

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

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Sh. Chand Singh S/o Sh. Sant Singh,
R/o Village- Kadrabad,
Tehsil Samana, District Patiala.

.....Appellant

Vs

Public Information Officer-cum- Asstt Engineer
c/o Block Development and Panchayats Officer,
Block Samana, District Patiala.

PIO-cum-Assistant Programme Officer, NAREGA,
c/o Block Development and Panchayats Officer,
Block Samana, District Patiala.

PIO-cum V.D.O o/o Gram Panchayat,
Kadrabad, Block –Samana,
c/o Block Development and Panchayats Officer,
Block Samana, District Patiala.

First Appellate Authority,
O/o District Development & Panchayats Officer,
Mini Secretariat, Patiala.

..... Respondents

Appeal Case No. 200 of 2020 (Video Conference Proceeding)

Present:- Shri Chand Singh, appellant.

Shri Brish Bhan, Panchayats Secretary alongwith Shri Dharam Pal, Assistant Engineer on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 07.02.2020 vide which Shri Gurmit Singh, GRS (Narega) stated that the information sought by the appellant is available on the website of narega.nic.in. Shri Brish Bhan, Panchayats Secretary and Shri Dharam Pal, Assistant Engineer sought time to provide the information to the appellant. Shri Gurmit Singh was directed to let the appellant know the website on which the information is available and help the appellant in downloading the same. He gave assurance that he would help the appellant in downloading the information from their web-site, if the appellant visits his office. Last opportunity was given to Shri Brish Bhan, Panchayats Secretary and Shri Dharam Pal, Assistant Engineer to provide the information asked for by the appellant before the next date of hearing failing which punitive action under the provisions of RTI Act will be initiated.

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-2-

2. The respondent-PIO submits that whole record concerning information at Sr. No. 1 is with Accountant General, Punjab, Chandigarh's office for audit and reply concerning points at Sr. No. 2 and 4 is being handed over to the appellant during the hearing. Last opportunity is afforded to Shri Gurmit Singh, GRS to send the requisite information concerning NAREGA to the appellant free of cost before the next date of hearing, as the application for seeking information is dated 19.07.2019.

3. To come up on 03.04.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated: 02.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Manjit Singh s/o Sh. Bachan Singh
Near Nirmal Palace,
H.No. 2, Village Dhaba
Ludhiana.

....Appellant

Vs

Public Information Officer,
o/o Tehsildar (South) Ludhiana,
Near GNE College,
Gill Road, Ludhiana.

First Appellate Authority,
o/o Tehsildar (South) Ludhiana,
Near GNE College
Gill Road, Ludhiana.

....Respondents

Appeal Case No. 3918 of 2019

(Video Conference Proceedings)

Present: Shri Manjit Singh, appellant.
Ms. Harpreet Kaur, Junior Assistant, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 12.02.2020, vide which the appellant was advised to inspect the record on 15.02.2020 at 11.00 A.M. and get copies of the documents after identification. The respondents were further directed to get the record inspected and supply photocopies of the documents after the deposit of fee @ Rs.2/- per page to the appellant on the spot.

2. The appellant states that he has inspected the record of the respondents on 15.02.2020 at 11.00 A.M. and no document was found concerning khasra No.182 in 'Parat Sarkar'. The respondents have given in writing that 'Parat Patwar' is mutilated. A copy of the written statement submitted by respondent in this office is being sent to the appellant with this order to the appellant. Under the provisions of RTI Act, 2005, only the information available on record of the respondents can be provided and beyond this nothing more can be done. Accordingly, the present case is disposed of and closed.

Dated: 02.03.2020

sd/-
(Suresh Arora)
Chief Information Commissioner,
Punjab.

DA: Copy of statement of Halqa Patwari.

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Er. Nitin Kumar Tayal S/o Late Dr. S.P. Tayal,
R/o # 179 –B,
Model Town Extension,
District- Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Tehsildar, Ludhiana West,
Ludhiana.

First Appellate Authority,
O/o Addl. Chief Secretary,
Revenue & Rehabilitation Deptt. ,
Punjab Civil Secretariat- I,
Chandigarh.

PIO/Deputy Commissioner,
Ludhiana.

..... Respondents.

Appeal Case No. 3989 of 2019

(Through Video Conference)

Present:- Shri Nitin Kumar Tayal, appellant.
Shri Paramjit Singh, Clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 11.02.2020 vide which the respondents were afforded one more opportunity to locate the same, if the said letter is not located/available then give in writing that the said letter is not available in their record on the next date of hearing.

2. In compliance to the previous order, the representative of the respondents hands over, in writing, stating that the said letter, on the basis of which rapat No.1128 dated 21.04.2011 was prepared, is not available in their record during the hearing. Under the RTI Act, 2005, the information can be supplied to the information-seeker which is available on their record and nothing more can be done under the provisions of RTI Act, 2005. The appellant is advised to approach the higher authorities/Civil Court /Vigilance Department for resolving his grievance. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 02.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Surinder Mittal,
R/o # 302, Shaheed Udham Singh Nagar,
Phagwara -144402,
District Kapurthala.

.....Complainant

Vs

Public Information Officer,
O/o Chief Minister Punjab –cum- chairman,
Punjab Urban Planning & Development,
Room No. 1, 2nd Floor, Civil Secretariat-1,
Chandigarh.

PIO/Punjab Urban Development Authority,
PUDA Bhawan, Phase VIII, SAS Nagar.

.....Respondents

Complaint Case No. 42 of 2020

Present:- Shri Surinder Mittal, Complainant in person.

Shri J.S. Kahlon, Administrative Officer-cum-PIO, PUDA Mohali on behalf of
the respondents.

ORDER

This order may be read with reference to the previous order dated 07.02.2020 vide which the respondents were directed to proceed under Section 11 being the information sought by the complainant relates to third party and decide whether the information is to be provided or not to the complainant before the next date of hearing.

2. The respondent-PIO states that they have issued notice to third party for seeking the objections under Section 11 of the RTI Act, 2005 only on 27.02.2020 and given 15 days time to respond to the notice, if he so desires. He further states that one adjournment may be afforded to supply the information after the receipt of third party's response.

3. In view of the notice issued to the third party (whose information has been sought) only on 27.02.2020 and request of the respondent-PIO, the present case is adjourned to 25.03.2020 at 11.00 A.M. at Chandigarh with the direction to the respondent-PIO to intimate the complainant through registered post after taking action on the response of third party.

4. To come up on 25.03.2020 at 11.00 A.M.

Dated: 02.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Lakhwinder Singh S/o Sh. Gurdiyal Singh,
R/o Village- Chak Hazipur,
Block- Garhshankar,
District- Hoshiarpur.

.....Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Garhshankar,
District- Hoshiarpur.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, Hoshiarpur.

..... Respondents

Appeal Case No. 192 of 2020

(Video Conference Proceedings)

Present:- Shri Lakhwinder Singh, appellant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 07.02.2020 in which it is mentioned that the respondent-PIO stated that he was providing complete information concerning 10 points of the appellant. He further stated that nothing had been left, which could be provided to the appellant as per his RTI application under the provisions of RTI Act, 2005. In case of any deficiency, he requests that the appellant is at liberty to inspect the record of concerned panchayat and get copy of any document, which he requires.

2. The respondents are absent without intimation.

3. The appellant states that partial information has been provided to him. On asking what deficiency is in the information provided to him, he states that some recent resolutions passed by the panchayat have not been provided to him. The appellant is directed to send in writing specific deficiencies in the information provided to him within seven days otherwise it will be presumed that he has received complete information and nothing has been left. The respondents are directed to remove deficiencies on its receipt from the appellant before the next date of hearing.

4. To come up on 18.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Hoshiarpur.

Dated: 02.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Jasbir Singh, (98882-96107)

R/o Village –Bholapur,

Jhabewal, PO –Ramgarh, 123455

District- Ludhiana.

.....Appellant

Vs

Public Information Officer,

O/o Chief Minister, Punjab,

Punjab Civil Secretariat- 1,

Sector -1, Chandigarh.

First Appellate Authority,

O/o Chief Minister, Punjab,

Punjab Civil Secretariat- 1,

Sector -1, Chandigarh.

..... Respondents

Appeal Case No. 159 of 2020 **(Video Conference Proceeding)**

Present:- Shr Jasbir Singh, appellant in person.

Ms. Arun Bala, Under Secretary alongwith Shri Mandeep Singh, Ms. Sandeep Kaur, Ms. Anita Rani, all Senior Assistants, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 07.02.2020 vide which the respondents were directed to intimate the appellant regarding total number of unemployed youths and total number of persons whom employment has been provided before the next date of hearing.

2. The respondents have provided the information vide their letter dated 02.03.2020 to the satisfaction of the appellant. The appellant states that has received the information to his satisfaction and does not want to pursue the matter any further. He further requests that the present case be disposed of and closed.

3. In view of the request of the appellant, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 02.03.2020.

sd/-

(Suresh Arora),

Chief Information Commissioner,
Punjab.

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Sh. Charanjeet Singh S/o Sh. Balwinder Singh,
R/o VPO- Naya Shahr,
Badala, Tehsil- Kharar,
District- SAS Nagar(Mohali).

.....Appellant

Vs

Public Information Officer,
O/o Executive Officer,
Panchayat Samiti, Morinda,
District- Roopnagar.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, District- Roopnagar.

..... Respondents

Appeal Case No. 172 of 2020

Present:- Shri Charanjit Singh, appellant
Ms. Paramjit Kaur, Superintendent-cum-APIO on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 07.02.2020 vide which the respondents were directed to supply information pertaining to him and other information relating to new driver appointed in his place before the next date of hearing.

2. The representative of the respondents states that information has been provided to the satisfaction of the appellant except point at Sr. No. 6 of his application. She states that before the next date of hearing she will supply the remaining information concerning point at Sr. No. 6..

3. To come up on 18.3.2020 at 3.00 P.M. at Chandigarh.

Dated: 02.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Sohan Lal Sharma, (Asth. Engg. Retd.)

R/o House No. 677, (98744-01531)

MIG, Phase -1, Urban Estate,

District- Patiala.

.....Appellant

Vs

Public Information Officer,

O/o Deputy Director(E.P),

Rural Development & Panchayat Department,

Vikas Bhawan Sector -68,

SAS Nagar(Mohali).

First Appellate Authority,

O/o Financial Commissioner,

Rural Development & Panchayat Department,

Vikas Bhawan Sector -68,

SAS Nagar(Mohali).

..... Respondents

Appeal Case No. 171 of 2020 **(Video Conference Proceeding)**

Present:- Shri Sohan Lal Sharma, appellant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 07.02.2020 vide which the absence of the respondents was viewed seriously, PIO was directed to supply the remaining information to the appellant as sought by him in his RTI application before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 would be initiated against him on the next date of hearing.

2. The appellant is absent but he intimated the Commission to adjourn the case because he has to appear before the Hon'ble Punjab and Haryana High Court, Chandigarh. On receipt of communication from the appellant, the respondents were directed not to appear before the Commission as the appellant is not appearing. In view of this, the present case is adjourned to 19.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated: 02.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. R. K. Verma,
R/o House No.326, Street No. 8/6,
Guru Gobind Singh Nagar,
New Shimlapuri, 141003,
District Ludhiana.

.....Complainant

Vs

Public Information Officer,
O/o Tehsildar(Central),
District – Ludhiana.

.....Respondent

Complaint Case .No. 36 of 2020

(Video Conference Proceeding)

Present:- Shri R.K. Verma, complainant.
Ms. Harpreet Kaur, Junior Assistant, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 07.02.2020 vide which PIO/Tehsildar, Ludhiana (Central) was directed to supply the information, as he is the custodian of the record before the next date of hearing.

2. The representative of the respondent-PIO states that she has brought the information as per its availability on the record of the respondents. She further states that no copy of letter/document is available on the basis of which rapat was prepared and lien was created on his property. She has given in writing regarding this aspect.

3. Under the provisions of RTI Act, 2005, only information can be provided as it is available on the record of the respondents and nothing more can be done beyond this. With these observations, the present case is disposed of and closed with the advice to the appellant to approach the higher authorities for further necessary action. Copies of the order be sent to the parties.

Dated: 02.03.2020.

sd/-
(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Balvir Singh S/o Sh. Chamkaur Singh,

R/o VPO -Mullanpur, (95018-96071)

Near High School, Ludhiana.

.....Appellant

Vs

Public Information Officer,

O/o Panchayat Secretary,

Gram Panchayat, Mullanpur,

C/o Block Development & Panchayat Officer,

Block Sudhar, District Ludhiana.

First Appellate Authority,

O/o Block Development & Panchayat Officer,

Block Sudhar, District Ludhiana.

..... Respondents

Appeal Cases Nos. 147, 148 and 149 of 2020

(Video Conference Proceeding)

Present:- Shri Balvir Singh, appellant.

Shri Hira Singh, Block Development and Panchayats Officer, Sudhar-cum-PIO on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 07.02.2020 vide which the information-seeker has sought information concerning unauthorized occupation of government/shamlat land by Sarpanch and other panchayat members. Shri Hira Singh, BDPO, Sudhar was impleaded as a necessary party to supply the information before the next date of hearing.

2. The respondent-PIO states that he has sent complete information sought by the appellant as per his RTI application through registered post at his given address. He further states that he has brought one more copy of the information, to be handed over to the appellant, during the hearing. The appellant states that unauthorized occupation on government/shamlat land be vacated from Sarpanch and other Panchayat members. He is advised to approach the higher authorities for vacation of unauthorized occupation of government/shamlat land. Under the provisions of RTI Act, 2005, information can be provided as it is available in the record and nothing more can be done beyond this under the provisions of RTI Act, 2005. With these observations, the present case is disposed of and closed with the direction to PIO-cum-BDPO, Sudhar to be careful while dealing with the application received in their office for seeking information under the provisions of RTI Act, 2005. Copies of the order be sent to the parties.

sd/-

Dated: 02.03.2020.

(Suresh Arora),
Chief Information Commissioner,
Punjab.