

PUNJAB STATE INFORMATION COMMISSION

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

Tel. No.0172-2864100-01, Fax No.0172-2864110

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Shri Ram Kumar
s/o Shri Chanan Ram,
r/o Near Andarla Dera,
Tappa District Barnala.

.....Complainant
Vs

Public Information Officer
o/o Senior Superintendent of Police,
Barnala.

Public Information Officer
o/o Station House Officer,
Police Station, Tappa, Distt. Barnala.Respondents.

Complaint Case No. 1231 of 2018

Present:- Shri Ram Kumar, complainant, in person.

Shri Prem Masih, Assistant Sub Inspector alongwith Ms. Sunita Guleria,
Senior Assistant on behalf of the respondent.

ORDER

The RTI application is dated 26.07.2018 vide which the complainant has sought information as enumerated in his RTI application and complaint case was filed in the Commission on 30.11.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The complainant says that an FIR was registered on 18.11.2007 for evacuation of plot, but no action has been taken by the police till date. For expediting the action against the culprits, he has sent his application for seeking information from the o/o Chief Minister, Punjab, Chandigarh.
4. The respondents have sent letter dated 23.01.2019, the contents of which are reproduced below:-

ਇਸ ਸੰਬੰਧੀ ਦਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਸ੍ਰੀ ਰਾਮ ਕੁਮਾਰ ਬਾਂਸਲ ਵਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਅਧੀਨ

Contd.....p/2.

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ਪੱਤਰ ਮਿਤੀ 26.07.18 ਰਾਹੀਂ ਮੁਖ ਮੰਤਰੀ ਦਫ਼ਤਰ ਨੂੰ ਪਹਿਲਾਂ ਭੇਜੇ ਗਏ ਪੱਤਰਾਂ ਤੇ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਦੀ ਸੂਚਨਾ ਮੰਗੀ ਗਈ ਸੀ। ਜਿਸ ਸੰਬੰਧੀ ਪ੍ਰਾਰਥੀ ਨੂੰ ਸਮੇਂ ਸਿਰ ਮੁੱਖ ਮੰਤਰੀ ਦਫ਼ਤਰ ਦੇ ਜਨਰਲ ਸ਼ਾਖਾ ਦੇ ਮੀਮੋ ਨੰ:2/249/18/ਮੁ.ਮ.ਦ./ਜੀ.ਏ.3-1289291/1, ਮਿਤੀ 03.08.18 (ਕਾਪੀ ਨੱਕੀ ਹੈ) ਰਾਹੀਂ ਸੂਚਿਤ ਕਰਦੇ ਹੋਏ ਲਿਖਿਆ ਸੀ ਕਿ ਆਪ ਵਲੋਂ ਭੇਜੇ ਪੱਤਰ ਮਿਤੀ 8.1.18, 16.2.18, 3.7.18 ਦਾ ਸੰਬੰਧ ਗ੍ਰਹਿ ਵਿਭਾਗ ਨਾਲ ਹੋਣ ਕਰਕੇ ਉਹ ਪੱਤਰ ਮੂਲ ਰੂਪ ਵਿਚ ਅਗਲੇਰੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਲਈ ਇਸਬ ਦਫ਼ਤਰ ਦੇ ਡਾਇਰੀ ਨੰ: ਈ-1873 ਮਿਤੀ 18.ਭ1.18, ਈ-7115 ਮਿਤੀ 12.3.18 ਅਤੇ ਡਾਇਰੀ ਨੰ: 21176 ਮਿਤੀ 25.7.18 ਰਾਹੀਂ ਵਧੀਕ ਮੁਖ ਸਕੱਤਰ ਗ੍ਰਹਿ ਮਾਮਲੇ, ਨਿਆਂ ਤੇ ਜੇਨ੍ਹਾਂ ਵਿਭਾਗ ਨੂੰ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਹਿਤ ਭੇਜ ਦਿਤੇ ਗਏ ਹਨ ਤੇ ਉਤਾਰੇ ਪ੍ਰਾਰਥੀ ਨੂੰ ਵੀ ਦਫ਼ਤਰ ਦੇ ਪਿ:ਅ:ਨੰ: 7/46/2017/ਮੁ.ਮ.ਦ./ਜੀ.ਏ.3/1873/1 ਮਿਤੀ 18.1.18, ਪਿ:ਅ:ਨੰ: 7/46/2017/ਮੁ.ਮ.ਦ./ਜੀ.ਏ.3/7115/1 ਮਿਤੀ 12.3.18, ਪਿ:ਅ:ਨੰ: 7/46/2017/ਮੁ.ਮ.ਦ./ਜੀ.ਏ.3/21176/1 ਮਿਤੀ 25.7.18 ਸੂਚਨਾ ਹਿਤ ਭੇਜ ਦਿਤੇ ਗਏ ਸਨ।

ਇਸ ਉਪਰੰਤ ਪ੍ਰਾਰਥੀ ਨੇ ਪੱਤਰ ਮਿਤੀ 31.08.18 ਰਾਹੀਂ ਇਹ ਲਿਖਿਆ ਸੀ ਕਿ ਜੋ ਆਰ.ਟੀ.ਆਈ. ਅਧੀਨ ਪੱਤਰ ਮਿਤੀ 26.07.18 ਨੂੰ ਪਾਇਆ ਸੀ ਦੀ ਮਿਆਲ ਲੰਘਣ ਤੇ ਵੀ ਜਵਾਬ ਪ੍ਰਾਪਤ ਨਹੀਂ ਆਇਆ। ਆਰ.ਟੀ.ਆਈ. ਦਾ ਜਵਾਬ ਦਿਵਾਇਆ ਜਾਵੇ। ਇਸ ਸੰਬੰਧੀ ਦਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਹ ਪੱਤਰ ਵੀ ਪ੍ਰਹਿ ਮਾਮਲੇ ਤੇ ਨਿਆਂ ਵਿਭਾਗ ਨੂੰ ਮੁਖ ਮੰਤਰੀ ਦਫ਼ਤਰ ਜਨਰਲ ਸ਼ਾਖਾ ਦੇ ਅੰ:ਵਿ:ਪ: ਨੰ: ਪਿ:ਅ:ਨੰ: 7/249/2018/ਮੁ.ਮ.ਦ./ਜੀ.ਏ.3/1315926 /2 ਮਿਤੀ 12.09.18 ਰਾਹੀਂ ਪਿ:ਅ:ਨੰ: 7/249/2017/ਮੁ.ਮ.ਦ./ਜੀ.ਏ.3/1289291/2 ਮਿਤੀ 03.09.18 ਰਾਹੀਂ ਸੂਚਿਤ ਕਰਦੇ ਲਿਖਿਆ ਸੀ ਕਿ ਸੂਚਨਾ ਸੰਬੰਧਤ ਵਿਭਾਗ ਵਲੋਂ ਹੀ ਮੁਹਈਆ ਕਰਵਾਈ ਜਾਣ ਹੈ ਇਸ ਲਈ ਲੋੜੀਂਦੀ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਨਾਲ ਅਗਲਾ ਪੱਤਰ ਵਿਹਾਰ ਸਿਧੇ ਤੌਰ ਤੇ ਸੰਬੰਧਤ ਵਿਭਾਗ ਦੀ ਪਬਲਿਕ ਅਥਾਰਟੀ/ਲੋਕ ਸੂਚਨਾ ਅਫ਼ਸਰ ਨਾਲ ਕਰਨ ਦੀ ਖੇਚਲ ਕੀਤੀ ਜਾਵੇ।

