recovered accordingly.

To come up on **12.09.2018 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**04.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**