

PUNJAB STATE INFORMATION COMMISSION

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

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Sh. Love Kumar Dua s/o Sh. Megh Raj Dua
125, Model Town, Samrala Road,
Khanna 9815255646

....Appellant

Vs

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

First Appellate Authority
o/o Sub Divisional Magistrate,
Khanna District Ludhiana

Public Information Officer
o/o Executive Officer,
Municipal Council, Khanna,
District Ludhiana

....Respondents

Appeal Case No. 3158 of 2019
(Video Conference/Telephone Proceedings)

Present:- Sh. Love Kumar Dua, on telephone.
Ms Harminder Kaur 7009571123 and Sh. Charanjit Singh, E.O. M.C. Khanna
9646008771 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 7.9.2021.

2. The appellant has sought the following information:-

- 1) ਮਿਤੀ 21-04-2019 ਨੂੰ, ਪੰਜਾਬ ਕੇਸਰੀ ਅਤੇ ਦੈਨਿਕ ਜਾਗਰਣ ਅਖਬਾਰਾਂ ਵਿੱਚ ਕਾਂਗਰਸੀ ਉਮੀਦਵਾਰ ਦੇ ਦਫਤਰ ਦੇ ਉਦਘਾਟਨ ਮੌਕੇ ਸ਼ਰੇਆਮ ਦੇਣ ਨਿਯਮਾਂ ਦੀ ਉਭਾਈਆਂ ਪੱਜੀਆਂ ਬਾਰੇ ਪਬਲਿਕ ਲੋਗੀ ਹੈ, ਜਿਸ ਵਿੱਚ ਜੇ.ਬੀ.ਸੀ. ਰਾਹੀਂ ਲੋਗੋ ਹੋਏ ਸਾਈਨ ਬੋਰਡ ਕਰਨ ਲਈ ਸਿੱਧ ਰੋਡ ਅਤੇ ਫੁੱਟਪਾਥ ਨੂੰ ਹਟਾਇਆ ਗਿਆ, ਜੋ ਕਿ ਚੋਣ ਕਮਿਸ਼ਨਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਮੁਤਾਬਿਕ ਨਿਯਮਾਂ ਦੀ ਉਲੰਘਣਾ ਹੈ ਅਤੇ ਇਸ ਵਿੱਚ ਉਸ ਬੋਰਡ ਵਿੱਚ ਬਣੇ ਹੋਏ ਫਲੀਗ ਰਾਸਟਰੀ ਝੰਡੇ ਅਤੇ ਸਰਬ ਧਰਮ ਨੂੰ ਪੈਰਾਂ ਵਿੱਚ ਰੋਲਿਆ ਗਿਆ, ਜੋ ਕਿ ਰਾਸਟਰੀ ਝੰਡੇ ਅਤੇ ਸਰਬ ਧਰਮ ਦਾ ਅਪਮਾਨ ਕੀਤਾ ਗਿਆ ਹੈ।
- 2) ਮਿਤੀ 21-04-2019 ਨੂੰ ਮੋਬਾਇਲ ਨੰਬਰ 98152-55646 ਤੇ ਆਪ ਜੀ ਨੂੰ ਵਟਸਅਪ ਨੰਬਰ ਰਾਹੀਂ ਫੋਟੋਆਂ ਭੇਜੀਆਂ ਗਈਆਂ ਸਨ ਅਤੇ ਇਸ ਬਾਰੇ ਸਾਰੀ ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਸੀ। ਜਿਸ ਫੋਟੋ ਵਿੱਚ ਸਾਈਨ ਬੋਰਡ ਨੂੰ ਚੋਬਰ ਦੇ ਉਪਰ ਰੱਖਿਆ ਹੋਇਆ ਹੈ ਅਤੇ ਪੈਰਾਂ ਵਿੱਚ ਰੋਲਿਆ ਪਿਆ ਹੈ।
- 3) ਮਿਤੀ 22-04-2019 ਨੂੰ ਦੈਨਿਕ ਸਵੇਰਾ ਅਖਬਾਰ ਵਿੱਚ ਚੋਣਵੀਂ ਦਫਤਰ ਦੇ ਉਦਘਾਟਨ ਮੌਕੇ ਕਾਂਗਰਸੀ ਉਮੀਦਵਾਰ ਦੇ ਦਫਤਰ ਦੇ ਉਦਘਾਟਨ ਮੌਕੇ ਸ਼ਰੇਆਮ ਦੇਣ ਨਿਯਮਾਂ ਦੀ ਉਭਾਈਆਂ ਪੱਜੀਆਂ ਬਾਰੇ ਪਬਲਿਕ ਲੋਗੀ ਸੀ, ਪਰ ਅਜੇ ਤੱਕ ਕੋਈ ਕਾਰਵਾਈ ਨਹੀਂ ਕੀਤੀ ਗਈ। ਅਖਬਾਰਾਂ ਦੀਆਂ ਫੋਟੋ ਕਾਪੀਆਂ ਨਾਲ ਨੱਥੀ ਹਨ।
ਉਪਰ ਦਿੱਤੀ ਸਿਫਾਇਤ ਬਾਰੇ ਹੁਣ ਤੱਕ ਜੋ ਵੀ ਕਾਰਵਾਈ ਕੀਤੀ ਗਈ ਹੈ, ਉਸਦੀ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀ ਰਾਹੀਂ ਪਤੀ ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਜਾਵੇ। ਜੋ ਵੀ ਲੋੜੀਂਦੀ ਫੀਸ ਹੋਵੇਗੀ, ਦਰਖਾਸਤਕਾਰ ਜਮ੍ਹਾਂ ਕਰਵਾਉਣ ਲਈ ਤਿਆਰ ਹੋ।