ਉਕਤ ਦੇ ਸਨਮੁਖ ਪ੍ਰਾਰਥੀ ਨੂੰ ਮੁਖ ਮੰਤਰੀ ਦੀ ਜਨਰਲ ਸ਼ਾਖਾ ਵਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਦੇ ਉਪਬੰਧਾਂ ਅਨੁਸਾਰ ਸੂਚਨਾ ਮੁਹਈਆ ਕਰਵਾਈ ਜਾ ਚੁਕੀ ਹੈ। ਇਸ ਲਈ ਇਹ ਅਪੀਲ ਖਾਰਜ ਕਰਨ ਦੀ ਖੇਚਲ ਕੀਤੀ ਜਾਵੇ।

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

Contd.....p/3.

the case file, it is revealed that complainant has sent applications to the office of the Chief Minister, Punjab, Chandigarh for pressuring the police to take action on FIR registered on 12.11.2007. His applications were sent to the Additional Chief Secretary to Government of Punjab, Department of Home Affairs, Justice and Jails who has further transferred them to Director General of Police, Punjab, Chandigarh and then to Senior Superintendent of Police, Barnala/Station House Officer, Tappa, District Barnala under Section 6(3) of the Right to Information Act, 2005. PIO/Chief Minister, Punjab, Chandigarh has given information relating to his office. Hence, PIO/Chief Minister of Punjab, Chandigarh is exempted from appearance in this case. Accordingly, the Senior Superintendent of Police, Barnala and Station House Officer, Tappa are impleaded as necessary parties with the direction to bring original record for the perusal of the Commission on the next date of hearing, which is fixed for 26.3.2019.

6. To come up on **26.03.2019** at **11.30 A.M.**

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Rajinder Parsad Mehta
s/o Shri Mansa Ram,
VPO Amroh, District Hoshiarpur.

.....Appellant

Vs

Public Information Officer
o/o Punjab and Haryana High Court,
Chandigarh.

First Appellate Authority
o/o Punjab and Haryana High Court,
Chandigarh.

.....Respondents.

Appeal Case No. 4119 of 2018

Present:- None on behalf of the appellant.

Shri Inder Singh, Joint Registrar (Rules) on behalf of the respondents.

ORDER

Shri R.P. Mehta, appellant, vide an RTI application dated 05.06.2018, addressed to the PIO, sought certain information from PIO/Punjab and Haryana High Court. On receiving no information he filed a case with the Commission vide letter dated 26.11.2018, which was received in the Commission on 30.11.2018 Accordingly a notice of hearing was issued to the concerned parties for today.

2. The appellant is absent but he has sent an application through one Shri Sunil Agnihotri for exemption from appearance and adjournment of the case to next date.

3. The PIO/Punjab and Haryana High Court places a copy of reply on behalf of the respondents, the necessary contents of which are reproduced below:-

1. *That the appellant had sought information regarding punishment awarded under IPC to Government employees of all the Judicial Courts of the State, under the Right to*

Contd.....p/2

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Information Act, 2005 (hereinafter referred as the Act) vide his application dated 5.6.2018 received on 12.06.2018.

2. *That in response to above said application filed by the appellant, vide this Court's letter No.953/PIO/HC dated 3.7.2018, the appellant was intimated that no such specific record is maintained by this Court.*

3. *That the first appeal of the appellant was dismissed vide speaking order dated 2.8.2018 passed by the First Appellant of the Court.*

4. *That when no information is maintained by the public authority or required to be maintained under any rule or regulations, then the question of supply the same does not arise. The PIO is not under obligation to collect or collate such non-available information and then to furnish the same to the appellant. The same issue has been elaborately dealt with by the Hon'ble Supreme Court in the matter of Central Board of Secondary Education and Anr. Vs. Aditya Bandopadhyay & Ors (Civil Appeal NO.6454 of 2011) as follows:-*

"At this juncture, it is necessary to clear some misconceptions about the RTI Act. The RTI Act provides access to all information that is available and existing. This is clear from a combined read of Section 3 and the definitions of Information and 'right to information' under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act

Contd.....p/3

does not cast an obligation upon the public authority, to collect or collate such non available information and then it to an applicant.....'

5. *That the appeal is wholly misconceived and without any merit and, therefore, the same may be dismissed in the interest of justice.*

4. From the perusal of the information, it is clear that information demanded by the information seeker relates to different PIOs. Each of these authorities has also had separate PIOs. Under-section 6(1)(a) a person seeking information has to apply to the concerned public authority. It is not the job of one PIO to collect and thereafter collate this information from different PIOs of different Public Authorities and then supply the same to the appellant. Appellant may note that there is a clear mention in the orders of former CIC in Complaint Case No. 05 of 2010 which is reproduced as under:-

"that this obligation under Section 6 of the Act is to transfer the application to 'that other public authority' and not to public ' authorities'. The expression used in Section 6 is 'authority' and not 'authorities'. Simply put, the PIO is expected to transfer a request which does not relate to him but has nevertheless been received by him, one identifiable authority. He is not expected to transfer such a request if information is held by many or a number of authorities. The rational is that a PIO is not a post office or a coordinator for forwarding requests from information seekers to various departments. Legislature has merely facilitated the information seekers by empowering PIO who inadvertently receives request pertaining to another PIO to forward it to the concerned PIO".

The appellant is seeking information regarding punishment awarded under IPC to Government employees from the Registrar, Punjab & Haryana High Court, Chandigarh.

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No information is maintained by the Hon'ble Punjab and Haryana High Court, Chandigarh. Since there is no information available in the shape, in which it is sought, with Registrar, Hon'ble Punjab and Haryana High Court, Chandigarh and cannot be supplied. Hence the instant case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Vijay Hans,
Advocate,
H.No.31, Satya Niwas,
Silver City, Zirakpur-140603.

.....Appellant

Vs

Public Information Officer
o/o Department of General Administration
(Estt. 4 Branch), Govt. of Punjab,
Chandigarh.

First Appellate Authority
o/o Department of General Administration
(Estt. 4 Branch), Govt. of Punjab,
Chandigarh.

.....Respondents.

Appeal Case No. 4096 of 2018

Present:- None on behalf of the appellant.

