

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com



Sh. Dalip Singh S/o Sh. Lachhman Singh,
R/o Village – New Salem Shah, (94173-76444)
Tehsil & District- Fazilka.

.....Appellant

Vs

Public Information Officer
o/o Block Development and Panchayats Officer,
Block Fazilka.
Fazilka

First Appellate Authority
o/o District Development and Panchayats Officer,
Fazilka.

Sh. Paramjit Singh, Registered
Block Development and Panchayats Officer,
Block Fazilka,
Fazilka.

....Respondents

Appeal Case No. 276 of 2020
(Cisco Webex proceedings)

Present:- Sh. Dalip Singh, appellant on phone.
None on behalf of the respondents.

ORDER

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

2. A request has been received from Sh. Santokh Singh Panchayat Secretary 93170 09004 that due to a meeting of the Hon'ble Chief Minister, Punjab, it is not possible for him to attend the hearing so he is allowed. Accordingly, the same has been brought to the notice of the appellant.

3. The appellant states that incomplete information is being supplied by the respondents so far.

4. Viewing the attitude in dealing with the RTI application of the appellant Sh. Paramjit Singh, Block Development and Panchayats Officer Fazilka is thus issued a show cause notice to explain in a self-attested affidavit as to why a compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005 may be awarded.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before awarding the compensation on the next date of hearing. He may take a note that in case he does not file his written reply and do not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

5. One last opportunity is granted to the respondent-Public Information Officer to supply the complete information to the appellant before the next date of hearing under intimation to the Commission failing which the punitive action will be initiated on the next date of hearing.

6. To come up on 17.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Sd/

Dated: 15.10.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Director, (By name)

REGD

Rural Development and Panchayat Department, Punjab,
Vikas Bhawan, Mohali.

District Development and Panchayat Officer,
Mini Secretariat, Fazilka.

REGD.

Block Development and Panchayats Officer,
Fazilka

REGD.

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Sh. Pargat Singh

Village Machhrair Khurd,

Tehsil Amloh,

Fatehgarh Sahib.

....Appellant

Vs

Public Information Officer

o/o Block Development and Panchayats Officer,

Block Amloh,

Fatehgarh Sahib.

First Appellate Authority

o/o District Development and Panchayats Officer,

Mini Secretariat,

Fatehgarh Sahib.

Sh. Bhupinder Singh, Panchayat Secretary

-cum-Public Information Officer,

Sh. Khushwinder Singh, Panchayat Secretary

-cum-Public Information Officer

c/o Block Development and Panchayats Officer,

Block Amloh,

Fatehgarh Sahib.

....Respondents

Appeal Case No. 2236 of 2020
(Cisco Webex/phone proceedings)

Present:- Sh. Pargat Singh, on phone.

None on behalf of the respondents.

ORDER

The RTI application is dated 17.12.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 4.3.2020 and second appeal was filed in the Commission on 20.8.2020 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 states that no information has been provided by the respondents so far although his RTI application is dated 17.12.2019.

3. A letter has been received from the respondent-Public Information Officer-cum-Block Development and Panchayats Officer that due to the inauguration of development works by the Hon'ble Chief Minister, Punjab on 17.10.2020, the concerned Panchayat Secretaries cannot be spared to attend the hearing before the Commission, which is taken on record, and requested for the adjournment of the case.

4. But it is also a fact on record that neither any information related to the RTI application of the appellant nor any anything has been communicated to the appellant, as per the submissions made by him, since the date of RTI application i.e. 17.12.2019. Viewing the attitude of the respondent-Public Information Officers in dealing the case, Sh. Bhupinder Singh, Panchayat Secretary-cum-Public Information Officer, Sh. Khushwinder Singh, Panchayat Secretary-cum-PIO are, thus, issued a show cause notice to explain in a self-attested affidavit as to why a compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005 may not be awarded.

In addition to the written reply, the PIOs are also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before awarding the compensation on the

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Appeal Case No. 2236 of 2020

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next date of hearing. They may take a note that in case they do not file their written reply and does not avail themselves of the opportunity of personal hearing on the next date, it will be presumed that they have nothing to say and the Commission will proceed ex-parte.

5. The Block Development and Panchayats Officer, Amloh has written a letter endst.No. 3340 dated 8.9.2020 to Sh. Bhupinder Singh, Panchayat Secretary and Sh. Khushwinder Singh Panchayat Secretary, copy of which is taken on record, to supply the information. As the appellant has sent a RTI request to the Public Information Officer o/o Block Development and Panchayats Officer, Amloh, accordingly, the Public Information Officer o/o the Block Development and Panchayats Officer Amloh is directed to place on record the action taken since the date of receipt of the RTI application of the appellant before the next date of hearing failing which the punitive action will be initiated against him under the provisions of the RTI Act, 2005.

6. Also, the respondent-Public Information Officer is directed to supply the complete information before the next date of hearing to the appellant failing which the penalty provisions will be invoked.

7. To come up on 27.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fatehgarh Sahib/cisco webex.

Dated:15.10.2020

Sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Pargat Singh
Village Machhrair Khurd,
Tehsil Amloh,
Fatehgarh Sahib.

....Appellant

Vs

Public Information Officer
o/o Block Development and Panchayats Officer,
Block Amloh,
Fatehgarh Sahib.

First Appellate Authority
o/o District Development and Panchayats Officer,
Mini Secretariat,
Fatehgarh Sahib.

Sh. Kulwinder Singh, Registered
Block Development and Panchayats Officer,
Block Amloh,
Fatehgarh Sahib.

....Respondents

Appeal Case No. 2237 of 2020
(Cisco Webex/phone proceedings)

Present:- Sh. Pargat Singh, on phone.
None on behalf of the respondents.

ORDER

The RTI application is dated 17.12.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 4.3.2020 and second appeal was filed in the Commission on 20.8.2020 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 states that no information has been provided by the respondents so far although his RTI application is dated 17.12.2019.

3. A letter has been received from the respondent-Public Information Officer-cum-Block Development and Panchayats Officer that due to the inauguration of development works by the Hon'ble Chief Minister, Punjab on 17.10.2020, the concerned Panchayat Secretaries cannot be spared to attend the hearing before the Commission, which is taken on record, and requested for the adjournment of the case.

4. But it is also a fact on record that neither any information related to the RTI application of the appellant nor any anything has been communicated to the appellant, as per the submissions made by him, since the date of RTI application i.e. 17.12.2019. Viewing the attitude of the respondent-Public Information Officer in dealing with the case, Sh. Kulwinder Singh, Block Development and Panchayats Officer, Amloh is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005 may not be awarded.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before awarding the compensation on the next date of hearing. He may take a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

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Appeal Case No. 2237 of 2020

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5. As the appellant has sent a RTI request to the Public Information Officer o/o Block Development and Panchayats Officer, Amloh, accordingly, the Public Information Officer o/o the Block Development and Panchayats Officer Amloh is directed to place on record the action taken since the date of receipt of the RTI application of the appellant before the next date of hearing failing which the punitive action will be initiated against him under the provisions of the RTI Act, 2005.

6. Also, the respondent-Public Information Officer is directed to supply the complete information before the next date of hearing to the appellant failing which the penalty provisions will be invoked.

7. To come up on 27.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fatehgarh Sahib/cisco webex.

sd

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 15.10.2020

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Sh. Gurpreet Singh s/o Sh. Shingara Singh
r/o Village Rattanpanlo,
Tehsil Amloh,
Fatehgarh Sahib.

....Appellant

Vs

Public Information Officer
o/o Block Development and Panchayats Officer,
Block Amloh,
Fatehgarh Sahib.

First Appellate Authority
o/o District Development and Panchayats Officer,
Mini Secretariat,
Fatehgarh Sahib.

Sh. Kulwinder Singh, Registered
Block Development and Panchayats Officer,
Block Amloh,
Fatehgarh Sahib.

....Respondents

Appeal Case No. 2223 of 2020
(Cisco Webex/phone proceedings)

Present:- Sh. Pargat Singh, on phone.
None on behalf of the respondents.

ORDER

The RTI application is dated 27.11.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 4.2.2020 and second appeal was filed in the Commission on 19.8.2020 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 states that no information has been provided by the respondents so far although his RTI application is dated 27.11.2019.

3. A letter has been received from the respondent-Public Information Officer-cum-Block Development and Panchayats Officer that due to the inauguration of development works by the Hon'ble Chief Minister, Punjab on 17.10.2020, the concerned Panchayat Secretaries cannot be spared to attend the hearing before the Commission, which is taken on record, and requested for the adjournment of the case.

4. But it is also a fact on record that neither any information related to the RTI application of the appellant nor any anything has been communicated to the appellant, as per the submissions made by him, since the date of RTI application i.e. 27.11.2019. Viewing the attitude of the respondent-Public Information Officer in dealing with the case, Sh. Kulwinder Singh Block Development and Panchayats Officer, Amloh is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005 may not be awarded.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before awarding the compensation on the next date of hearing. He may take a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

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Appeal Case No. 2223 of 2020

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5. As the appellant has sent a RTI request to the Public Information Officer o/o Block Development and Panchayats Officer, Amloh, accordingly, the Public Information Officer o/o the Block Development and Panchayats Officer Amloh is directed to place on record the action taken since the date of receipt of the RTI application of the appellant before the next date of hearing failing which the punitive action will be initiated against him under the provisions of the RTI Act, 2005.

6. Also, the respondent-Public Information Officer is directed to supply the complete information before the next date of hearing to the appellant failing which the penalty provisions will be invoked.

7. To come up on 27.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fatehgarh Sahib/cisco webex.

Sd/-

Dated: 15.10.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Gurdeep Singh, s/o Sh. Kartar Singh
Village Narainpura,
Tehsil Abohar,
Distt Fazilka.

....Appellant

Vs

Public Information Officer
o/o Block Development and Panchayats Officer,
Block Abohar,
Distt Fazilka

First Appeal Authority,
o/o District Development and Panchayat Officer,
Mini Secretariat,
Distt. Fazilka

....Respondents

Appeal Case No. 1832 of 2020
(Cisco Webex proceedings)

Present:- Sh. Gurdeep Singh, appellant.

Sh. Swaran Singh, Panchayat Secretary on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 26.8.2020.

2. The appellant states that no information has been supplied by the respondents so far. Whereas, the respondent-Public Information Officer submits the copy of letter No. 2416 dated 18.10.2020 in which it has been mentioned that the information has been sent to the appellant. The respondent has also sent a copy of postal receipt, which is taken on record. The respondent-Public Information Officer also states that the information comprising 357 pages have been sent through post.

3. Accordingly, the appellant is advised to go through the same and point out deficiency, if any, to the respondent-Public Information Officer with a copy to the Commission before the next date of hearing and the respondent-Public Information Officer is directed to remove the same in case any deficiency is pointed out by the complainant.

4. To come up on 17.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Dated: 15.10.2020

Sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Navneet Kumar s/o Sh. Parshotam Dass,
Village Shama Khanke,
PO Behak Khas,
Tehsil & Distt. Fazilka 152 123

....Appellant

Vs

Public Information Officer
o/o Block Development and Panchayats Officer
Block Khuiya Server,
District Fazilka.

First Appellate Authority
o/o District Development and Panchayats Officer,
fazilka

....Respondents

Appeal Case No. 2187 of 2020
(Cisco Webex proceedings)

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

ORDER

The RTI application is dated 31.12.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 12.2.2020 and second appeal was filed in the Commission on 17.8.2020 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 states that the respondents have charged an amount of Rs.1890/- as fee of the documents but supplied only 150 pages and that too, incomplete. He further states that his RTI request is dated 31.12.2019 and even then no action has been taken to supply the complete information. The appellant has submitted a letter through email regarding the deficiencies in the provided information, copy of which is taken on record.

