

# 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



Sh. Rajinder Pal Singh,  
C/o Sh. P.C. Garg (Advocate),  
House No 638/1, Malerkotla House ,  
Opposite Old DMC Hospital,  
Ludhiana-141001.  
M : 9779048083

..Appellant

Vs

Public Information Officer,  
O/o Tehsildar (East),  
Ludhiana.  
First Appellate Authority  
O/o Sub Divisional Magistrate (East) ,  
Ludhiana.

....Respondent(s)

Appeal Case No. 505/2021

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 17.10.2020 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 21.12.2020 and second appeal was filed in the Commission on 18.1.2021 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:-

“ ਜਿਲਾ ਕੰਟਰੋਲਰ, ਖੁਰਾਕ ਸਿਵਲ ਸਪਲਾਈ ਤੇ ਖਪਤਕਾਰ ਮਾਮਲੇ, ਲੁਧਿ: ਪੁਰਬੀ ਦੇ ਪੱਤਰ ਮੀਮੋ ਨੰ: ਸਪਲਾਈ (ਪੁਰਬੀ) 2019/10650 ਮਿਤੀ 26.12.2019, ਸ਼੍ਰੀਮਤੀ ਆਰੂਸੀ ਗਰਗ ਪਤਨੀ ਸ਼੍ਰੀ ਪੁਨੀਸ਼ ਗਰਗ ਵਾਸੀ ਦੰਡੀ ਸਵਾਮੀ ਚੌਕ, ਲੁਧਿ: ਵੱਲੋਂ ਭੱਠੇ ਦਾ ਨਵਾਂ ਲਾਇਸੈਂਸ ਲੈਣ ਲਈ ਦਿੱਤੀ ਬੇਨਤੀ, ਉਪਰ ਨਾਲ ਨੱਥੀ ਕਾਪੀ ਦੇ ਕਾਲਮ ਨੰ: 1 ਤੋਂ 20 ਤੱਕ ਕਾਰਵਾਈ ਹੋਈ ਦੀ ਮੁਕੰਮਲ ਸੂਚਨਾ/ਰਿਕਾਰਡ ਦੇਣ ਸਬੰਧੀ।”

3. The appellant has sent a whatsapp message that he has received from the information so his case may be closed. Accordingly, the respondent-Public Information Officer has been informed not to appear in this case.

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

Dated: 19.3.2021

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

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Ludhiana-141001.  
M : 9779048083

..Appellant

Vs

Public Information Officer,  
O/o Tehsildar (East),  
Ludhiana.  
First Appellate Authority  
O/o Sub Divisional Magistrate (East) ,  
Ludhiana.

....Respondent(s)

Appeal Case No. 506/2021

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 17.10.2020 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 21.12.2020 and second appeal was filed in the Commission on 18.1.2021 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:-

“ ਸ਼੍ਰੀਮਤੀ ਆਰੂਸ਼ੀ ਗਰਗ ਪਤਨੀ ਸ਼੍ਰੀ ਪੁਨੀਸ਼ ਗਰਗ ਵਾਸੀ 638/1, ਮਲੇਰਕੋਟਲਾ ਹਾਉਸ, ਸਾਹਮਣੇ ਪੁਰਾਣਾ ਡੀ.ਐਮ.ਸੀ.ਹਸਪਤਾਲ, ਦੰਡੀ ਸਵਾਮੀ ਚੌਕ, ਲੁਧਿਆਣਾ ਵੱਲੋਂ ਨਵਾਂ ਭੱਠਾ ਲਾਉਣ ਲਈ ਨਾਲ ਨੱਥੀ ਮਿਤੀ 27.01.2020 ਦੇ ਪੱਤਰ ਅਨੁਸਾਰ ਹੋਈ ਕਾਰਵਾਈ ਦੀ ਸੂਚਨਾ/ਰਿਕਾਰਡ ਦਿੱਤਾ ਜਾਵੇ।”

3. The appellant has sent a whatsapp message that he has received from the information so his case may be closed. Accordingly, the respondent-Public Information Officer has been informed not to appear in this case.

