

PUNJAB STATE INFORMATION COMMISSION

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

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Sh Jagdeep Singh,
S/o Sh. Pritam Singh,
Village-Hera, Tehsil-Raikot,
Distt.- Ludhiana.

Vs

.....Appellant

Public Information Officer,
O/o Panchayat Secretary, Gram Panchayat,
Village-Hera, Tehsil-Raikot,
Distt.- Ludhiana.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Mini Secretariat, District- Ludhiana.

.....Respondents

Appeal Case No. 3235 of 2019

Present:- Shri Jagdeep Singh, appellant, in person.

Shri Gurdeep Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

The RTI application is dated 10.04.2019 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 29.05.2019 and second appeal was filed in the Commission on 03.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

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

3. The representative of the respondents states that complete information has been sent to the appellant by post.

4. After hearing both the parties and going through the record available on the case file, it is revealed that First Appellate Authority-cum-District Development and Panchayats, Ludhiana has recommended disciplinary action to the Director Rural

Contd.....p/2

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Development and Panchayats, Punjab, Chandigarh against Shri Gurdeep Singh, Panchayat Secretary for disobeying his seniors, which is a serious matter. In that letter, it is also mentioned that he is not giving the information because of any illegal work done by him. The appellant is advised to go through the information, on its receipt, said to have been sent by post, from the respondents and revert back to the authorities in case of deficiencies. The respondents are advised to remove the same, on its receipt from the appellant, before the next date of hearing. Viewing the callous attitude of Shri Gurdeep Singh, Panchayat Secretary c/o Block Development and Panchayats Officer, Raikot seriously, it is, therefore, a fit case to issue a notice under Section 20 of the Right to Information Act, 2005 to him to show cause why penalty should not be imposed on him for not supplying the information within the stipulated period and further disobeying the orders of First Appellate Authority-cum-District Development and Panchayats Officer, Ludhiana. The written explanation may be filed before the next date of hearing, when he may also avail the opportunity of personal hearing.

5. To come up on 22.10.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 07.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

CC

Shri Gurdeep Singh,
Panchayat Secretary,
c/o Block Development and Panchayats Officer,
Raikot district Ludhiana.

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Sh. Jodhpal Singh,
S/o Sh. Major Singh,
Village-Hera, Tehsil-Raikot,
Distt.- Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Panchayat Secretary, Gram Panchayat,
Village-Hera, Tehsil-Raikot,
Distt.- Ludhiana.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Mini Secretariat, District- Ludhiana.

.....Respondents

Appeal Case No. 3236 of 2019 **(Through Video Conference Facility)**

Present:- Shri Jagdeep Singh, on behalf of the appellant.

Shri Gurdeep Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

The RTI application is dated 03.06.2019 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 05.07.2019 and second appeal was filed in the Commission on 03.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

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

3. The representative of the respondents states that complete information has been sent to the appellant by post.

4. After hearing both the parties and going through the record available on the case file, it is revealed that First Appellate Authority-cum-District Development and Panchayats, Ludhiana has recommended disciplinary action to the Director Rural

Contd.....p/2

-2-

Development and Panchayats, Punjab, Chandigarh against Shri Gurdeep Singh, Panchayat Secretary for disobeying his seniors, which is a serious matter. In that letter, it is also mentioned that he is not giving the information because of any illegal work done by him. The appellant is advised to go through the information, on its receipt, said to have been sent by post, from the respondents and revert back to the authorities in case of deficiencies. The respondents are advised to remove the same, on its receipt from the appellant, before the next date of hearing. Viewing the callous attitude of Shri Gurdeep Singh, Panchayat Secretary c/o Block Development and Panchayats Officer, Raikot seriously, it is, therefore, a fit case to issue a notice under Section 20 of the Right to Information Act, 2005 to him to show cause why penalty should not be imposed on him for not supplying the information within the stipulated period and further disobeying the orders of First Appellate Authority-cum-District Development and Panchayats Officer, Ludhiana. The written explanation may be filed before the next date of hearing, when he may also avail the opportunity of personal hearing.