3. Also a request has been received from Sh. Gyan Singh, Public Information Officer submitting that due to inauguration of SVC-2 by the Hon'ble Chief Minister, Punjab, he has been put on duty and unable to attend the hearing.

4. After going through the facts of the case it appears that the respondent-Public Information Officer is deliberately delaying the information on the one hand and charging excess amount as fees from the appellant on the other. Viewing the attitude of the respondent-Public Information Officer in dealing the case, Sh. Gyan Singh, PIO, is, issued a show cause notice to explain in a self-attested affidavit as to why a compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005 may not be awarded.

In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before awarding the compensation on the next date of hearing. He may take a note that in case he does not file his written reply and does not avail the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

Also, the respondent-Public Information Officer is directed to supply the complete information before the next date of hearing failing which the penalty provisions will be invoked.

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Appeal Case No. 2187 of 2020

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5. To come up on 17.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Sd/

Dated: 15.10.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Janak Raj s/o sh. Dalip,
r/o Vilage Balbale Driya
PO Jagdev Khurd,
Tehsil Ajnala,
District Amritsar.

..Complainant

Vs

Public Information Officer
o/o Deputy Commissioner,
District Amritsar

....Respondent

Complaint Case No. 526 of 2020

(Cisco Webex proceedings)

Present:- Sh. Janak Raj, on phone.

Sh. Parminder, MA Branch-1 8360868809 on behalf of the respondents.

ORDER

The RTI application is dated 10.1.2020 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 11.8.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided by the respondents so far. However, the representative of the respondents states that the report has been received from the Sub Divisional Magistrate and put up to the higher authorities to take the appropriate decision. He further states that as and when the final decision will be taken on the matter the same will be brought to the notice of the appellant.

3. Accordingly, the respondent-Public Information Officer is directed to file the status in writing to the appellant with a copy to the Commission before the next date of hearing.

4. To come up on 27.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Amritsar/cisco webex.

Sd/

Dated: 15.10.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Narinder Kumar, 9914122380

Ward No. 15, Preet Nagar

Akhara Road, Sirhind

Fatehgarh Sahib.

Complainant

Vs

Public Information Officer

o/o Secretary Personnel, Punjab,

Punjab Civil Sectt-1,

Chandigarh.

....Respondent

Complaint Case No. 554 of 2020

(Cisco Webex proceedings)

Present:- Sh. Narinder Kumar, complainant.

Smt. Shailja, Supdt, PP2 Branch on behalf of the respondents.

ORDER

The RTI application is dated 1.1.2019 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 20.8.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The complainant states that the incomplete information has been provided to him by the respondents. Copy of the submissions made by him are taken on record. Whereas, the respondent-Public Information Officer states that the Point No. 2 of the RTI application is in clarification form and there is no provision under the RTI Act, 2005 to give reply to such request seeking clarifications. In addition she states regarding Point No. 1 of the RTI application that whatever is available in the record concerning the information has been supplied.

3. After deliberations, the plea taken by the respondent-Public Information Officer is accepted concerning Point No. 2 of the RTI application. However, the submissions made by the complainant is reproduced below regarding Point No. 1 of the RTI application:-