Ms. Sawaranjit Kaur, Superintendent-cum-PIO on behalf of the respondents.

ORDER

The RTI application is dated 20.08.2018 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 11.10.2018 and second appeal was filed in the Commission on 28.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. None is present on behalf of the appellant but he has sent an application for adjournment.

Contd.....p/2

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4. The respondent-PIO states that they have sent their reply to the Commission with a copy to the appellant vide their letter dated 1.2.2019, the contents of which are reproduced below:-

ਵਿਸਾ ਅੰਕਿਤ ਅਪੀਲ ਦੇ ਸੰਬੰਧ ਵਿਚ ਪਟੀਸ਼ਨਰ ਸ੍ਰੀ ਵਿਜੈ ਈਸ, ਐਡਵੋਕੇਟ ਵਲੋਂ ਪੰਜਾਬ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਕੋਲ ਅਪੀਲ ਦਾਇਰ ਕੀਤੀ ਹੈ। ਇਸ ਦੇ ਸੰਬੰਧ ਵਿਚ ਦਸਣਯੋਗ ਹੈ ਕਿ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਸਿਵਲ ਅਪੀਲ 22 ਆਫ 2009 ਅਤੇ ਐਸ.ਐਲ.ਪੀ. 27734 ਆਫ 2012 ਵਿਚ ਹੋਏ ਫੈਸਲੇ ਅਨੁਸਾਰ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ 2005 ਅਧੀਨ ਮੰਗੀ ਸੂਚਨਾ ਪਰਸੋਨਲ ਹੋਣ ਕਾਰਣ ਅਤੇ ਲਾਇਬ ਚੰਦ, ਸੀਨੀਅਰ ਸਹਾਇਕ (ਜਿਸ ਸੰਬੰਧੀ ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਸੂਚਨਾ ਮੰਗੀ ਹੈ) ਵਲੋਂ ਆਪਣੇ ਨਾਲ ਸੰਬੰਧਤ ਸੂਚਨਾ ਦੇਣ ਤੋਂ ਦਿਤੀ ਅਸਿਹਮਤੀ ਦੇ ਸਨਮੁਖ ਪਟੀਸ਼ਨਰ ਨੂੰ ਸੂਚਨਾ ਮੁਹਈਆਂ ਨਹੀਂ ਕਰਵਾਈ ਗਈ।

5. After hearing the respondent-PIO and going through the record available on the case file, it is revealed that the appellant has sought personal information of third party, which cannot be provided as per the reference given in letter dated 1.2.2019 of the respondents. The appellant is advised ,if he so desire to get copies of certificates of third party, then file an affidavit mentioning that this information is required in larger public interest. On receipt of the affidavit from the appellant, the respondents are directed to decide whether the information can be shared or not. If the information can be shared, then supply to the appellant or if not then send speaking order to the appellant, before the next date of hearing i.e. 26.03.2019.

6. To come up on **26.03.2019** at **11.30 A.M.**

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Vijay Hans,
Advocate,
H.No.31, Satya Niwas,
Silver City, Zirakpur-140603.

.....Appellant

Vs

Public Information Officer
o/o Department of General Administration
(Estt. 4 Branch), Govt. of Punjab,
Chandigarh.

First Appellate Authority
o/o Department of General Administration
(Estt. 4 Branch), Govt. of Punjab,
Chandigarh.

.....Respondents.

Appeal Case No. 4097 of 2018

Present:- None on behalf of the appellant.

Ms. Sawaranjit Kaur, Superintendent-cum-PIO on behalf of the respondents.

ORDER

The RTI application is dated 20.08.2018 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 11.10.2018 and second appeal was filed in the Commission on 28.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. None is present on behalf of the appellant but he has sent an application for adjournment.

4. The respondent-PIO states that they have sent their reply to the

Contd.....p/2

-2-

Commission with a copy to the appellant vide their letter dated 1.2.2019, the contents of which are reproduced below:-

ਵਿਸਾ ਅੰਕਿਤ ਅਪੀਲ ਦੇ ਸੰਬੰਧ ਵਿਚ ਪਟੀਸ਼ਨਰ ਸ੍ਰੀ ਵਿਜੈ ਹੰਸ, ਐਡਵੋਕੇਟ ਵਲੋਂ ਪੰਜਾਬ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਕੋਲ ਅਪੀਲ ਦਾਇਰ ਕੀਤੀ ਹੈ। ਇਸ ਦੇ ਸੰਬੰਧ ਵਿਚ ਦਸਣਯੋਗ ਹੈ ਕਿ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਦੇ ਸਿਵਲ ਅਪੀਲ 22 ਆਫ 2009 ਅਤੇ ਐਸ.ਐਲ.ਪੀ. 27734 ਆਫ 2012 ਵਿਚ ਹੋਏ ਫੈਸਲੇ ਅਨੁਸਾਰ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ 2005 ਅਧੀਨ ਮੰਗੀ ਸੂਚਨਾ ਪਰਸੋਨਲ ਹੋਣ ਕਾਰਣ ਅਤੇ ਨਾਇਬ ਚੰਦ, ਸੀਨੀਅਰ ਸਹਾਇਕ (ਜਿਸ ਸੰਬੰਧੀ ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਸੂਚਨਾ ਮੰਗੀ ਹੈ) ਵਲੋਂ ਆਪਣੇ ਨਾਲ ਸੰਬੰਧਤ ਸੂਚਨਾ ਦੇਣ ਤੋਂ ਦਿਤੀ ਅਸਿਹਮਤੀ ਦੇ ਸਨਮੁਖ ਪਟੀਸ਼ਨਰ ਨੂੰ ਸੂਚਨਾ ਮੁਹਈਆਂ ਨਹੀਂ ਕਰਵਾਈ ਗਈ।

5. After hearing the respondent-PIO and going through the record available on the case file, it is revealed that the appellant has sought personal information of third party, which cannot be shared as per the reference given in the letter dated 1.2.2019 of the respondent. The appellant is advised, if he so desire to get copies of the property returns of third party, then file an affidavit mentioning that this information is required in larger public interest. The respondents are directed to see whether property returns are available in their office or available on website of the Government. On receipt of the affidavit from the appellant, the respondents are directed to decide whether the information can be shared or not. If the information can be supplied, then supply to the appellant or if not then send speaking order to the appellant, before the next date of hearing i.e. 26.03.2019.

6. To come up on **26.03.2019** at **11.30 A.M.**

Dated : 12.02.2019

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Shri Harnek Singh
s/o Shri Joginder Singh,
Village Gurhe, Tehsil Jagraon,
District Ludhiana.

.....Appellant

Vs

Public Information Officer
Senior Superintendent of Rural
Ludhiana (Rural) at Jagraon.

First Appellate Authority
o/o Deputy Inspector General of Police,
Ludhiana Range, Ludhiana.

.....Respondents.