5. To come up on 22.10.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 07.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

CC

Shri Gurdeep Singh,
Panchayat Secretary,
c/o Block Development and Panchayats Officer,
Raikot district Ludhiana.

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Sh. Baljeet Singh,
Civil Engineer- RTI Activist,
64-H, B.R.S. Nagar,
Distt.- Ludhiana.

.....Appellant
Vs

Public Information Officer,
O/o Deputy Commissioner,
Mini Secretariat, Ludhiana.

First Appellate Authority,
O/o Deputy Commissioner,
Mini Secretariat, Ludhiana.

.....Respondents

Appeal Case No. 3261 of 2019

(Through Video Conference Facility)

Present:- Shri Baljeet Singh, appellant, in person.

Shri Sahil Kakkar, Junior Assistant, on behalf of the respondents.

ORDER

The RTI application is dated 26.06.2019 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 23.07.2019 and second appeal was filed in the Commission on 04.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

2. The appellant states that he has sought information regarding the posting and transfer of Shri Iqbal Singh Sidhu, IAS, in various capacities at Ludhiana and a copy of resolutions/orders for giving additional charge of Ludhiana Aviation Club, Ludhiana including time period detail.

3. The respondents vide their letter dated 16.07.2019 sent reply stating that postings and transfers of IAS/PCS officers are done by IAS/PCS Branch of Punjab Government at Chandigarh. With this reply, the appellant is not satisfied.

4. After hearing both the parties and going through the record available on the

Contd.....p/2

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case file, it is ascertained that information-seeker has not shown any public interest in getting the information. He is advised to send his interest in getting the information to the respondents with a copy to the Commission within three days. In compliance to this order the appellant has sent observations through e-mail, which are reproduced below:-

- (i) Private body Ludhiana Aviation Club has been provided a land 12505 sq.yads for making of quarters by the Ludhiana Improvement Trus in year 1987. Aviation Club has paid only Rs.25,500 for the land and rest amount has not been paid .***
- (ii) In year 1997 Mr.Iqbal Singh Sidhu has wrote a Joint Venture in the capacity as Manager of Ludhiana Aviation Club (which is purely a private club) vide which 11000 sq.yads of the land given to Lodhi Cluband 1500 sq.yds to Aviation Club .***
- (iii) My aim is to have an information vide para second vide which an IAS officer has been made a Manager of the Ludhiana Aviation Club on whose advice/instructions he has been made a Manager of Private Body and in this regard I may be provide the details/ resolution and what was his designation of that time.***
- (iv) How an IAS office can officiate as Manager of Private Body to give 11000 sq.yds of land to private Lodhi Club without consulting Ludhiana Improvement Trust***
- (v) The present cost of the land is 250 crores***
- (vi) This confirms that someone's interest is there without any proper documentation***

The appellant is advised to get information regarding posting and transfer of the said officer from the Government by filing afresh application under the provisions of RTI Act, 2005 as the present respondents do not have the same. The present respondents are directed to send information concerning Point No.2 before the next date of hearing, if it is not available then file an affidavit.

5. To come up on 5.11.2019 at 3,30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 07.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. H.S. Hundal (Advocate),
#82, Judicial Court,
Sector-76, Mohali.

.....Appellant

Vs

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block-II, Moga,
Distt.-Moga.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Moga.

.....Respondents

Appeal Case No. 3276 of 2019

Present:- None on behalf of the appellant.

Shri Varinder Singh, Clerk, on behalf of the respondents at Chandigarh.

ORDER

The RTI application is dated 15.03.2018 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 01.06.2018 and second appeal was filed in the Commission on 04.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

2. The appellant is absent but he has sent a letter dated 7.10.2019 through e-mail stating that BDPO Block II Moga be penalized for concealing facts regarding an inquiry ordered by CMO and by Commissioner Ferozepure Division vide their letter dated 18.06.2018 to Vigilance Bureau and also to Deputy Commissioner, Moga to probe a complaint. He further requested for adjournment of the case due to unavoidable circumstances.

3. The representative of the respondents states that they have written a letter to the Commission vide their letter dated 22.05.2019 for giving direction whether the

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cheque issued by Shri Jagshir Singh from his personal account is correct or not. They may be given direction regarding issue of cheque from the account of the public authority. He further states that complete information had already been given to the appellant with this cheque.

4 After hearing the representative of respondents and going through the record available on the case file, it is revealed that as per the order dated 25.03.2018, photocopies of the entire record available with the respondents have been given to the appellant. The PIO has also submitted in writing in the office of the BDPO that photocopies of whatever documents were available with them have already been supplied to the appellant. The appellant, on 13.5.2019, has given in writing to the PIO with a copy to the Commission that complete, point-wise information be given to him. The appellant has not pointed out any specific deficiency in the information, which has already been provided to him, but making general comment saying that the information is incomplete and has not been given is not correct. Cheque issued by Shri Jagshir Singh, Panchayat Secretary-cum-PIO from his own account is legally wrong. This cheque may be cancelled and in lieu of that fresh cheque amounting to Rs.5000/- be issued, as compensation awarded by the Commission, from the account of public authority as prescribed in Section 19 (8)(b) of the RTI Act, 2005 before the next date of hearing. The appellant is advised to send specific deficiencies in the information already supplied to him, as early as possible. The respondents are directed, on receipt of the deficiencies from the appellant, to remove the same before the next date of hearing.

5. To come up on 22.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Moga.

Dated : 07.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Tejinder Singh (Advocate),
Civil Court, Tehsil Complex,
Backside Sanjh Kendar, Phillaur-144410.Complainant.

Vs

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

Complaint Case No. 689 of 2019

(Through Video Conference Facility)

Present:- None on behalf of the appellant.

Shri Charanjit Singh, Superintendent, on behalf of the respondents

ORDER

In compliance to the previous order dated 12.09.2019, the representative of the respondents states that complete information has been given on 4 points regarding Advertisement Wing of Municipal Corporation, Ludhiana.

2. The complainant is absent but he has sent an e-mail dated 06.10.2019 stating that he has received complete information to his satisfaction and does not want to pursue the matter any further.

3. In view of the e-mail mentioned above, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 07.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Hardeep Singh
S/o Sh. Tarsem Lal,
Village- Nurpur,
Tehsil: Banga,
District- Shaheed Bhagat Singh Nagar

.....Appellant.

Vs.

Public Information Officer
O/o Panchayat Secretary,
Gram Panchayat,
Vill: Nurpur, Block Aur,
Tehsil: Banga, Distt: Shaheed Bhagat Singh Nagar.

First Appellate Authority
O/o Block Development and Panchayat Officer,
Block Aur, Tehsil: Banga,
Distt: Shaheed Bhagat Singh Nagar.

.....Respondents.

Appeal Cases No. 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2977, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986 and 2987 of 2019.

(Through Video Conference)

Present:- Shri Hardeep Singh, appellant in person at Chandigarh.

Shri Jiwan Lal, Superintendent on behalf of the respondents through VC.

ORDER

This order may be read with reference to the previous order dated 17.09.2019 vide which the respondents were directed to provide the information else provide an affidavit to the appellant with a copy to the Commission in this regard within 10 days.

2. In compliance to the previous order, the Panchayat Secretary has sent a letter dated 1.10.2019 through e-mail stating that copies of proceedings register, charge lists and original affidavit have been sent to the appellant with a copy to the Commission through e-mail. The representative of the respondents states that some record is available with Previous Panchayat and some files are with new Panchayat. Files which were taken by the Vigilance Department have been returned to the new panchayat after keeping their

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Appeal Cases No. 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2977, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986 and 2987 of 2019.

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photocopies with them. The representative of the respondents states that for procuring the record from previous, they are required to issue notice.

3. The appellant states that according to affidavit given by the Gram Panchayat, it is mentioned that no information is available in the record available with them.

4. From hearing the parties and going through the affidavit sent by the Panchayat, it is revealed that no record is available with new Panchayat. The representative of the respondents is directed to provide information to the appellant in all 24 cases after getting it either from the new panchayat or previous panchayat even after issuing legal course under the provision of relevant Act.

4. To come up on 26.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, SBS Nagar.

Dated : 07.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Tarlochan Singh Sethi (Advocate),
4/80, Dr. Nand Lal street, Railway Road,
Doraha,
Distt: Ludiana.

.....Appellant

Vs

Public Information Officer,
Administrative Officer,
Municipal Council, Doraha,
Distt: Ludhiana.

First Appellate Authority,
Executive Officer,
Municipal Council, Doraha,
Distt: Ludhiana.

.....Respondents

Appeal Case No. 2894 of 2019

(Through Video Conference)

Present:- Shri Tarlochan Singh Sethi, Appellant.

Shri Jagpal Singh, Assistant Municipal Engineer, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 13.09.2019, vide which the appellant was directed to provide the site plan number and date to the respondents within seven days with a copy to the Commission and the respondent-PIO was hereby directed to take appropriate action on the application of the appellant before the next date of hearing.

2. The appellant states that no information has been provided to him till date. He further states that he has no number of site plan and date.

3. The representative of the respondents states that without site plan number and date, it is difficult to provide him the sought for information. He again requests that the appellant may be advised to provide the necessary information or inspect the concerned record for locating the site plan.

Contd....p/2

4. After hearing both the parties and going through the record available on the case, the appellant is advised to visit the office of the respondents on 15.10.2019 at 11.00 A.M. for inspecting the record and helping them in locating the concerned site plan number and date. The respondents are directed to be available on 15.10.2019 at 11.00 A.M. and make available the concerned record to the appellant for inspection and provide photocopies of identified documents on the spot.

5. To come up on 22.10.2019 at 3.30 P.M. through Video Conference Facility available in the office of Deputy Commissioner, Ludhiana.

Dated : 07.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Madhya Marg, Sector 16, Chandigarh.

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Sh. Tejinder Singh (Advocate),
Village Bholapur, PO Ramgharh,
Ludhiana.

Public Information Officer,
o/o Deputy Commissioner, Ludhiana.

First Appellate Authority,
o/o Deputy Commissioner,
Ludhiana.

.....Respondents.

Appeal Case No.2864/2019

Present:- None on behalf of the appellant.

Shri Jai Parkash, Junior Assistant, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 13.09.2019 vide which the appellant was advised to go through the information supplied to him vide respondents' letter dated 05.09.2019.

2. The appellant is absent without intimation.
3. The representative of respondents states that they have provided the information on 05.09.2019.
4. After hearing the representative of the respondents and going through the letter dated 05.09.2019, in which it is mentioned that instructions are not available in their record. Without instructions, how their office is receiving applications with fee. The respondents are directed to supply the instructions sought by the appellant within one week's time.
4. To come up on 22.10.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the o/o Deputy Commissioner, Ludhiana.

Dated : 07.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Shiv Sunder Aggarwal,
2015/2 A, Shiv Mandir Street,
Shiv Puri Road, Ludhiana.

Vs

.....Appellant

Public Information Officer,
Sub Registrar (West), Ludhiana.

First Appellate Authority
Deputy Commissioner, Ludhiana.

.....Respondents

Appeal Case .No. 2618 of 2019

Present:- Shri Shiv Sunder Aggarwal, appellant, in person.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 11.09.2019 vide which the appellant was advised to send objections in writing to the respondents and the respondents were directed to remove the objections, on its receipt, before the next date of hearing.

2. The appellant states that he has send his observations to the respondents with a copy to the Commission, which was received on 24.09.2019 in Commission's office. Nothing has been received from the respondents after the supply of objections to the respondents.

3. None is present on behalf of the respondents during the hearing. it is, therefore, a fit case to issue a notice under Section 20 of the Right to Information Act, 2005 to Shri Kanwar Narinder Singh, Naib Tehsildar-cum-PIO to show cause why penalty should not be imposed on him for not supplying the action taken report on his observations dated 24.09.2019. The written explanation of the PIO may be filed before the next date of hearing when he may also avail the opportunity of personal hearing.

4. To come up on 22.10.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 07.10.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

CC

Shri Kanwar Narinder Singh, Sub Registrar (West), Ludhiana.

The Deputy Commissioner, Amritsar (by name) for information and to ensure the presence of PIO or his representative during the Video Conference proceedings in future.