

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)

Cisco Webex URL No. 913122670



Shri Gurdeep Singh Kahlon, 9779508115

R/o House No. 947, HIG,

Jamalpur Colony,

Focal point,

District - Ludhaina.

..Complainant

Vs

Public Information Officer,

O/o Deputy Commissioner,

Mini Secretariat,

Ludhiana.

..Respondent

Complaint Case No. 353 of 2020, Complaint Case No. 354 of 2020,

Complaint Case No. 356, Complaint Case No. 357 of 2020,

Complaint Case No. 358 of 2020

(Video Conference Proceedings)

Present:- Sh. Gurdeep Singh, Kahlon, appellant on phone call.

Sh. Kuldeep Kumar o/o the Deputy Commissioner, Ludhiana on behalf  
of the respondents.

## ORDER

This order may be read with reference to the previous order dated 6.8.2020.

2. During the hearing today i.e. 21.8.2020, the complainant has submitted a letter through whatsapp in the Commission, in which it has been alleged that the person against whom the complaint has been filed and the status has been sought under the RTI Act will influence the Commission but nothing has been written about the receipt of information from the respondent public authorities.

3. However, the respondents have placed on record a copy of the letter bearing No. 287 dated 9.1.2020, which is taken on record, from which it has transpired that the office of the Financial Commissioner (Revenue) has written to the complainant mentioning therein that the said complaint of the complainant has been sent to the District Revenue Officer, District Ludhiana for preliminary enquiry. The copies of the correspondence and noting portion have also been attached with the letter referred to above. Copies of the same are also attached with the order.

4. Again vide memo No. 10312 dated 30.7.2020 and vide No.10472 dated 6.8.2020 have been written to the complainant and provided the up to date status with regard to the RTI application by the Public Information Officer o/o the Financial Commissioner (Revenue). The representative of the respondent-Public Information Officer o/o the Deputy Commissioner, District Ludhiana reiterated the earlier reply given on 6.8.2020. He also states that no affidavit is being filed by the complainant as has been written to him by the office of

Contd..P/2

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)

Cisco Webex URL No. 913122670



-2- Complaint Case No. 353 of 2020, Complaint Case No. 354 of 2020, Complaint Case No. 356, Complaint Case No. 357 of 2020,  
Complaint Case No. 358 of 2020

the Deputy Commissioner, District Ludhiana since he has levelled serious allegation against a public servant and the information sought pertains to another public authority. Furthermore, he states that in the absence of the affidavit, the matter regarding enquiry is pending for want of the same and no action can be initiated to appoint the enquiry officer till the complainant files an affidavit. The representative of the respondents also submits the copy of letter No. 8451-53 dated 13.8.2020 through email, which is taken on record, vide which the RTI application of the complainant has been transferred to the Deputy Commissioner, Patiala under Section 6(3) of the RTI Act. Accordingly, the Public Information Officer o/o the Deputy Commissioner, Patiala is impleaded as necessary party in this case.

5. Since, the complainant has levelled an allegation without any documentary evidence, in the interest of justice, it will be appropriate to consider the instructions of DOPT circulated vide their letter dated 1/18/2011/IR dated 16.09.2011 stating that “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 1 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 applicants; or to furnish replies to hypothetical questions.

6. It is also a fact that the appellant is seeking information regarding action taken on his complaint but had hidden the fact that the respondent public authority has written a letter to the complainant, in which the up to date status has been provided. As far as the public information officer office of the Deputy Commissioner, District Ludhiana is concerned, the appellant has already been informed by him that due to non submission of the affidavit the action on the complaint dated 14.11.2019 is pending. The public authority has sent the letter No. 7252 dated 20.12.2019 to the complainant vide which the up to date status has been given to him, which is reproduced below:-

“ਪ੍ਰਾਰਥੀ ਦੀ ਦਰਖਾਸਤ ਮਿਤੀ 14.11.2019 ਸਬੰਧੀ ਇਸ ਦਫਤਰ ਵਲੋਂ ਪੱਤਰ ਨੰ; 7121/ਅਸ ਮਿਤੀ 11.12.19 (ਕਾਪੀ ਨੱਥੀ) ਰਾਹੀਂ ਪ੍ਰਾਰਥੀ ਨੂੰ ਲਿਖਿਆ ਗਿਆ ਹੈ ਕਿ ਇਸ ਸ਼ਿਕਾਇਤ ਵਿਚ ਜਿਸ ਲੈਂਡ ਸਕੈਮ ਦਾ ਜਿਕਰ ਕੀਤਾ ਗਿਆ ਹੈ, ਇਹ ਸਕੈਮ ਨਾਭਾ, ਜਿਲਾ ਪਟਿਆਲਾ ਨਾਲ ਸਬੰਧਤ ਹੈ। ਜਿਸ ਲਈ ਇਹ ਦਰਖਾਸਤ ਮੂਲ ਰੂਪ ਵਿੱਚ ਦਫਤਰ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਪਟਿਆਲਾ ਨੂੰ ਟਰਾਂਸਫਰ ਕਰਨ ਬਾਬਤ ਆਪ ਵੱਲੋਂ ਇਕ ਐਫੀਡੈਵਿਟ

Contd..P/3..

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)

Cisco Webex URL No. 913122670



-3- Complaint Case No. 353 of 2020, Complaint Case No. 354 of 2020,

Complaint Case No. 356, Complaint Case No. 357 of 2020, Complaint Case No. 358 of 2020

ਦਫਤਰ ਵਿਖੇ ਦੇਣ ਦੀ ਖੋਚਲ ਕੀਤੀ ਜਾਵੇ ਤਾਂ ਜੋ ਇਹ ਦਰਖਾਸਤ ਦਫਤਰ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਪਟਿਆਲਾ ਨੂੰ ਟਰਾਂਸਫਰ ਕੀਤੀ ਜਾ ਸਕੇ।“

7. The complainant wilfully and deliberately hid the fact while filing the complaint case in the Commission that the respondents have already provided the status of the complaint to the complainant. In case the replies of the respondent public authorities were attached while filing the complaint case in the Commission, the same would not have been accepted by the Commission on this ground as he would have been ineligible to file the complaint under Section 18 of the RTI Act.

8. After hearing both the parties and going through the record available on the case file, the Public Information Officer o/o the Deputy Commissioner, District Ludhiana is directed to place on record the copy of complete file noting and the present status regarding his complaint dated 14.11.2019. Also the Public Information Officer o/o the Deputy Commissioner, Patiala is directed to file his response in this regard before the next date of hearing.

9. To come up on 29.9.2020 at 12.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated:21.8.2020

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

CC

Public Information Officer

o/o Financial Commissioner, Revenue  
Punjab Civil Secretariat-1,  
Chandigarh.

Public Information Officer  
o/o The Chief Minister,  
Punjab Civil Secretariat-1,  
Chandigarh

Public Information Officer  
o/o Revenue Minister, Punjab,  
Punjab Civil Secretariat-1, Chandigarh

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)

Cisco Webex URL No. 913122670



Sh. Ramandeep Singh Ahluwalia, (9464500405)

Ward No. 18, Street No. 2,  
Kartar Nagar, Amlloh Road,  
Khanna -141401,  
District Ludhiana.

.....Appellant

Vs

Public Information Officer,  
O/o Deputy Commissioner,  
Mini Secretariat,  
Ludhiana.

First Appellate Authority,  
O/o Commissioner,  
Patiala Division,  
1-A, Baradari Garden,  
Patiala.

..... Respondents

Appeal Case No. 887 of 2020

Present: None on behalf of the appellant.  
None on behalf of the respondents.

Order

The representative of the respondents Sh. Gurmeet Singh, Senior Assistant informed the Commission that there is a pen down strike in the office of Deputy Commissioner, Ludhiana and requested for the adjournment of the case. Accordingly, the message has been passed on to the appellant and directed not to appear for the video conference due to pen down strike in the office of the Deputy Commissioner.

2. Accordingly, the case is adjourned to 21.9.2020 at 12.30 P.M. and will be heard through Cisco Webex 913122670.

Sd/

Dated 21.8.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)

Cisco Webex URL No. 913122670



Sh. Paramjit Singh,

House No. 1426-D,

Model Town Extension,

District Ludhiana.

.....Appellant

**Vs**

Public Information Officer,

o/o Director, Governance Reforms, Punjab,

Plot no. D-241, Industrial Area,

Phase 8 B, Mohali

Public Information Officer,

O/o Deputy Commissioner,

Mini Secretariat,

Ludhiana.

First Appellate Authority,

O/o Deputy Commissioner,

Mini Secretariat,

Ludhiana.

..... Respondents

## **Appeal Case No. 919 of 2020**

Present: None on behalf of the appellant.

Sh. Parveen Garg, SSM, on phone, on behalf of the respondents

Order

This case may be read with reference to the previous order dated 6.8.2020 vide which Public Information Officer o/o Director, Governance Reforms, Punjab was impleaded as necessary party in this case with directions to provide the information to the appellant pertaining to point no. 1 of his RTI application. The case was adjourned to 21.8.2020.

2. Sh. Parveen Garg SSM has informed the Commission through telephone that the information pertaining to Point No. 1 of the RTI application of the appellant has to be provided by Sh. Vinesh Gautam, who has been quarantined due to Corona positive. He requests to adjourn the case. Accordingly, the appellant has been informed.

3. To come up on 21.9.2020 at 12.30 P.M. and will be heard through Cisco Webex.

Dated 21.8.2020

**Sd/**

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)

Cisco Webex URL No. 913122670



Sh. Baldev Singh S/o Sh. Banta Singh  
R/o Village Ghangus, Tehsil Payal,  
Block Doraha, District Ludhiana.

----Appellant

Vs

Public Information Officer,  
o/o Director, Rural Development and Panchayat,  
Sector 62,  
Mohali

Public Information Officer,  
District Development and Panchayat Officer,  
Mini Secretariat  
Ludhiana.

First Appellate Authority,  
o/o Director, Rural Development and Panchayat ,  
Sector 62,  
Mohali

Public Information Officer  
o/o Block Development and Panchayats Officer,  
Doraha, Ludhiana.

--- Respondents

Appeal Case No. 979 of 2020

Present:- None on behalf of the appellant.  
Sh. Nitin, Panchayat Secretary, Gram Panchayat Ghunas on behalf of the  
Respondents.

## ORDER

This order may be read with reference to the previous order dated 22.7.2020.

2. The representative of the respondents states that the enquiry report in the present case has been sent by the Block Development and Panchayats Officer, Doraha to the District Development and Panchayats Officer, District Ludhiana vide letter No. 156-158 dated 20.8.2020. Copy of the said letter has been sent to the Commission with a copy to the appellant. As the appellant is not present, hence the copy of the said letter along with an attachment is sent with this order with the advise to file his submissions/deficiencies, if any, before the next date of hearing to the respondent-Public Information Officer with a copy to the Commission. Also the respondents are directed to remove the same in case any deficiency is pointed out by the appellant before the next date of hearing.

3. To come up on 18.9.2020 at 12.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated: 21.8.2020

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

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)

Cisco Webex URL No. 913122670



Sh. Sarbjeet Singh Gill, M 9888490031,  
H. No. 60-35 p 376-1, Street No. 8,  
Maha Singh Nagar, PODhandariKalan,  
Ludhiana.

--- Appellant

Vs

Public Information Officer,  
o/o Chief Secretary, Punjab  
Punjab Civil Secretariat-1  
Chandigarh,

**Public Information Officer, (REGD)**  
o/o Addl. Chief Secretary to Govt. of Punjab,  
Department of Home Affairs and Justice, Punjab,  
Punjab Civil Secretariat-1  
Chandigarh,

First Appellate Authority,  
o/o Chief Secretary ,Punjab Government,  
Chandigarh.

Public Information Officer (REGD)  
o/o Director General of Police, Punjab,  
Sector 9, Chandigarh

---- Respondents

## Appeal Case No. 1009 of 2020

Present: None on behalf of the appellant.  
None on behalf of the respondents

Order

The order may be read with reference to the previous order dated 22.7.2020 vide which Public information Officer o/o the Chief Secretary, Punjab was directed to file the reply/supply the information before the next date of hearing and the case was adjourned to 21.8.2020.

2. Due to administrative reasons/Covid 19 pandemic, the case is adjourned.
3. To come up on 21.9.2020 at 12.30 P.M. and will be heard through Cisco Webex 913122670.

Sd/

Dated 21.8.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)

Cisco Webex URL No. 913122670



Sh .Kulwant Singh s/o Sh. Pritam Singh 9878973610

VPO Pohir, Tehsil and District, Ludhiana.

-----Complainant

Vs

Public Information Officer,  
o/o Director, Rural Development and Panchayat Punjab,  
Distt. S.A.S. Nagar.

-----Respondent

## Complaint Case No. 242 of 2020

Present: None on behalf of the appellant.  
None on behalf of the respondent.

Order

The representative of the respondents Smt Jasbir Kaur, Senior Assistant informed the Commission that there is a pen down strike in their office and requested for the adjournment of the case. Accordingly, a message has been passed on to the appellant and directed not to appear in this case.

3. Accordingly, the case is adjourned, to come up on 21.9.2020 at 12.30 P.M. and will be heard through Cisco Webex 913122670.

Sd/

Dated 21.8.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.