

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)



Sh.Parkash Singh Chugh,
R/o 1831, Opposite Dera Kalsian,
Millar Ganj, Ludhiana.

.....Complainant.

Versus

Public Information Officer

O/o Municipal Corporation,
Ludhiana.

....Respondent

CC No. 745 of 2020

Present: (i) **Shri Parkash Singh Chugh, Complainant.**
(ii) **Shri Ranjit Singh, Clerk, Zone-A, Municipal Corporation, Ludhiana**
On behalf of the appelliant.

ORDER:

(Contacted on Mobile Phone.)

1. The RTI application is dated 20.07.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 06.10.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 11.01.2021 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. However, on account of a meeting scheduled to be taken by the Chief Minister, Punjab at the same time through V.C., the hearing through V.C. could not be held.

3. Shri Ranjit Singh, Clerk, Zone-A, Municipal Corporation, Ludhiana who is present for the hearing in D.C. Office, Ludhiana is contacted on mobile phone. He states that the information has been supplied to the complainant vide letter dated 15.12.2020.

4. Shri Parkash Singh Chugh, complainant is contacted on mobile phone. On the asking of the Bench, he confirms the receipt of information to his satisfaction and gives his consent to close the case.

5. In view of the above, no further cause of action is left in the matter. **The complaint case is disposed off and closed.**

**Chandigarh
11.01.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh.Parkash Singh Chugh,
R/o 1831, Opposite Dera Kalsian,
Millar Ganj, Ludhiana.

.....Complainant.

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

**Remanded Back to
First Appellate Authority**
O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

CC No. 747 of 2020

Present: (i) **Shri Parkash Singh Chugh, Complainant.**
(ii) **None is present on behalf of the PIO.**

ORDER:

(Contacted on Mobile Phone)

1. The RTI application is dated 28.07.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 06.10.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 11.01.2021 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. However, on account of a meeting scheduled to be taken by the Chief Minister, Punjab at the same time through V.C., the hearing through V.C. could not be held.
3. Shri Parkash Singh Chugh, complainant is contacted on mobile phone. He states that he has not received any information yet.
4. Neither the PIO has come present to attend the hearing nor he has deputed any representative to attend the hearing nor any information has been supplied to the complainant.
5. Post deliberations with the Complainant and perusal of the case file as also the nature of information sought by the complainant, the Bench observes no urgency in the matter for not filing appeal with the First Appellate Authority. Moreover, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.



-2-

CC No.747/2020

6. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

7. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Shri Kulpreet Singh, Joint Commissioner, O/o The Commissioner, Municipal Corporation, Ludhiana. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed.** Copy of the order be sent to the parties.

Chandigarh
11.01.2021

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

Copy to (By Regd. Post):

Shri Kulpreet Singh
Joint Commissioner,
Municipal Corporation,
Ludhiana.

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Sh.Parkash Singh Chugh,
R/o 1831, Opposite Dera Kalsian,
Millar Ganj, Ludhiana.

.....Complainant.

Versus

Public Information Officer

O/o Municipal Corporation,
Ludhiana.

Remanded Back to

First Appellate Authority

O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

CC No. 749 of 2020

Present: (i) **Shri Parkash Singh Chugh, Complainant.**
(ii) **None is present on behalf of the PIO.**

ORDER:

(Contacted on Mobile Phone)

1. The RTI application is dated 08.06.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 06.10.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 11.01.2021 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. However, on account of a meeting scheduled to be taken by the Chief Minister, Punjab at the same time through V.C., the hearing through V.C. could not be held.
3. Shri Parkash Singh Chugh, complainant is contacted on mobile phone. He states that he has not received any information yet.
4. Neither the PIO has come present to attend the hearing nor he has deputed any representative to attend the hearing nor any information has been supplied to the complainant.
5. Post deliberations with the Complainant and perusal of the case file as also the nature of information sought by the complainant, the Bench observes no urgency in the matter for not filing appeal with the First Appellate Authority. Moreover, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.



-2-

CC No.749/2020

6. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

7. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Shri Kulpreet Singh, Joint Commissioner, O/o The Commissioner, Municipal Corporation, Ludhiana. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed.** Copy of the order be sent to the parties.

**Chandigarh
11.01.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post):

Shri Kulpreet Singh
Joint Commissioner,
Municipal Corporation,
Ludhiana.

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Sh.Parkash Singh Chugh,
R/o 1831, Opposite Dera Kalsian,
Millar Ganj, Ludhiana.

.....Complainant.

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

**Remanded Back to
First Appellate Authority**
O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

CC No. 761 of 2020

Present: (i) **Shri Parkash Singh Chugh, Complainant.**
(ii) **Shri Amandeep Singh, SDO, Zone-C, Municipal Corporation, Ludhiana,
on behalf of the PIO.**

ORDER:

(Contacted on Mobile Phone)

1. The RTI application is dated 28.07.2020 vide which the Complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 06.10.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 11.01.2021 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. However, on account of a meeting scheduled to be taken by the Chief Minister, Punjab at the same time through V.C., the hearing through V.C. could not be held.
3. Shri Parkash Singh Chugh, complainant is contacted on mobile phone. He states that he has not received any information yet.
4. Shri Amandeep Singh, SDO, Zone-C, M.C. Ludhiana who is present for the hearing in D.C. Office, Ludhiana is contacted on mobile phone. He states that reply has been sent to the complainant vide letter dated 27.11.2020 to the effect that the information, being third party, cannot be supplied.
5. Post deliberations with the complainant, representative of PIO and perusal of the case file as also the nature of information sought by the complainant, the Bench observes no urgency in the matter for not filing appeal with the First Appellate Authority. Moreover, it is ascertained that the complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such, the FAA has not been able to address the grievances of the complainant.



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CC No.761/2020

6. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the complainant has failed to avail the same in the instant complaint case. The Bench observes that the complainant must be given an opportunity to avail of the above said remedy.

7. In view of the aforesaid, the instant matter is remanded to the First Appellate Authority i.e. Shri Kulpreet Singh, Joint Commissioner, O/o The Commissioner, Municipal Corporation, Ludhiana. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. In case, the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with Punjab State Information Commission in accordance with the provisions of the RTI Act, 2005.

8. In view of the above, **the case is disposed off and closed.** Copy of the order be sent to the parties.

**Chandigarh
11.01.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post):

Shri Kulpreet Singh
Joint Commissioner,
Municipal Corporation,
Ludhiana.

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Shri Trilochan Singh,
S/o Late Shri Gurbachan Singh
H.No.848A, MIG Jamalpur Colony,
Ludhiana, Distt.Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o The Assistant Town Planner,
Municipal Corporation,
Ludhiana.

First Appellate Authority-cum-

Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.2983 of 2020

Present: (i) **Shri Tejinder Singh, Advocate on behalf of the Appellant, in person.**
(ii) **Shri Ajay Kumar, Building Inspector, Zone-A, M.C. Ludhiana on behalf of the PIO.**

ORDER

(Contacted on Mobile Phone)

1. The RTI application is dated 02.06.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 02.07.2020 and the second appeal was filed in the Commission on 08.10.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice for the hearing was issued to the parties for 11.01.2021 through V.C. in D.C. Office, Ludhiana. However, on account of a meeting scheduled to be taken by the Chief Minister, Punjab at the same time through V.C., the hearing through V.C. could not be held.
3. Shri Tejinder Singh, Advocate, comes present in person before the Bench to attend the hearing on behalf of the appellant. He states that no information has been received by the appellant.
4. Shri Ajay Kumar, Building Inspector, Zone-A, M.C. Ludhiana who is present to attend the hearing in DC Office, Ludhiana is contacted on mobile phone. He states that reply to the appellant has been sent by post vide letter dated 08.01.2021 stating that the information asked for being in question form, cannot be supplied, as per provisions under the RTI Act, 2005. He also states that during the hearing of First Appeal, the appellant was called three times but he did not come present to attend the hearing and as such, the First Appeal was disposed off.

Cont...P-2



-2-

AC No.2983/2020

5. The Bench apprises the representative of the appellant after perusing the RTI application that the Bench agrees with the contention of the PIO and makes it clear that Bench is not inclined to issue any directions to the PIO to supply the information in the instant appeal case as the information sought is in classical question form rather than seeking inputs on specific issues. Upon this, Shri Tejinder Singh, representative of the appellant agrees to it.

6. In view of the above, the Bench observes that no further cause of action is left in the matter.

The appeal case is disposed off and closed. Copies of the order be sent to the concerned parties.

**Chandigarh
11.01.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Shri Rohit Sabharwal,
President, Kundan Bhawan,
126, Model Gram,
Ludhiana.

.....Appellant

Versus

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

First Appellate Authority
Municipal Corporation,
Ludhiana.

....Respondents

AC No.2996 of 2020

Present: (i) Ms. Sukhjinder Kaur, Advocate, on behalf of appellant
(ii) Shri Chander Parkash, Drafatsman, Zone-C, and Sh.Ajay Kuamr, Building Inspector, Zone-A, Municipal Corporation, Ludhiana, on behalf of the PIO.

ORDER:

(Contacted on Mobile Phone)

1. The RTI application is dated 08.07.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 19.08.2020 and the second appeal was filed in the Commission on 08.10.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice for the hearing was issued to the parties for 11.01.2021 through V.C. in D.C. Office, Ludhiana. However, on account of a meeting scheduled to be taken by the Chief Minister, Punjab at the same time through V.C., the hearing through V.C. could not be held.

3. Shri Chander Parkash, Draftsman, Zone-C, M.C. Ludhiana, who is present in D.C. Office Ludhiana to attend the hearing on behalf of the PIO, is contacted on mobile phone. He states that the requisite information has been supplied to the appellant.

4. Ms. Sukhjinder Kaur, Advocate, the representative of the appellant is contacted on mobile phone. She confirms the receipt of information by the appellant to his satisfaction and gives consent to close the case.

5. In view of the above, no further intervention of the Bench is called for. **The appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
11.01.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