4. According to the submissions made by the appellant, 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: 19.3.2021

Chief Information Commissioner,  
Punjab.

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Sh. Rohit Sabharwal,  
Kundan Bhawan  
126, Model Gram,  
District Ludhiana 9417570000, 9988251671

....Appellant

Vs

Public Information Officer  
o/o Deputy Commissioner,  
District Ludhiana

First Appellate Authority  
o/o Deputy Commissioner,  
District Ludhiana

....Respondents

Appeal Case No. 3283 of 2020  
(Video Conference Proceedings)

Present:- Ms Sukhjinder Kaur, on behalf of the appellant.  
Mr Sahil, Clerk o/o Deputy Commissioner 9464422574 on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 10.2.2021.

2. The appellant has sought the following information:-

“.....the following information is being sought under the Right to Information Act 2005 regarding the Public Servants falling under Group A & B (Class I & II ) of the office of the Deputy Commissioner, Ludhiana. This information is required for the year 2016, 2017, 2018 & 2019.

1. Provide certified copy of the information (for the above said years) showing the Total Number of the Public Servants that failed to file their annual Property Returns with their concerned Public Authority and failed to show compliance with the aforesaid Statutory Rule.
2. Provide Certified Copy of the Information (for the above said Years) showing the Names and Designations of the officers that failed to file their Annual Property Returns with their concerned Public Authority and failed to show compliance with the aforesaid Statutory Rule.
3. Provide Certified Copy of the Information showing the Action taken by the Competent Authority against those Public Servants who failed to file their Annual Property Returns with their concerned Public Authority and failed to show compliance with the Statutory Rule as asked under Point No. 2 of this Application.
4. If till date, no action has been taken against the Officers who have failed to file their Annual Property Returns with their concerned Public Authority, then Provide the Reasons for the same as available on the records of your Public Authority.
5. Provide Certified Copy of the Information showing the Action and the Punishment that can be initiated as per the Law of the Land against an Officer who fails to file his Annual Property Return in compliance of the aforesaid Statutory Rule.

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Appeal Case No. 3283 of 2020

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3. The representative of the respondents states that the appellant has sought the information regarding the property returns of the IAS, PCS, Tehsildar and Naib Tehsildars i.e. Point No. 1 & 2 of the RTI application, which is being filed on HRMS and the information pertaining to the previous years. He further states that the controlling officers of these public servants/officers are Chief Secretary, Financial Commissioner and Divisional Commissioner respectively. Regarding Point No. 3, the representative of the respondents states that nothing is available on record in the office of the Deputy Commissioner, Ludhiana. Regarding Point No. 4 the representative of the respondents states that the sought information does not cover under the provisions of the RTI Act, 2005 i.e. "if till date, no action has been taken against the officers who have failed to file their Annual Property Returns with their concerned Public authority..". Regarding Point No. 5 of the RTI application, the information has already been supplied i.e. instruction bearing No. 559 dated 17.5.2012. He has also placed on record a letter bearing No. 1052 dated 12.3.2021 written to the appellant with a copy to the Commission in this regard. However, the representative of the appellant states that in case the respondent authority does not have the information then the RTI application of the appellant should have been transferred to the concerned public authority under Section 6(3) of the RTI Act, 2005.

4. It is appropriate to mention the instructions issued by the Ministry of Personnel, Public Grievances Pensions, Department of Personnel & Training vide No. 10/2/2008-IR dated 12<sup>th</sup> June, 2008 and the relevant portion of the para is reproduced below:-

"3(iii)...It may be noted that the Act required the supply of such information only which already exists and is held by the public authority or held under the control of the public authority. It is beyond the scope of the Act for a public authority to Create information. Collection of Information, parts of which are available with different public authorities, would amount to creation of information which a public authority under the Act is not required to do. At the same time, since the information is not related to any one particular public authority, it is not the case where application should be transferred under sub-section (3) of the Section 6 of the Act. It is pertinent to note that sub-section (3) refer to 'another public authority' and not 'other public authorities'. Use of singular form in the Act in this regard is important to note."

4. After hearing both the parties, going through the instruction issued by the Government of India mentioned herein and submissions made by the parties, the Commission accepts the plea taken by the respondents. Therefore, 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)

Chief Information Commissioner,  
Punjab.

Dated: 19.3.2021

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Sh. Ajaypal Singh S/o Sh. Iqbal Singh,  
VPO –Gumtala, Opp. Govt. Dispensary,  
Ward No. 5, (98721-39640)  
Amritsar.

.....Appellant

**Vs**

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Block Khadoor Sahib,  
District- Tarn Taran.

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

..... Respondents

## **Appeal Case No. 412 of 2020**

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Smt. Kamaldeep Kaur w/o Sh. Ajaypal Singh, on behalf of the appellant on telephone.  
Sh. M.S. Chhatwal, IAS, Director, Rural Development & Panchayat, Pb., Sh. Gurmeet Singh, Block Development and Panchayats Officer 9914412211 and Sh. Gurminder Singh, Panchayat Secretary on behalf of the respondents in person.

## **ORDER**

This order may be read with reference to the previous order dated 11.2.2021.

2. The appellant has sought the following information:-

- “1. ਸਾਲ 2013 ਤੋਂ ਸਤੰਬਰ 2019 ਤੱਕ ਹਰ ਸਾਲ ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਨੂੰ ਕਿੰਨਾ ਪੈਸਾ ਆਇਆ।
2. ਪੰਚਾਇਤ ਨੇ ਸਕੂਲ, ਧਾਰਮਿਕ ਅਸਥਾਨ, ਗਲੀਆਂ ਨਾਲੀਆਂ, ਘਰ ਸਮਝਨ ਘਾਟ ਅਤੇ ਪਖਾਨੇ ਆਦਿ ਤੇ ਪੈਸੇ ਕਿਵੇਂ ਖਰਚ ਕੀਤੇ।
3. ਹਰ ਕੀਤੇ ਗਏ ਕੰਮ ਦਾ ਵੇਰਵਾ, ਕੰਪਨੀ (ਠੇਕੇਦਾਰ) ਦਾ ਨਾਂ ਅਤੇ ਹੋਏ ਖਰਚਿਆਂ ਦੀ ਸੂਚੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ।”

3. The respondent-Public Information Officer states that a copy of the cash book from February 2019 to October 2019 has already been supplied to the appellant with a copy to the Commission, which is taken on record. With regard to the remaining information of panchayat record, the representative of the respondents states that from March 2019 to August 2019 the panchayat was dissolved so there are no panchayat record is available for the period and from September, 2019 onwards the complete information has already been supplied to the appellant. Also the respondent-Public Information Officer-cum-Block Development and Panchayats Officer placed on record a copy of the challan deposited in the bank regarding recovery of penalty amounting to Rs.5000/- from the respondent-Public Information Officer-Sh. Gurminder Singh, Panchayat Secretary, which is also taken on record. Regarding The respondents have also tenders the unconditional apologies for the delay of information and assured that the provisions of the RTI Act, 2005 will be adhered to.

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Appeal Case No. 412 of 2020

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4. The representative of the appellant states that she has received the complete information and is satisfied with the reply/information supplied by the respondent(s) in this case. She further states that she has no objection, if the present case of the appellant, is closed.

5. According to the submissions made by the representative of the appellant, the Commission observes that no further action is required to be taken in this case. However, the respondents are directed to ensure that the RTI application(s) of the appellant(s) be dealt with in accordance with the provisions of the RTI Act, 2005 in a time bound manner. Hence, the case is disposed of and closed.

SD/

Dated: 19.3.2021

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

CC

Financial Commissioner, (By Name)  
Govt. Of Punjab,  
Rural Development and Panchayat Deptt.  
Vikas Bhawan, Sector 62, Mohali

Sh. M.S. Chhatwal, IAS  
Director  
Rural Development and Panchayat Deptt.  
Vikas Bhawan, Sector 62,  
Mohali

REGD

Sh. Gurmeet Singh,  
Block Development and Panchayat Officer,  
Khadoor Sahib  
Taran Taran.

REGD



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Sh. Hardeep Singh 9814847273

Village Nurpur, Tehsil Banga,

Distt SBS Nagar 144502

....Appellant

Vs

Public Information Officer

o/o Director,

Rural Development & Panchayat, Pb.,

Vikas Bhawan, Sector 62, Mohali

First Appellate Authority

o/o the Director,

Rural Development & Panchayat Deptt., Pb.,

Vikas Bhawan, Sector 62, Mohali

Public Information Officer

(Law Branch)

o/o Director,

Rural Development & Panchayat Deptt., Pb.

Vikas Bhawan, Sector 62,

Mohali

....Respondents

Appeal Case No. 3241 of 2020

(Video Conference Proceedings)

Present:- Sh. Hardeep Singh, appellant.

Sh. Budh Singh, Supdt and Ms Preet Mohinder Kaur, 9888801208, Sr. Asstt (Complaint Branch) o/o Director, Rural Development & Panchayat, Pb., on behalf of the respondents, in person.

## ORDER

This order may be read with reference to the previous order dated 9.2.2021.

2. The appellant has sought the following information:-

① ਮੈਂ ਮਿਤੀ 14-02-2020 ਤੋਂ ਇੰਨੇ ਦਸਤਾਵੇਜ਼ ਮਾਰਗਦਰਸ਼ਿਤ  
ਆਵੇਦਨਾਂ ਪੇਸ਼ ਕੀਤੇ ਹਨ ਤੇ ਪੰਜਾਬ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਨੇ ਇਹ  
ਦਸਤਾਵੇਜ਼ (ਸ਼ਾਇਦ ਡਾਕੂਮੈਂਟ) ਇੰਨੇ ਸਮੇਂ ਪੇਸ਼ ਕੀਤੇ ਨਹੀਂ।  
ਸੰਬੰਧਿਤ ਡਾਕੂਮੈਂਟ ਇੰਨੇ ਦਸਤਾਵੇਜ਼ ਦੇ ਆਵੇਦਨ ਨੰਬਰ 153 ਮਿਤੀ  
17-02-2020 ਪ੍ਰਾਪਤ ਹੋਏ। ਮੈਂ ਇੰਨੇ ਦਸਤਾਵੇਜ਼  
ਨਹੀਂ ਮੰਗੇ ਸਨ ਕਿਉਂਕਿ ਮੈਂ ਜਾਣੀ ਸੀ ਕਿ ਪਤਾ ਕੀਤਾ ਗਿਆ  
ਹੈ ਕਿ ਇੰਨੇ ਦਸਤਾਵੇਜ਼ ਨਹੀਂ ਮੰਗੇ ਗਏ।  
ਮੈਂ ਇੰਨੇ ਦਸਤਾਵੇਜ਼ ਮੰਗੇ ਸਨ ਕਿਉਂਕਿ ਮੈਂ ਜਾਣੀ ਸੀ ਕਿ ਪਤਾ ਕੀਤਾ ਗਿਆ  
ਹੈ ਕਿ ਇੰਨੇ ਦਸਤਾਵੇਜ਼ ਨਹੀਂ ਮੰਗੇ ਗਏ।  
② ਮੈਂ ਮਿਤੀ 14-02-2020 ਤੋਂ ਇੰਨੇ ਦਸਤਾਵੇਜ਼ ਮਾਰਗਦਰਸ਼ਿਤ

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Chief Information Commissioner,  
Punjab.