Appeal Case No. 4089 of 2018

Present:- None on behalf of the appellant.

Shri Ravinder Singh, Head Constable, on behalf of the respondents.

ORDER

The RTI application is dated 24.07.2018 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 17.09.2018 and second appeal was filed in the Commission on 27.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The appellant is absent without intimation.
4. The representative of the respondents files reply in the annotated form, necessary point wise contents are reproduced below:-

1. ਜ਼ਿਮਨੀ ਤਫਤੀਸੀ ਅਫਸਰ ਦੀ ਯਾਦ ਦਸਤ ਡਾਇਰੀ ਹੈ, ਜੋ ਨਹੀਂ ਦਿਤੀ ਜਾ ਸਕਦੀ।

Contd.....p/2

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2. ਇਸ ਮੁਕਦਮਾਂ ਵਿਚ ਤਫਤੀਸੀ ਅਫਸਰ ਵਲੋਂ ਤਫਤੀਸ ਦੌਰਾਨ ਆਪਣਾ ਖੁਦ ਦਾ ਵਹੀਕਲ ਵਰਤਿਆ ਗਿਆ ਹੈ, ਇਸ ਵਿਚ ਪ੍ਰਾਈਵੇਟ ਵਹੀਕਲ ਕਿਰਾਏ ਲੈ ਕੇ ਨਹੀਂ ਵਰਤਿਆ ਗਿਆ।
3. ਮੁਕੱਦਮੇ ਦੀ ਤਫਤੀਸ ਦੌਰਾਨ ਕੋਈ ਵੀ ਪ੍ਰਾਈਵੇਟ ਵਹੀਕਲ ਕਿਰਾਏ ਪਰ ਲੈ ਕੇ ਨਹੀਂ ਵਰਤਿਆ, ਜਿਸ ਦੀ ਕੋ ਮਨਜ਼ੂਰੀ ਲੈਣ ਦੀ ਜ਼ਰੂਰਤ ਹੋਵੇ।
4. ਇਸ ਸੰਬੰਧੀ ਸੂਚਨਾ ਨਹੀਂ ਦਿਤੀ ਜਾ ਸਕਦੀ।
5. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that copy of the reply has not been sent to the appellant. The respondents are directed to send the reply alongwith jimnies to the appellant as early as possible. On receipt of the reply from the respondents, the appellant is advised to go through the same and revert back to the authorities, in case of, deficiencies before the next date of hearing.
6. To come up on **26.03.2019** at **11.30 A.M.**

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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

Tel. No.0172-2864100-01, Fax No.0172-2864110

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Shri Sucha Singh
s/o Shri Rajinder Singh,
VPO Jasraur, Block Chogwan,
Tehsil Ajnala, District Amritsar.

.....Appellant

Vs

Public Information Officer
o/o Block Development and Panchayats Officer,
Chogawan, District Amritsar.

First Appellate Authority
o/o Director Rural Development and Panchayats Department,
Punjab, Sector 62, Mohali.

.....Respondents.

Appeal Case No. 4087 of 2018

Present:- Shri S.M. Bhanot on behalf of the appellant.

None on behalf of the respondents.

ORDER

The RTI application is dated 09.03.2018 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 18.04.2018 and second appeal was filed in the Commission on 27.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The representative of the respondents states that no information has been provided to the appellant by the respondents till date.
4. After hearing the representative of the appellant and going through the record available on the case file, it is revealed that the appellant has sought information

Contd.....p/2

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from the Director Rural Development and Panchayats, Punjab, Mohali, who has forwarded the same to the Deputy Commissioner, Amritsar and then it was further transferred to District Development and Panchayats Officer, Amritsar and then to Block Development and Panchayats Officer, Chogawan, District Amritsar, who is the custodian of the record. The Block Development and Panchayats Officer, Chogawan is impleaded as a necessary party. He is directed to supply the information to the appellant before the next date of hearing.

5. To come up on **26.03.2019** at **11.30 A.M.**

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Darshan Singh Kang
(Anti Corruption Wing),
Samrala, District Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Sub Divisional Magistrate,
Raikot, District Ludhiana.

First Appellate Authority
o/o Sub Divisional Magistrate,
Raikot, District Ludhiana.

.....Respondents.

Appeal Case No. 4083 of 2018

Present:- Shri Darshan Singh Kang, appellant, in person.
None on behalf of the respondents.

ORDER

The RTI application is dated 07.09.2018 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 10.10.2018 and second appeal was filed in the Commission on 27.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The respondents are absent without intimation.
4. After hearing the appellant and going through the record available on the

Contd.....p/2

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case file, it is revealed that complete information has been provided to the appellant by the respondents on 24.01.2019 enclosing the order of the Returning Officer 069 Raikot-cim- Sub Divisional Magistrate, Faridkot for deputing Shri Harpreet Singh, Clerk of Government Senior Secondary School, Bassian (Ludhiana) in the office of Naib Tehsildar, Bassian (Ludhiana). Complete information as asked for by the appellant has been supplied and nothing has been left, which can be supplied to him under the provisions of the RTI Act, 2005. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Balwinder Singh
s/o Shri Kehar Singh,
VPO Ramgarh Sarkara,
Tehsil Payal, District Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Naib Tehsildar, Malaud,
District Ludhiana.

First Appellate Authority
o/o Sub Divisional Magistrate,
Payal, Distt. Ludhiana.

.....Respondents.

Appeal Case No. 4062 of 2018

Present:- Shri Balwinder Singh, appellant, in person.
Ms. Khushwinder Kaur, APIO, on behalf of the respondents.

ORDER

The RTI application is dated 25.10.2016 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 2.12.2016 and second appeal was filed in the Commission on 26.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The appellant has sought information from the respondents regarding chowkidara tax collected by Shri Gurmukh Singh, Chowkidar w.e.f. 2009 to 2016.

Contd.....p/2

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4. The representative of the respondents places on record of the case file their point wise reply to the application of the appellant under the RTI Act, 2005 for seeking information, the necessary contents of which are reproduced below:-

(ਏ) ਪਟਵਾਰੀ ਹਲਕਾ ਰਾਮਗੜ੍ਹ ਸਰਦਾਰਾਂ ਵਲੋਂ ਤਿਆਰ ਕਰਕੇ ਭੇਜੀ ਗਈ ਲਿਸਟ ਦੀ ਕਾਪੀ ਨਾਲ ਸ਼ਾਮਲ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

