

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Shri Amit Jairath
207, Bank Enclave,
Jalandhar Pin 144003

Complainant

Vs

Public Information Officer,
o/o Financial Commissioner,
Revenue,
Punjab Civil Sectt-1,
Chandigarh

First Appellate Authority,
o/o Financial Commissioner,
Revenue,
Punjab Civil Sectt-1,
Chandigarh

Respondents

Complaint Case No. 316 Of 2021
(Cisco Webex Proceedings)

Present:- None on behalf of the complainant.
Sh. Amrinder Singh, Sr. Asstt. 9855403399 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 17.5.2021.

2. The appellant has sought the following information:-

3. PERIOD : FROM 01.01.1958 TO TILL DATE

4. PARTICULARS OF INFORMATION REQUIRED

- | | |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (i) Subject matter of information: | Delegation of powers to the Officers of other Departments Under Section 68,69,70,72,74,75,77, 79, 90, 91 and 92 of The Punjab Land Revenue Act, 1887. |
| 1. | Copies of Notifications vide which powers Under Section 68,69,70,72,74,75,77,79,90,91 and 92 of The Punjab Land Revenue Act, 1887 were given to the Officers of Excise Department, Punjab. |
| 2. | Copies of Notifications vide which powers Under Section 68,69,70,72,74,75,77,79,90,91 and 92 of The Punjab Land Revenue Act, 1887 were given to the Officers of Mining/Industries Department, Punjab. |
| 3. | Copies of Notifications vide which powers Under Section 68,69,70,72,74,75,77,79,90,91 and 92 of The Punjab Land Revenue Act, 1887 were given to the Officers of any other Department of Punjab Government. |

3. The representative of the respondents states that the complainant has sought the information from 1958 to date regarding delegation of powers to the officers of other

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departments under Section 68,69, 70, 72, 74, 75, 77, 79, 90, 91 and 92 of the Punjab Land Revenue Act, 1887. He further states that a letter was issued to the complainant to mention the number/date of notification so that the information can be supplied but nothing has been received from him till date.

4. The appellant is absent without intimation. He was also absent during the last hearing dated 17.5.2021.

5. It is appropriate to mention the decision given by the Supreme Court of India in the matter of Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors (Civil Appeal No.6454 of 2011) reported as 2011(3)RCT(Civil).

Relevant portion of the judgement is reproduced below:-

“The RTI Act provides access to all information *that is available and existing*. This is clear from a combined reading of section 3 and the definitions of ‘information’ and ‘right to information’ under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non available information and then furnish it to an applicant. A public authority is also not required to furnish information which require drawing of inferences and/or making of assumptions. It is also not required to provide ‘advice’ or ‘opinion’ to an applicant, nor required to obtain and furnish any ‘opinion’ or ‘advice’ to an applicant. The reference to ‘opinion’ or ‘advice’ in the definition of ‘information’ in section 2(f) of the Act, only refers to such material available in the records of the public authority....”

“.....The RTI Act should not be allowed to be misused or abused, to become a tool to

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obstruct the national development and integration, or to destroy the peace, tranquillity and harmony among its citizens- Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty-National does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collection and furnishing information to applicants instead of discharging their regular duties----Indiscriminate and impractical demands or directions under RTI Act for disclosure of all the sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information.....”.

6. Keeping in view the above, the Commission observes that no further action is required to be taken in this case as the complainant has sought the information from 1958 to date. Hence, the case is disposed of and closed.

Dated: 29.6.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Kamaljit Singh Anand (Advocate),
Chamber No 5014, 5th Floor,
District Courts,
Ludhiana.
M : 9815033415

.Appellant

Vs

Public Information Officer,
O/o Sub Divisional Magistrate,
Samrala,
Ludhiana.

First Appellate Authority
O/o Sub Divisional Magistrate,
Samrala,
Ludhiana.

....Respondent(s)

Appeal Case No. 788/2021

(Cisco Webex/Telephone Proceedings)

Present:- None on behalf of the appellant.

Ms Jasveer Kaur, Labour Inspector 9417594899 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 17.5.2021.

2. The appellant has sought the following information:-

1. ਇਹ ਕਿ ਕਿਰਤ ਵਿਭਾਗ ਲੁਧਿਆਣਾ (ਲੇਬਰ ਡਿਪਾਰਟਮੈਂਟ) ਦੁਆਰਾ ਪਿਛਲੇ 5 ਸਾਲਾਂ ਦੌਰਾਨ ਬਿਲਡਿੰਗ ਐਂਡ ਅਦਰ ਕੰਨਸਟਰਕਸ਼ਨ ਵਰਕਰਜ਼ ਐਕਟ ਅਧੀਨ ਲਾਭਪਾਤਰੀਆਂ ਦੀਆਂ ਕੀਤੀਆਂ-2 ਸਕੀਮਾਂ ਪਾਸ ਕਰਵਾਈਆਂ ਗਈਆਂ ਹਨ। ਉਹਨਾਂ ਦੀ ਗਿਣਤੀ ਦੱਸੀ ਜਾਵੇ।
2. ਕਿਰਤ ਵਿਭਾਗ ਲੁਧਿਆਣਾ ਦੁਆਰਾ ਆਪ ਜੀ ਦੇ ਕੋਲ ਉਪਰੋਕਤ ਐਕਟ ਅਧੀਨ ਕਿੰਨੀਆਂ ਮੀਟਿੰਗਾਂ ਕਰਵਾਈਆਂ ਗਈਆਂ ਹਨ, ਵੇਰਵਾ ਦਿੱਤਾ ਜਾਵੇ।
3. ਉਪਰੋਕਤ ਮੀਟਿੰਗਾਂ ਦੌਰਾਨ ਆਪ ਜੀ ਦੇ ਵਫ਼ਤਰ ਦੁਆਰਾ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਦਾ ਵੇਰਵਾ ਦਿੱਤਾ ਜਾਵੇ।
4. ਫਰਵਰੀ 2020 ਤੋਂ ਹੁਣ ਤੱਕ ਆਪ ਜੀ ਦੁਆਰਾ ਜੇਕਰ ਲਾਭਪਾਤਰੀ ਦੀਆਂ ਸਕੀਮਾਂ ਦੀ ਮੀਟਿੰਗ ਬਿਲਡਿੰਗ ਐਂਡ ਅਦਰ ਕੰਨਸਟਰਕਸ਼ਨ ਵਰਕਰਜ਼ ਐਕਟ ਅਧੀਨ ਕੀਤੀ ਗਈ ਹੋਵੇ ਤੇ ਰੱਦ ਕਰ ਦਿੱਤੀ ਗਈ ਹੋਵੇ, ਉਸਦਾ ਵੇਰਵਾ ਦਿੱਤਾ ਜਾਵੇ।
5. ਲੜੀ ਨੰ: 4 ਸਬੰਧੀ ਆਪ ਜੀ ਦੇ ਦੁਆਰਾ ਜੇਕਰ ਕੋਈ ਕਾਰਵਾਈ ਕੀਤੀ ਗਈ ਹੈ, ਤਾਂ ਕਾਰਵਾਈ ਦੌਰਾਨ ਕੀਤੀ ਗਈ ਰਿਪੋਰਟ ਦਾ ਵੇਰਵਾ ਦਿੱਤਾ ਜਾਵੇ ਜੀ।
6. ਪਿਛਲੇ 5 ਸਾਲਾਂ ਤੋਂ ਹੁਣ ਤੱਕ ਕਿਰਤ ਵਿਭਾਗ ਲੁਧਿਆਣਾ ਦੇ ਜਿੰਨੇ ਅਧਿਕਾਰੀਆਂ ਨੇ ਆਪ ਜੀ ਪਾਸੋਂ ਉਕਤ ਐਕਟ ਅਧੀਨ ਸਕੀਮਾਂ ਪਾਸ ਕਰਵਾਉਣ ਲਈ ਪੇਸ਼ ਕੀਤੀਆਂ ਗਈਆਂ ਹਨ, ਉਹਨਾਂ ਦਾ ਨਾਮ, ਅਹੁਦਾ ਅਤੇ ਮੌਜੂਦਾ ਤਾਇਨਾਤੀ ਦੱਸਣ ਦੀ ਕੁਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ।

3. The representative of the respondents states that the complete information has already been supplied to the appellant and nothing more is available on record which could be supplied to him. He has also sent the receipt given by the appellant, which is taken on record.

4. According to the submissions made by the representative of the respondents that

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Appeal Case No. 788 of 2021

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the complete information has already been provided to the appellant and also the receipt of the appellant is received mentioning that he has received the complete information. Accordingly, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

Dated: 29.6.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Baldev Singh s/o Sh. Hardit Singh 84377 95286
r/o Village laduka,
Tehsil & District Fazilka.

....Appellant

Vs

Sh. Gurjinder Singh 9855300174
Public Information Officer
o/o Block Development and Panchayats Officer,
Block Jalalabad, District Fazilka.

First Appellate Authority
o/o Block Development and Panchayats Officer,
Block Jalalabad, District Fazilka.

....Respondents

Appeal Case No. 2791 of 2020

(Video Conference/Telephone Proceedings)

Present:- Sh. Baldev Singh, appellant, on telephone.
Sh. Gurjinder Singh, Block Development and Panchayats Officer-cum-Public
Information Officer _____ on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 7.6.2021.

2. The appellant has sought the following information:-
“1.1.2019 ਤੋਂ ਲੈ ਕੇ ਹੁਣ ਤੱਕ ਪਿੰਡ ਲਾਧੂਕਾ ਦੀ ਪੰਚਾਇਤ ਵਲੋਂ ਕੀਤੇ ਕੰਮਾਂ ਦੀ ਬਣੀ ਐਮ.ਬੀ. ਦਾ ਪੂਰਾ ਰਿਕਾਰਡ ਵਿਸਥਾਰ ਸਿਹਤ ਦਿੱਤਾ ਜਾਵੇ।”
3. The appellant states that he has received the remaining copy of measurement book consisting of 30 pages. He further states that he has no objection if the present appeal case is disposed of.
4. Also the respondent-Public Information Officer Sh. Gurjinder Singh, Block Development and Panchayats Officer requests that the show cause notice issued to him may be withdrawn and tender his unconditional apologies for the delay occurred in this case. He has also sent the written reply regarding show cause notice issued, which is taken on record.
5. Since, the appellant is satisfied with the information so supplied by the respondent-Public Information Officer and requests to dispose of the case. Due to on-going Corona 19 pandemic, instructions issued by the Government of Punjab to work with 50% staff and as per the submissions made by Sh. Gurjinder Singh, Public Information Officer-cum-Block Development and Panchayats Officer, a lenient view is taken. Therefore, the show cause notice issued to Sh. Gurjinder Singh, Public Information Officer-cum-Block Development and Panchayats Officer in this case is hereby withdrawn.
6. Accordingly, 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: 29.6.2021

Chief Information Commissioner, Punjab.