

PUNJAB STATE INFORMATION COMMISSION

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

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Whatsapp No. 62848-20189



Sh. Jaspal Singh 9815362281

H.No. 1205, Gali No. 8,

Hussainpur,

District Amritsar

....Appellant

Vs

Public Information Officer

o/o Chief Minister, Punjab,

Punjab Civil Secretariat-1, Chandigarh.

First Appellate Authority

o/o Chief Minister, Punjab,

Punjab Civil Secretariat-1, Chandigarh.

Public Information Officer-cum-(By name) **Registered**

Superintendent,

o/o Additional Chief Secretary,

Local Government -1 Branch,

Punjab Municipal Bhawan

Plot No. 3, Sector 35-A,

Chandigarh.

....Respondents

Appeal Case No. 3647 of 2020

(Video Conference/Telephone Proceedings)

Present:- Sh. Jaspal Singh, appellant on phone.

Sh. Harjeet Singh, Supdt. and Sh. Balwinder Singh, Sr. Asstt 9888662363

9815315500 Local Government 1 Branch, on telephone, on behalf of the

respondents.

ORDER

This order may be read with reference to the previous order dated 4.3.2021.

2. The appellant has sought the following information:-

“ਪੱਤਰ ਨੰ: 5/12/2017 ਮੁ:ਮੰ.ਦ./ਜੀ.ਏ.4/ਈ/4411/1 ਮਿਤੀ 26.12.2019 ਦੇ ਹਾਵਲੇ ਅਨੁਸਾਰ ਸੂਚਨਾਂ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇ।

1. ਉਪਰੋਕਤ ਪੱਤਰ ਅਨੁਸਾਰ ਹੁਣ ਤੱਕ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਵਿਖੇ ਜੋ ਵੀ ਸੂਚਨਾਂ ਉਪਲਬੱਧ ਹੋਈ ਹੈ ਉਸ ਸੂਚਨਾਂ ਦੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀਆਂ ਭੇਜੀਆਂ ਜਾਣ।”

3. The appellant states that no information has been provided by the respondents so far. However, a reference has been received from the respondents bearing No. 379 dated 15.4.2021 written to the Commission with a copy to the appellant, which is taken on record. The representative of the respondents also states that a response has already been sent to the appellant vide letter dated 15.4.2021 and requested to close the case.

4. The response filed by the respondent-Public Information Officer is reproduced below:-

".....ਸ਼ਿਕਾਇਤਕਰਤਾ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਸ਼ਿਕਾਇਤ ਤੇ ਕਾਰਵਾਈ ਕਰਦੇ ਹੋਏ ਸਰਕਾਰ ਵੱਲੋਂ ਦੋਸ਼ੀ ਅਧਿਕਾਰੀ ਸ੍ਰੀ ਸੁਸ਼ਾਂਤ ਭਾਟੀਆਂ, ਸਕੱਤਰ, ਨਗਰ ਨਿਗਮ, ਅੰਮ੍ਰਿਤਸਰ ਨੂੰ ਸਰਕਾਰ ਵੱਲੋਂ ਆਪਦੇ ਹੁਕਮ ਨੰ:

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Appeal Case No. 3647 of 2020

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13/6/2019/5ਸਸ1/1202 ਮਿਤੀ 19.8.2019 ਰਾਹੀਂ ਪੰਜਾਬ ਸਿਵਲ ਸੇਵਾਵਾ (ਸਜਾ ਤੇ ਅਪੀਲ) ਰੂਲਜ਼ 1970 ਦੇ ਨਿਯਮ 8 ਅਧੀਨ ਚਾਰਜਸ਼ੀਟ ਜਾਰੀ ਕੀਤੀ ਗਈ ਹੈ। ਇਸ ਸਮੇਂ ਇਸ ਕੇਸ ਵਿੱਚ ਵਿਸ਼ੇਸ਼ ਮੁੱਖ ਸਕੱਤਰ ਸਥਾਨਕ ਸਰਕਾਰ ਜੀ ਵੱਲੋਂ ਦੋਸ਼ੀ ਅਧਿਕਾਰੀ ਨੂੰ ਮਿਤੀ 8.9.2020 ਨੂੰ ਨਿੱਜੀ ਸੁਣਵਾਈ ਦਾ ਮੌਕਾ ਦੇਣ ਉਪਰੰਤ ਕਮਿਸ਼ਨਰ ਨਗਰ ਨਿਗਮ ਅੰਮ੍ਰਿਤਸਰ ਨੂੰ ਇਸ ਸਬੰਧੀ reconsile & if required take action against him ਕਰਨ ਦੇ ਹੁਕਮ ਕੀਤੇ ਹਨ। ਇਸ ਸਬੰਧੀ ਅਜੇ ਕਮਿਸ਼ਨਰ, ਨਗਰ ਨਿਗਮ, ਅੰਮ੍ਰਿਤਸਰ ਵੱਲੋਂ ਰਿਪੋਰਟ ਸਰਕਾਰ ਨੂੰ ਪ੍ਰਾਪਤ ਨਹੀਂ ਹੋਈ ਹੈ।.."