(ਬੀ) ਆਪ ਵਲੋਂ ਉਪ ਮੰਡਲ ਮੈਜਿਸਟ੍ਰੇਟ, ਪਾਇਲ ਪਾਸ ਦਾਇਰ ਕੀਤੀ ਗਈ ਅਪੀਲ ਦੌਰਾਨ ਸ੍ਰੀ ਗੁਰਮੁਖ ਸਿੰਘ ਨੰਬਰਦਾਰ ਪਿੰਡ ਰਾਮਗੜ੍ਹ ਸਰਦਾਰਾਂ ਵਲੋਂ ਉਨ੍ਹਾਂ ਪਾਸ ਬਿਆਨ ਕਲਮਬੰਦ ਕਰਵਾਇਆ ਗਿਆ ਸੀ ਕਿ ਸਾਲ 2010 ਤੋਂ 2014 ਤਕ ਦਾ ਚੌਕੀਦਾਰਾ ਟੈਕਸ ਸ੍ਰੀ ਚਰਨਜੀਤ ਸਿੰਘ ਅਤੇ ਬਲਦੇਵ ਸਿੰਘ ਨੰਬਰਦਾਰ ਵਲੋਂ ਇਕੱਤਰ ਕੀਤਾ ਗਿਆ ਹੈ, ਜਿਸ ਦੇ ਬਿਆਨਾਂ ਦੀ ਕਾਪੀ ਨਾਲ ਸ਼ਾਮਲ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

ਸ੍ਰੀ ਗੁਰਮੁਖ ਸਿੰਘ ਨੰਬਰਦਾਰ ਪਿੰਡ ਰਾਮਗੜ੍ਹ ਸਰਦਾਰਾਂ ਵਲੋਂ 2000 ਤੋਂ ਹਾੜੀ 2009 ਤਕ ਮੁਬਲਿੰਗ 7800/- ਰੁਪਏ ਚੌਕੀਦਾਰਾ ਟੈਕਸ ਚਲਾਣ ਮਿਤੀ 6.08.2009 ਨੂੰ ਬੈਂਕ ਵਿਚ ਜਮ੍ਹਾਂ ਕਰਵਾਏ ਗਏ ਹਨ, ਜਿਸ ਦੀ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀ ਨਾਲ ਸ਼ਾਮਲ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

ਸ੍ਰੀ ਗੁਰਮੁਖ ਸਿੰਘ ਨੰਬਰਦਾਰ ਪਿੰਡ ਰਾਮਗੜ੍ਹ ਸਰਦਾਰਾਂ ਵਲੋਂ ਹਾੜੀ 2014 ਤੋਂ ਸਾਉਣੀ 2015 ਤਕ ਮੁਬਲਿੰਗ 2325/- ਰੁਪਏ ਚੌਕੀਦਾਰਾ ਟੈਕਸ ਚਲਾਣ ਮਿਤੀ 15.05.2015 ਨੂੰ ਬੈਂਕ ਵਿਚ ਜਮ੍ਹਾਂ ਕਰਵਾਏ ਗਏ ਹਨ, ਜਿਸ ਦੀ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀ ਨਾਲ ਸ਼ਾਮਲ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

-3-

ਸ੍ਰੀ ਗੁਰਮੁਖ ਸਿੰਘ ਨੰਬਰਦਾਰ ਪਿੰਡ ਰਾਮਗੜ੍ਹ ਸਰਦਾਰਾਂ ਵਲੋਂ ਸਾਲ 2015-16 ਤਕ ਮੁਲਬਲਿਗ 1120/- ਰੁਪਏ ਚੌਕੀਦਾਰਾ ਟੈਕਸ ਚਲਾਣ ਮਿਤੀ 18.03.2016 ਨੂੰ ਬੈਂਕ ਵਿਚ ਜਮ੍ਹਾ ਕਰਵਾਏ ਗਏ ਹਨ, ਜਿਸ ਦੀ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀ ਨਾਲ ਸ਼ਾਮਲ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

(ਸੀ) ਉਕਤ ਏ ਅਨੁਸਾਰ ਪਟਵਾਰੀ ਹਲਕਾ ਦੀ ਰਿਪੋਟ ਨਾਲ ਸ਼ਾਮਲ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

5. After hearing both the parties and going through the record available on the case file, it is revealed that appellant is seeking copies of all receipts given to the residents of village by the chowkidars, which is voluminous information. Hence, the appellant is advised to visit respondent's office on any working day and get the copies of the receipts, which he wants, after identification. The respondents are directed to provide the copies of the documents after identification on the spot against the payment under the provisions of RTI Act, 2005. With these observations, the present case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Rakesh Kumar Gupta
#8/237, Jagraon Road,
Mandi Mullanpur, District Ludhiana-141101.Appellant

Vs

Public Information Officer
o/o Inspector General of Police,
NRI & Women Wing, Phase-7,
Mohali.

First Appellate Authority
o/o Inspector General of Police,
NRI & Women Wing, Phase-7,
Mohali.Respondents.

Appeal Case No. 4048 of 2018

Present:- Shri Rakesh Kumar Gupta, appellant, in person.

None on behalf of the respondents.

ORDER

The RTI application is dated 17.03.2018 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 28.04.2018 and second appeal was filed in the Commission on 26.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The respondents vide their letter dated 30.1.2019 placed on the record of

Contd.....p/2

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the case file stating that information has been provided to the appellant on 17.05.2018.

4. The appellant states that he has received 3 pages out of 5 pages on 17.5.2018. He further states that the respondents have not sent any information after filing the second appeal.

5. After hearing the appellant and going through the record available on the case file, it is revealed that partial information has been provided to the appellant. The appellant is advised to send deficiencies in the information so supplied to him on 17.5.2018 as early as possible. On receipt of deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing.

6. To come up on **26.03.2018** at **11.30 A.M.**

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Jasbir Singh,
Village Bholapur Jhabewal,
P.O. Ramgarh, District Ludiana.

.....Appellant

Vs

Public Information Officer
o/o Joint Sub Registrar,
Sub Tehsil Kumkalan, District Ludhiana.

First Appellate Authority
o/o Deputy Commissioner,
Ludhiana.

.....Respondents.

Appeal Case No. 4046 of 2018

Present:- Shri TejinderSingh, advocate, on behalf of the appellant.

Shri Ajay Kumar Bhanot, Reader, on behalf of the respondents.

ORDER

The RTI application is dated 02.07.2018 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 13.08.2018 and second appeal was filed in the Commission on 26.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.

3. The representative of the respondents states that information sought by the appellant vide his above mentioned application has been provided to the appellant on 24.09.2018 stating that no cash register has been maintained w.e.f. January 2010 to

Contd.....p/2

February 2018. He further states that from the year 2018, they have started to maintain the cash register under the provision (vi) of Rule 4(6) of RTI Act, 2005.

4. After hearing both the parties, it is observed that information sought by the appellant has been given to the appellant on 24.09.2018. Hence, the present case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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

Tel. No.0172-2864100-01, Fax No.0172-2864110

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Shri Mahinder Kumar
s/o Shri Mamraj, VPO Amarpura,
Tehsil Abohar, Distt. Fazilika.

.....Appellant

Vs

Public Information Officer
o/o Minister for Rural Development and Panchyati Raj, Punjab,
Chandigarh.

First Appellate Authority
o/o Minister for Rural Development and Panchayati Raj, Punjab,
Chandigarh.

Public Information Officer
o/o Director Rural Development and Panchayats,
Vikas Bhawan, Sector 62, SAS Nagar (Mohali).....Respondents.

Appeal Cases Nos. 1949 & 1950 of 2018

Present:- Shri Mahinder Kumar, appellant, in person through Video Conference.

Ms. Jasvir Kaur, Senior Assistant alongwith Shri Sat Pal, Panchayat
Secretary on behalf of the respondents.

ORDER

In both these cases, Shri Mahinder Kumar, Appellant, vide his RTI applications dated 24.02.2018, addressed to the PIO, sought action taken report on his complaint sent vide registered letter dated 29.1.2018. On receiving no information from the respondents, he filed first appeal with the First Appellate Authority vide application dated 08.04.2018 and subsequently approached the Commission in Second Appeal vide application dated 25.05.2018, which was received in the Commission on 06.06.2018. Accordingly, a notice of hearing was sent to the concerned parties for 25.07.2018, which was further postponed for 03.10.2018 due to Certain Administrative reasons.

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Appeal Cases Nos. 1949 & 1950 of 2018

-2-

2. On 3.10.2018, Shri G.S. Virk, Deputy Director, appearing on behalf of the respondents informed the Commission, vide their letter dated 13.07.2018, that an inquiry into the matter is being conducted against the Sarpanch. The respondent-PIO was directed to send inquiry report on its completion and the case was adjourned to 28.11.2018.

3. On 28.11.2018, the Commission was informed by the respondents that inquiry report has been received from District Development and Panchayats Officer vide their letter dated 22.11.2018 and action is being taken by the office of Director Rural Development and Panchayats, Punjab, Mohali, a copy of which was placed on the record of the case files. The respondents were directed to send a copy of the same to the appellant through registered post and the case was adjourned to 15.01.2019. .

4. On 15.01.2018, it was informed that action has been taken on the complaint of the appellant and information has been sent to him. Accordingly, the appellant was directed to send his observations, if any, to the respondents under intimation to the Commission on the provided information and the case was adjourned to 12.02.2019.

Contd.....p/3

-3-

5. The representative of the respondents places on record copy of letter dated 11.1.2019 sent by District Development and Panchayats Officer, Fazilika, necessary contents of which are reproduced below:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਉਪਰ ਬੇਨਤੀ ਹੈ ਕਿ ਗਰਾਮ ਪੰਚਾਇਤ ਅਮਰਪੁਰਾ ਦੀ ਜੋ ਸ਼ਿਕਾਇਤ ਪ੍ਰਾਪਤ ਹੋਈ ਹੈ, ਇਸ ਸੰਬੰਧੀ ਪੜਤਾਲ ਲਈ ਮਿਤੀ 9.11.2018 ਨੂੰ ਇਸ ਦਫ਼ਤਰ ਵਿਚ ਸਰਪੰਚ, ਪੰਚਾਇਤ ਸਕੱਤਰ ਅਤੇ ਸ਼ਿਕਾਇਤ ਕਰਤਾ ਨੂੰ ਬੁਲਾਇਆ ਗਿਆ। ਪਰੰਤੂ ਸ਼ਿਕਾਇਤ ਕਰਤਾ ਪੜਤਾਲ ਵਿਚ ਹਾਜ਼ਰ ਨਹੀਂ ਆਇਆ। ਉਸ ਉਪਰੰਤ ਨਿਮਨਹਸਤਾਖਰ ਵਲੋਂ ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਅਮਰਪੁਰਾ ਵਿਚ ਜਾ ਕੇ ਸ਼ਿਕਾਇਤ ਵਿਚ ਦਰਜ ਗਲੀਆਂ ਦੀ ਪੜਤਾਲ ਕੀਤੀ ਗਈ ਅਤੇ ਇਸ ਸੰਬੰਧੀ ਸਾਰਾ ਰਿਕਾਰਡ ਪੰਚਾਇਤ ਸਕੱਤਰ ਨੂੰ ਗਰਾਮ ਪੰਚਾਇਤ ਵਿਚ ਬੁਲਾ ਕੇ ਘੋਖ ਕੀਤੀ ਗਈ। ਸ਼ਿਕਾਇਤ ਕਰਤਾ ਵਲੋਂ ਕਿਹਾ ਗਿਆ ਹੈ ਕਿ ਰੂਰਲ ਮਿਸ਼ਨ ਤਹਿਤ ਪੰਚਾਇਤ ਨੂੰ 33-00 ਲੱਖ ਰੁਪਏ ਦਿਤਾ ਗਿਆ ਹੈ। ਗਰਾਮ ਪੰਚਾਇਤ ਅਮਰਪੁਰਾ ਨੂੰ 33 ਲੱਖ ਰੁਪਏ ਦੀ ਗਰਾਂਟ ਰੂਰਪਲ ਮਿਸ਼ਨ ਤਹਿਤ ਸੈਕਸ਼ਨ ਨਹੀਂ ਕੀਤੀ ਗਈ ਸੀ। ਪਰੰਤੂ ਅਸਰ ਵਿਚ ਪੰਚਾਇਤ ਨੂੰ 2474200/- ਰੁਪਏ ਹੀ ਦਿਤੇ ਗਏ ਹਨ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਗਰਾਮ ਪੰਚਾਇਤ ਇਕ ਹੋਰ ਸੈਕਸ਼ਨ ਪੱਤਰ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਜਿਸ ਵਿਚ 4 ਗਲੀਆਂ ਹੋਰ ਦਿਤੀਆਂ ਗਈਆਂ। ਪਰੰਤੂ ਉਸ ਲਈ ਕੋਈ ਵਖਰਾ ਫੰਡ ਉਪਲਬਧ ਨਹੀਂ ਕਰਵਾਇਆ ਗਿਆ। ਗਰਾਮ ਪੰਚਾਇਤ ਵਲੋਂ ਪ੍ਰਾਪਤ ਫੰਡਾਂ ਵਿਚੋਂ ਸੈਕਸ਼ਨ ਪੱਤਰ ਅਨੁਸਾਰ 9 ਗਲੀਆਂ ਬਣਾਈਆਂ ਗਈਆਂ ਹਨ ਇਹ ਠੀਕ ਹੈ ਕਿ ਇਸ ਵਿਚ ਪੁਰਾਣੀਆਂ ਇਟਾਂ ਪੁਟਕੇ ਲਗਾਈਆਂ ਗਈਆਂ ਹਨ ਪਰੰਤੂ ਇਸ ਵਿਚ ਰੂਲਾਂ ਅਨੁਸਾਰ ਪੁਰਾਣੀਆਂ ਇਟਾਂ ਦਾ ਇਸਤੇਮਾਲ ਕੀਤਾ ਗਿਆ ਹੈ ਅਤੇ ਸਭ ਦਾ ਅੰਦਰਾਜ ਐਮ ਬੀ ਵਿਚ ਦਰਜ ਕੀਤਾ ਹੋਇਆ ਹੈ ਅਤੇ ਉਨ੍ਹਾਂ ਦੇ ਸਾਰੇ ਕੰਮਾਂ ਦੇ ਯੂ.ਸੀ. ਸਰਕਾਰ ਨੂੰ ਪਹਿਲਾਂ

Contd.....p/4

Appeal Cases Nos. 1949 & 1950 of 2018

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ਹੀ ਦਿਤੇ ਜਾ ਚੁੱਕੇ ਹਨ। ਇਸ ਵਿਚ ਕੋਈ ਬੇਨਿਯਮੀ ਨਹੀ ਪਾਈ ਗਈ। ਸ਼ਿਕਾਇਤ ਕਰਤਾ ਵਲੋਂ ਦੂਸਰੀ ਸ਼ਿਕਾਇਤ ਕੀਤੀ ਗਈ ਹੈ ਕਿ ਭਰੋਸੇਯੋਗ ਸੂਤਰਾਂ ਅਨੁਸਾਰ ਗਰਾਮ ਪ੍ਰਚਾਇਤ ਵਲੋਂ ਪੰਚਾਇਤੀ ਜਮੀਨ ਤੇ ਪਲਾਟ ਕਟੇ ਗਏ ਹਨ ਅਤੇ ਉਨ੍ਹਾਂ ਵਿਚ ਆਰ.ਡੀ.ਐਫ਼ ਗਰਾਂਟ ਪ੍ਰਾਪਤ ਰਕਮ ਵਾਟਰ ਵਰਕਸ ਦੀਆਂ ਪਾਈਪਾਂ ਪੁਆ ਕੇ ਲੋਕਾਂ ਨੂੰ ਫਾਇਦਾ ਦਿਤਾ ਗਿਆ ਹੈ। ਪੜਤਾਲ ਦੌਰਾਨ ਸਾਰਾ ਰਿਕਾਰਡ ਵੇਖਿਆ ਗਿਆ ਅਤੇ ਪਿੰਡ ਵਿਚ ਜਾ ਕੇ ਵੀ ਪੜਤਾਲ ਕੀਤੀ ਗਈ ਪਰੰਤੂ ਦਿਤੇ ਹੋਏ ਖਸਰਾਂ ਨੰਬਰਾਂ ਵਿਚ ਅਤੇ ਸਰਪੰਚ ਮਾਇਆ ਦੇਵੀ ਦੇ ਸਮੇਂ ਕੋਈ ਵੀ ਅਜਿਹੀ ਕਾਲੋਨੀ ਨਹੀਂ ਦਿਤੀ ਪਾਈ ਗਈ। ਸ਼ਿਕਾਇਤ ਕਰਤਾ ਵਲੋਂ ਦੋਸ਼ ਲਗਾਇਆ ਗਿਆ ਹੈ ਕਿ ਸਰਪੰਚ ਵਲੋਂ ਇਟਾਂ ਉਸ ਦੇ ਰਿਸ਼ਤੇਵਾਰ ਦੇ ਭਠੇ ਜੋ ਕਿ ਰਾਜਸਥਾਨ ਵਿਚ ਹੈ ਉਥੇ ਲਈਆਂ ਗਈਆਂ ਹਨ ਵੀ ਕਿਸੇ ਵੀ ਤਰੀਕੇ ਨਾਲ ਸਿਧ ਨਹੀਂ ਹੁੰਦਾ ਹੈ।

ਉਪਰੋਕਤ ਤੱਥਾਂ ਦੇ ਆਧਾਰ ਤੇ ਪਾਇਆ ਗਿਆ ਕਿ ਸ੍ਰੀ ਮਹਿੰਦਰ ਕੁਮਾਰ ਪੁੱਤਰ ਸ੍ਰੀ ਮਹਾਵੀਰ ਵਲੋਂ ਦਿਤੀ ਸ਼ਿਕਾਇਤ ਬੇ ਬੁਨਿਆਦ ਹੈ ਅਤੇ ਬਿਨ੍ਹਾਂ ਕਿਸੇ ਠੋਕ ਸਬੂਤ ਅਤੇ ਜਾਣਕਾਰੀ ਤੋਂ ਕੀਤੀ ਗਈ ਹੈ, ਜਿਸ ਨੂੰ ਦਫ਼ਤਰ ਦਾਖਲ ਕੀਤੇ ਜਾਣ ਦੀ ਸਿਫਾਰਸ਼ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

6. After hearing both the parties and going through the record available on the case file, it is observed that in pursuance to the order dated 15.01.2019, the appellant has not filed any deficiency to the PIO as well as to the Commission. The respondents have supplied complete information including inquiry report to the appellant on 21.01.2019 through registered post, which might have been received by him. In view of this, it is observed that information as sought by the appellant under the Right to

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Appeal Cases Nos. 1949 & 1950 of 2018

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Information Act, 2005, has been provided to the appellant. If he has any grievance in the matter regarding action be taken by the respondents, he is advised to file complaint against the respondents/Sarpanch/Panchayat with the higher authorities for. With these observations, both the cases are **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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

Tel. No.0172-2864100-01, Fax No.0172-2864110

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Shri Raj Kumar Ghai
s/o Late Shri Banarsi Dass Ghai,
#5912, St. No.14, New Shimlapuri, Daba Road,
Ludhiana.

..... Complainant

Vs

Public Information Officer
o/o Deputy Commissioner,
Ludhiana.

.....Respondent

COMPLAINT CASE No. 1088 of 2018

(Through Video Conference)

Present:- None on behalf of the complainant.

Shri Rahul Dabral, District Technical Coordinator, on behalf of the
respondents.

ORDER

This order may be read with reference to the previous order dated 15.01.2018 vide which the respondent-PIO was directed to send one more copy of their letter dated 26.11.2018 again to the complainant, said to have been already sent to the him, through registered post and the complainant was given last chance to send his observations, if any, on the provided information to the PIO, with a copy to the Commission.

2. The complainant is absent but he has sent an email on 11.02.2019 stating that he is not satisfied with the information/reply given by Joint Deputy Director-cum-PIO o/o Directorate of Governance Reforms, Punjab, Mohali. He further requested that case may be adjourned as he will be out of station to Patiala to attend the court case.

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COMPLAINT CASE No. 1088 of 2018

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3. In compliance to the previous order dated 15.01.2019, the representative of the respondent states that one copy of letter dated 26.11.2018 has been sent to the complainant. After the dispatch of the same, no written observations have been received in their office.

4. After hearing the representative of the respondent and going through the record available on the case file, it is revealed that in response to the previous order dated 15.01.2019 no specific observations have been received in the Commission. One more final opportunity is given to the complainant to send specific deficiencies/observations in the information/reply sent to him on 26.11.2018 as early as possible otherwise the case will be decided on the basis of documents available on the case file. On receipt of the deficiencies from the complainant, the respondent-PIO is directed to remove the same before the next date of hearing, which is fixed for 26.03.2019.

5. To come up on **26.03.2019** at **11.30 A.M.**

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Rattan Lal Gupta
r/o 539/193/36-37, Ganeshpuri Street No.8,m
Shivpuri Road, Near Umeshwar Mahadev Mandir,
Ludhiana.

.....Appellant

Vs

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

First Appellate Authority
o/o Commissioner of Police,
Ludhiana.

.....Respondents.

Appeal Case .No. 3471 of 2018 (Through Video Confernce)

Present:- Shri Rattan Lal Gupta, appellant.

Shri Dev Raj, Inspector, on behalf of the respondents.

ORDER

Shri Rattan Lal Gupta, Appellant, vide an RTI application dated 24.04.2018, addressed to the PIO, sought certain information regarding CR No.664234, dated 22.01.2015.

2. On 28.11.2018, the PIO was directed to send a copy of letter dated 27.11.2018 to the appellant through registered post and the appellant was directed to send observations, if any, in the information supplied to him.

3. On 15.01.2019, the representative of the respondents informed the Commission that no observation has been received in their office from the appellant to the information supplied to him on 27.11.2018.

Contd.....p/2

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4. The representative of the respondents states that they have faxed a copy of letter dated 30.1.2019 to the Assistant Commissioner of Police, CAWDC Cell, Ludhiana directing him to complete inquiry and send inquiry report for providing to the appellant under the provisions of the RTI Act, 2005. He further states that he has also rung to the senior officers of Women Wing of Commissionerate of Police, Ludhiana to know the present status of CR No.664234. On this they have informed that the matter is still under investigation.

5. The respondents are directed to give status of CR No.664234, in writing, to the appellant and finalize the inquiry before the next date of hearing, which is fixed for 26.3.2019.

6. To come up on **26.03.2019** at **11.30 A.M.**

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Naresh Devgan Sharma
Advocate, Chamber No.702/2,
District Courts, Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Commissioner of Police,
Ludhiana.

First Appellate Authority
o/o Commissioner of Police,
Ludhiana.

.....Respondents.

Appeal Case .No. 3877 of 2018 (Through Video Conference Facility)

Present:- Shri Naresh Devgan Sharma, appellant.

Shri Jagtar Singh, Head Constable alongwith Shri Baljit Singh, ASI on behalf of the respondents.

ORDER

Shri Naresh Devgan Sharma, appellant, vide an RTI application dated 15.11.2018, addressed to the PIO, sought certain information under Section 7 of the RTI Act, 2005 regarding FIR No.83, dated 28.02.2017.

2. On 28.11.2018, Shri Harjap Singh, Head Constable, Police Station, Division No.5, Ludhiana sought some more time to enable them to supply the requisite information to the appellant, which was granted to them with the directions to supply complete information after collecting the same from Division No.6 as well as from the office of the Commissioner of Police, Ludhiana.

Contd.....p/2

3. On 15.01.2019, the appellant informed the Commission that the provided information was partial. On his request, the appellant was allowed to inspect the relevant record and get the copies of information/documents, which he desires. The respondents were also directed to supply the copies of the documents identified by him on the spot.

4. The appellant states that he has inspected the record and received information pertaining to his 5 complaints/emails out of 8 complaints/emails sent to the Commissioner of Police, Ludhiana.

5. The respondents are directed to supply the information pertaining to his remaining three complaints, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against them.

6. To come up on **26.03.2019** at **11.30 A.M.** at Chandigarh.

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Naresh Devgan Sharma
Advocate, Chamber No.702/2,
District Courts, Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Commissioner of Police,
Ludhiana.

First Appellate Authority
o/o Commissioner of Police,
Ludhiana.

.....Respondents.

Appeal Case .No. 3878 of 2018

Present:- Shri Naresh Devgan Sharma, appellant.

Shri Baljit Singh, ASI on behalf of the respondents.

ORDER

Shri Naresh Devgan Sharma, appellant, vide an RTI application dated 15.11.2018, addressed to the PIO, sought certain information under Section 7 of the RTI Act, 2005 regarding FIR No. 194/2017, P.S. Division NO.5, FIR No. 25/2017, P.S. Focal Point and FIR No.236/2014, P. S. Division No.5.

2. On 28.11.2018, Shri Harjap Singh, Head Constable, Police Station, Division No.5, Ludhiana sought some time more to enable them to supply the requisite information to the appellant, which was granted with the directions that they would supply complete after collecting the same from the office of the Commissioner of Police, Ludhiana.

Contd.....p/2

Appeal Case .No. 3878 of 2018

3. On 15.01.2019, the appellant informed the Commission that the provided information was incomplete and requested for inspection of the relevant record to identify the specific documents required by him. On his request, the appellant was directed to inspect the relevant record and identify the copies of the documents required by him. The respondents were also directed to allow inspection of the relevant documents from the appellant and supply copies of the document on his identification on the spot.

4. The appellant states that he has inspected the record and received information pertaining to his 3 complaints/emails out of 12 complaints/emails sent to the Commissioner of Police, Ludhiana.

5. The respondents are directed to supply the remaining information relating to his nine complaints/emails, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

6. To come up on **26.03.2019** at **11.30 A.M.** at Chandigarh.

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Rachna Sharma
#1706/12, Street Chhaju Mishar,
Chowk Farid,
Amritsar.

.....Appellant
Vs

Public Information Officer
o/o Deputy Commissioner,
Ludhiana.

FAA-Deputy Commissioner,
Ludhiana.

.....Respondents.

Appeal Case No. 4135 of 2018

Present:- Ms. Rachna Sharma, appellant, in person.

Mr. Lal Sharma, Junior Assistant, on behalf of the respondents. (Through Vedio Conference Facility available in o/o DC, Ludhiana.

ORDER

The RTI application is dated 25.07.2018 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 21.09.2018 and second appeal was filed in the Commission on 3.12.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act).

2. Notice of hearing was issued to the parties for today by the Commission.
3. The appellant states that no information has been provided to her till day by the respondents.

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4. The representative of the respondents states that PIO/Deputy Commissioner, Ludhiana has transferred the application of the appellant for seeking information only on 8.2.2019 under Section 6(3) of the Right to Information Act, 2005 to Tehsildar, Ludhiana (West). He requests that some time may be given to them to provide the information.

5. The request for time the respondents is acceded to with the direction to PIO to provide complete information to the appellant as early as possible to the appellant, who shall revert back to the authorities, in case of deficiencies. On receipt of deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing and appear before the Commission with original record on the next date of hearing, which is fixed for 26.3.2019.

6. To come up on **26.3.2019** at **11.30 A.M.**

Dated : 12.02.2019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab