

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100

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Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Sh. Runish Dhiman,
r/o H.No. 437, Sector 3A,
Mandi Gobindgarh,
Amloh, Fatehgarh Sahib.

....Appellant

Vs

Public Information Officer
o/o M.C. Mandi Gobindgarh,
Amloh, Fatehgarh Sahib.

First Appellate Authority
o/o Deputy Director,
Urban Local Govt.
District Ludhiana.

Public Information Officer
o/o Punjab Pollution Control Board,
Patiala.

Public Information Officer Registered
-cum-Sub Divisional Officer,
o/o the Punjab Pollution Control Board,
Mandi Gobindgarh,
Fatehgarh Sahib,

....Respondents

Appeal Case No. 1279 of 2021 along with Appeal Case No. 1286 of 2021

(Video Conference Proceedings)

Present:- None on behalf of the appellant.

Inspector Sh. Rajinder Kumar, 9888553915, Sh.Kanwaljit Singh, Jr. Asstt and Sh. Rahul Sharma (DM), 9501700349, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 19.10.2021.

2. The sought information and the reply filed by the respondent is reproduced below:-
Appeal Case No. 1279 of 2021

1. Please provide the name of the industries / Red category Industries/ Hazardous industries on National Highway or on Schedule road or on State Highway or at Residential areas at Mandi Gobindgarh after the notification of Master Plan.

Reply- The information sought by the applicant is not readily available in this office. However, the complete inventory of the industries registered with Punjab Pollution Control Board is already available in Public domain at http://ocmms.nic.in/OCMMS_NEW/deshboard.jsp. You may get all the information from above said web link.

2. Please provide the copies of Norms / Circulars / Notifications regarding the removal of industries / Red category industries / Hazardous industries from the residential areas or NH-1 or State Highway or schedule road in Mandi Gobindgarh.

Reply - The Master Plan of Mandi Gobindgarh (2010-31) was notified by Department of Town and Country Planning, Punjab on dated 29.07.2020, which is available on web link <https://www.gmada.gov.in/en/master-plansapproved-master-plansgmadamandigobindgarh-2010-2031/plan>. Further, Punjab

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Pollution Control Board vide its order no. 21 dated 8/6/2018 has decided under:

"The existing industrial units/other establishments, which establish before the notification of the Master Plan of the respective city, shall be allowed consents/extension under the provision of Water Act, 1974, Air Act, 1981 & Authorization under the provisions Hazardous Waste Management Rules, 2016 for a period 15 years from the date of notification of Master Plan after taking the concrete documentary proof regarding the date of commissioning of such units. No separate approval from Local Bodies/Other Authorities is required to be obtained. The orders shall be applicable for the whole of the State of Punjab".

Your kind attention is drawn towards Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training vide no. 1/18/2011-IR dated 16/9/2011, the relevant extract of the same is reproduced as under:

"The undersigned is directed to invite attention to this Department's O.M. no. 1/4/2009-IR dated 5/10/2009 whereby a Guide on the Right to Information Act, 2005 was circulated. Para 10 of Part I of the Guide, inter alia, stated that only such information can be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. The Public Information Officer is not supposed to create information; or to interpret information; or to solve the problems raised by the applications; or to furnish replies to hypothetical questions. The same issue has been elaborated by the Supreme Court in the matter of Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors. (Civil Appeal no. 6454 of 2011)"

As such, your application under Right to Information Act, 2005 is hereby disposed off.

Appeal Case No. 1286 of 2021

S No.	Required Information	Reply
1	Complete information regarding the official website of M.C. Mandi Gobindgarh on which date and year the above said website was made/ launched and which company designed the website and how much amount was paid by corporation. If any tender or resolution was passed by corporation for designing or launching such website.	The website of M.C. Mandi Gobindgarh (http://punjab.gov.in/infocswa/mandigobindgarh/) was developed and designed by PMDC (in house) in 2018 under the state level e-Sewa project of Department of Local Govt without any charges. The website of M.C. Mandi Gobindgarh is hosted on state data centre which is managed by Department of Governance Reforms.
2	How much time such websites was updated by your corporation and the name of the employee whose duty is to update the website.	Initially the IT Team from PMDC updated the contents on M.C. Mandi Gobindgarh at State level but later on training has been provided to the staff of ULBs for updation of contents on website. ULB is self managing the contents and approach PMDC Team in case of any technical issue. The information regarding name of employee whose duty is to update the website, is to be given by PIO-cum-EO, M.C. Mandi Gobindgarh.
3	Since it's designing & launching till today.	The website of M.C. Mandi Gobindgarh is hosted on state data centre which is managed by Department of Governance Reforms.

Sd/-
PIO-cum-General Manager,
PMDIC

Encls. No. PMDC/IT Branch/2021/10994-25

Dated: 16/11/2021

A copy of above letter is forwarded for information & further action to the following:-

- 1) Registrar, Punjab State Information Commission, Red Cross Building, Near Rose Garden, Sec-16 Chandigarh with reference to letter no. 1112-14 RTI dated 10.11.2021 (copy enclosed)
- 2) PIO-cum-Executive Officer, Municipal Council, Mandi Gobindgarh (mrgobindgarh@punjab.gov.in) with reference to his letter no. 1112 RTI dated 10.11.2021.

It is hereby informed that Sh. Pardeep Kumar, Clerk, M.C. Gobindgarh has been deputed to update the website of M.C. Gobindgarh.

Sd/-
Executive Officer
M.C. Gobindgarh

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Appeal Case No. 1279 of 2021

& Appeal Case No. 1286 of 2021

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3. Keeping in view the specific reply filed by the respondent regarding the sought for information in titled cases as mentioned herein, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed. However, the liberty is granted to the appellant to approach the Commission within two weeks in case of any submission for the consideration.

Dated: 18.11.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sector 16, Chandigarh.

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Sh. Jasbir Singh, Guru Nanak Nagar,

Village - Bholapur, Jhabewal,

Post Office Ramgarh,

District Ludhiana.141123

M : 9888296107

Appellant

Vs

Public Information Officer,

O/o Deputy Commissioner,

Ludhiana.

First Appellate Authority

O/o Deputy Commissioner,

Ludhiana.

Respondents

Appeal Case No. 4536/2021

(Video Conference/ Telephone Proceedings)

Present:- None on behalf of the appellant.

Smt. Prabhjot Kaur, Clerk 8968784819 on behalf of the respondents.

ORDER

The RTI application is dated 6.1.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 19.2.2021 and second appeal was filed in the Commission on 4.10.2021 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 sought information viz a viz reply filed by the respondent the following information:-

ਲੜੀ ਨੰ	ਮੰਗੀ ਗਈ ਸੂਚਨਾ	ਸੂਚਨਾ
1	ਸ਼੍ਰੀ ਗੁਰਬਾਜ ਸਿੰਘ, ਕਰਮਚਾਰੀ ਦਫਤਰ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਜ਼ਿਲ੍ਹਾ ਲੁਧਿਆਣਾ ਨੇ ਸਰਕਾਰੀ ਨੌਕਰੀ ਕਦੇ ਚੁਆਇੰਨ ਕੀਤੀ ਅਤੇ ਪਹਿਲੀ ਨਿਯੁਕਤੀ ਕਿਹੜੀ ਜਗ੍ਹਾ ਤੇ ਕਿਹੜੀ ਪੋਸਟਿੰਗ ਤੇ ਹੋਈ ਸੀ। ਉਹਨਾਂ ਹੁਕਮਾਂ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਫੋਟੋ ਸਟੇਟ ਕਾਪੀਆਂ ਦਿੱਤੀ ਜਾਵੇ।	ਸ਼੍ਰੀ ਗੁਰਬਾਜ ਸਿੰਘ ਨੇ ਸਰਕਾਰੀ ਨੌਕਰੀ ਮਿਤੀ 22.07.2019 ਨੂੰ ਚੁਆਇੰਨ ਕੀਤੀ ਅਤੇ ਇਸ ਕਰਮਚਾਰੀ ਦੀ ਪਹਿਲੀ ਨਿਯੁਕਤੀ ਦਫਤਰ ਉਪ ਮੰਡਲ ਮੈਜਿਸਟਰੇਟ, ਲੁਧਿਆਣਾ (ਪੂਰਬੀ) ਵਿਖੇ ਕੀਤੀ ਗਈ। ਕਾਪੀ ਨਾਲ ਨੱਥੀ।
2	ਸ਼੍ਰੀ ਗੁਰਬਾਜ ਸਿੰਘ, ਕਰਮਚਾਰੀ ਨੇ ਸਰਕਾਰੀ ਨੌਕਰੀ ਲੈਣ ਸਮੇਂ ਦਿੱਤੇ ਬਿਨੈ ਪੱਤਰ ਅਤੇ ਉਸ ਦੇ ਨਾਲ ਨੱਥੀ ਕੀਤੇ ਦਸਤਾਵੇਜ਼ ਜਿਵੇਂ ਕਿ ਪਤਾਈ, ਰਿਹਾਇਸ਼, ਜਨਮ-ਤਾਰੀਖ, ਤਜਰਬੇ, ਡਿਪਲੋਮਾ ਆਦਿ ਦੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਫੋਟੋਸਟੇਟ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।	ਇਹ ਸੂਚਨਾ ਨਿੱਜੀ ਹੋਣ ਕਾਰਨ ਸੂਚਨਾ ਦਾ ਅਧਿਕਾਰ ਐਕਟ ਦੀ ਧਾਰਾ 8(1)(ਜੇ) ਅਧੀਨ ਉਪਲਬਧ ਕਰਾਉਣ ਤੋਂ ਪਾਬੰਦੀ ਹੈ।
3	ਨੌਕਰੀ ਚੁਆਇੰਨ ਕਰਨ ਵੇਲੇ ਜਾਂ ਬਾਅਦ ਵਿਚ ਇਹਨਾਂ ਵੱਲੋਂ ਜੇ ਕੋਈ ਪ੍ਰਾਪਤ ਕੀਤੀ ਉਚ-ਵਿਧਿਆ ਹੋਵੇ, ਤਾਂ ਉਸ ਬਾਰੇ ਦੱਸਿਆ ਜਾਵੇ ਅਤੇ ਉਸ ਉਚ-ਵਿਧਿਆ ਦੇ ਸਰਟੀਫਿਕੇਟ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।	ਸਰਕਾਰੀ ਨੌਕਰੀ ਚੁਆਇੰਨ ਕਰਨ ਵੇਲੇ ਇਸ ਕਰਮਚਾਰੀ ਦੀ ਵਿਦਿਅਕ ਯੋਗਤਾ ਗਰੈਜੂਏਸ਼ਨ ਸੀ। ਇਹ ਸੂਚਨਾ ਇਸ ਸ਼ਾਖਾ ਵਿਚ ਉਪਲਬਧ ਨਾ ਹੈ।
4	ਜਿਸ ਕਾਨੂੰਨ ਜਾਂ ਵਿਭਾਗ ਦੇ ਹੁਕਮਾਂ ਦੇ ਤਹਿਤ ਇਹਨਾਂ ਨੂੰ ਤਰੱਕੀਆਂ ਦਿੱਤੀਆਂ ਗਈਆਂ ਹਨ ਕਿ ਉਸ ਸਮੇਂ ਸਾਰੀਆਂ ਤਰੱਕੀਆਂ ਦੀ ਸਰਤਾਂ ਪੂਰੀਆਂ ਕਰਦੇ ਸਨ ਜਾਂ ਨਹੀਂ। ਸਰਕਾਰ ਵੱਲੋਂ ਨਿਸ਼ਚਿਤ ਕੀਤੀਆਂ ਸਰਤਾਂ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਫੋਟੋ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।	ਇਸ ਕਰਮਚਾਰੀ ਦੀਆਂ ਤਰੱਕੀਆਂ ਸਬੰਧੀ ਦਸਤਾਵੇਜ਼ ਸਪਸ਼ਟ ਕੀਤਾ ਜਾਵੇ।
5	ਸ਼੍ਰੀ ਗੁਰਬਾਜ ਸਿੰਘ, ਕਰਮਚਾਰੀ ਦੀ ਰਿਟਾਇਰਮੈਂਟ ਮਿਤੀ ਕਦੋਂ ਹੈ।	ਇਸ ਕਰਮਚਾਰੀ ਦੀ ਰਿਟਾਇਰਮੈਂਟ ਮਿਤੀ 31.07.2047 ਹੈ।
	ਇਹਨਾਂ ਨੂੰ ਪੂਰੀ ਤਨਖਾਹ ਕਿੰਨੀ ਦਿੱਤੀ ਜਾਂਦੀ ਹੈ।	ਇਸ ਕਰਮਚਾਰੀ ਦੀ ਤਨਖਾਹ ਦਫਤਰ ਤਹਿਸੀਲਦਾਰ, ਲੁਧਿਆਣਾ (ਪੂਰਬੀ) ਵਿਖੇ ਬਣਦੀ ਹੈ।

