

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. Nanak Singh Bhatti Advocate,
Chamber No 33,
New Judicial Court Complex,
Ajnala, Distt Amritsar.
M : 9855560437

Complainant

Vs

Public Information Officer,
O/o Chief Minister, PB,
Chandigarh.

Respondents

Complaint Case No. 1146/2021

(Video Conference/Telephone Proceedings)

Present:- Sh. Nanak Singh Bhatti, appellant on Phone.

Sh. Mandeep Singh(SA) on behalf of the respondents on Phone.

ORDER

The RTI application is dated 21.7.2021 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 10.9.2021 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 has sought the following information:-

ਪ੍ਰਾਰਥਕ ਹੇਠ ਲਿਖੀ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕਰਦਾ ਹੈ :
ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਵਿੱਚ ਪ੍ਰਤੀ ਬੇਨਤੀ ਮਿਤੀ 04/06/2021 ਰਜਿਸਟਰਡ ਮਿਤੀ 08/06/2021 ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਗਈ ਸੀ । ਜਿਸਦੀ ਫੋਟੋ ਕਾਪੀ ਨਾਲ ਨੱਥੀ ਹੈ ਮਿਤੀ 04/06/2021 ਤੇ ਹੁਣ ਤੱਕ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਵਲੋਂ ਹੁਣ ਤੱਕ ਦੀ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਅਤੇ ਕਰਵਾਈ ਗਈ ਕਾਰਵਾਈ ਸਬੰਧੀ ਪੱਤਰ ਸਬੰਧੀ ਪੱਤਰ ਕਾਪੀਆਂ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ ।

3. The response has already been received from the respondent, which is taken on record, that the representation of the complainant has already been sent to the Higher Education & Language Department. The representative of the respondents also reiterated the same with which the appellant agreed to. The appellant also requested that he has no objection if the present case is disposed of. Accordingly, a copy of the response so filed by the respondent is being sent to the complainant along with this order.

4. Keeping in view the 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)

Chief Information Commissioner,
Punjab.

Dated: 02.11.2021

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Sh. Surinder Kumar 9465313956

r/o VPO Bareka,

Tehsil & District Fazilka.

....Appellant

Vs

Public Information Officer, **Registered**

o/o Panchayat Secretary, Gram Panchayat, Bareka,

c/o Block Development and Panchayats Officer,

Block Khuhian Server,

District Fazilka.

First Appellate Authority

o/o District Development and Panchayats Officer,

District Administrative Complex,

Fazilka

Sh. Gyan Singh, VDO **Registered**

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server, Fazilka

Sh. Varinder Kumar 8968652368, **Registered**

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server, Fazilka

Public Information Officer

Registered

o/o Regional Deputy Director,

Local Fund Accounts,

(Local Audit),

Bathinda

.....Respondents

Appeal Case No. 1896 of 2020

Present:- Shri Aman Kumar s/o Sh. Surinder Kumar, on behalf of the appellant.

Sh. Varinder Kumar 8968652368 & Sh. Gyan Singh, Panchayat Secretary on behalf of the respondents, M 9914400517

ORDER

This order may be read with reference to the previous order dated 5.10.2021.

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Appeal Case No. 1896 of 2020

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2. The appellant has sought the following information as per his RTI application:-

Name of applicant: Surinder Kumar S/o Sh. Jaswant Ram V.P.O. Bareka Tehsil: Fazilka Distt. Fazilka (Punjab). Identity Proof Attached.

Sub (1) Document matter (2) Period from 2013 to 2019 (Details of information required)

(1) Attested Xerox copy of List of year wise total funds received by Village Panchayat Bareka from Government of Punjab and from DC Fazilka under RDF scheme and their utilization certificates from 01/01/2013 to 06/11/2019.

(2) Attested Xerox copy of stock register of village Panchayat Bareka from 01/01/2013 to 06/11/2019.

(3) Attested Xerox copy of Expenditure register of village Panchayat Bareka from 01/01/2013 to 06/11/2019.

(4) Attested Xerox copy of Cash Book of Village Panchayat Bareka from 01/01/2013 to 06/11/2019.

(5) Attested Xerox copy of year-wise total income received from Panchayati Land of Village Bareka with their bank receipts of said income deposited with their utilization certificates from 01/01/2013 to 06/11/2019.

(6) Attested Xerox copy of Measurement Books of Village Panchayat Bareka from 01/01/2013 to 06/11/2019 with total M.books and total number of Pages of said M.Books.

(7) Attested Xerox copy of audit report of village Panchayat Bareka from 01/01/2013 to 06/11/2019.

(8) Attested Xerox copy of audit note of village Panchayat Bareka from 01/01/2013 to 06/11/2019.

(9) Attested Xerox copies of total work approvals has been taken from BDPO Fazilka for utilized the Panchayat funds in Village Bareka from 01/01/2013 to 06/11/2019 by the Sarpanch's Village Panchayat Bareka.

(10) Attested Xerox Copies of list of total bank accounts of Village Panchayat Bareka with their bank account statements from 01/01/2013 to 06/11/2019.

(11) Attested Xerox copies of total bills of Bricks and Cement payers used in construction of streets and other development work in Village Bareka by Village Panchayat.

(12) Attested Xerox copy of quantity of total cement bags used for construction work in village Bareka by Village Panchayat from 01/01/2013 to 06/11/2019.

(13) Attested Xerox copy of receipt of total income gain from empty cement bags used for construction work in village Bareka by Village Panchayat from 01/01/2013 to 06/11/2019.

Information is required to send through Regd Post. A stamped self addressed envelope is enclosed.

I agree to pay the required fee if any, to obtain the above said information. I am depositing application fee of Rs. 10 through Postal order bearing No.47F 904998. I want to clarify that I do not belong to BPL category. Please send me above said information as early as possible. Thanks,

3. The appellant states that the respondents have not provided the bank draft

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Appeal Case No. 1896 of 2020

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amounting to Rs.15,000/- which has to be paid as compensation as per the orders of the Commission. He further states that he has received a cheque amounting to Rs.2560/- in favour of Shri Surinder Kumar his father who has expired on 1st July 2021. Furthermore, he requested that the respondent may be directed to change the name of the payee and the bank draft may be issued in his name as he is the sole legal heir of the appellant.

4. However, the respondent-Public Information Officer-cum-Block Development and Panchayats Officer Sh. Varinder Kumar states that he has brought the bank draft amounting to Rs.15,000/- and the cheque amounting to Rs.2560/- has already been sent to the appellant. He further states that he has no objection and will prepare the bank draft in favour of Shri Aman Kumar along with the name of the payee on the cheque amounting to Rs.2560/- will be changed, and the same will be paid to the representative of the appellant within 10 days. He further states that the appellant may be advised to collect the same from the office with which representative of the appellant agreed to and the appellant handed over a cheque amounting to Rs.2560/- during the course of hearing to the respondent-Public Information Officer-cum-Block Development and Panchayats Officer Sh. Varinder Kumar.

5. Accordingly the directions are issued to the respondent Public Information Officer - cum-Block Development and Panchayats Officer that the draft amounting to Rs.15,000 in shape of bank draft and Rs.2560 in shape of cheque (for refund of document fees due to delay in supplying the information) as has been assured by him. He is also directed that a copy of bank draft and cheque be sent to the Commission for record within 10 days. With these directions the Commission observes that no further action is required to be taken in this case. Hence the case is closed and disposed of. However, the liberty is granted to the representative of the appellant to approach the Commission in case he does not receive the bank draft and a cheque as mentioned above.

Dated: 02.11.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Tejinder Singh Advocate,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur-144410.
M : 9041004313

Appellant

Vs

Public Information Officer,
O/o Health Minister, PB,
Chandigarh.

First Appellate Authority
O/o Health Minister, PB,
Chandigarh.

Respondents

Appeal Case No. 4130/2021

(Video Conference/Telephone Proceedings)

Present:- Sh. Tejinder Singh, appellant on telephone.
Sh. Gagandeep(SA) on behalf of the respondents.

ORDER

The RTI application is dated 23.5.2021 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 24.6.2021 and second appeal was filed in the Commission on 10.9.2021 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:-

ਲੋੜੀਂਦੀ ਸੂਚਨਾ ਦਾ ਵੇਰਵਾ :
1) ਇਹ ਕਿ ਸਿਹਤ ਮੰਤਰੀ ਪੰਜਾਬ ਵੱਲੋਂ ਮਾਰਚ 2021 ਨੂੰ ਪੰਜ ਅਧਿਕਾਰੀ ਜਿਨ੍ਹਾਂ ਨੇ ਜ਼ਿੰਮੇਵਾਰੀ ਦੇ ਆਧਾਰ ਤੇ ਨੋਕਰੀ ਲਈ ਸੀ, ਉਹਨਾਂ ਨੂੰ ਸਸਪੈਂਡ ਕਰਨ ਦੇ ਹੁਕਮ ਦਿੱਤੇ ਸਨ। ਇਹ ਜਿਲ੍ਹਾ ਤਰਨਤਾਰਨ ਨਾਲ ਸਬੰਧਤ ਸਨ। ਜਿਨ੍ਹਾਂ ਵਿਚ ਐਸਐਮਓ ਡਾ: ਨਵੀਨ ਖੁੰਗਤ, ਹਰਵਿੰਦਰ ਸਿੰਘ ਸੀਨੀਅਰ ਸਹਾਇਕ ਸਿਵਲ ਸਰਜਨ ਦਫਤਰ, ਤਰਨਤਾਰਨ(ਆਰਜੀ ਪੋਸਟ ਮਿਆਵਿਡ), ਇਸ ਤੋਂ ਇਲਾਵਾ ਡਾ: ਅਨੂਪ ਕੁਮਾਰ (ਰਿਟਾਇਰਡ) ਸਿਵਲ ਸਰਜਨ ਖਿਲਾਫ ਵੀ ਡਿਊਟੀ ਵਿਚ ਕੋਤਾਹੀ ਵਰਤਣ ਦੇ ਦੋਸ਼ ਅਪਰਾਧਿਕ ਮਾਮਲਾ ਦਰਜ ਕਰਨ ਸਬੰਧੀ ਆਦੇਸ਼ ਦਿੱਤੇ ਸਨ। ਮਾਨਯੋਗ ਮੰਤਰੀ ਸਾਹਿਬ ਦੇ ਹੁਕਮਾਂ ਦੀ ਕਾਪੀ ਅਤੇ ਇਸ ਮਾਮਲੇ ਨਾਲ ਜੁੜੇ ਕੇਸ ਦੀ ਕੰਪਲੀਟ ਫਾਇਲ ਦੀ ਫੋਟੋ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।

3. The appellant states that he is not satisfied with the information so supplied by the respondents. He further requested that the respondent may be directed to supply the complete information in this case. However the representative of the respondent states that no information can be supplied to the appellant under section 8(1)(h) of the RTI Act, 2005 as the matter is under enquiry. With regard to the orders of the competent authority to enquire the matter, the representative of the respondent states that the same has already been taken from the Health Minister, Punjab on the noting and there is no separate orders in this case. He has also shown the original file during the course of hearing

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Appeal Case No. 4130/2021

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with which the Commission is satisfied that the file is under consideration of the competent authority for taking appropriate action as per law. The representative of the respondent further states that the information will be supplied to the appellant in this case after the finality of the case.

3. Keeping in view the submissions made by the representative of the respondents the Commission accepted the plea taken by the respondent authority. Accordingly, the directions are issued to the respondent Public Information Officer that the information may be supplied to the appellant in this case after the finality of the case as has been assured during the course of hearing. Therefore, the Commission observes that no further action is required to be taken in this case. As the cases disposed of and closed.

Dated: 02.11.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana.

....Appellant

Vs

Sh. Joginder Singh,

Distt. Revenue Officer-cum-

Public Information Officer

(H.R.C. Branch)

o/o Deputy Commissioner,

Mini Secretariat, District Ludhiana.

First Appellate Authority

o/o Deputy Commissioner,

Mini Secretariat, Ludhiana.

Sh. Jagdish Singh Sra, **Registered**

Sub Registrar(West)-cum-

Public Information Officer

District - Ludhiana.

....Respondents

Appeal Case No. 3328 of 2020

Present:- Sh. Ashok Kapoor, appellant.

Sh. Sukhpal Singh 9876332933 on behalf of the respondents on phone.

ORDER

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

2. The appellant has sought the following information:-

“Certified copy of complete file in respect of wilfully wrong registration of Wasika No. 12350 dated 11.1.2018 in the office of Sub Registrar, Ludhiana (W), District Ludhiana along with the statements of all the concerned officers in this episode and status of enquiry of this case and action taken against the concerned officers for their wrong doings and personal monetary gains.”

3. The appellant states that he has received the compensation amounting to Rs.20,000/- as has been awarded in this case. He further states that the respondent Public Information Officer has supplied the partial information. In addition, he further states that there are number of official documents in which it has clearly mentioned that the annexures are attached herewith but the same are not part and parcel of the official file and the same has been misplaced or not supplied to him by the respondents. This fact has come to notice during the inspection of the case file. Furthermore, he requested that the respondent may

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Appeal Case No. 3328 of 2020

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be directed to take appropriate action regarding the misplacement of the documents. However, the representative of the respondents has not given any satisfactory reply as per the submissions made by the appellant.

4. As the appellant has already inspected the complete official file information of which has sought and he has received all the documents specified by him except the annexures of certain documents that are not available in the file of the respondents. As far as the misplacement of papers/documents are concerned, as per the statement given by the appellant that there are number of official documents in which it has mentioned that the documents are attached herewith but the same has not been made the part and parcel of the file/misplacement, the case file is being sent to the Deputy Commissioner, Ludhiana with the direction to take the appropriate action as per law regarding the misplacement of official documents, if any. With these directions, the case is disposed of and close.

sd

Dated: 02.11.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Sh. Varinder Kumar, IAS
Deputy Commissioner,
District Ludhiana

Registered