”ਸੂਚਨਾ ਲੜੀ ਨੰ: 1- ਕੇਂਦਰ ਸਰਕਾਰ ਦਾ ਪੱਤਰ ਪੰਜਾਬ ਰਾਜ ਵਿੱਚ ਲਾਗੂ ਕਰਨ ਸਬੰਧੀ।

ਮੰਗੀ ਸੂਚਨਾ ਦੇ ਲੜੀ ਨੰ: 1 ਬਾਰੇ ਆਪ ਜੀ ਨੂੰ ਜਵਾਬ ਦਿੱਤਾ ਹੈ ਕਿ ਪ੍ਰਾਰਥੀ ਨੂੰ ਇਸ ਵਿਭਾਗ ਦੇ ਪੱਤਰ ਨੰਬਰ 13/01/2018/3ਪੀ.ਪੀ.2/2040 ਮਿਤੀ 29.8.2020 ਦੀ ਕਾਪੀ ਭੇਜ ਦਿੱਤੀ ਗਈ ਸੀ। ਪ੍ਰਾਪਤ ਹੋਈ ਕਾਪੀ ਦਾ ਸਬੰਧ ਮੰਗੀ ਸੂਚਨਾ ਦੇ ਪੱਤਰ ਲੜੀ ਨੰ: 2, ਭਾਗ (11) ਦੇ ਪੈਰਾ ਏ ਅਤੇ ਬੀ ਨਾਲ ਸਬੰਧ ਰੱਖਦਾ ਹੈ ਬਾਕੀ ਲੜੀ ਨੰਬਰ ਅਤੇ ਪੈਰਿਆ ਬਾਰੇ ਕੋਈ ਸੂਚਨਾ ਨਹੀਂ ਦਿੱਤੀ ਗਈ।”

Accordingly, the respondent-Public Information Officer is directed to file the reply/supply the complete information before the next date of hearing viz a viz submissions made by the complainant.

4. To come up on 24.11.2020 at 12.30 PM and will be heard through cisco webex.

sd

Dated: 15.10.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Damodar Sharma S/o Sh. Jagdish Rai,
R/o Vill. –Chuhri Wala Dhanna,
Tehsil & District –Fazilka.

.....Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block – Khuhian Server, Abohar,
District- Fazilka.

First Appellate Authority,
O/o District Development & Panchayat Officer,
District- Fazilka.

Shri D.P. Pandey,
PIO/Tehsildar,
Jalalabad, Distt. Fazilka (M.No.94635-87400).

Public Information Officer (Regd.)
o/o Tehsildar,
Fazilka

.....Respondents

Appeal Case No. 4331 of 2019 **(Cisco Webex proceedings)**

Present:- Sh. Damodhar Sharma, appellant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 2.9.2020.

2. The appellant has sent the copy of letter written by the Panchayat Secretary dated 7.8.2020 along with two annexures, which is taken on record. The appellant states that he has not received any list as has been mentioned in Para 1 of the said letter and regarding Para 2 of the said letter the appellant states that the reply of the respondents is not tenable, the relevant portion of the letter is reproduced below:-

“ਅਨਿਲ ਕੁਮਾਰ ਪੁੱਤਰ ਓਕਾਰ ਰਾਮ ਵਾਸੀ ਪਿੰਡ ਚੂਹੜੀ ਵਾਲਾ ਧੰਨਾਂ ਨੇ ਗਰਾਮ ਪੰਚਾਇਤ ਦੀ ਸ਼ਾਮਲਾਟ ਜਮੀਨ ਮੁਰੱਬਾ ਨੰ: 35 ਕਿਲਾ ਨੰ: 14, 15, 16 ਸਿਨ 17 ਸਿਨ ਕੁੱਲ 23 ਕਨਾਲ 2 ਮਰਲੇ ਵਿੱਚੋਂ ਕੁੱਲ ਰਕਬੇ ਤੇ ਆਪਣਾ ਮਕਾਨ ਬਣਾਇਆ ਹੋਇਆ ਹੈ।”

The appellant further states that as per the girdawari the owner of the said muraba number and qila number is Sh. Jagdish s/o Sh. Ram Narain s/o Sh. Isher, copy of the girdawri sent by the appellant through whatsapp is taken on record. In addition, the appellant states that the respondents be directed to provide same.

3. After deliberations, the appellant requests for the information concerning Point No. 1 and 2 of the RTI application and shows his satisfaction with the information so supplied by the respondents regarding remaining points i.e. Point No. 3 to 6 of the RTI application.

4. Accordingly, the respondent-Public Information Officer is directed to file the reply/supply the information before the next date of hearing under intimation to the Commission.

5. To come up on 17.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Sd/

Dated: 15.10.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.