

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



COMPLAINT CASE NO. 106 OF 2022

Shri Honey Mynee, (83609 40218)
S/o Shri Rajesh Kumar,
House No. 105/268, Ward No. 23,
Narot Colony, Pathankot.

...Complainant

Versus

Public Information Officer,
O/o Assistant Registrar,
Cooperative Societies, Pathankot.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Honey Mynee, Complainant.
None on behalf of the Respondent.

ORDER:

The RTI application is dated 24.12.2021 whereby the Complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 24.02.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act) and Notice of hearing was issued to the parties for 20.04.2022.

The Complainant states that he has received a letter from the respondent stating that he is not PIO and information should be sought from PIO whereas the PIO is absent.

In these circumstances, it is relevant to invite the attention of the Complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereby, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under section 19 (1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

Cont...Pg2

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



- 02 -

COMPLAINT CASE NO. 106 OF 2022

In case the Complainant has any grouse about the provided information, he is advised to challenge the response of the PIO, before the designated First Appellate Authority, as envisaged under section 19 (1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

Accordingly, this case is hereby, remanded back to the First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act, 2005.

If, however, the Complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under section 19 (3) of the RTI Act, 2005.

In view of the observations noted above, the instant Complaint Case is hereby,
Disposed Off and Closed. Copies of the order be sent to the parties.

Chandigarh
20.04.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

Copy to intimation and necessary action along with RTI application dated 24.12.2021.

First Appellate Authority,
O/o Joint Registrar,
Cooperative Societies, Jalandhar Division,
4th Floor, C.C.B. Jalandhar, Kapurthala House,
Opp. Big Post Office, Civil Lines, Jalandhar.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



COMPLAINT CASE NO. 114 OF 2022

Shri Angrej Singh, (88375 12748)
S/o Shri Saran Singh,
R/o Village Kanpur, P.O. Sujanpur,
Tehsil & District Pathankot.

...Complainant

Versus

Public Information Officer,
O/o Assistant Registrar,
Cooperative Societies, Pathankot.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Angrej Singh, Complainant.
None on behalf of the Respondent.

ORDER:

The RTI application is dated 30.12.2021 whereby the Complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 25.02.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act) and Notice of hearing was issued to the parties for 20.04.2022.

The Complainant states that he has received a letter from the respondent stating that he is not PIO and information should be sought from PIO whereas the PIO is absent.

In these circumstances, it is relevant to invite the attention of the Complainant to the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereby, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under section 19 (1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

Cont...Pg2

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



- 02 -

COMPLAINT CASE NO. 114 OF 2022

In case the Complainant has any grouse about the provided information, he is advised to challenge the response of the PIO, before the designated First Appellate Authority, as envisaged under section 19 (1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

Accordingly, this case is hereby, remanded back to the First Appellate Authority who is directed to decide the RTI application afresh as per provisions of the RTI Act, 2005.

If, however, the Complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under section 19 (3) of the RTI Act, 2005.

In view of the observations noted above, the instant Complaint Case is hereby,
Disposed Off and Closed. Copies of the order be sent to the parties.

Chandigarh
20.04.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

Copy to intimation and necessary action along with RTI application dated 30.12.2021.

First Appellate Authority,
O/o Joint Registrar,
Cooperative Societies, Jalandhar Division,
4th Floor, C.C.B. Jalandhar, Kapurthala House,
Opp. Big Post Office, Civil Lines, Jalandhar.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



APPEAL CASE NO. 410 OF 2021

Advocate G.S. Dhaliwal, (98141 79164)
R/o House No. 2379, Sector -23-C,
Chandigarh.

...Appellant

Versus

Public Information Officer,
O/o Municipal Corporation
Zone – D, Ludhiana.

First Appellate Authority
O/o Commissioner,
Municipal Corporation, Ludhiana.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on behalf of the Appellant.
ASI Tarsem Singh on behalf of the Respondents (94632 02689)

ORDER (SIXTH HEARING):

The RTI application is dated 29.08.2020 vide which the Appellant has sought information from the PIO O/o Municipal Corporation, Zone – D, Ludhiana on the following points in his RTI application: -

I am the owner of property comprised in Khasra No. 828/2/6, 828/2/11, 828/2/1, 828/2/15 in village Barewal. On a part of my property, Police post, Raghunath Enclave, Barewal has been established.

Kindly provide me the following information along with documents under the RTI act regarding my property.

1. Copy of notification regarding acquisition of my property under the police post.
2. Copy of award passed and compensation on payed for such accusation.
3. Copy of documents showing financial compensation payed to the owner for use and occupation of the property.
4. Copy of order setting up the police post in village Barewal at Raghunath Enclave.
5. Copy of revenue record on which Police post is established.
6. Copy of Building plan submitted or sanctioned if any from MC Ludhiana.
7. Copy of permission sort from land owner for setting up police post.
8. Copy of document when the police post was set up, Date/Month/Year.
9. Details of police officials or other officials who authorized the setting up of the police post.
10. Details of public money spent on the Police post year wise since it was first established.
11. Details of electricity Bill of police post if any.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



- 02 -

APPEAL CASE NO. 410 OF 2021

12. *Copy of water connection installed if any.*

13. *Copy of property tax payed if any.*

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 16.10.2020, the Appellant filed Second Appeal in the Commission on 11.01.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

The case is fixed for today. The Respondent appears in person and states that requisite information has already been supplied to the appellant vide letter no. 545/D/R.T.I. dated 25.06.2021 after that no observation has been received from him. He further stated that there is no information available on record other than the information given to the appellant, copy of the same has been taken on record.

As the Appellant is absent and nothing has been heard from him regarding the receipt of information, it is presumed that he is satisfied with the information provided. No useful purpose, therefore, would be served by keeping this matter pending.

In the light of above, no further action is required in the instant Appeal Case, the case is **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
20.04.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



APPEAL CASE NO. 1540 OF 2021

Shri G.S. Dhaliwal, (98141 79164)
R/o House No. 2379, Sector -23-C,
Chandigarh.

...Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Zone – D,
Ludhiana.

First Appellate Authority
O/o Commissioner,
Municipal Corporation, Ludhiana.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on behalf of the Appellant.
Ms. Rajvir Kaur, Building Inspector on behalf of the Respondents (98725 24761)

ORDER (THIRD HEARING):

The RTI application is dated 11.12.2020 vide which the Appellant has sought information from the PIO O/o Municipal Corporation, Zone – D, Ludhiana on the following points in his RTI application: -

I am owner in possession of Khasra No. 828/2/6, 828/2/11, 828/2/1, 828/2/15 in village Barewal, Ludhiana which is now under the municipal corporation and adjacent to Raghunath Enclave, Barewal, Ludhiana.

1. *Copy of Letter/Order No. 2248 dated 10/11/1981 granting approval to the colony Raghunath Enclave.*
2. *Copy of Order/Letter dated 3/12/1982 declaring the Roads to be public streets.*
3. *When was Raghunath Enclave brought under Municipal Corporation. Copy of Order.*
4. *Copy of the sanctioned plan of the colony.*
5. *Copy of Land acquired for Roads, Park, Common Area.*
6. *Copy of letter/order granting approval/sanction to set up police post in Area of Raghunath Enclave.*

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 04.02.2021, the Appellant filed Second Appeal in the Commission on 24.03.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

Cont...Pg2

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



- 02 -

APPEAL CASE NO. 1540 OF 2021

The case is fixed for today. The Respondent states that requisite information has already been supplied to the appellant vide letter no. 229/A.T.P – D/R.T.I./D dated 23.09.2021 after that he has sent an Affidavit to the appellant in this regard. Original Affidavit sent to the appellant on 28.09.2021 with a copy in the Commission, copy of the same has been taken on record.

As the Appellant is absent and nothing has been heard from him regarding the receipt of information, it is presumed that he is satisfied with the information provided. No useful purpose, therefore, would be served by keeping this matter pending.

In the light of above, no further action is required in the instant Appeal Case, the case is **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
20.04.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



APPEAL CASE NO. 1171 OF 2021

Shri Amandeep Singh, (98782 20671)
S/o Shri Jaswant Singh,
R/o Village Dhaba Kokaria,
Tehsil Abohar, District Fazilka.

...Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary, Gram Panchayat,
Dhaba Kokaria, Block Abohar, District Fazilka.

Public Information Officer,
O/o District Social Security Officer,
Fazilka.

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

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: Shri Amandeep Singh, Appellant.
Shri Manjeet Singh, Panchayat Secretary (85465 66704) along with Shri Balkaran Singh,
BDPO for the Respondents (75890 61000)

ORDER (FOURTH HEARING):

The RTI application is dated 09.09.2020 vide which the Appellant has sought information from the PIO O/o Panchayat Secretary, Gram Panchayat, Dhaba Kokaria, Block Abohar, District Fazilka on the following points in his RTI application: -

ਲੈਣ ਵਾਲੀਆਂ ਸੂਚਨਾਵਾਂ ਦਾ ਵੇਰਵਾ:

1. ਸਾਲ 2013 ਵਿੱਚ ਪਿੰਡ ਢਾਬਾ ਕੋਕਰੀਆ ਦੇ ਜਿਹੜੇ ਪੈਨਸ਼ਨ ਹੋਲਡਰਾਂ ਦੀ ਪੈਨਸ਼ਨ ਚਲ ਰਹੀ ਸੀ, ਉਹਨਾਂ ਪੈਨਸ਼ਨ ਹੋਲਡਰਾਂ ਦੀਆਂ ਲਿਸਟਾਂ ਤਸਦੀਕ ਕਰਕੇ ਦਿੱਤੀਆਂ ਜਾਣ।
2. ਸਾਲ 2013 ਤੋਂ ਦਸੰਬਰ 2018 ਤੱਕ ਜਿਹੜੇ ਪੈਨਸ਼ਨ ਹੋਲਡਰਾਂ ਦੀ ਮੌਤ ਹੋ ਗਈ ਜਾਂ ਪਿੰਡ ਛੱਡ ਕੇ ਚਲੇ ਗਏ, ਉਹਨਾਂ ਦੀ ਵੀ ਲਿਸਟ ਤਸਦੀਕ ਕਰਕੇ ਦਿੱਤੀ ਜਾਵੇ।
3. ਸਾਲ 2013 ਤੋਂ ਦਸੰਬਰ 2018 ਤੱਕ ਜਿਹੜੇ ਪੈਨਸ਼ਨ ਹੋਲਡਰਾਂ ਦੀ ਪੈਨਸ਼ਨ ਕੱਟੀ ਗਈ, ਉਹਨਾਂ ਦੀ ਲਿਸਟ ਵੀ ਦਿੱਤੀ ਜਾਵੇ।
4. ਸਾਲ 2013 ਤੋਂ ਦਸੰਬਰ 2018 ਤੱਕ ਪਿੰਡ ਢਾਬਾ ਕੋਕਰੀਆ ਦੇ ਜਿੰਨੇ ਨਵੇਂ ਪੈਨਸ਼ਨ ਹੋਲਡਰਾਂ ਦੀਆਂ ਪੈਨਸ਼ਨਾਂ ਮੰਜੂਰ ਹੋਈਆਂ, ਉਹਨਾਂ ਦੀ ਲਿਸਟ ਵੀ ਦਿੱਤੀ ਜਾਵੇ।
5. ਸਾਲ 2013 ਤੋਂ ਦਸੰਬਰ 2018 ਤੱਕ ਕ੍ਰਮਵਾਰ ਮਹੀਨਾਵਾਰੀ ਅਤੇ ਸਾਲ ਵਾਰੀ ਗਰਾਮ ਪੰਚਾਇਤ ਢਾਬਾ ਕੋਕਰੀਆ ਦੁਆਰਾ ਪੈਨਸ਼ਨ ਹੋਲਡਰਾਂ ਨੂੰ ਵੰਡੀ ਗਈ ਪੈਨਸ਼ਨ ਸਬੰਧੀ ਏ.ਪੀ.ਆਰ. ਦੀਆਂ ਤਸਦੀਕ ਸੂਚਾ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ ਅਤੇ ਏ.ਪੀ.ਆਰ. ਦੇ ਆਖੀਰ ਵਿੱਚ ਜਾਰੀ ਕੀਤੇ ਪੈਨਸ਼ਨ ਵੰਡ ਸਰਟੀਫਿਕੇਟਾਂ ਦੀਆਂ ਤਸਦੀਕ ਸੂਚਾ ਕਾਪੀਆਂ ਵੀ ਦਿੱਤੀਆਂ ਜਾਣ।
6. ਸਾਲ 2013 ਤੋਂ ਦਸੰਬਰ 2018 ਤੱਕ ਪੈਨਸ਼ਨ ਹੋਲਡਰਾਂ ਦੀ ਜਿੰਨੀ ਅਣਵੰਡੀ ਰਾਸ਼ੀ ਗਰਾਮ ਪੰਚਾਇਤ ਵਲੋਂ ਵਾਪਿਸ ਜਮਾਂ ਕਰਵਾਈ ਗਈ, ਉਸ ਸਬੰਧੀ ਰਿਕਾਰਡ ਦੀਆਂ ਕਾਪੀਆਂ ਦਿੱਤੀਆਂ ਜਾਣ।

Cont...Pg2

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



- 02 -

APPEAL CASE NO. 1171 OF 2021

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 12.10.2020, the Appellant filed Second Appeal in the Commission on 03.03.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

The case is fixed for today. The Respondent states that remaining information has already been supplied to the appellant and he has acknowledged the same.

The Appellant confirms that he has received the complete information and satisfied with same and further gives his consent to close the case.

In the light of above, no further action is required in the instant Appeal Case, the case is **closed and disposed off**. Copies of the order be sent to the parties.

**Chandigarh
20.04.2022**

**Sd/-
(Maninder Singh Patti)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



APPEAL CASE NO. 1234 OF 2020

Advocate Vishal Jain, (98155 22573)
Chamber No. 121,
District Court Complex, Moga.

...Appellant

Versus

Public Information Officer,
O/o Director General of Police, Punjab,
Punjab Police Headquarters,
Sector -9, Chandigarh.

Public Information Officer,
O/o Inspector General of Police (Crime),
Punjab Police Headquarters,
Sector -9, Chandigarh.

First Appellate Authority
O/o Inspector General of Police (Crime),
Punjab Police Headquarters,
Sector -9, Chandigarh.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None on behalf of the Appellant.
ASI Jatinder Khanna on behalf of the Respondents (79736 99711)

ORDER:

The RTI application is dated 06.04.2019 vide which the Appellant has sought information from the PIO O/o Director General of Police, Punjab, Punjab Police Headquarters, Sector -9, Chandigarh on the following points in his RTI application: -

Particulars of information related to:- Letter/Order no.3065/SO/DGP Dt. 09.08.2016 in connection with enquiry sent by Director Bureau of Investigation, vide endorsement No. 620/10.08.16, pending before you regarding FIR No.86 Dt. 28.05.09, P.S; City Moga.

Subject Matter: -

1. Copy of report prepared by AIG, Crime-I.
2. Copy of report prepared by IG, Crime.
3. Copy of report prepared by Director, Bureau of Investigation.
4. Copy of order passed by Director General of Police.
5. Copy of report/opinion given by Law Officer.
6. Copy of report given by SSP Moga.
7. Copy of letter written by Sh. Snehdeep Sharma by way of his response in the above mentioned enquiry.
8. Copy of action taken report against the police officers found guilty in the above mentioned enquiry.

Cont...Pg2

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



- 02 -

APPEAL CASE NO. 1234 OF 2020

9. *Copy of letter No.1012/Crime/Inv-II Dt.14.2.2019 written by Director BOI to IGP Ferozepur Range, Ferozepur.*

On not receiving information from the PIO or on filing First Appeal with the First Appellate Authority (hereinafter FAA) on 04.06.2019, the Appellant filed Second Appeal in the Commission on 20.04.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and as such Notice of hearing was issued to the parties.

The case is fixed for today. The Respondent states that requisite information has already been supplied to the appellant and he has acknowledged the same in writing.

As the Appellant is absent and nothing has been heard from him regarding the receipt of information, it is presumed that he is satisfied with the information provided. No useful purpose, therefore, would be served by keeping this matter pending. I have taken a lenient view and not imposing any penalty, **but the PIO is warned to be careful in future while dealing with the RTI application.**

In the light of above, no further action is required in the instant Appeal Case, the case is **Disposed off and closed.** Copies of the order be sent to the parties.

Chandigarh
20.04.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner