

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



REGISTERED SHOW CAUSE NOTICE

Daljit Singh,
S/o Sh. Satnam Singh,
23/7, Friends Colony (Opposite DAV College),
Jalandhar.

Versus

Public Information Officer,
O/o Assistant Town Planner,
Municipal Corporation,
Jalandhar
Public Information Officer,
o/o Municipal Corporation, Jalandhar,
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Jalandhar.

Appeal Case No. 1588 of 2021

PRESENT:

Daljit Singh (Appellant) 99149-77731
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 13.7.2021, 2.9.2021, 19.10.2021, 17.11.2021, 2.12.2021, 14.12.2021, 21.12.2021, 18.2.2022, 19.5.2022, and 18.8.2022)

1. The RTI application is dated **4.11.2020** vide which the appellant has sought information **regarding House No. 144, Banda Bahadur Nagar, Near Tagore Hospital, Jalandhar,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **8.1.2021** and Second Appeal was filed in the Commission on **30.3.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard **on 18.8.2022.**

2. The respondent PIO is absent without intimation. This Appeal Case was Disposed of on 18.8.2022, whereon the Respondent PIO-cum-ATP, MC, Sector 17, Jalandhar, submitted copy of an affidavit along with some of the information sought. This was received via e-mail from the APIO-cum-Building Inspector Sh. Paul Parmeet Singh on 17.8.2022. The Respondent PIO was also directed in that Order to send the original affidavit and attested copies of the appended information to the appellant within 10 days. The Appeal Case was Disposed off on the assurance of the Respondent. The appellant Sh. Daljit Singh, has however, submitted a number of pleas to the Commission stating that he has neither received the affidavit nor the information to date. The Appeal case was accordingly re-opened and both parties were notified for today's hearing. This RTI application has been pending since 4.11.2020 and the requested information has still not been supplied to the appellant.

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Appeal Case No. 1588 of 2021

3. The PIO-cum-ATP, M.C., Sector 17, Jalandhar, is hereby directed to submit the original affidavit, copy of which was emailed to the Commission on 17.8.2022, along with the pointwise reply to the RTI application and the related information. This must be done in 10 days of receipt of this Order. The Commission also deems it fit to issue the show cause notice to Smt. Sushma Duggal, who was incumbent PIO-cum-ATP when this Appeal Case was last heard by the Commission on 18.8.2022.

4. The respondent **PIO-cum-ATP, Smt. Sushma Duggal**, is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **4.11.2020**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, 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*.” Copies of this order be sent to the parties through registered post.

5. The e-mail received from the then APIO-cum-Building Inspector Sh. Paul Parmeet Singh on 17.8.2022 be forwarded to the e-mail address provided by the appellant along with all attachments.

6. Next hearing on 12.1.2023 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
16.12.2022

Cc: Commissioner, Municipal Corporation, Jalandhar, for information and further necessary action.

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Nitin Kumar Garg,
C/o Police Diary, 15 A, Shastri Nagar,
Model Town, Ludhiana.

Versus

Public Information Officer,
o/o Executive Engineer,
Mandi Board, Civil Division,
Patiala.

First Appellate Authority,
Chief Engineer (North),
Mandi Board, Punjab,
Chandigarh.

Appeal Case No. 2843 of 2022

PRESENT:

Nitin Kumar Garg (Appellant) 78143-22100
DK Singla, PIO-cum-XEN (Respondent) 98886-13658

ORDER:

(To be read in continuity with earlier orders on 13.9.2022)

1. The RTI application is dated **19.3.2022** vide which the appellant has sought the following information:

"Description of Information Required- Regarding Amount utilize in different works of in your Division and all Sub-divisions.

Point (a) Attested copies of work order book in your Division and all Sub-divisions from 01/01/2021 to 19/03/2022

Point (b) Attested copies of Comparative statements of all work. E-tendering like online and offline works period 01/01/2021 to 19/03/2022."

enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.4.2022** and Second Appeal was filed in the Commission on **16.6.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **13.9.2022**.

2. Both parties are present. This Appeal Case was Disposed off on 13.9.2022 on the assurance of the respondent PIO that the information will be provided to the appellant. The Respondent PIO was given 30 days to do this. However, the appellant submitted a representation to the Commission stating that the complete information has still not been given to him. The case was re-opened and notified for today's hearing. The respondent PIO has brought the pending information to this hearing and the same has been handed over to the appellant. The appellant is granted an opportunity to examine the record and intimate the Commission, whether he is satisfied with it or not.

3. Next hearing on 3.2.2023 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
16.12.2022

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Balbir Aggarwal,
1525/1, St.No.33, Preet Nagar,
Shimlapuri,
Ludhiana.

Versus

Public Information Officer,
o/o Rent and Lease, Zone C,
Municipal Corporation, Ludhiana.

Public Information Officer,
o/o Tehbazari Branch, Zone C
Municipal Corporation, Ludhiana.

Public Information Officer,
o/o House Tax Branch, Zone C,
Municipal Corporation, Ludhiana.

Public Information Officer,
o/o Commissioner, Zone-C,
Municipal Corporation, Ludhiana.

First Appellate Authority,
Commissioner,
Municipal Corporation, Ludhiana.

Appeal Case No. 44 of 2021 (Video Conference Proceedings)

PRESENT:

Balbir Aggarwal (Appellant) 98884-82109
(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on **9.4.2021, 12.8.2021, 8.10.2021, 9.11.2021, 23.2.2022, 27.5.2022, and 2.11.2022**)*

1. The RTI application is dated **4.9.2020** vide which the appellant has sought information **regarding the MC Building in Zone C,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.10.2020** and Second Appeal was filed in the Commission on **18.12.2020** under Section 19 of the Right to Information Act, 2005. This case was last heard on **2.11.2022**.

2. At the last hearing on 2.11.2022, a Show Cause Notice was issued to **Sh. Amandeep Singh**, Clerk, Sale and Rent Branch, whose assistance was sought by the PIO-cum-Superintendent, Tehbazari Branch, Zone-C, regarding the requested record pertaining to Rent, Lease etc. Sh. Amandeep Singh, Clerk, Zone-A has neither submitted any written reply to the Show Cause Notice nor has he availed of the opportunity to be heard in person at today's Hearing.

3. The Commission deems it fit to issue a **Bailable Warrant** against **Sh. Amandeep Singh, Clerk, Sale and Rent Branch**, to ensure his present at the next hearing.

Contd. ...2

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Appeal Case No. 44 of 2021 (Video Conference Proceedings)

4. In its Order Dated 2.11.2022, the Commission has also directed the PIO, Tehbazari Branch, Zone-C, to provide copies of challans issued during three months before the RTI application was submitted, which is 4.9.2020. In a reply to this Commission vide Letter No. 19 Dated 11.11.2022, the Inspector, Tehbazari Branch, has stated that number of challans issued for three years which is 2020 to 2022 is "voluminous". It is once again clarified to the PIO, Tehbazari Branch, Zone-C that the Commission had specifically directed him to provide copies of challans issued over three months i.e. from 4.6.2020 to 4.9.2020. This must be done before the next Hearing.

5. **Next hearing on 3.2.2023 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
16.12.2022

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Varun Malhotra,
3601/2, Sirhandi Bazar,
Patiala.

Versus

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

Appeal Case No. 3227 of 2022 (Video Conference Proceedings)

PRESENT:

Varun Malhotra (Appellant)
Sukhamanjpreet Kasur, Building Inspector (for the Respondent) 85590-00151

ORDER:

(To be read in continuity with earlier orders on 9.11.2022)

1. The RTI application is dated **16.12.2021** vide which the appellant has sought information **regarding action on the Letter Dated 28.10.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.5.2022** and Second Appeal was filed in the Commission on **8.7.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **9.11.2022**.

2. Both parties are present. The Respondent PIO has sent a reply vide Letter No. 169-170/Bld. Dated 4.3.2022 to the appellant stating that the concerned file had been sent to the Legal Cell and that further action could only be initiated after a report is received from the concerned branch. The appellant, however, insists that the owner of the building cited in the complaint has already been notified and a letter has been sent to the Department of Local Bodies regarding the very building. The appellant alleges serious wrongdoings by officials of the Corporation, who have allegedly permitted illegal construction.

3. In view of the above, the ATP-cum-PIO, M.C., Patiala, is directed to bring the original record pertaining to this RTI application to the Commission in person. Both parties to attend the next hearing in Commission at Chandigarh.

4. **Next hearing on 12.1.2023 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
16.12.2022

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Rajesh Kumar,
80, Near Thana Sadar,
Railway Road, Nabha – 147 201

Versus

Public Information Officer,
o/o Nagar Council, Nabha,
District Patiala.
First Appellate Authority,
o/o Additional Deputy Commissioner, (UD),
Mini Secretariat, Patiala.

Appeal Case No. 2745 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Sanjeev Kumar, Accounts Clerk (for the Respondent) 98551-90514

ORDER:

(To be read in continuity with earlier orders on **24.8.2021, 26.10.2021, 3.3.2022, 23.6.2022, and 2.11.2022**)

1. The RTI application is dated **19.7.2018** vide which the appellant has sought information **regarding the Store In-charge of Municipal Committee Nabha in eight points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.7.2020** and Second Appeal was filed in the Commission on **10.6.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.11.2022**.

2. The appellant is absent but he has written to the Commission vide Diary No. 28790 Dated 14, 15/12/2022 along with the deficiencies listed to the Respondent PIO on 13.12.2022. As per the respondent PIO, represented by Sh. Sanjiv Kumar, Accounts Clerk, a reply to the listed deficiencies has been sent to the appellant. However, a copy of the same has not been received in the Commission. The Commission notes that the RTI application has been pending since 19.7.2018 and that the appellant Sh. Rajesh Kumar has even paid the requisite cost of copying the requested documents as far back on 13.8.2018.

3. The Commission directs the Respondent PIO, to submit a hard copy of the earlier pointwise reply sent to the appellant vide Letter No. 2948 Dated 7.12.2022, along with attested copies of the accompanied information. All pages must be numbered. The respondent must also submit the reply sent to the appellant addressing the deficiencies listed by him and any additional information therewith, to the Commission within 10 days of this Hearing. Both parties to attend the next hearing in person at Chandigarh.

4. **Next hearing on 3.2.2023 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
16.12.2022

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Madhya Marg, Sector 16, Chandigarh.

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Ravinder Singh Gill,
986, Near Dev Hotel, Main Bazar,
Moga.

Versus

Public Information Officer,
SHO, Police Station City-1,
Moga.

Public Information Officer,
Incharge, Police Chowki,
Focal Point, Moga.

First Appellate Authority,
Senior Superintendent of Police,
Moga.

Appeal Case No. 1600 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on **21.9.2022 and 9.11.2022**)*

1. The RTI application is dated **9.11.2021** vide which the appellant has sought information **regarding a Complaint Dated 3.11.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **12.12.2021** and Second Appeal was filed in the Commission on **1.4.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **9.11.2022**.

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

3. **Next hearing on 18.1.2023 at 11.30 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh
16.12.2022

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Suresh Sood,
S/o Sh. Dev Dutt Sood,
H.No.329-330, Street Sood, Mohalla Sodha,
Moga.

Versus

Public Information Officer,
o/o Nodal Officer-cum-Superintendent,
Municipal Corporation, Moga.
Public Information Officer,
o/o Commissioner, Municipal Corporation,
Moga.
Public Information Officer,
Civil Branch, Municipal Corporation,
Moga.
Public Information Officer,
Accounts Branch, Municipal Corporation,
Moga.
First Appellate Authority,
Commissioner, Municipal Corporation,
Moga.

Appeal Case No. 1596 of 2022 (Video Conference Proceedings)

PRESENT:

Suresh Sood (Appellant) 94171-27482
Ramandeep Kasur, Nodal Officer (for the Respondent) 99155-03678

ORDER:

(To be read in continuity with earlier orders on 21.9.2022 and 9.11.2022)

1. The RTI application is dated **21.10.2021** vide which the appellant has sought information **regarding Letter by Director Local Government to Commissioner, MC, Moga,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.11.2021** and Second Appeal was filed in the Commission on **1.4.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **9.11.2022**.

2. Both parties are present. At the last hearing on 9.11.2022, the Nodal Officer-cum-Superintendent, MC, Moga, was directed to file a suitable reply alongwith the information as available in the record. The Nodal Officer had marked said RTI application to the Civil Branch and Accounts Branch of MC, Moga. The representative from the Civil Branch, insists that the matter cited in the RTI application pertains to the Building Branch, MC, Moga. None of the respondents are able to give a coherent reply to the query raised in the RTI application.

3. The Commission hereby directs all parties, including Nodal Officer, RTI, MC Moga, the PIO, Civil Branch MC Moga and PIO Accounts Branch, MC Moga to attend the next hearing in person. The appellant is also advised to be present in person at the next hearing.

Contd.....2

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Appeal Case No. 1596 of 2022 (Video Conference Proceedings)

4. Next hearing on 3.2.2023 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
16.12.2022

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Karnail Singh,
S/o Chhanga Singh,
#378, New Azad Nagar,
Ferozepur City.

Versus

Public Information Officer,
o/o Superintendent Engineer-mining,
Water Sources & Irrigation Department,
Ferozepur.

First Appellate Authority,
o/o Superintendent Engineering-mining,
Water Sources & Irrigation Department,
Ferozepur.

Appeal Case No. 3839 of 2022 (Video Conference Proceedings)

PRESENT:

Karnail Singh (Appellant) 98769-44476
Navneet Gupta, SDO (for the Respondent) 94649-96232

ORDER:

(To be read in continuity with earlier orders on 3.11.2022)

1. The RTI application is dated **22.7.2022** vide which the appellant has sought information **regarding Sub Tehsil Mamdot**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.8.2022** and Second Appeal was filed in the Commission on **30.8.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **3.11.2022**.

2. Both parties are present. The Respondent PIO, represented by Navneet Gupta, SDO, states that the information requested in the RTI application has already been provided to the appellant in Appeal Case No. 5138 of 2021 which was Disposed of by SIC Sh. Maninder Singh Patti on 9.7.2022. The appellant, however, insists that the information sought in this RTI application is different. The Commission examined the RTI application point by point and it emerged that the information sought at point No. 1 has in fact been provided to the appellant in Appeal Case No. 5138 of 2021.

3. The Respondent PIO is directed to provide a suitable pointwise reply and information, as available, pertaining to points 2, 3, and 4 of this RTI application forthwith. Copy of the same must be sent to the appellant.

4. **Next hearing on 3.2.2023 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
16.12.2022