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

Bb. 0472 2864440

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Sh. Gurcharan Singh s/o Sh. Gujjar Singh VPO Bambiha Bhai, Block Bagapurana, Distt, Moga.



..Complainant

Vs

Public Information Officer, o/o Gram Panchayat , Village Bambiha Bhai, Block Bagapurana, Distt. Moga

...Respondent Complaint Case No. 271 of 2020

Present: None on behalf of the appellant.

None on behalf of the appenant.

None on behalf of the respondent.

Order

The complainant has sought the information as per his RTI application dated 6.12.2019 pertaining to the village Bambia Bhai, which is as follows:-

- 1. ਗੂਾਮ ਪੰਚਾਇਤ ਬੰਬੀਹਾ ਭਾਹੀ ਕੋਲ ਪੰਚਾਇਤ ਜਮੀਨ ਕਿੰਨੀ ਹੈ।
- 2. ਸ਼ਾਮਲਾਟ ਜਮੀਨ ਕਿੰਨੀ ਹੈ।
- 3. ਖਾਲੀ ਪਈ ਸ਼ਾਮਲਾਟ ਤੇ ਪੰਚਾਇਤੀ ਜਮੀਨ ਕਿੰਨੀ ਹੈ।
- 4. ਪਿੰਡ ਵਿਚ ਸ਼ਿਵੇ ਕਿੰਨੇ ਬਣੇ ਹੋਏ ਹਨ।
- 5. ਇਹ ਸ਼ਿਵੇ ਜਾਤੀ ਅਧਾਰਤ ਹਨ ਜਾ ਗੋਤ ਤੇ ਅਧਾਰਤ ਹਨ।
- 6. ਪਿੰਡ ਬੰਬੀਹਾ ਭਾਈ ਦੀ ਸ਼ਾਮਲਾਟ ਤੇ ਪੰਚਾਇਤੀ ਜਮੀਨ ਟੋਟਲ ਕਿੰਨੀ ਹੈ।

The respondent has denied to give the information to the complainant on the pretext that sought information is in question form and cannot be provided as per RTI Act 2005 vide their letter dated 18.1.2020. Aggrieved with the decision of the respondent, the complainant filed a complaint case on 23.3.2020 under Section 18 of the RTI Act, 2005. On dated 24.7.2020, it was revealed that although the information sought in the RTI application was in question form but it was the matter of record. The respondent has erred in his interpretation of what constitute "Information" as defined in section 2 (f) of the RTI Act,2005 and the contention of the respondent for denial of information to the complainant was rejected by the Commission and the respondent-Public Information Officer was directed to provide the information sought by the complainant based on the record within 10 days from the issue of order dated 24.7.2020 failing which the punitive action will be initiated on the next date of hearing. The case was adjourned to 26.8.2020.

- 2. The respondent-Public Information Officer has sent a letter no. 10 dated 8.8.2020, which is taken on record, addressed to the complainant with a copy to the Commission showing that complete point wise information has been supplied to the complainant in compliance of the orders issued by the Commission on dated 24.7.2020.
- 3. The complainant has also sent a letter dated 25.8.2020 through whatsapp that he has received the information through messenger.

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Complaint Case No. 271 of 2020

-2-

4. According to the submissions made by the complainant, it reflects that he has received the complete information and no more action is required in this case. Hence, the case is disposed of and closed. However, the liberty is granted to the complainant to approach the Commission within 10 days from the issue of this order in case of any submissions.

Dated: 26.8.2020

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

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Pn: U1/2-28041UU-1U1, Fax U1/2 280

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Shri Satish Kumar 9815582999 R/o House Plot No. B-5/18, Near Mahavir Mandir, Rajpura Town, District - Patiala.

..Appellant

Vs

Public Information Officer, O/o Supdt., Department of General Administration, Establishment branch -I, Punjab Civil Secretariat- 1, Chandigarh.

First Appellate Authority,
O/o Under Secretary, Department of General Administration,
Establishment branch -I,
Punjab Civil Secretariat- 1,
Chandigarh.

..Respondents

Appeal Case No. 1346 of 2020

Present: Sh. Satish Kumar, appellant on webex.

Ms. Simerjeet Kaur, Senior Assistant on behalf of the respondent (On webex)

Order

The appellant has sought the information under RTI Act, 2005 about the status of the complaint sent to the Chief Minister Punjab on 25.11.2019 against Sh. Joginder Singh s/o Sh. Vijay Kumar, Senior Assistant posted in the Finance Department (Pension Branch), Sector 33 A, Chandigarh through registered post. The information sought vide his RTI application is reproduced as follows:-

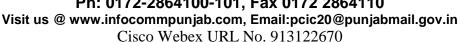
" ਇਸ ਸ਼ਿਕਾਇਤ ਦੀ ਇੰਨਕੁਆਇਰੀ ਕਿਸ ਅਫਸਰ ਨੂੰ ਮਾਰਕ ਕੀਤੀ ਗਈ ਹੈ ਅੱਜ ਦੀ ਮਿਤੀ ਤੱਕ ਮੈਨੂੰ ਸੂਚਿਤ ਨਹੀਂ ਕੀਤਾ ਗਿਆ।ਸੋ ਭੇਜੀ ਸ਼ਿਕਾਇਤ ਦਾ ਮੋਜੂਦਾ ਸਟੇਟਸ ਦੱਸਿਆ ਜਾਵੇ ਭਾਵ ਮੋਜੂਦਾ ਸਟੇਟਸ ਦੀ ਸੂਚਨਾ ਉਪਲਬਧ ਕਰਵਾਈ ਜਾਵੇ।"

This case was heard on 24.7.2020 vide which the respondent-Public Information Officer has denied the sought information to the appellant under section 8(1)(j) of the RTI Act, 2005 by citing the decisions of Hon'ble Supreme Court of India in SLP (c) No. 27734/2012-Grish Ramachandran Deshpandey vs Chief Information Commission and appeal no, CIC (Appeal no. 243 /ICPB?2006 and 244/IBPB/2006)-Sarvesh Kaushal vs F.C.I. and ors which were not relevant to this case and respondent Public Information Officer was directed to file his response /reply before the next date of hearing and the case was adjourned to 26.8.2020.

2. During the hearing, the appellant states that no information has been supplied by the respondents so far.

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Appeal Case No. 1346 of 2020

-2-

3. The representative of the respondent states that the information has been provided to the appellant vide there letter memo no. GAD-EST10RTI/5/2020/514 dated 24.7.2020. The relevant portion of the letter is reproduced as under:

" ਇੱਥੇ ਇਹ ਵੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਮਾਮਲੇ ਵਿੱਚ ਇਸ ਵਿਭਾਗ ਵਲੋਂ ਕੋਈ ਵੀ ਪੜਤਾਲੀਆ ਅਫਸਰ ਨਿਯੁਕਤ ਨਹੀਂ ਕੀਤਾ ਗਿਆ ਹੈ। ਰਿਕਾਰਡ ਦੇ ਅਧਾਰ ਤੇ ਇਹ ਮਾਮਲਾ ਘੋਖਿਆ ਜਾ ਰਿਹਾ ਹੈ। ਮਾਮਲੇ ਨੂੰ ਘੌਖਣ ਉਪਰੰਤ ਬਣਦੀ ਕਾਰਵਾਈ ਕਰ ਲਈ ਜਾਵੇਗੀ।"

This above said letter has been received by the Commission through email dated 19.8.2020, which is taken on record.

4. After hearing the representative of the respondent, the Commission observes that the respondents have provided the status regarding the complaint filed by the appellant and the information of which has been sought. Copy of the letter dated 24.7.2020 received from the respondent-Public Information Officer is sent with the order. Since, the respondent-Public Information Officer has supplied the information, no further action is required in this case. Hence, the case is disposed of and closed.

sd/

Dated: 26.8.2020 (Suresh Arora) Chief Information Commissioner, Punjab.

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Sh. Jagtar Singh, 9815289033 R/o Village- Naraina, Block-Khera, District Fatehgarh Sahib.

..Appellant

Vs

Public Information Officer, o/o Block Development and Panchayat Officer, Khera, Fatehgarh Sahib.

First Appellate Authority, O/O District Development And Panchayat Officer, Fatehgarh Sahib.

..Respondents

Appeal Case No. 1735 of 2020

Present:

None on behalf of the appellant.

None on behalf of the respondents.

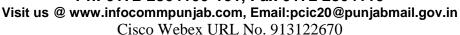
Order

The RTI application is dated 11.3.2020 vide which the appellant has sought 19 point information from the respondent-Public Information Officer regarding Panchyat and MGNREGA of the village Naraina pertaining to the years starting from 1998 to 2020 as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 28.5.2020 and second appeal was filed in the Commission on 30.6.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 26.8.2020.

appellant the information:-क्षेत्रती स मि भे नामान मिक रिकार के का में मुन्त मिक मह का वश्ताहा, प्रत्य स्वतं, औं संतीपयदा निहां देविकात मार्विक रा गो भिरंद्र मेंहर किर्वेहत ही का में अधिक दिला में है के मारा कि है है। के मिल E mais House Roma Pary 01/1/19983 & 214/7/2003 Paro Boms \$ 2002 E008 - 11 \$ \$ \$ 100 | 10 12 x mong accel acted to 12 1003 4 Hills mode hona film adas 01/1/19983 14.7.2003 722 28 5000 2) E 35 200 Hours for 2 4 5 101/1/1983, 142. 2003 4,00 MISON דית בכם שבו גוומה. 2002-2-11 ב 1/10 ומוש ב מחום בלו במו ב מחום בוחה בוחה לוחד ב 8 MAR HOWS Brong PALUNIER 01/1/1998 31 14.7.2003 mayar for

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in hal of 1/2018 the 8102/2/105 the 18 2/10/ 8/10/ 10/ 10/ के अर्था हिंड mader हरें जार मात मात मही, मिरे, केरा, कारी-मीरिक हिंदा कर्ता का मार है हिंदर, नजराही प्रमाद के कर के मार्थिक मार्थिक करा कर मार्थिक हैत किर नित्र मार्थियां हिंदे हिंदे हिंदे हिंदे हिंदे हिंदे हिंदिया हिंदे हिंदे हिंदिया विते परात्रे, मामा अर्थ नाम में के हिंदि । ताम में के मार में हिंदी हैं कि मार में कि मार में कि में कि में कि महा विकास केरे महे व विशेष अधिकार والمرود ودور الدو المرود المرود المرود المراد الدور المراد الدور المراد المرود المراد المرود المراد المرود المراد المرود المراد The prof 12/01/2018 AND LECKLE COLLECK 81057-15 15 18 105-1-10 TH (सामिक्प हा पारक क्ष्मिक हिंधी हैं। हिंदि करार परिव हिंदी हिंदी हिंदी हिंदी भेकाकित भी अन्या हिन्दा करें हिन्दी मार्थ में के निया हेरेत्रह्म, परह डिलिंग हिल्हें हे (दिश्वः अवित हिल्हिए विश्व हिल्हें हिले हिल किरीमंचन हरूर पर निवान । महुप्र, यान्य दिन प्याप प्रिट्ट मरी क्या , महर्म हर्म क्या मार्गिक से कार्गा प्रिट्ट मरी क्या , महर्म हर्म कार्गा प्रिट्ट मरी क्या , महर्म हर्म कार्गा निवान है के प्याप प्रिट्ट मरी क्या , महर्म हिंदी नार्दे । ने प्रते अपित हर्म हिंदी नार्दे । ने प्रते अपित हर्म हर्म कार्गा कि निवान हिंदी नार्दे । ने प्रते अपित हर्म हर्म कार्म महिला हे थारों का याचीप विसे बीड़ा , विके अरोप दिया दिने मारे में कार्र भारे की की हिल्डी हिंगीमारे, पूरे विसे किलाई / विस्ते माप्त कारों किलाई प्रिकार के อरम की योग्रेट हिन करक के बड़ी सामा निवाड हों महेट दिन नार दिन 01/1/20133 11/3/202032 16213 (207 913) पि पिर्ड में के रिक्स । moder m मित्र की मिरे की ही थी है नव से मार ही ही बी कि 2 fed 15 for E Elos 1/1/2013 7 10/8/20 2032 

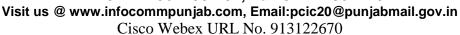
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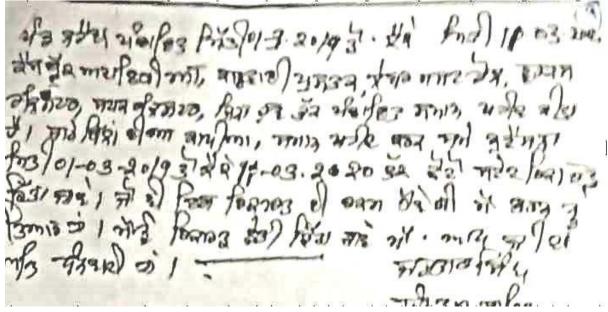
01-1.2013 3 2020 TIB PIE 28 1/28 /45 नम्बर मामानान पाद, बहुक मडान प्राम, दुर पर्य हिंप मारे विकार ולהנכ אכז וון ו נושלה חל ומסיבנות לבהיכש 10-3. 20 20 E'S 38/21 2000 @ m1 #2 for 12/10 main, an बिच बठा है, महा जीना भारी पान कि टिक्स के का के कारी प्रसार विश्व गतिशा मेखा ने बेल वीडा । जावा रेक्ड क्वड किन्छ रिंड सेंबररी रिक्ताम निष्प पत्रव थेड़ी रिक वित्रे माह, की नर्ज़ ।। रिल्म मेंबररी में विञ्चे रिपेडं। रिक्व बेल बीडा रिप्टी सात्र 169 B FI 1893 Smill 1807 FIR Par 2/20/23/Paga HZiPaga, House, 261) म्या सम्बद्ध अही हिल मुक्की विशे दिल क्षित — वैद्या निता हिला ही मिया थीं में बच्छी दिन कमी हो की शारी (300) 5364 R. 85/5) C for mens उक्स की द्वितार हिम ज्वस की बेही याज्या ही के बाबन्दारी या वे व्रवत रिक्से किये हिंद मिए। Pass 28 Haza Pormia Fring Pool Pear अन्ता बिंसे बहा केल ही व्यान विरोध रि Pagi = 12 | (a/05/20133, 10-3

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- 3. The appellant has sent a letter dated 25.8.2020 through whatsapp message to the Commission which is addressed to the Commission in which it has been mentioned that he has received the information pertaining to the Panchayat Naraina and MGNERGA from the respondent. He has further mentioned in the said letter to dispose of the case as he has received the complete information.
- 4. According to the submissions of the appellant, there is no further cause of action left in this case. Hence, this case is disposed of and closed.

Dated: 26.8.2020

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