

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, RTI Helpline - 0172-2864100



Sh. Rohit Sabharwal,
S/o Sh. Vijay Sabharwal,
126, Model Gram, Ludhiana.

Versus

Public Information Officer,
O/o Municipal Corporation (Head Quarter),
Ludhiana.

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

Public Information Officer,
O/o Municipal Corporation (Zone-C),
Ludhiana.

Public Information Officer,
O/o Municipal Corporation (Zone-D),
Ludhiana.

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

Appeal Case No. 3809 of 2020

ORDER:

(To be read in continuity with earlier order on 05.03.2021, 02.07.2021, 03.12.2021, 16.03.2022 and 22.07.2022)

1. The RTI application is dated **08.08.2020** vide which the appellant has sought information regarding:

On dated 28.07.2020, news under the heading "**Seven road samples fail quality test in city**" was published in the Tribune Newspaper (Ludhiana Edition). Further, on the same day, the same matter was even highlighted by the Ludhiana Bhaskar under the heading "**Sadak Nirmaan Ghotala: 3 Crore ki 7 Sadkon ke Sample Fail, 40% se bhi Kam Mila Luk**" (Copies of the same are enclosed herewith for your kind reference).

Sir, as per the aforesaid news-items, Samples of the 17 Roads were collected by the Competent Authority, which were recently carpeted and during the course of checking it was found that the samples of seven roads have been failed, the details of which are as follow:-

1. In Ward No: 91 of the Chandan Nagar, work order of worth Rs. 34 Lakh for the Bitumen Macadam-BM Road was issued. Code of BM was fixed as 3.4 %, but during the sampling it was found to be only 2.2 % instead of 3.4 %. That means, approximately 35% of the bitumen was less from the fixed ratio.
2. In Ward No: 6 of the Guru Vihar, Macadam-BM bitumen road was built. During the checking bitumen was found to be only 2% instead of 3.4%. Hence, approximately 40% bitumen was found to be less from the fixed ratio.

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, RTI Helpline - 0172-2864100



Appeal Case No. 3809 of 2020

3. In Ward No: 5 of the Amantaran Colony along with the other Roads, work-order of worth Rs.74 lakh was issued and here also Macadam-BM Bitumen Road was built. During the checking of the same, it was found to be only 3% instead of 3.4%. Thus, approximately 10% of the bitumen was less.
4. In the Bal Singh Nagar falling under the under Zone-A, PC-Premix Carpet Bitumen Road was constructed & during the checking of the same it was found to be only 2.6% instead of 3.5%. Thus, approximately 25% bitumen was found to be less, whereas the work order was issued for Rs. 63 Lakhs.
5. In the Ashok Nagar under Ward no. 26, a road of SDBC category has been constructed & during the checking the same was found to be only 4% instead of 5% which means, approximately 20% less bitumen was used from the prescribed ratio, whereas, Rs. 22 Lakhs has been spent for the construction of this Road.
6. In Ward no. 43, in the area of Himmat Singh Nagar, during the checking bitumen macadam category was found to be only 2.6% which means, approximately 25% of the less bitumen was used from the recommended quality for this work. Here it is worth mentioning that work-order of Rs. 54 Lac approximately has been issued for the different roads.
7. In Kartar Chowk under Ward no. 37 also, work of the road done was found to be not satisfactory.

Thus, in this regard, in capacity of being a citizen of India within the meaning of Section 3 of The Right to Information Act, 2005, following information is being sought under The Right to Information Act, 2005 regarding the aforesaid 7 (Seven) Roads, the Samples of which failed during the course of checking.

1. Provide the Certified Copy of the NIT & Tender Documents along with the Terms and Conditions of aforesaid 7 (Seven) Roads, the Samples of which failed during the course of checking.
2. Provide the Certified Copy of the Measurement Books as available on the records of the Municipal Corporation, Ludhiana regarding the aforesaid 7 (Seven) Roads, the Samples of which failed during the course of checking.
3. Provide the Certified Copy of the Information (Road-Wise) showing the Total Amount of the Expenditure occurred upon the Laying/Construction of the aforesaid 7 (Seven) Roads, the Samples of which failed during the course of checking.
4. Provide the Certified Copy of the Bills (Road-Wise) against which payments were given to the Contractors to execute the Road Works in the aforesaid Areas.
5. Provide the Information showing the Action that was initiated by the Competent Authority against the Contractors of the aforesaid 7 (Seven) Roads, the Samples of which failed during the course of checking.
6. Provide the Information showing the Names & the Designations of the Concerned JE's, SDO's, XEN's & SC's who were responsible to ensure that the aforesaid 7 (Seven) Roads, the Samples of which failed during the course of checking are built as per the specifications prescribed in the NIT, Tender Documents & Terms & Condition.
7. Provide the Certified Copy of Complete Information (falling within the meaning of Section- 2 (f) read with Section- 2 (j) of the RTI Act, 2005) as available on the records of your Public Authority regarding the aforesaid 7 (Seven) Roads, the Samples of which failed during the course of checking.

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, RTI Helpline - 0172-2864100



Appeal Case No. 3809 of 2020

as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.09.2020** and Second Appeal was filed in the Commission on **04.12.2020** under Section 19 of the Right to Information Act, 2005. This case was last heard on **22.07.2022**.

2. This order was reserved on 22.07.2023, when the Commission has observed that the PIO-cum-XEN, B&R, Zone-A O/o M.C, Ludhiana, had provided the requested information, whereas the PIO-cum-XEN, B&R, Zone-C and PIO-cum-XEN, B&R, Zone-D, have neither provided any reply/information nor they have deemed it appropriate to submit a reply to the Show Cause Notice issued vide this Commission's Order of 16.03.2022.

3. The aforesaid PIOs-cum-XENs, Zone-C and Zone-D O/o M.C, Ludhiana, are reminded that they are still under a Show Cause Notice and are hereby directed to submit a pointwise reply to the RTI application along with the attested copies of the information sought. This must be done on or before the next Hearing. The PIO-cum-XEN, B&R, Zone-C and PIO-cum-XEN, B&R, Zone-D are further directed to attend the next hearing in person. Failure to comply will invite penal action as per the RTI Act

4. The case is adjourned. Since I will be concluding my Five-year term as State Information Commissioner, Punjab, on 9.7.2024, and there are no available dates to hear the case further, this case file be sent back to the Registry Branch to be put up before the Hon'ble Chief Information Commissioner, for reallocation as he deems appropriate.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
30.05.2024

Cc: Deputy Registrar O/o PSIC (along with case file)

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, RTI Helpline - 0172-2864100



Smt. Rajni Bala, W/o Sh. Ritin Shahi, Advocate,
104, Golden City, Khanna, District Ludhiana.

Versus

Public Information Officer,
o/o Secretary,
District Legal Services Authority,
Fatehgarh Sahib.

Complaint Case No. 1308 of 2021

ORDER:

(To be read in continuity with earlier orders on 17.03.2022,24.06.2022,04.11.2022,09.12.222 and 21.07.2023)

1. The complainant, Smt. Rajni Bala, filed this RTI application Dated **07.10.2021** and sought information regarding: **surprise checking of one stop centre, Fatehgarh Sahib**, from the PIO O/o Secretary, District Legal Service Authority, Fatehgarh Sahib. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **03.12.2021**. This case was last heard on **21.07.2023**.
2. This Order was reserved on 21.07.2023. This Complaint Case warrants further hearing.
3. Since I will be concluding my Five-year term as State Information Commissioner, Punjab, on 9.7.2024, and there are no available dates to hear the case further, this case file be sent back to the Registry Branch to be put up before the Hon'ble Chief Information Commissioner, for reallocation as he deems appropriate.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
30.05.2024

Cc: Deputy Registrar O/o PSIC (along with the case file)