

PUNJAB STATE INFORMATION COMMISSION

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

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Sh. Kulwant Singh s/o Sh. Pritam Singh
VPO Pohir,
Tehsil & District Ludhiana 141204
9878973610

..Complainant

Vs

Public Information Officer
o/o Tehsildar, Dehlon,
District Ludhiana

....Respondents

Complaint Case No. 875 of 2021
(Video Conference Proceedings)

Present:- Sh. Kulwant Singh, complainant on telephone.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 2.9.2021.

2. The complainant has sought the following information:-

ਬੇਨਤੀ ਹੈ ਕਿ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਵੱਲੋਂ ਮਿਤੀ. 07.12.2019 ਨੂੰ ਮਾਨਯੋਗ ਮੁੱਖ ਸੂਚਨਾ ਕਮਿਸ਼ਨਰ ਰਾਹੀਂ ਮੈਨੂੰ ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਸੀ ਕਿ ਖਸਰਾ ਨੰ. 266 ਮਾਨਯੋਗ ਸਿਵਲ ਕੋਰਟ ਬਾ-ਅਦਾਲਤ ਸੁਰਪ੍ਰੀਤ ਕੋਰ ਜੇ.ਆਈ.ਐਮ.ਐਸ ਲੁਧਿਆਣਾ ਖਸਰਾ ਨੰ. 266 ਸਟੇਅ ਹੈ ਅਤੇ ਬੀ.ਡੀ.ਪੀ.ਓ ਡੇਹਲੋਂ ਵੱਲੋਂ ਵੀ ਜਾਣਕਾਰੀ ਵਿੱਚ ਪੁਸ਼ਟੀ ਕੀਤੀ ਗਈ ਸੀ ਮਿਤੀ. 07.12.2019 ਨੂੰ ਮੈਨੂੰ ਅਤੇ ਸਰਪੰਚ ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਨੂੰ ਨਿਸ਼ਾਨਦੇਹੀ ਲਈ ਮੌਕੇ ਤੇ ਬੁਲਾਇਆ ਗਿਆ ਸੀ ਉਸ ਸਮੇਂ ਸਰਪੰਚ ਵੱਲੋਂ ਵਿਰੋਧੀ ਧਿਰ ਮੰਨਿਆ ਜਾਵੇ ਉਨ੍ਹਾਂ ਨੂੰ ਇਤਰਾਜ਼ ਸੀ ਕਿ ਨਿਸ਼ਾਨਦੇਹੀ ਨਾ ਹੋਵੇ ਪਰ ਮੌਕੇ ਤੇ ਹਾਜ਼ਰ ਵੀ ਰਹੇ। ਹੁਣ ਉਸ ਰਕਬੇ ਉਪਰ ਨਜ਼ਾਇਜ਼ ਕਬਜ਼ਾ ਅਤੇ ਨਾਲੀਆਂ ਟੇਕਾ ਪੁਟਾਈ ਜਾਰੀ ਹੈ ਇਸ ਰਕਬੇ ਦਾ ਸਟੇਅ/ਸਟੇਟਸ-ਕੋ ਕਦੋਂ ਖਤਮ/ਵੇਕੇਟ ਹੋਇਆ। ਕ੍ਰਿਪਾ ਕਰਕੇ ਆਰ.ਟੀ.ਆਈ ਐਕਟ 2005 ਰਾਹੀਂ ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਜਾਵੇ। ਲੋੜੀਂਦੀ ਫੀਸ 10 ਰੁਪਏ ਪੋਸਟਲ ਆਰਡਰ ਨੰ. 51F175807 ਮਿਤੀ. 31.03.2021 ਨੱਥੀ ਹੈ।

3. The complainant states that he has received the complete information in this case and has no objection if the present case may be disposed of.

4. According to the submissions made by the complainant, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

sd

Dated: 29.9.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Smt. Neena Gupta,
1410, Phase 1, Urban Estate,
Dugri Road, District Ludhiana 141013
9855014101

..Complainant

Vs

Public Information Officer
o/o Sub Divisional Magistrate,
Ludhiana West,
District Ludhiana

....Respondents

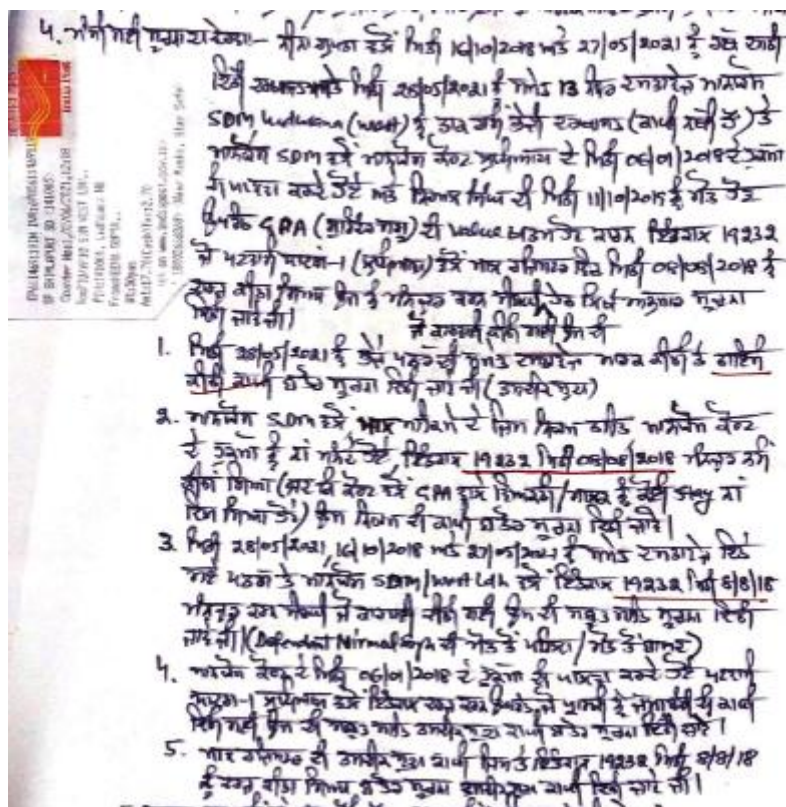
Complaint Case No. 887 of 2021
(Video Conference Proceedings)

Present:- Sh. Sushil Kumar, on behalf of the complainant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 3.9.2021.

2. The complainant has sought the following information:-



3. The complainant was apprised of with the decision 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 © No.32768-32769/2010) in which it has been held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order

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Complaint Case No. 887 of 2021

-2-

providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission. An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case.

3. The complainant requested that he is interested in getting the information from the respondent. However, the response has already been received from the Public Information Officer o/o the Sub Divisional Magistrate, Ludhiana West, Ludhiana which is being **sent** to the complainant along with this order.

4. Accordingly, as per the request of the complainant the case is remanded to Sh. Jagdeep Sehgal, PCS, First Appellate Authority-cum-Sub Divisional Magistrate, Ludhiana West, Ludhiana to take the appropriate decision by passing a speaking order in the matter within the time frame fixed under the provisions of the RTI Act, 2005, after hearing both the parties and examining the record. A copy of the RTI application along with the response filed by the Public Information Officer is being **sent** along with this order. With these directions, the case is disposed of and closed. However, liberty is granted to the complainant to file the 2nd appeal in this case, in case he is not satisfied with the decision of the First Appellate Authority.

Dated: 29.9.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

Sh. Jagdeep Sehgal, PCS, **Registered**
First Appellate Authority-cum-
Sub Divisional Magistrate,
Ludhiana West, Ludhiana.

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

..Complainant

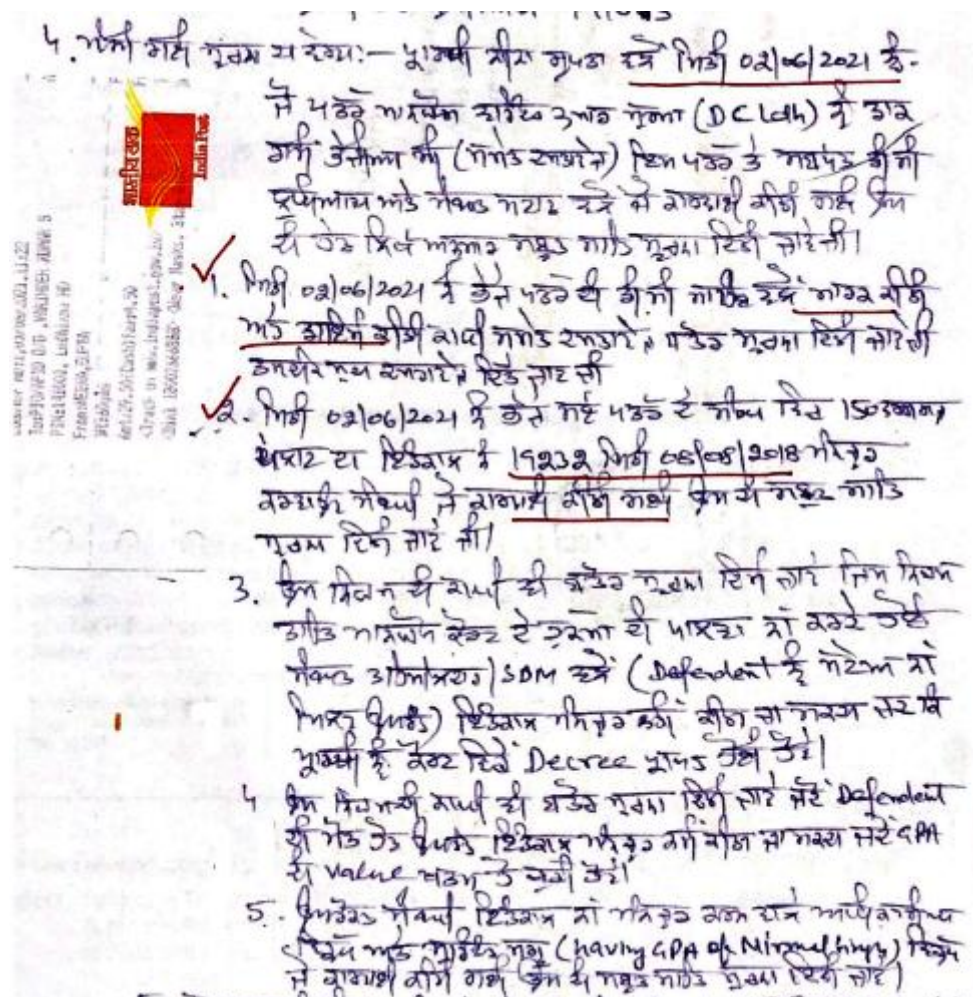
Sh. Joginder Singh,
Distt Revenue Officer-cum-
Public Information Officer
o/o Deputy Commissioner,
District Ludhiana

....Respondents

Present:- Sh. Sushil Kumar, on behalf of the complainant.
None on behalf of the respondents.

This order may be read with reference to the previous order dated 3.9.2021.

2. The complainant has sought the following information:-



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Complaint Case No. 886 of 2021

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3. The complainant was apprised of with the decision 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 © No.32768-32769/2010) in which it has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission. An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case.

4. The complainant requested that he is interested in getting the information from the respondent. However, the response has already been received from the Public Information Officer o/o the Deputy Commissioner, Ludhiana vide which the RTI application of the complainant has already been transferred to the Sub Divisional Magistrate, Ludhiana West, Ludhiana. Also a response has been received from the Public Information Officer o/o the Sub Divisional Magistrate, Ludhiana West, Ludhiana which is being **sent** to the complainant along with this order.

4. Accordingly, as per the request of the complainant the case is remanded to Sh. Jagdeep Sehgal, PCS, First Appellate Authority-cum-Sub Divisional Magistrate, Ludhiana West, Ludhiana to take the appropriate decision by passing a speaking order on the matter within the time frame fixed under the provisions of the RTI Act, 2005, after hearing both the parties and examining the record. A copy of the RTI application along with the response filed by the Public Information Officer is being **sent** along with this order. With these directions, the case is disposed of and closed. However, liberty is granted to the complainant to file the 2nd appeal in this case, in case he is not satisfied with the decision of the First Appellate Authority.

sd

Dated: 29.9.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

Sh. Jagdeep Sehgal, PCS, **Registered**
First Appellate Authority-cum-
Sub Divisional Magistrate, Ludhiana West,
Ludhiana.

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Sh. Gagandeep Singh Threke,
H.No. 208, Aryan Enclave Main Sua Road
Near Geeta Mandir Chowk,
VPO Threke,
District Ludhiana 142028
9780400680

....Appellant

Vs

Public Information Officer
o/o Sub Divisional Magistrate (West),
District Ludhiana

First Appellate Authority
o/o Deputy Commissioner
District Ludhiana

....Respondents

Appeal Case No. 3117 of 2021
(Video Conference Proceedings)

Present:- Sh. Gagandeep Singh Threke, appellant on telephone.
Sh. Kimti Lal, Sr. Asstt _____ on telephone, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 1.9.2021.

2. The appellant has sought the following information:-

1. ਪੰਚਾਇਤ ਇਲੈਕਸ਼ਨ 2018 ਸਬੰਧੀ ਮਾਣਯੋਗ ਮੁਖ ਮੰਤਰੀ ਦਫਤਰ ਨੂੰ ਕੀਤੀ ਸਿਕਾਇਤ ਮਿਤੀ 12/10/2020 ਸਬੰਧੀ ਅਧੀਨ ਸਕੱਤਰ ਜਰਨਲ ਦੇ ਦਫਤਰ ਵਲੋਂ ਆਏ ਪਤਰ ਨੰ-520790 /1 ਮਿਤੀ 18/01/2021, ਰਾਜ ਚੋਣ ਕਮਿਸ਼ਨ ਪੰਜਾਬ ਦੇ ਪਤਰ ਨੰ 843 ਮਿਤੀ 16/02/2021, ਵਧੀਕ ਡੀ ਸੀ ਦਫਤਰ (ਵਿਕਾਸ) ਲੁਧਿਆਣਾ ਦੇ ਪਤਰ ਨੰ-9475 ਮਿਤੀ 04/03/2021, ਤੇ ਆਪ ਦੇ ਦਫਤਰ ਵਲੋਂ ਹੁਣ ਤੱਕ ਜੋ ਵੀ ਦਫਤਰੀ ਲਿਖਤੀ ਕਾਰਵਾਈ ਕੀਤੀ ਗਈ ਉਸ ਸਾਰੀ ਦਫਤਰੀ ਲਿਖਤੀ ਕਾਰਵਾਈ/ਨੋਟਿੰਗ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਜਾਣਕਾਰੀ ਲਈ ਦਿੱਤੀ ਜਾਵੇ (ਪਤਰਾਂ ਦੀ ਕਾਪੀ ਨਾਲ ਨੱਥੀ ਹੈ)।
2. ਪੰਚਾਇਤ ਇਲੈਕਸ਼ਨ 2018 ਸਬੰਧੀ ਕੀਤੀ ਸਿਕਾਇਤ ਜੋ ਉਪਰੋਕਤ ਪਹਿਰਾ-1 ਅਨੁਸਾਰ ਆਪ ਦੇ ਦਫਤਰ ਪੜਤਾਲ ਅਧੀਨ ਹੈ ਉਸ ਸਬੰਧੀ ਸਿਕਾਇਤ ਕਰਤਾ, ਚੋਣ ਸਟਾਫ ਦੇ ਜੋ ਬਿਆਨ ਦਰਜ ਕੀਤੇ / ਲਿਖੇ ਉਹਨਾਂ ਸਾਰੇ ਬਿਆਨਾਂ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਜਾਣਕਾਰੀ ਲਈ ਦਿੱਤੀ ਜਾਵੇ।
3. ਪੰਚਾਇਤ ਇਲੈਕਸ਼ਨ 2018 ਸਬੰਧੀ ਕੀਤੀ ਸਿਕਾਇਤ ਜੋ ਉਪਰੋਕਤ ਪਹਿਰਾ-1 ਅਨੁਸਾਰ ਆਪ ਦੇ ਦਫਤਰ ਪੜਤਾਲ ਅਧੀਨ ਹੈ ਇਸਦੀ ਪੜਤਾਲ ਲਈ ਆਪ ਦੇ ਦਫਤਰ ਦੇ ਜੋ ਵੀ ਅਧਿਕਾਰੀ / ਕਰਮਚਾਰੀ ਜਿਥੇਵਾਰ ਹਨ/ ਸਨ ਉਹਨਾਂ ਦਾ ਨਾਮ ਅਹੁਦਾ ਜਿਸ ਮਿਤੀ ਤੋਂ ਮੌਜੂਦਾ ਅਹੁਦੇ ਤੇ ਤਾਇਨਾਤ ਹਨ ਬਾਰੇ ਲੜੀ ਅਨੁਸਾਰ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਜਾਣਕਾਰੀ ਲਈ ਦਿੱਤੀ ਜਾਵੇ।
4. ਪੰਚਾਇਤ ਇਲੈਕਸ਼ਨ 2018 ਸਬੰਧੀ ਕੀਤੀ ਸਿਕਾਇਤ ਜੋ ਉਪਰੋਕਤ ਪਹਿਰਾ-1, ਅਨੁਸਾਰ ਆਪ ਦੇ ਦਫਤਰ ਪੜਤਾਲ ਅਧੀਨ ਹੈ ਸਬੰਧੀ ਜੋ ਪੜਤਾਲ/ਨਤੀਜਾ ਰਿਪੋਰਟ ਆਪ ਦੇ ਦਫਤਰ ਵਲੋਂ ਬਣਾਈ ਗਈ ਉਸਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਜਾਣਕਾਰੀ ਲਈ ਦਿੱਤੀ ਜਾਵੇ।

3. The appellant states that he has received the complete information in this case and is satisfied with the same. He further states that he has no objection if the present case is disposed of.

4. According to the submissions made by the appellant, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

sd

Dated: 29.9.2021

(Suresh Arora)

Chief Information Commissioner, Punjab.