

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Sh. Gulzar Singh S/o Sh. Gain Singh, 9888612907
R/o House No. 156-157, Street No.-11,
New Sarpanch Colony, Jamalpur,
Tehsil Mudian Kalan,
District Ludhiana. 141015

.....Complainant

Vs

Public Information Officer,
O/o Addl. Deputy Commissioner (D),
Administration Complex, Ludhiana.

.....Respondent

Complaint Case No. 124 of 2020
(Video Conference Proceeding).

Present:- Shri Gulzar Singh, complainant.
Shri Manoj Kumar, Clerk (M 7814650500) on behalf of the respondent-PIO.

ORDER

This order may be read with reference to order dated 5.3.2020 vide which respondent PIO was directed to supply the information after collecting it from the office of the Sub Divisional Magistrate before the next date of hearing i.e., 20.3.2020. This case was not heard on this day and was adjourned to 1.4.2020 due to administrative reasons and further adjourned to 11.6.2020 due to Covid-19, Pandemic.

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

3. The representative of the respondents states that concerned dealing hand Sh. Manjit Singh is on leave today and he does not have the R.T.I. application of the complainant. However, the complainant has handed over the two RTI applications to the representative of the respondents- Shri Manoj Kumar during the course of hearing, who assured to provide the information before the next date of hearing positively.

4. After hearing the parties, the representative of the respondents is directed to take the photocopies of the R.T.I. application from the complainant and to supply the information to the complainant after collecting from the office of the Sub Divisional Magistrate before next date of hearing failing which punitive action will be initiated on next date of hearing.

5. To come up on 16.7.2020 at 11.30 A.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Tarsem Lal,
Mohalla cool wala,
House No. S/15719, Ward No.48,
Near Ex-Foji Tilak Raj,
VPO: Sarna -145025
District- Pathankot.

.....Appellant

Vs

Public Information Officer,
O/o Seva Kendra, Deputy Commissioner,
Administration Complex, Ludhiana.

First Appellate Authority,
O/o Seva Kendra, Deputy Commissioner,
Administration Complex, Ludhiana.

..... Respondents

Appeal Case No. 511 of 2020

(Video Conference Proceeding)

Present:- None on behalf of the appellant.
Shri Gurpreet Singh, APIO (9530903133) on behalf of the respondents.

ORDER

This order may be read with the reference to the previous order dated 5.3.2020 vide which the appellant was advised to send the justification for seeking similar information in two cases and establish larger public interest involved in it before the next date of hearing i.e. 20.3.2020, failing which the case will be decided on merit. This case could not be heard and was adjourned to 1.4.2020 due to administrative reasons and further adjourned to 11.6.2020 due to Covid-19 Pandemic.

1. The appellant is absent today. However, an email dated 11.6.2020 has been received from him that he is unable to attend today's hearing due to health issues. He requests the Commission through his email that V.C. should be fixed in the office of the Deputy Commissioner Pathankot.

2. The representative of the respondents states that the appellant has sought the third party information and cannot be provided. He reiterates his statement given in the previous hearing.

3. After hearing the respondents and going through the case file, it is revealed that he has sought the same information in two different cases i.e. the instant case and Appeal Case No. 540 of 2020. As per the last order dated 5.3.2020, the appellant was advised to send justification for seeking similar information in two cases and establish larger public interest involved in it. But neither any clarification nor any justification has been received in the Commission except for adjournment of the case. To facilitate the appellant, the office of the Commission tried to contact the appellant on phone so that the case can be heard through Cisco Webex for which the appellant agrees to. But later on the office tried many times to contact him on phone but he switched off the phone. Accordingly, non adherence to the orders of the Commission, it appears that he is not interested to pursue the case. Hence, the case is disposed of and closed. However, a liberty is granted to the appellant to approach the Commission within 15 days from the issue of this order by filing the justification and establish the larger public interest for the consideration of the Commission.

Dated: 11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. G.S. Dhaliwal, Advocate (M9814179164)
#2379, Sector 23-C,
Chandigarh,

..Appellant

Vs

Public Information Officer,
o/o Deputy Commissioner,
Administration Complex,
Ludhiana

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

..Respondents

Appeal Case No. 571 of 2020

(Video Conference Proceedings)

Present :-

Sh. G.S. Dhaliwal, advocate at Chandigarh.

Sh. Aman Preet Singh, Reader to Tehsildar, Ludhiana (West) on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 18.3.2020 vide which the respondents were directed to give undertaking/ affidavit to the appellant under intimation to the Commission regarding non availability of information in respect of point no. 4, 5 and 6 of the RTI application in their office. The case was adjourned to 8.4.2020 but could not be heard due to Covid-19 Pandemic and further adjourned to 11.6.2020.

1. The appellant states that he has received information regarding point no. 1. Incomplete information has been provided in respect of point no. 2, 3 and 7 and no undertaking/affidavit from the respondents has been given regarding point no. 4, 5, and 6 of his RTI application.

2. The representative of the respondents states that due to Covid 19 pandemic, undertaking/affidavit could not be submitted. He further states that the copy of Sub Divisional Magistrate, letter bearing No. 2561 dated 29.10.2018 as sought by the appellant, has been supplied. He further states that the dispatch number 2561 has been placed on the application of the appellant i.e. the information pertaining to point no.1 of the RTI application and respondents have no other letter bearing this number. Regarding point no. 3, he states that Tehsildar report is based on the Patwari's report which has also been supplied. However, the appellant agrees with the submissions of the respondents and states that he has received parwari's report without annexures and requests for the same.

3. With regard to Point No. 4, 5 & 6, the respondents have submitted their reply to the Commission vide endorsement No. 38/RTI dated 16.3.2020 as follows:-

“Point No. 4 – ਕਾਪੀ ਉਪਲਬਧ ਨਹੀਂ ਹੈ।

Point No. 5 – ਖੱਤਰ ਦੀ ਕਾਪੀ ਉਪਲਬਧ ਨਹੀਂ ਹੈ, ਰਾਟ ਨੰ: 189 ਮਿਤੀ 31/10/2012 ਦੀ ਕਾਪੀ ਨਾਲ ਨੱਥੀ ਹੈ।

Point No. 6 - ਕਾਪੀ ਉਪਲਬਧ ਨਹੀਂ ਹੈ।

The representative of the respondents states that whatever information was available in the office regarding Point No. 4, 5 & 6 has been supplied to the appellant and there is no other information available in the office pertaining to these points of the RTI application.

4. The Commission accepts the reply given by the respondents in Point No. 4, 5 and 6 of the RTI application as stated above. After hearing the parties and going through the record of the case file, the respondents are directed to give in writing in respect of point no. 2 that the letter no. 2561 dated 29.10.2018 is an endorsement letter received from the office of the Sub Divisional Magistrate, and there is no other letter bearing this number. Respondents are also directed to supply the annexures of the Patwari's report submitted to Tehsildar in respect of point no. 3. Regarding Point No. 7 it is ascertained that the appellant has sought the information in question form, the same cannot be supplied by the respondents to the appellant.

5. With these directions, this case is adjourned to 17.6.2020 at 11.00A.M. to be heard through Video Conference Facility in the office of the Deputy Commissioner, Ludhiana.

Dated: 11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Tarsem Lal S/o Sh. Karam Chand,
R/o House No. 482, Street No. 5,
Vishnu Nagar, Rahon Road,
Ludhiana.

Vs

Public Information Officer,
O/o District Revenue Officer,
Mini Secretariat,
Ludhiana.

.....Appellant

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

-----Respondents

Appeal Case No. 4441 of 2019

(Video Conference Proceeding)

Present:- Shri Tarsem Lal, appellant.
Shri Gurmit Singh Mann, Tehsildar on behalf of the respondents.

ORDER

This order may be read with reference to the order dated 4.3.2020 vide which the respondent-PIO Sh. Gurmit Singh, Mann, Tehsildar Ludhiana (East), Ludhiana was directed to pay an amount of Rs 5000/- via demand draft drawn through Government Treasury as Compensation to the appellant for the loss and detriment suffered by him due to non supply of information in time. The Public Information Officer was also directed to send the compliance report to the Commission and also submit the proof of having compensated the appellant. In addition, the Public Information Officer was also directed to supply the information pertaining to point no. 1 to 4 before the next date of hearing i.e, 20.3.2020. This case was not heard on this day and was adjourned to 1.4.2020 due to administrative reasons and further adjourned to 11.6.2020 due to Covid-19 Pandemic.

1 The appellant states that he has received the information but he has not received the compensation amount of Rs 5000/- awarded during the hearing dated 4.3.2020.

2 The respondent-Public Information Officer, Shri Gurmit Singh Mann states that he has supplied the complete information as soon as he came to know about the RTI application of the appellant. He further states that the concerned official to whom the work of RTI matter was entrusted, did not put up the RTI application to him due to which he could not appear in the hearings held by the Commission. He further tenders unconditional apology for any lapse or misunderstanding in the facts and circumstances mentioned above and requests to recall the compensation awarded to the appellant.

3 After hearing the parties and going through the record of case file, it is revealed that the complete information has been supplied to the appellant. In view of the submissions of the respondent-Public Information Officer, a lenient view is taken and the compensation imposed on the respondent-Public Information Officer in the hearing dated 4.3.2020 is hereby, withdrawn with a warning to be careful in the future while dealing with the RTI application. No further action is left in this case, hence, this case is disposed of and closed.

Dated: 11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Tarsem Lal S/o Sh. Karam Chand,
R/o House No.482, Street No. 5,
Vishnu Nagar, Rahon Road,
Ludhiana.

.....Appellant

Vs

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

First Appellate Authority,
O/o Commissioner,
Patiala Division,
Patiala.

.....Respondents

Appeal Case No. 4635 of 2019
(Video Conference Proceeding)

Present:- Shri Tarsem Lal, appellant.
Ms. Rajni Bala, Senior Assistant alongwith Shri Ranjit Singh, NSK-1 o/o Sadar
Kanugo, Ludhiana and Shri Ranbir Singh, Senior Assistant o/o Deputy
Commissioner, Ludhiana on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 17.3.2020 vide which the information regarding point no. 2 of the RTI application was supplied to the appellant and he was advised to peruse the same and revert back to the authorities in case of deficiencies, in the information, so supplied to him. The case was adjourned to 1.4.2020 but could not be heard due to Covid-19 Pandemic and was further adjourned to 11.6.2020.

1. The appellant states that he has received the information pertaining to point no. 2 of his RTI application and he is satisfied with the same. He further states that he has not received the information pertaining to point no. 1 of his RTI application wherein he has sought the information regarding the present status and action taken report of his complaint dated 26.7.2019 against the Patwari of village Gahilewal.

2. The representative of the respondent states that the information pertaining to point no. 1 of the RTI application has been supplied vide letter no. 17 dated 20.2.20 issued by the Public Information Officer-cum-Tehsildar, Ludhiana (East), addressed to the Commission with a copy to the appellant and the appellant agrees with the submissions of the respondents.

3. After hearing the parties and going through the record of the case file, it is revealed that the status and action taken report has been intimated to the appellant vide letter no. 17 dated 20.2.2020 which remains pending. Since the complete information has been supplied by the respondents, no further cause of action is left in this case, hence, the case is disposed of and closed.

Dated:11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Iqbal Singh Rasulpur, 8872200515

V.P.O. Rasulpur, Tehsil Jagraon,

Distt. Ludhiana

Appellant

Vs

Public Information Officer,

o/o Chief Secretary, Punjab Civil Secretariat, Sector 1,

Chandigarh.

Public Information Officer,

Additional Chief Secretary to Govt. of Pb.

Home Affairs and Justice, Punjab.

Punjab Civil Secretariat,

Chandigarh.

First Appellate Authority,

o/o Chief Secretary, Punjab,

Punjab Civil Secretariat,

Chandigarh.

Appeal Case No. 812 of 2020

Present: None on behalf of the appellant.

None On behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 19.3.2020 vide which the Public Information Officer o/o Additional Chief Secretary, Department of Home Affairs and Justice was impleaded as a necessary party in this case and further directed to file response with regard to the RTI application filed by the appellant before the next date of hearing i.e., 4.5.2020. This case could not be heard on 4.5.2020 due to Covid-19 Pandemic and was adjourned to 11.6.2020.

1. Both the parties are absent today.

2. After going through the record in the case file, no information has been supplied till date. Respondents are directed to supply the information sought by the appellant before the next date of hearing and remain present during the next date of hearing failing which the punitive action will be initiated on the next date of hearing.

3. To come up on 16.7.2020 at 11.30 A.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC:

Additional Chief Secretary to Govt. of Pb. (By name)

Home Affairs and Justice, Punjab,

Punjab Civil Secretariat,

Chandigarh.

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Sh. Balwinder Singh Kaler S/o Sh. Sardara Singh,
R/o Village Amargarh Kaler, (98728-04926)
Tehsil Jagraon,
District Ludhiana.

.....Appellant

Vs

Public Information Officer,
Panchayat Secretary,
O/o Block Development & Panchayat Officer,
Block -Jagraon, Distrcit Ludhiana.

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

.....Respondent

Appeal Case No. 4410 of 2019
(Video Conference Proceeding)

Present:- Shri Balwinder Singh, appellant at Chandigarh.
Shri Kulwinder Singh, GRS (M 7837246005)on behalf of the respondents.

ORDER

This order may be read with reference to the order dated 4.3.2020 vide which the appellant was directed to contact Sh. Kulwinder Singh, GRS for the information regarding MANREGA and after getting it, revert back to the authorities, in case of any deficiencies within 7 days from the receipt of the information. On the other hand, the respondents were directed to remove the deficiency on receipt of the same from the appellant before the next date of hearing i.e., on 20.3.2020. Due to administrative reasons the hearing was adjourned to 1.4.2020 and further adjourned to 11.6.2020 due to Covid-19 Pandemic.

1. The appellant states that he has sought the information on 11 points pertaining to the Gram Panchayat village Amargarh Kaler, Tehsil Jagroan for the period of July 2013 to July 2018. He further states that the photocopies of cash book have been provided but without attestation and also no details of the grant have been provided. Similarly, other information supplied by them is incomplete and not attested. In addition to it, he also states that the bank passbook/statement has not been provided. With regard to the information related to the MANREGA, he states that the respondents have also not provided the same.

2. The respondent states that the photocopies of 180 pages of cash book have been provided to the appellant which has item wise record of the information sought by the appellant. He further states that bank statement along with 136 pages of resolutions have also been provided to the appellant.

3. After hearing both the parties, the respondents are directed to bring one another copy of the information sought by the appellant as per his RTI application on the next date of hearing. Both the parties are advised to remain present at Chandigarh.

4. To come up on 2.7.2020 at 11.30 A.M. at Chandigarh.

Dated: 11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Gagandeep Singh Threake,

R/o SCO -26, (97804-00680)

Shant Park, Main Sua Road, Threeka,

District –Ludhiana.

.....Appellant

Vs

Public Information Officer,

O/o Tehsildar, (West),

District -Ludhiana.

First Appellate Authority,

O/o District Revenue Officer,

Mini Secretariat, Ludhiana.

..... Respondents

Appeal Case No. 496 of 2020

(Video Conference Proceeding)

Present:- Shri Gagandeep Singh Thareeke appellant.

Shri Amanpreet Singh, Reader to Tehsildar (West), Ludhiana on behalf of the respondents.

ORDER

This order may be read with reference to the order dated 5.3.2020. vide which the assurance was given by the appellant to supply the appeal case no. in which he has sought similar information before the next date of hearing i.e., on 20.3.2020 and was postponed to 1.4.2020 due to administrative reasons. Again the case could not be heard due to Covid 19 pandemic and was adjourned to 11.6.2020.

1. An email dated 10.6.2020 sent by the appellant has been received in the Commission. He has attached a copy of the order of appeal case no. 4433 of 2019 dated 12.3.2020 passed by Hon'ble Sh. Khuswant Singh State Information Commissioner, Punjab in a similar information sought from PIO o/o Glada, Ludhiana, which is taken on record. He states that he has sought the information of 4 points in respect of colony and colonizer of village Dhandra-1 and sought about the existence of khewat no., khasra no. etc. given in his RTI application dated 9.10.2019 from the respondent PIO. He further states that it is in the public interest but Tehsildar, Ludhiana is not providing the sought information.

2. The representative of the respondents states that the information has been supplied to the appellant vide there letter no.197 dated 25.10.2019 and the appellant has not given the Wasika number in respect of the khasra no. etc. provided in the RTI application. He further states that in the absence of Wasika number it is not possible for the office to supply the information.

3. After hearing the parties and in view of judgment of Sh. Khushwant Singh State Information Commissioner, Punjab in appeal case no. 4433 of 2019, in a similar case, I hereby, reserve my verdict in this appeal case and will be pronounced in due course of time.

Dated: 11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Amrinder Singh Sidhu,
r/o H.No.2, Street No.19,
Shaheed Bhagat Singh Nagar,
Near Leon House, Dhandra Road,
Ludhiana.

.....Appellant
Vs

Public Information Officer,
O/o District Development and Panchayats Officer,
Ludhiana.

FAA-o/o District Development and Panchayats Officer,
Ludhiana..

.....Respondents

Appeal Case No. 99 of 2019

(Video Conference Proceedings)

Present:- None on behalf of the appellant.
Shri Gurjant Singh, Panchayat Secretary(M 78146 50500)on behalf of the
respondents.

ORDER

This order may be read with reference to order dated 11.3.2020 vide which the appellant was advised to inspect the record and respondents were directed to supply photocopies up to 150 pages to the appellant after the identification of the record and the case was adjourned to 27.3.2020. This case could not be heard and was adjourned to 11.6.2020 due to Covid-19, Pandemic.

1. The appellant is absent without intimation to the Commission today i.e. 11.6.2020 and during the previous hearings on 24.1.2020, 10.2.2020 and 11.3.2020.
2. The representative of the respondents states that the appellant is neither inspecting the record nor attending the hearings in this case. He requests for the closure of the case.
3. After hearing the representative of the respondents and gone through the record of the case file, it appears that the appellant is not interested in pursuing the case as neither he is inspecting the official record nor attending the hearings in this case. Hence, the case is disposed of and closed. Even though, he is given a liberty to approach the Commission within 15 days from the issue of this order.

Dated: 11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Sukhwinder Singh o/o Secretary, (94656-50001)

Office Parents Association,

Machhiwara, District Ludhiana.

.....Appellant

Vs

Public Information Officer,

O/o Block Development & Panchayat Officer,

Block – Samrala, District- Ludhiana.

First Appellate Authority,

O/o District Development & Panchayat Officer,

Mini Secretariat, Ludhiana.

..... Respondents

Appeal Case No. 355 of 2020

(Video Conference Proceeding)

Present:- None on behalf of the appellant.

Shri Lakhbir Singh, SDO, on behalf of the respondents.

ORDER

This order may be read with the reference of previous order dated 13.3.2020 vide which the respondents were directed to provide the information regarding point at serial no. 1 and 2, if available in their record otherwise give in writing that sought information is not available in their record before the next date of hearing 31.3.2020. This case was adjourned to 11.6.2020 due to Covid-19 Pandemic.

1. The appellant is absent without intimation to the Commission.
2. The representative of the respondents states that information regarding point no. 3 has been given and point no. 4 relates with Manrega and the same is available on the website www.nrega.nic.in. He further states that the information pertaining to point no. 1 and 2 is available and will be supplied before the next date of hearing.
3. Since the assurance has been given by the respondents to supply the information before the next date of hearing, accordingly they are directed to supply the information pertaining to point no. 1 and 2 before the next date of hearing, failing which punitive action will be initiated.
4. To come up on 16.7.2020 at 11.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 11.6.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.