5. Keeping in view the specific response filed by the respondent-Public Information Officer mentioned above, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

SD/

(Suresh Arora)

Dated: 15.4.2021

Chief Information Commissioner,
Punjab.

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Smt. Kamaldeep Kaur D/o Sh. Pritpal Singh,
VPO - Gumtala,
Opp. Govt. Dispensary,
Ward No 5,
Amritsar. M : 9872139640

..Appellant

Vs

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

Ms. Anayat, PCS
Public Information Officer,
Sub Divisional Magistrate, Amritsar-2
Amritsar.7

REGD

First Appellate Authority
O/o Deputy Commissioner,
Amritsar.

....Respondents

AC No. 2120 of 2020

(Video Conference proceedings)

Present:- Ms Kamaldeep Kaur, appellant.
Sh. Ambrish Kumar, Reader to S.D.M. on behalf of the respondent
9814354074 9779720230.

ORDER

This order may be read with reference to the previous order dated 24.3.2021.

2. The appellant has sought the following information:-

1. ਮਿਤੀ 03/05/2016 ਨੂੰ ਦਿੱਤੀ ਗਈ ਦਰਖਾਸਤ (ਵਾਇਰ ਕੇਸ) ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ । ✓
2. ਕੇਸ ਸਬੰਧੀ ਪਾਰਟੀਆਂ ਨੂੰ ਕੱਢੇ ਗਏ ਸਮਨਾਂ ਦੀ ਕਾਪੀ ਅਤੇ ਨਿਕਾਇਤ ਕਰਤਾ ਵੱਲੋਂ ਲਾਏ ਗਏ ਦਸਤਾਵੇਜ਼ਾਂ, ਵਸੀਅਤ ਆਦਿ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ ।
3. ਹਲਕਾ ਪਟਵਾਰੀ ਵੱਲੋਂ ਰਪਟ ਨੰਬਰ 1210 ਮਿਤੀ 13/07/2016 ਮੁਸਤਰੀ ਮੁਨਾਦੀ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ ।
4. ਕੇਸ ਨਾਲ ਸਬੰਧਿਤ ਮਾਲ ਰਿਕਾਰਡ ਤੇ ਗਵਾਹਾਂ ਦੇ ਬਿਆਨਾਂ ਦੀ ਕਾਪੀ ਅਤੇ ਹੋਏ ਟ੍ਰੈਸਲੇ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ ।
5. ਕਮਲਦੀਪ ਕੌਰ ਪੁਤਰੀ ਸ. ਪ੍ਰਿਤਪਾਲ ਸਿੰਘ ਵੱਲੋਂ 26/08/2016 ਕੀਤੀ ਗਈ ਤਬਦੀਲ ਮਲਕੀਅਤ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ।

3. The appellant states that she has received the complete information except the report of the Patwari on the basis of which the Sub Divisional Magistrate, Amritsar-2 has passed the orders on 26.8.2016. However, the representative of the respondents states that the complete information as available on record has already been supplied to the appellant. She also states that the concerned file has also been inspected by the appellant and no report of Patwari is available in the case file. Furthermore, she states that a specific undertaking has also filed by the Public Information Officer-cum-Sub Divisional Magistrate, Amritsar-2 vide No. 253-54 dated 24.3.2021. She also tenders unconditional apologies for

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delay in the matter and requested to withdraw the show cause notice issued to the respondent-Public Information Officer-cum-Sub Divisional Magistrate.

4. After hearing both the parties and going through the facts of the case, the Commission observes that no further directions can be given to the respondent-Public Information Officer as a specific reply regarding the non availability of the Patwari report has already been filed by her. According to the submissions made by the representative of the respondents and the record available in the case file, a show cause notice issued to Ms Anayat, Public Information Officer-cum-Sub Divisional Magistrate is hereby withdrawn. But it has come into the view that the official record is missing from the file as the Sub Divisional Magistrate, Amritsar-2 has passed the orders on the basis of the Patwari report. Therefore, a copy of the order is being **sent** to the Deputy Commissioner, Amritsar along with the orders of the Sub Divisional Magistrate and the report submitted by the Public Information Officer-cum-Sub Divisional Magistrate, Amritsar-2 to get the enquiry conducted in order to fix responsibility regarding missing record/report.

5. Keeping in view the above, the Commission opines that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

SD

Dated: 15.4.2021

(Suresh Arora)

Chief Information Commissioner,
Punjab

Deputy Commissioner(By name) Registered
Amritsar

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S. Jasbir Singh,
Village - Bolapur.
Jhabewal,
PO - Ramgarh,
District - Ludhiana.
M : 9888296107

..Appellant

Vs

Public Information Officer,
O/o Chief Secretary, PB,
Chandigarh.
First Appellate Authority
O/o Chief Secretary, PB,
Chandigarh.

....Respondent(s)

Appeal Case No. 3578/2020
(Video Conference Proceedings)

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 27.8.2020 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 30.9.2020 and second appeal was filed in the Commission on 18.11.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 26.2.2021 but due to administrative reasons the case was adjourned for today i.e. 15.4.2021.

2. The appellant has sought the following information:-

”.....ਦਫਤਰ ਮਾਨਯੋਗ ਪ੍ਰਧਾਨ ਮੰਤਰੀ ਜੀ ਭਾਰਤ ਸਰਕਾਰ ਚੰਡੀਗੜ੍ਹ ਦੇ ਪੱਤਰ ਨੰਬਰ ਮਿੱਤੀ 23/7/2020 ਦੇ ਪੱਤਰ ਨੰ: PMOPG/D/2020/0140201 ਮਿੱਤੀ 23.7.2020 ਵਿੱਚ ਦੱਸਿਆ ਹੈ ਕਿ ਮੇਰੀ ਦਰਖਾਸਤਾਂ ਆਪ ਜੀ ਨੂੰ (ਮੁੱਖ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ, ਚੰਡੀਗੜ੍ਹ) ਭੇਜੀ ਗਈ ਹੈ।

ਮੇਰੀ ਬੇਨਤੀ ਪੱਤਰ (ਦਰਖਾਸਤਾਂ) ਤੇ ਆਪ ਜੀ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਅਤੇ ਦਫਤਰੀ ਨੋਟਿੰਗ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ”

3. A request has been received from the appellant that he wants to withdraw the case. Therefore, the respondents have been informed not to appear in this case.

4. According to the submissions made by the appellant, his request is accepted and the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

SD

(Suresh Arora)

Dated: 15.4.2021

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Punjab.

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Sh. Ashok Kapoor,
8 C, Kitchlu Nagar,
Ludhiana-141001.
M : 9855556210

Appellant

Vs

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

First Appellate Authority
O/o Deputy Commissioner,
Ludhiana.

....Respondents

Appeal Case No. 2407 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- Sh. Ashok Kapoor, appellant.
Sh. Ranjeet Singh, S.K. 7696681960 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 24.3.2021

2. The appellant has sought the following information:-

“Certified copy of complete file and status of report in respect of my complaint against sharanjit Singh Patwari for registration of F.I.R. The relevant letter No. 746 dated 9.11.2017 of Tehsildar (W), Ludhiana addressed to S.D.M. (W), Ludhiana recommending action should be taken against the said Patwari as per Law and relevant rules. (copy of this letter is enclosed herewith for your ready reference). SDM (W), Ludhiana sent copy of this letter to Hon. Deputy Commissioner, Ludhiana (SADAR Kanugoo Branch) under Ref. No. 3784 dated 14.11.2017 and is diarised in SADAR Kanugoo Branch under Ref. No. 3205 dated 17.1.2017. The relative documents submitted with this complaint are with Harbhajan Lal previous reader of Tehsildar (W) Office and Mr. Chetan Khanna reader of SDM (W), Ludhiana. Both these readers had not furnished the relevant papers/documents to SADAR Kanugoo Branch along with this letter.”

3. The representative of the respondents states that the information comprising four pages as available on record has already been supplied to the appellant vide endst.No. 1688 dated 24.3.2021. A copy of the said letter has also been received in the Commission, which is taken on record.

4. Also the appellant states that the respondent-Public Information Officer has not supplied the complete information and the important documents sent by him are missing from the official file of the Deputy Commissioner, Ludhiana. He has also sent the submissions in this regard to the Commission, which are taken on record, and also the relevant portion of the submissions is reproduced below:-

“I have received one letter No. 1687/5k/NSK-1 dated 24.3.2020 from the office of the Deputy Commissioner, District Ludhiana (Sadar Kanugoo Branch) enclosing

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Appeal Case No. 2407 of 2020

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therewith fifteen unnumbered pages including 4 pages of my letter dated 9.6.2014 addressed to Hon'ble Deputy Commissioner, District Ludhiana but without enclosures (Exp 1 to P9) which were enclosed with this letter.

Further copy of letter No. 308-09 dated 18.7.2014 of Tehsildar, Ludhiana (West) addressed to Sharanjit Singh Patwari Ladowal & Ashok Kapoor and the relative proceedings to this effect is not furnished to me.

Moreover my subsequent reminder/complaint to Sub Divisional Magistrate, Ludhiana dated 19th October, 2015 against Sharanjit Singh Patwari alongwith exhibit A to C, P1 to P9 and P10 to P 15 are not supplied.

5. Keeping in view the submissions made by the representative of the respondents that the sought information as available on record has already been supplied but it is a fact being brought to the notice of the Commission by the appellant that the papers as mentioned in para 4 above are missing from the file. Therefore, a copy of the order along with the submissions made by the respondents/appellant is being **sent** to the Deputy Commissioner, Ludhiana to look into the matter and fix responsibility as the official record is said to be missing. Since, a specific reply has been filed by the respondents, therefore, the Commission observes that no further directions can be given to the respondents under the provisions of the RTI Act, 2005. Hence, the case is disposed of and closed.

SD

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated:15.4.2021