

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

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Helpline No.0172-2864116(From 10.00 AM to 04.00PM on working days)



Shri Paramjeet Singh,
R/o # 1426-D, Model Town,
Ludhiana.-141001

.....Appellant

Versus

Public Information Officer
O/o Municipal Corporation,
Ludhiana.

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

....Respondents

AC No.1897 of 2020

Present: (i) Appellant- absent.
(ii) None is present on behalf of the PIO.

ORDER:

(Contacted on Mobie Phone)

1. The RTI application is dated 06.12.2019 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 24.02.2020 and the second appeal was filed in the Commission on 14.07.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. Neither Shri Paramjeet Singh, Appellant nor the PIO or any of his representatives has come present to attend the hearing through V.C. As such, the hearing through V.C. could not be held.
3. Attempts were made to contact Shri Paramjeet Singh, appellant on mobile phone, but he did not respond.
4. On perusal of relevant case file, the Bench observes that a letter dated 19.08.2020 has been received in the Commission vide which the PIO has informed that the appellant has been supplied partial information vide letter dated 07.01.2020. Regarding rest of the information, the PIO had called the appellant to the office to inspect the record and get the information regarding G-8 receipts as asked for vide RTI application.
5. The PIO-cum-Superintendent, Tehbazari (HQ), Municipal Corporation, Ludhiana is issued show cause notice to explain his absence as to why action should not be taken against him and also as to

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AC No.1897/2020

why penalty should not be imposed in the instant case for non supply of complete information. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

7. PIO is further directed to call the appellant to his office on any working day to allow him access to the official records. The appellant will inspect the official records and identify the information as per his RTI application. The PIO will ensure that the information so identified is supplied to the appellant.

8. The PIO is also directed to file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.1897/2020 has been supplied to the appellant. Nothing has been concealed therein. The statement made is correct and authentic. Original copy of the affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 16.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.09.2020**

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

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Helpline No.0172-2864116(From 10.00 AM to 04.00PM on working days)

Shri Jagshir Singh,
S/o Shri Gian Singh
R/o # 9/20, Mandi Maullanpur,
District Ludhiana

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Mullanpur Dakha,
District Ludhiana.

First Appellate Authority

O/o Deputy Director,
Local Government,
Mini Secretariat, Ludhiana.

....Respondents

AC No.1725 of 2020

Present: (i) Appellant- absent.
(ii) None is present on behalf of the PIO.

ORDER:

(Contacted on Mobile Phone)

1. The RTI application is dated 16.01.2020 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 12.03.2020 and the second appeal was filed in the Commission on 30.06.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. Neither Shri Jagshir Singh, Appellant nor the PIO or any of his representatives has come present to attend the hearing through V.C. As such, the hearing through V.C. could not be held.
3. Attempts were made to contact Shri Jagshir Singh, appellant on mobile phone, but he did not respond.
4. On perusal of relevant case file, the Bench observes that no information has been supplied to the appellant nor the PIO has come present to attend the hearing in pursuance of notice of hearing.
5. The PIO O/o Executive Officer, Municipal Council, Mullanpur Dakha, District Ludhiana is issued show cause notice to explain his absence as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for non-compliance of the directions given by the

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AC No.1725/2020

Bench to attend the hearing. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

7. PIO is further directed to call the appellant to his office on any working day to allow him access to the official records. The appellant will inspect the official records and identify the information as per his RTI application. The PIO will ensure that the information so identified is supplied to the appellant.

8. The PIO is also directed to file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.1725/2020 has been supplied to the appellant. Nothing has been concealed therein. The statement made is correct and authentic. Original copy of the affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 16.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.09.2020**

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

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Shri Ramandeep Singh Ahluwalia,
Ward No.18, Street NO.2
Kartar Nagar, Amlah Road,
Khanna, Distt. Ludhiana-141401.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council, Khanna,
District Ludhiana.

First Appellate Authority

O/o Regional Deputy Director,
Urban Local Govt., Ludhiana.

....Respondents

AC No.1768 of 2020

Present: (i) **Appellant - appellant**
(ii) **Shri Gurinder Singh, Superintendent/APIO, Municipal Council, Khanna,
District Ludhiana on behalf of the PIO, in person before the Bench.**

ORDER

(Contacted on Mobile Phone)

1. The RTI application is dated 30.10.2019 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 30.12.2019 and the second appeal was filed in the Commission on 03.07.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. The appellant is absent, but he has sent an e.mail dated 21.09.2020 stating that due to fever, he has been advised by the Doctor not to move out and as such, has sought adjournment. He further states that no information has been supplied to him as yet.
3. Shri Gurinder Singh, Superintendent/APIO comes present in person before the Bench in Commission's Office at Chandigarh. He states that the appellant has been asked vide letter dated 17.09.2020 to collect the samples/record as asked for vide RTI application on 24.09.2020. The APIO states that the appellant be directed to collect the same on the said date.
4. The appellant is contacted on mobile phone. He states that he has not been entertained by the PIO in spite of repeated visits and nothing has been made available to him.
5. Post deliberations, the Bench decides that the appellant will visit the office of PIO on 06.10.2020 at 11.30 AM and he will be provided the samples/ information as asked for by the appellant.



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AC No.1768/2020

6. The PIO is also directed to file an affidavit before the next hearing duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.1768/2020 has been supplied to the appellant. Nothing has been concealed therein. The statement made is correct and authentic. Original copy of the affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 17.11.2020 at 11.30 AM through V.C. in the office of D.C. Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.09.2020**

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

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Shri Satpal Singh,
S/o Shri Gurdev Singh
R/o # 227-D, Rajguru Nagar,
Ferozepur Road, Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o The Director, Cultural Affairs and
Archives & Museum Department, Punjab,
Sector-38A, Chandigarh.

First Appellate Authority

O/o The Director, Cultural Affairs and
Archives & Museum Department, Punjab,
Sector-38A, Chandigarh

....Respondents

AC No.1778 of 2020

Present: (i) **Shri Satpal Singh, Appellant**
(ii) **Shri Anshuman, ACFA, O/o The Director, Cultural Affairs and Archives & Museum Department., Punjab, Sector-38A, Chandigarh, PIO, in person before the Bench.**

ORDER

(Heard through Video Conferencing)

1. The RTI application is dated 12.12..2019 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 29.01.2020 and the second appeal was filed in the Commission on 03.07.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. The appellant has come present to attend the hearing through V.C. and states that he has received the information vide letter dated 24/08.2020 but it is partial information and he has not received copy of file notings requested for at Serial No.1.
3. Shri Anshuman, ACFA/PIO O/o Director, Cultural Affairs and Archives & Museum Department, Punjab, Sector-38A, Chandigarh comes present in person before the Bench in Commission's Office at Chandigarh. He states that the appellant has been supplied information vide letter dated 24.08.2020. Regarding the dis-satisfaction shown by the appellant, the PIO is made to talk to the appellant in this regard. The appellant informs the PIO that reference Serial No.1 of RTI application, he has sought notings of Punjab Govt. on the letter dated 24.07.2019 of the Govt. of India in the Ministry of Cultural Affairs, New Delhi which has not been provided to him.

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AC No.1778/2020

4. Post deliberations, the Bench directs the PIO to provide information to the appellant at Serial No.1 i.e. the copy of the comments of Punjab Government on the letter of Govt. of India, Ministry of Cultural Affairs dated 24.07.2019. The same be sent to the appellant by registered post before the next hearing.

5. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 17.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** The PIO will attend the hearing in person before the Bench. Copies of the order be sent to the concerned parties.

**Chandigarh
21.09.2020**

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

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Shri Gurmej Lal,
R/o H.No.6375, Street No.16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
Near Mair Di Chakki, PO Daba,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

Public Information Officer-cum-

Superintendent, Establishment Branch,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.1809 of 2020

Present: (i) Appellant- absent
(ii) Shri Satish Kumar, Assistant Town Planner, Municipal Corporation,
Zone-C, Ludhiana on behalf of the PIO.

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 07.03.2020 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 08.05.2020 and the second appeal was filed in the Commission on 07.07.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. The appellant has not come present to attend the hearing through V.C. He has, however, sent an e.mail that due to ill health of his mother, he may kindly be exempted from appearance for the hearing.

3. Shri Satish Kumar, PIO, Municipal Corporation, Zone-C, Ludhiana comes present to attend the hearing. He states that the RTI application has been transferred under Sections 5(4) & 5(5) of RTI Act, to Superintendent, Establishment Branch, M.C. Ludhiana, who is to provide this information. The PIO further



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AC No.1809/2020

states that such information used to be sought earlier by Shri Amarjit Singh Dhamotia, but the Hon'ble State Information Commissioner, Shri Yashvir Mahajan in four appeal cases, vide his order dated 05.04.2017, had observed that the information sought by the said Shri Amarjit Singh Dhamotia from the office of Municipal Corporation, Ludhiana is vexatious and not bonafide and had, accordingly, advised the Municipal Corporation, Ludhiana to ignore his RTI application. He further states that thereafter, he has been filing such RTI applications through his son Sarabjeet Singh Gill, the present appellant Gurmej Lal, and others like Balwinder Singh Laddi, Surjit Singh etc.

4. The appellant is contacted on mobile phone. He reiterates that he could not attend the hearing due to illness of his mother. The Bench expresses its concern to the appellant that after filing an appeal case in the Commission and not being present for the hearing to pursue the appeal amounts to the wastage of time of the Commission as well as the public authority. The Bench observes that six/seven officials of the Municipal Corporation from its different Zones have come present to attend the hearing. The Bench after hearing the version of the PIO and then not finding the appellant present is put to a lot of embarrassment as the Bench cannot arrive at any decision without hearing both the appellant and the PIO. The Bench categorically makes it clear to the appellant that today is an exception, but in case the appellant does not come present to attend the hearing in future, the Bench will have no option but to decide and dispose off and close the case unilaterally based on documents available on file and after hearing the version of PIO.

5. The PIO/ Superintendent, Establishment Branch is impleaded as Respondent in the case and is directed to provide information to the appellant before the next date.

6. With the aforesaid observations/ directions, the matter is adjourned. **To come up for hearing on 23.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

Chandigarh
21.09.2020
Copy to (By Regd. Post)

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

The Public Information Officer/Superintendent, Establishment Branch, Municipal Corporation, Ludhiana.

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Shri Gurmej Lal,
R/o H.No.6375, Street No.16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
Near Mair Di Chakki, PO Daba,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority

O/o Commissioner,
Municipal Corporation,
Ludhiana.

....Respondents

AC No.1810 of 2020

Present:

- (i) **Appellant- absent**
- (ii) **Shri Harjit Singh, Draftsman, Municipal Corporation, Zone-D, Ludhiana on behalf of the PIO.**

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 07.03.2020 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 08.05.2020 and the second appeal was filed in the Commission on 07.07.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. The appellant has not come present to attend the hearing through V.C. He has, however, sent an e.mail that due to ill health of his mother, he may kindly be exempted from appearance for the hearing.

3. Shri Harjit Singh, Draftsman, Municipal Corporation, Zone-C, Ludhiana comes present to attend the hearing on behalf of the PIO. He states that a letter dated 04.09.2020 has sent by e.mail to the Commission informing that the appellant has been provided information vide letter dated 29.07.2020 after the First Appeal. The representative of the PIO further states that similar information used to be sought earlier by Shri Amarjit Singh Dhamotia, but the Hon'ble State Information Commissioner, Shri Yashvir Mahajan in



-2-

AC No.1810/2020

Four appeal cases, vide his order dated 05.04.2017, had observed that the information sought by the said Shri Amarjit Singh Dhamotia from the office of Municipal Corporation, Ludhiana is vexatious and not bonafide and had, accordingly, advised the Municipal Corporation, Ludhiana to ignore his RTI application. He further states that thereafter, he has been filing such RTI applications through his son Sarabjeet Singh Gill, the present appellant Gurmej Lal, and others like Balwinder Singh Laddi, Surjit Singh etc. It has further been stated in the letter that this information has been received by Shri Amarjit Singh Dhamotia in two appeal cases AC No.2826/2019 and 2822/2019 through his son Sarabjeet Singh Gill and Shri Surjit Singh which were disposed off by Hon'ble State Information Commissioner, Shri Asit Jolly.

4. The appellant is contacted on mobile phone. He reiterates that he could not attend the hearing due to illness of his mother. The Bench expresses its concern to the appellant that after filing an appeal case in the Commission and not being present for the hearing to pursue the appeal amounts to the wastage of time of the Commission as well as the public authority. The Bench observes that six/seven officials of the Municipal Corporation from its different Zones have come present to attend the hearing. The Bench after hearing the version of the PIO and then not finding the appellant present is put to a lot of embarrassment as the Bench cannot arrive at any decision without hearing both the appellant and the PIO. The Bench categorically makes it clear to the appellant that today is an exception, but in case the appellant does not come present to attend the hearing, the Bench will have no option but to decide and dispose off and close the case unilaterally based on documents available on file and after hearing the version of PIO.

5. The PIO-cum- Assistant Town Planner Zone-D, M.C. Ludhiana is, however, directed to provide information to the appellant before the next date.

6. With the aforesaid observations/ directions, the matter is adjourned. **To come up for hearing on 23.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.09.2020**

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

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R/o H.No.6375, Street No.16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
Near Mair Di Chakki, PO Daba,
Ludhiana.

.....Appellant

Versus

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

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

....Respondents

AC No.1808 of 2020

Present: (i) Appellant- absent
(ii) Shri Ajay Kumar, Building Inspector, Municipal Corporation,
Zone-A, Ludhiana on behalf of the PIO.

ORDER:
(Heard through Video Conferencing)

1. The RTI application is dated 18.01.2020 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 28.02.2020 and the second appeal was filed in the Commission on 07.07.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. The appellant has not come present to attend the hearing through V.C. He has, however, sent an e.mail that due to ill health of his mother, he may kindly be exempted from appearance for the hearing.

3. Shri Ajay Kumar, Building Inspector, Municipal Corporation, Zone-A, Ludhiana comes present to attend the hearing on behalf of the PIO. He states that he has brought along the information, but the appellant is not present.

4. The appellant is contacted on mobile phone. He reiterates that he could not attend the hearing due to illness of his mother. The Bench expresses its concern to the appellant that after filing an appeal case in the Commission and not being present for the hearing to pursue the appeal amounts to the



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AC No.1808/2020

wastage of time of the Commission as well as the public authority. The Bench observes that six/seven officials of the Municipal Corporation from its different Zones have come present to attend the hearing. The Bench after hearing the version of the PIO and then not finding the appellant present is put to a lot of embarrassment as the Bench cannot arrive at any decision without hearing both the appellant and the PIO. The Bench categorically makes it clear to the appellant that today is an exception, but in case the appellant does not come present to attend the hearing, the Bench will have no option but to decide and dispose off and close the case unilaterally based on documents available on file and after hearing the version of PIO.

5. The PIO, Zone-A, M.C. Ludhiana is directed to send the information to the appellant by registered post before the next date.

6. With the aforesaid observations/ directions, the matter is adjourned. **To come up for hearing on 23.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.09.2020**

**Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
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Ludhiana.

.....Appellant

Versus

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

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

....Respondents

AC No.1807 of 2020

Present: (i) **Appellant- absent**
(ii) **Shri Harjit Singh, Sub Divisional Officer, Zone-B/PIO and Shri Baljinder Singh, Junior Engineer, Zone-D, Municipal Corporation, Ludhiana on behalf of PIO.**

ORDER:

(Heard through Video Conferencing)

1. The RTI application is dated 03.02.2020 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 07.03.2020 and the second appeal was filed in the Commission on 07.07.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. The appellant has not come present to attend the hearing through V.C. He has, however, sent an e.mail that due to ill health of his mother, he may kindly be exempted from appearance for the hearing.

3. Shri Harjit Singh, SDO/PIO, Municipal Corporation, Zone-B, Ludhiana comes present to attend the hearing and Shri Baljinder Singh, Junior Engineer comes present to attend the hearing on behalf of the PIO, Zone-D. It is stated by both the officials present from the Municipal Corporation, Ludhiana that the information has been supplied to the appellant in other appeal cases, but the appellant is asking for the same information time and again and it affects their official day to day functioning.



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AC No.1807/2020

4. The appellant is contacted on mobile phone. He reiterates that he could not attend the hearing due to illness of his mother. The Bench expresses its concern to the appellant that after filing an appeal case in the Commission and not being present for the hearing to pursue the appeal amounts to the wastage of time of the Commission as well as the public authority. The Bench observes that six/seven officials of the Municipal Corporation from its different Zones have come present to attend the hearing. The Bench after hearing the version of the PIO and then not finding the appellant present is put to a lot of embarrassment as the Bench cannot arrive at any decision without hearing both the appellant and the PIO. The Bench categorically makes it clear to the appellant that today is an exception, but in case the appellant does not come present to attend the hearing, the Bench will have no option but to decide and dispose off and close the case unilaterally based on documents available on file and after hearing the version of PIO.

5. The PIOs, Zone-B and Zone-D, M.C. Ludhiana are directed to send the information to the appellant by registered post before the next date of hearing.

6. With the aforesaid observations/ directions, the matter is adjourned. **To come up for hearing on 23.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.09.2020**

**Sd/-
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State Information Commissioner, Punjab**

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Versus

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O/o Commissioner,
Municipal Corporation,
Ludhiana.

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

....Respondents

AC No.1806 of 2020

Present: (i) **Appellant- absent**
(ii) **Shri Satish Kumar, Assistant Town Planner, Municipal Corporation, Zone-C, Ludhiana /PIO.**

ORDER:
(Heard through Video Conferencing)

1. The RTI application is dated 07.03.2020 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 08.05.2020 and the second appeal was filed in the Commission on 07.07.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. The appellant has not come present to attend the hearing through V.C. He has, however, sent an e.mail that due to ill health of his mother, he may kindly be exempted from appearance for the hearing.

3. Shri Satish Kumar, Assistant Town Planner, Municipal Corporation, Zone-C, Ludhiana/PIO comes present to attend the hearing on behalf of the PIO. He states that he has brought along the information containing point wise reply, but the appellant is not present. He also states that attempts were made to deliver the information at his home also but the appellant was not available.

4. The appellant is contacted on mobile phone. He reiterates that he could not attend the hearing due to illness of his mother. The Bench expresses its concern to the appellant that firstly, after filing



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AC No.1806/2020

an appeal case in the Commission and being not present for the hearing to pursue the appeal amounts to wastage of time of the Commission as well as the public authority. The Bench observes that six/seven officials of the Municipal Corporation from its different Zones have come present to attend the hearing. The Bench after hearing the version of the PIO and then not finding the appellant present is put to a lot of embarrassment as the Bench cannot arrive at any decision without hearing both the appellant and the PIO. The Bench categorically makes it clear to the appellant that today is an exception, but in case the appellant does not come present to attend the hearing in future, the Bench will have no option but to decide and dispose off and close the case unilaterally based on documents available on file and after hearing the version of PIO.

5. The PIO, Zone-C, Municipal Corporation, Ludhiana is directed to send the information to the appellant by registered post before the next date of hearing.

6. With the aforesaid observations/ directions, the matter is adjourned. **To come up for hearing on 23.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.09.2020**

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

**PUNJAB STATE INFORMATION COMMISSION
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Shri Gurmej Lal,
R/o H.No.6375, Street No.16,
Guru Gobind Singh Nagar,
Backside Bachan Gas Agency,
Near Mair Di Chakki, PO Daba,
Ludhiana.

.....Appellant

Versus

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

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

....Respondents

AC No.1805 of 2020

Present: (i) **Appellant- absent**
(ii) **Shri Satish Kumar, Assistant Town Planner, Municipal Corporation, Zone-C, Ludhiana /PIO.**

ORDER:
(Heard through Video Conferencing)

1. The RTI application is dated 07.03.2020 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 08.05.2020 and the second appeal was filed in the Commission on 07.07.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 21.09.2020 by the Commission through Video Conferencing facility in the office of D.C. Ludhiana. The appellant has not come present to attend the hearing through V.C. He has, however, sent an e.mail that due to ill health of his mother, he may kindly be exempted from appearance for the hearing.

3. Shri Satish Kumar, Assistant Town Planner, Municipal Corporation, Zone-C, Ludhiana/ PIO comes present to attend the hearing on behalf of the PIO. He states that the information has already been sent to the appellant.

4. The appellant is contacted on mobile phone. He reiterates that he could not attend the hearing due to illness of his mother, but denies having received any information. The Bench expresses its concern to the appellant that firstly, after filing an appeal case in the Commission, then not being present for



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AC No.1805/2020

the hearing to pursue the appeal amounts to wastage of time of the Commission as well as the public authority. The Bench observes that six/seven officials of the Municipal Corporation from its different Zones have come present to attend the hearing. The Bench after hearing the version of the PIO and then not finding the appellant present is put to a lot of embarrassment as the Bench cannot arrive at any decision without hearing both the appellant and the PIO. The Bench categorically makes it clear to the appellant that today is an exception, but in case the appellant does not come present to attend the hearing in future, the Bench will have no option but to decide and dispose off and close the case unilaterally based on documents available on file and after hearing the version of PIO.

5. The PIO, Zone-C, Municipal Corporation, Ludhiana is again directed to send the information to the appellant by registered post before the next date of hearing.

6. With the aforesaid observations/ directions, the matter is adjourned. **To come up for hearing on 23.11.2020 at 11.30 AM through V.C. in DC Office, Ludhiana.** Copies of the order be sent to the concerned parties.

**Chandigarh
21.09.2020**

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