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Appeal Case No. 4536 of 2021

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3. The appellant is absent but he has sent the submission which is taken on record. Since, the respondent has already filed the specific reply regarding the sought information as enumerated in para 2 above, therefore, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed. However, the liberty is granted to the appellant to approach the Commission within two weeks in case he has any submission for the consideration of the Commission.

sd

Dated: 18.11.2021

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Arsal Singh s/o Sh. Khazan Singh,
D 192, Ranjit Avenue, District Amritsar.



....Appellant

Vs

Public Information Officer
o/o Tehsildar, Amritsar-2,
District Amritsar

First Appellate Authority
o/o Deputy Commissioner,
District Amritsar.

Respondents

Appeal Case No. 4259/2021

(Video Conference/ Telephone Proceedings)

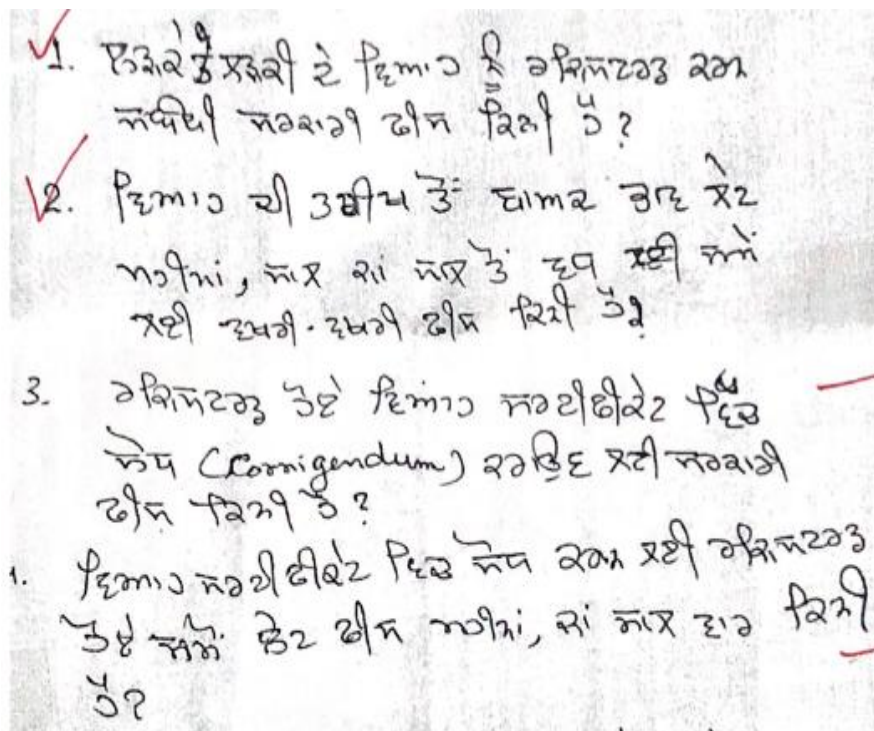
Present:- None on behalf of the appellant.

Sh. Manjit Singh, Tehsildar 9781700067 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 8.11.2021.

2. The appellant has sought the following information:-



3. The respondent-Public Information Officer states that the information pertaining to Point No. 1 & 2 has already been supplied to the appellant and no deficiency has been pointed out by him. Regarding Information pertaining to Point No. 3 & 4 the respondent-Public Information Officer sent the same through whatsapp, which is taken on record. He further requested that the case may be disposed of.

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Appeal Case No. 4259 of 2021

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4. As the appellant is absent without intimation. Therefore, the information so received from the respondent-Public Information Officer is being **sent** to the appellant along with this order. Keeping in view the information sent by the respondent, therefore, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed. However, the liberty is granted to the appellant to approach the Commission within two weeks in case of any submission for the consideration.

sd

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 18.11.2021

PUNJAB STATE INFORMATION COMMISSION

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

Appellant

Vs

Public Information Officer,
O/o Director,
Governance Reforms, PB,
Mohali.

First Appellate Authority
O/o Director,
Governance Reforms, PB,
Mohali.

Respondents

Appeal Case No. 4490/2021

(Video Conference/ Telephone Proceedings)

Present:- Shri H.S. Hundal, appellant.
None on behalf of the respondents.

ORDER

The RTI application is dated 7.7.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 9.8.2021 and second appeal was filed in the Commission on 1.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant has sought the following information:-

Please supply the following information under RTI Act 2005, in certified form :

1. Details of total funds allocated to Punjab Transparency Commission year wise since 2018, with break up of estimates/expenses, and amount of money that lapsed at the end of each financial year.
2. Details of all allowances, emoluments, facilities provided as per rules and as applicable to Chief Commissioner, covering all aspects including Official residences, official staff, official vehicles, medical claims, leave encashments he is entitled to, with details of the total salary paid to him every month, since year 2018.
3. Documents showing all TADA claimed by Chief Commissioner and details of all medical reimbursements with copies of all bills and payment receipts and subsequent payments to him since appointment with all documents submitted in this regard.
4. Details of staff employed by the Commission till date, with mode of employment, criteria of selection, and names and designations of entire staff with details of salary paid to each
5. Details of rent paid by the Commission for the Office Space/SCO, till date, where it is operating since its inception.
6. Certified copies of all orders of allotting any official accommodations to Chief Commissioner copies of all documents showing claims of HRA since appointment with all documents submitted in this regard and details of all payments made, with copies of all bills and receipts.
7. Details of Districts visited by Chief Commissioner since day of appointment, to check and ensure that services are being provided within time period specified in PTADPS Act with copies of relevant pages of log books of Official Cars showing these visits
8. Details of Revisions filed in the Commission since year 2018, and copies of orders passed in each case by Chief Commissioner.
9. Copies of orders passed by the Commission in which penalty has been imposed against any Designated Officer, or disciplinary action has been recommended against any Designated officer for any lapse/delay in delivery of services.
10. Details of website maintained by Commission since year 2018

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Appeal Case No. 4490 of 2021

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3. The appellant has sought the similar information as in the Appeal Case No. 4525 of 2021. His RTI application and the other documents remained the same in both the cases. Therefore, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed

Dated: 18.11.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.