

PUNJAB STATE INFORMATION COMMISSION

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

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Whatsapp No. 62848-20189



Sh. H.S. Hundal Advocate,
203, Judicial Courts,
Mohali.-160071.M : 9878500082

Appellant

Vs

Dr. Vinay Bansal,
Tehsildar-cum-
Public Information Officer,
Ludhiana West, Ludhiana.

First Appellate Authority
O/o SDM (West),
Ludhiana.

Respondents

Appeal Case No. 4488/2021

(Video Conference/ Telephone Proceedings)

Present:- Sh. HS Hundal, appellant.

Dr. Vinay Bansal, Tehsildar (Ludhiana West), Ludhiana 7009051936 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 5.4.2022

2. The appellant has sought the following information:-

1. Certified copies of all reports, records, inspections etc by patwari of villages Ayali Khurd and Jhamat, tehsil Ludhiana West as per rule/clause 3.14 and 3.15 of Punjab Land Records manual submitted by fireld kanungos for submission to the Deputy Commissioner
2. Certified copies of all reports/papers prepared annually by patwari of villages Ayali Khurd and Jhamat, tehsil Ludhiana West 1 as per rule/clause 3.21 of Punjab Land Records Manual.
3. Certified copies of all Service Book and Character Rolls of patwaris who were posted in villages Ayali Khurd and Jhamat, tehsil Ludhiana West during last 3 years as per rule/clause 3.29. of Punjab Land Records Manual.
4. Certified copies of all entries as per clause 3.48 of Punjab land Records manual with details of inspections and entries made in his diary regarding note of the inspections at villages Ayali Khurd and Jhamat, tehsil Ludhiana West since 01/01/2019.
5. Certified copies of all receipt books showing fees collected as per 3.48 of Punjab land Records Manual since 01/01/2019.
6. Certified copies of the register in form P-XII given in appendix G, maintained by the patwari and details of fees deposited into the Treasury each month, since 01/01/2018 concerning villages Ayali Khurd and Jhamat, tehsil Ludhiana West
7. Certified copies as per clause 3.48-B of Receipt Books and copying fee register alongwith requisition form through which demand is made to the office kanungo with all counter foils and copy of certificate from the Tehsildar regarding certified No. of pages,
8. Certified copies of record of receipt books maintained by Office Kanungo and copy of ledger book concerning villages Ayali Khurd and Jhamat, tehsil Ludhiana West
9. Certified copies of relevant pages of Diary maintained by patwari as per rule/clause 3.49. of Punjab Land Records Manual maintained and details of queries made by Kanungo relating to villages Ayali Khurd and Jhamat, tehsil Ludhiana West since 01/01/2019
10. Certified copy of statements prepared and submitted as per clause 3.50 of Manual regarding Payment into the treasury of fees realized for inspection of record and extracts granted by patwari of villages Ayali Khurd and Jhamat, tehsil Ludhiana West since 01/01/2019

Contd..p/2

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-2-

Appeal Case No. 4488/2021

3. The appellant submits that he is satisfied with the reply/supply of information by the respondents in this case but he submits that there is a delay in providing the information and requested that the penalty may be imposed upon the respondent Public Information Officer. However, the respondent Public Information Officer tenders unconditional apology and requested to withdraw the show cause notice issued to him. He has also sent the written submissions in this regard, which are taken on record. After consideration the show cause notice issued to the respondent Public information Officer Dr Vinay Bansal, Tehsildar Is here by withdrawn.

4. Accordingly the case is disposed of and closed.

Dated:11.5.2022

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Nitin Kumar Tayal Founder,
The Gats Urban Cooperative Thrift & Credit Society Ltd.
SCO 1-3 B, Swami Vivekanand Vridhashram Market,
B-Block, Model Town Extension,
Ludhiana-141002.

.... Appellant.

Vs.

Public Information Officer,
O/o Department of School Education, PB.,
Mohali.

First Appellate Authority,
O/o Department of School Education, PB.,
Mohali.

.... Respondents.

Appeal Case No. 978/2022

(Video Conference/ Telephone Proceedings)

Present:- Sh. Nitin Kumar Tayal, appellant.
Sh. Kirpa Dutt LA 7910707060 on behalf of the respondents.

ORDER

The RTI application is dated 8.11.2021 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 12.12.2021 and second appeal was filed in the Commission on 23.2.2022 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 has sought the following information:-

“Emails dated 18.7.2020 (4.52 PM) and 5.9.2020(10.59 AM)

Please provide certified true copy of the comments/notings/proceedings/action made/done taken so far on receipt of the aforesaid emails by all the concerned officials.”

3. The representative of the respondents submits that the email sent by the appellant has already been filed according to the instructions dated 12.12.2019. He has also placed on record a copy of the said instructions. A copy of the said instructions is also sent to the appellant along with this order.

4. After going through the instructions, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

Dated:11.5.2022

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Smt. Jasbir Kaur Arora,
#3439, MIG, Phase-2,
Urban Estate, Dugri,
Ludhiana.

(M: 9356202013).

.... Appellant.

Vs.

Public Information Officer,
O/o DEO (SE),
Ludhiana.

First Appellate Authority,
O/o DEO (SE),
Ludhiana.

.... Respondents.

Appeal Case No. 998/2022

(Video Conference/ Telephone Proceedings)

Present:- Smt. Jasbir Kaur Arora, appellant
Sh. Jiwan Singh, Supdt., on behalf of the respondents.

ORDER

The RTI application is dated 26.10.2021 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 1.12.2021 and second appeal was filed in the Commission on 22.2.2022 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 has sought the following information:-

1. ਰਮਨਦੀਪ ਕੌਰ ਦੀ Medical History along with all Examination reports.
2. ਮਿਤੀ 16-11-2019 ਤੋਂ ਲੈ ਕੇ Fitness Certificate ਮਿਲਣ ਤੱਕ ਦਾ ਕੰਪਲੀਟ ਮੈਡੀਕਲ ਰਿਕਾਰਡ ਤੇ ਰਿਪੋਰਟਾਂ।
3. (Medico Legal Report)
4. Fitness Certificate.
5. ਕਰਵਾਏ ਸਾਰੇ Ultra Sounds ਦੀਆਂ ਕਾਪੀਆਂ ਅਤੇ ਰਿਪੋਰਟਾਂ।
6. ਮੈਡੀਕਲ Summary Report.
7. ਕਰਵਾਏ ਸਾਰੇ Ultra Scans ਦੀਆਂ ਕਾਪੀਆਂ ਅਤੇ ਰਿਪੋਰਟਾਂ।
8. ਸਬੰਧਤ ਸੀ.ਡੀ.(ਜ਼)
9. ਮਿਤੀ 16-11-2019 ਤੋਂ ਬਾਦ ਰਮਨਦੀਪ ਕੌਰ ਦੀ ਆਲਮਗੀਰ ਦੇ ਉਪਰੋਕਤ ਸਕੂਲ ਵਿੱਚ ਹਾਜ਼ਰ ਹੋਣ ਦੀ ਮਿਤੀ।

3. The appellant submits that the directions may be issued to the respondent Public Information Officer to supply the complete information in this case. However the respondent Public Information Officer submits that the information cannot be supplied to the appellant as the sought information is exempted under the provisions of the RTI Act.

4. It is appropriate to mention here the decision of the Hon'ble Supreme Court of India in Civil Appeal No. 10044 of 2010 – Central Public Information Officer, Hon'ble Supreme Court of India Vs Subhash Chandra Agarwal, being the personal information. The relevant portion of the judgement is reproduced below:-

“59. Reading of the aforesaid judicial precedents, in our opinion, would indicate

Contd..p/2

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Appeal Case No. 998/2022

-2-

that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied.

5. Keeping in view the judicial pronouncements referred to above viz a viz RTI application of the appellant, no directions are being given to the respondent pertaining to Point Number 1 to 8 of the RTI application. However, the directions are issued to the respondent Public Information Officer to provide the date of joining of Smt. Ramandeep Kaur, Government Senior Sec. School, Alamgir after 25.11.2019, with which the respondent agreed to and assured that the same will be supplied to the appellant within a week. Accordingly the directions are issued to the respondent Public Information Officer to supply the date of joining of Smt. Ramandeep Kaur within a week to the appellant under intimation to the Commission. With these directions the case is disposed of and closed. However, the liberty is granted to the appellant to approach Commission in case she does not receive the same within three weeks.

Dated:11.5.2022

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Anand Gupta, S/o Late Sh. Ram Prasad Gupta,
House No. 3523, Sector 32-A,
Chandigarh Road,
Ludhiana-141010.
(M: 9815012365),
RTI Application No. 4852

.... Appellant.

Vs.

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

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

.... Respondents.

Appeal Case No. 1004/2022

(Video Conference/ Telephone Proceedings)

Present:- None on behalf of the appellant .
Sh. Ramesh Kumar, on behalf of the respondents

ORDER

The RTI application is dated 4.10.2021 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 6.11.2021 and second appeal was filed in the Commission on 24.2.2022 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 has sought the following information:-

“Request for information under RTI Act 2005 from Punjab Police Ludhiana filed by Narinder Gupta against me certified copies of action taken against UID No. 1916887 dated 9.11.2020 UID No. 1776228 dated 26.3.2020 UID No. 1957527 dated 15.1.2021.”

3. The representative of the respondents submits that the complaints are under enquiry so nothing can be supplied to the appellant under Section 8(1)(h) of the RTI Act, 2005. He has also sent the written submissions in this regard, which are taken on record. A copy of the submissions so received from the respondent are also being sent to the appellant along with this order.

4. After going through the submissions, the Commission accepted the same. However, the Commission directs the respondent-Public Information Officer to provide the information sought once the enquiry is completed. Therefore, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

sd

Dated:11.5.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Anand Gupta, S/o Late Sh. Ram Prasad Gupta,
House No. 3523, Sector 32-A,
Chandigarh Road,
Ludhiana-141010.
(M: 9815012365),

.... Appellant.

Vs.

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

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

.... Respondents.

Appeal Case No. 1005/2022

(Video Conference/ Telephone Proceedings)

Present:- None on behalf of the appellant .
Sh. Ramesh Kumar, on behalf of the respondents

ORDER

The RTI application is dated 4.10.2021 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 6.11.2021 and second appeal was filed in the Commission on 24.2.2022 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 has sought the following information:-

“Request for status of complaint to Punjab Police under RTI 2005 1. Certified copies of Action taken against UID No. 2023199 dated 1.5.2021, 2038502 dated 26.5.2021 and 2064488 dated 25.6.2021.”

3. The representative of the respondents submits that the complaints are under enquiry so nothing can be supplied to the appellant under Section 8(1)(h) of the RTI Act, 2005. He has also sent the written submissions in this regard, which are taken on record. A copy of the submissions so received from the respondent is **also being sent** to the appellant along with this order.

4. After going through the submissions, the Commission accepted the same. However, the Commission directs the respondent-Public Information Officer to provide the information sought once the enquiry is completed. Therefore, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

sd

Dated:11.5.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Dilbagh Chand, S/o Sh. Ramji Dass,
Village Hiyatpur, PO Habowal,
Tehsil Samrala, Distt. Ludhiana.
(M: 943267669).

.... Appellant.

Vs.

Public Information Officer,
O/o Chief Minister,
Civil Secretariat, PB.,
Chandigarh.

First Appellate Authority,
O/o Chief Minister,
Civil Secretariat, PB.,
Chandigarh.

.... Respondents.

Appeal Case No. 1009/2022

(Video Conference/ Telephone Proceedings)

Present:- Sh. Dilbag Chand, appellant through cisco webex.
Sh. Himanshu Hans, in person 9814808343 on behalf of the respondents.

ORDER

The RTI application is dated 22.11.2021 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 12.2.2022 and second appeal was filed in the Commission on 25.2.2022 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 has sought the following information:-

ਮੇਰੇ ਵੱਲੋਂ ਦਿੱਤੀਆਂ ਦਰਖਾਸਤਾ ਮਿੱਤੀ 4.10.2021 ਰਸੀਦ ਨੰ: RP905553008IN ਅਤੇ ਮਿੱਤੀ 18.10.2021 ਰਸੀਦ ਨੰ: RP905550110IN ਮਾਨਯੋਗ ਮੁੱਖ ਮੰਤਰੀ ਪੰਜਾਬ ਵੱਲੋਂ ਕੀਤੀ ਕਾਰਵਾਈ ਦੀ ਟੈਸਟਿਡ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ।

3. The appellant has sought the information from the Chief Minister's Office and the Chief Minister's Office specifically replied that the letters of the appellant has already been sent to the Financial Commissioner (Revenue) and Financial Commissioner, Rural Development & Panchayats Punjab. Also the representative of the respondents office of the Financial Commissioner (Revenue) submitted the reply

Contd..p/2

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Appeal Case No. 1009/2022

-2-

that the complaint of the appellant has already been sent to the Deputy Commissioner, Ludhiana for enquiry which has not been received so far. The submissions so received from the respondent is **being sent** to the appellant along with this order.

4. Since the appellant has sought the action taken on the complaint, filed by him, to the Chief Minister and the said office has already supplied the status of the same. Therefore, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

SD

Dated:11.5.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.