

PUNJAB STATE INFORMATION COMMISSION

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Sh. Chanchal Singh Bal,
R/o H No. 172, Sector- 70,
Mohali. 160062

.....Appellant

Vs

Public Information Officer,
O/o General Admn. Department (Estt. 3 Branch),
Punjab Civil Secretariat,
Chandigarh.

First Appellate Authority,
O/o Deputy Secretary (General),
Department of General Administration,
Punjab Civil Secretariat,
Chandigarh.

.....Respondents

Appeal Case No. 4321 of 2019

Present:- Shir Chanchal Singh Bal, appellant.

Ms. Mandeep Kaur, Senior Assistant, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 19.12.2019 vide which the respondents were directed to finalize the action and intimate the appellant before the next date of hearing.

2. In compliance to the previous order, the representative of the respondent PIO states that they have sent letter dated 14.01.2020 after taking action. The appellant is satisfied with the action taken by the respondents. He requests that the case be closed as he does not want to pursue the matter any further. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 07.02.2020.

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

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Sh. Balvir Singh S/o Sh. Chamkur Singh,
R/o VPO -Mullanpur, (95018-96071)
Near High School, District- 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 Gurmit Singh, Panchayats Secretary, on behalf of the respondents.

ORDER

The RTI applications are dated 26.02.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeals were filed with the First Appellate Authority (hereinafter called FAA) on 18.11.2019 and second appeals were filed in the Commission on 31.12.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notices of hearing were issued to the parties for today.

2. Applications for seeking information, subject matter and parties in these cases are same. Hence, these cases are clubbed to be heard together.

3. The appellant states that no information has been provided to him by the respondents in any of the cases. The respondent-PIO states that the information is available in the office of the BDPO, Sudhar and Shri Hira Singh, BDPO, Sudhar (9988335350) is the custodian of the record.

5. After hearing both the parties and going through the record available on these cases, it is revealed that the information-seeker sought information concerning unauthorized occupation of government/shamlat land by Sarpanch and other panchayats members. Shri Hira Singh, BDPO, Sudhar is impleaded as a necessary party to supply the information before the next date of hearing.

6. To come up on 2.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 07.02.2020.

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

CC

Shri Hira Singh,
Block Development and Panchayats Officer,
Sudhar, District Ludhiana.

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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 Block Development & Panchayat Officer,

Block Ludhiana -2, Ludhiana.

First Appellate Authority,

O/o Addl. Deputy Commissioner(D),

Administrative Complex,

Ferozpur Road, District Ludhiana.

..... Respondents

Appeal Case No. 153 of 2020

(Video Conference Proceeding)

Present:- Shri Jasbir Singh, appellant, at Chandigarh.

Ms. Gurvinder Kaur, Panchayats Officer, on behalf of the respondents.

ORDER

The RTI application is dated 16.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 09.09.2019 and second appeal was filed in the Commission on 31.12.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided to him till date, whereas the representative of the respondents states that complete information has been sent to the appellant vide their letter dated 04.02.2020 with a copy to the Commission through an e-mail. The appellant has been provided a copy of the same from the record of the Commission. The appellant is satisfied with the information provided regarding grant given by Member of Parliament but he states that no information has been provided regarding funds provided by Member of Legislature Authority. On this, the representative of the respondents states that no grant has been given by MLAs. She further states that complete information has been provided to the appellant and nothing has been left, which could be supplied to him, as per his RTI application, under the provisions of RTI Act, 2005. Accordingly, the present case is disposed of and closed because complete information has been provided to the appellant and nothing has been left which could be supplied to the appellant as per his RTI application. Copies of the order be sent to the parties.

Dated: 07.02.2020.

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

Present:- Shr Jasbir Singh, appellant in person.

Shri Mandeep Singh, Senior Assistant , on behalf of the respondents.

ORDER

The RTI application is dated 08.09.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 21.10.2019 and second appeal was filed in the Commission on 31.12.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that till date no information has been received from the respondents.

3. The representative of the respondents states that they have given reply within time to the appellant to seek information from the concerned departments because recruitment has been made by various departments. On this, the appellant states that he will be satisfied if he is given information regarding total number of unemployed persons and employment provided to the persons.

4. The respondents are directed to inform the appellant regarding total number of unemployed persons and total number of persons whom the employment was provided before the next date of hearing.

5. To come up on 02.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 07.02.2020.

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

Present:- Shri Sohan Lal Sharma, appellant.

None on behalf of the respondents.

ORDER

The RTI application is dated 04.09.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 07.10.2019 and second appeal was filed in the Commission on 31.12.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that partial information has been provided to him.

3. The respondents are absent without intimation.

4. Viewing the absence of the respondent seriously, the PIO is 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 will be initiated against him.

5. To come up on 02.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

sd/-

Dated: 07.02.2020.

(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
(Video Conference Proceeding)

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

ORDER

The RTI application is dated 27.06.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 16.08.2018 and second appeal was filed in the Commission on 31.12.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The respondent-APIO states that information cannot be provided to him under Section 8(3). On this, the appellant states that he is seeking information pertaining to demand letter of new driver and joining of new driver appointed in place of Shri Charanjit Singh, the appellant in this case. He further states that he is asking information pertaining to him only.

3. The respondents are directed to supply information pertaining to the appellant concerning himself and information relating to demand letter sent for appointment of new driver in his place and appropriate action for supply of photocopy of joining report of new driver in his place be taken under the provisions of RTI Act, 2005 before the next date of hearing.

4. To come up on 02.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Roopnagar.

Dated: 07.02.2020.

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.
Shri Gurbachan Singh, Panchayats Secretary, on behalf of the respondents.

ORDER

The RTI application is dated 26.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 25.10.2019 and second appeal was filed in the Commission on 01.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided to him till date by the respondents.

3. The representative of the respondents states that he is providing complete information of 10 points as sought by the appellant. He further states that nothing has 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, as per his RTI application under the provisions of RTI Act, 2005.

4. The appellant is advised to go through the same and revert back to the authorities, in case of deficiencies in the information or inspect the record of the respondents and get copy of any document which he requires as per his RTI application under the provisions of RTI Act, 2005.

5. To come up on 02.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Hoshiarpur.

sd/-

Dated: 07.02.2020.

(Suresh Arora),
Chief Information Commissioner,
Punjab.

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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 Panchayts Officer,
Block Samana, District Patiala.

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

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

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

..... Respondents

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

Present:- Shri Chand Singh, appellant.
Shri Gurmit Singh, GRS (Narega) alongwith Shri Brish Bhan, Panchayats
Secretary and Shri Dharam Pal, Assistant Engineer on behalf of the respondents.

ORDER

The RTI application is dated 19.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 12.09.2019 and second appeal was filed in the Commission on 03.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided to him till date.
3. Shri Gurmit Singh, GRS (Narega) states that the information sought by the appellant is available on the website. Shri Brish Bhan, Panchayats Secretary and Shri Dharam Pal, Assistant Engineer seek time to provide the information to the appellant.
4. After hearing the parties and going through the record available on the case file, it is revealed that information concerning NAREGA is available on the web site. Shri Gurmit Singh is directed to let him know the website on which the information is available and help the

Contd....p/2

-2-

appellant in downloading the same. He gives assurance that he will help the appellant in downloading the information from their web-site. Last opportunity is 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.

5. To come up on 02.03.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated: 07.02.2020.

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

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Sh. Kulwant Singh S/o Pritam Singh,
R/o VPO –Pohir,
Tehsil & District Ludhiana. 141204

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Tehsil Dehlon, District Ludhiana.

.....Respondent

Complaint Case No. 38 of 2020

(Video Conference Proceeding)

Present:- Shri Kulwant Singh, complainant.

Shri Gurinder Pal Singh, Panchayats Secretary-cum-PIO on behalf of the
respondent.

ORDER

The RTI application is dated 18.10.2019 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 01.01.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The complainant states that no information has been provided to him by the respondent-PIO till date.

3. Shri Gurinder Pal Singh, Panchayats Secretary states that information sought by the complainant is not available in the record of concerned panchayat. The respondent-PIO gives in writing to the complainant stating that the concerned record is not available.

4. After hearing both the parties and going through the record available on the case file, it is revealed that the information sought by the complainant is not available in their record and PIO has given in writing accordingly. Hence, the present case is disposed of closed. Copies of the order be sent to the parties.

Dated: 07.02.2020.

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

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Sh. Kulwant Singh S/o Pritam Singh,
R/o VPO –Pohir,
Tehsil & District Ludhiana. 141204

.....Complainant

Vs

Public Information Officer,
O/o Joint Development Commissioner,
Rural Development & Panchayat Department,
Vikas Bhawan, Sector -68, SAS Nagar(Mohali).

.....Respondent

Complaint Case .No. 39 of 2020

(Video Conference Proceeding)

Present:- Shri Kulwant Singh, complainant.

Shri Vinod Kumar, Senior Assistant on behalf of the respondent-PIO at
Chandigarh.

ORDER

The RTI application is dated 13.11.2019 vide which the appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 01.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The complainant states that no status report has been provided to him till date.
3. The representative of the respondent-PIO states that the matter has been decided on 30.10.2019 and a copy of decision has been sent to the complainant but the complainant states that no status report has been received by him. The respondent-PIO places a copy of the decision on the record of the Commission. The complainant states that he has to appear on 10.02.2020 in another case and will get a copy of the same from the Commission.
4. After hearing both the parties and going through the record available on the case file, it is revealed that the complainant has not received the copy of decision dated 30.10.2019. Decision dated 30.10.2019 read out during the hearing. A copy of decision is again sent to the complainant with this order. The complainant is satisfied with the order passed by the respondent. With these observations, the present case is disposed of and closed. Copies of the order be sent to the parties.

sd/-

Dated: 07.02.2020.

(Suresh Arora),
Chief Information Commissioner,
Punjab.

DA: As above

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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.

Shri Bhagwant Rai Kalia, Superintendent o/o Housing Branch alongwith Shri Sanjeev Sharma, Sub Divisional Officer o/o Jalandhar Development Agency and Shri J.S. Kahlon, Administrative Officer, PUDA Mohali on behalf of the respondents.

ORDER

The RTI application is dated 05.12.2019 vide which the appellant has sought information as enumerated in his RTI application. Complaint case was filed in the Commission on 03.01.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The complainant states that he sent an application for seeking information to the Chairman, PUDA, Chandigarh in his office at Punjab Civil Secretariat, Chandigarh but that office refused to receive the same. He further states that action be taken against the PIO/Chairman, PUDA, Mohali for not receiving the same.

3. The PIO/Chief Minister, Punjab, Chandigarh has sent his reply vide their letter dated 31.1.2020 stating that the complainant sent his application to the PIO/Chief Minister, Punjab being Chairman, Punjab Urban Development Authority, Chandigarh at his official address of Punjab Civil Secretariat, which was refused by the Chief Minister's Office being their office locate in PUDA Bhawan, Phase VIII, Mohali. The postman returned back the application to the complainant inspite of supplying the same in their office at Mohali. On receipt of the hearing

Contd.....p/2

-2-

notice from the State Information Commission, Punjab, Chandigarh they transferred the application for seeking information to the PIO/Principal Secretary to Government of Punjab, Department of Housing and Urban Development, Chandigarh who also transferred the same to PUDA and JDA for supplying the information to the complainant under Section 6(3) of RTI Act, 2005 being custodian of the record. Hence, Principal Secretary to Government of Punjab, Department of Housing and Urban Development, Chandigarh is exempted from appearance in this case in future. PIO/Jalandhar Development Agency, Jalandhar supplied information relating to point at Sr. No.5, 7, 8 and 9 of his RTI application to the satisfaction of the complainant. PIO/Jalandhar Development Agency, Jalandhar is also exempted from appearance in this case in future. The remaining information is to be provided by PUDA, Mohali regarding points at Sr. No.1, 2, 3, 4 and 10 of his RTI application. They are directed to proceed under Section 11 of the RTI Act, 2005 being the information sought by the complainant relates to third party. After issue of notice under Section 11 of the RTI Act, 2005 to third party, the respondents are directed to decide whether the information is to be provided or not to the complainant after waiting reply of third party after 10 days before the next date of hearing.

4. To come up on 02.03.2020 at 11.00 A.M.

Dated: 07.02.2020.

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, Ludhiana.

.....Complainant

Vs

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

.....Respondent

Complaint Case .No. 36 of 2020

(Video Conference Proceeding)

Present:- Shri R.K. Verma, complainant.
None on behalf of the respondents.

ORDER

The RTI application is dated 11.11.2019 vide which the appellant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 01.10.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The complainant states that till date no information has been provided to him.

3. None is present on behalf of the respondent-PIO.

4. Ms. Rattandeep Kaur, Coordinator of Video Conference states that complainant has sent application for seeking information to the Tehsildar, Ludhiana (West) but he has given address of Tehsildar Central Ludhiana. The matter relates to Tehsildar, Ludhiana (Central). The application and notice of hearing was issued by the Commission might have not been received by any of the office because matter relates to Tehsildar Ludhiana (Central) and it has been referred to Tehsildar, Ludhiana (West) but address of Tehsildar, Ludhiana (Central) is given.

5. After hearing the parties, it is ascertained that application for seeking information and notice of hearing might have not been received by the proper public authority. PIO/Tehsildar, Ludhiana (Central) is directed to supply the information as he is the custodian of the record before the next date of hearing.

6. To come up on 2.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 07.02.2020.

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