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Appeal Case No. 3158 of 2019

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3. The brief of the case is that the appellant sought the information as enumerated in para 2 above from the Public Information Officer o/o the Sub Divisional Magistrate, Khanna vide RTI application dated 29.4.2019. Thereafter the appellant filed the first appeal before the First Appellate Authority vide application dated 30.5.2019. Due to non satisfaction the appellant filed the second appeal on 28.8.2019 and the notice of hearing was issued to the parties concerned for 3.10.2019.

4. During the hearing, the representative of the respondents o/o S.D.M. stated that the letter was written to the Executive Officer, Municipal Council, Khanna and National Highway Authority for taking action on the complaint filed by the appellant. Thereafter, the Public Information Officer o/o the Executive Officer, Municipal Council, Khanna was impleaded as necessary party in this case to file the reply. Regarding the National Highway Authority of India the appellant was directed to file the application afresh for seeking information directly from National Highway Authority of India as it is not under the jurisdiction of Punjab State Information Commission as it is under the jurisdiction of the Central Information Commission, New Delhi.

5. Further on 27.1.2020 the representative of the respondents –Municipal Council, Khanna, placed on record a self declaration from Shri Ranbir Singh, Executive Officer-cum-Public Information Officer, Municipal Council, Khanna vide which it was stated that on receipt of letter from the SDM Khanna dated 21.4.2019, he replied to SDM, Khanna vide letter dated 22.4.2019 that the property falls under the jurisdiction of the National Highway Authority of India, action of which has been sought by the appellant. Therefore, the appellant was advised to inspect the original record brought by the respondent and get copies of any document which he requires as per his application for seeking information and the respondents were directed to supply the same on identification by the appellant during the hearing. Furthermore the appellant contended during the hearing that the respondents be directed to provide the information after authentication by the Public Information Officer with rubber stamp. Accordingly the case was disposed of and closed with the directions to the respondent-Public Information Officer to provide the same to the appellant

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and the appellant was advised to revert back to the authorities if he does not receive the same within ten days with a copy to the Commission.

6. The appellant vide his application informed the Commission that the respondent has not supplied the information till date and the Commission decided to rehear the case and fixed for hearing on 2.8.2021.

7. Due to strike by the officials of the respondent authority, the case was adjourned for 7.9.2021 and again due to poor connectivity the case could not be heard but the reply received from the Sub Divisional magistrate, Khanna was sent to the appellant as well as to the Public Information Officer o/o the Executive Officer, Municipal Council, Khanna to file the response regarding the letters sent by the Sub Divisional Magistrate, Khanna and the case was adjourned for 6.10.2021.

8. During the hearing on 6.10.2021, the Public Information Officer o/o the Municipal Council, Khanna again submitted the letter dated 27.9.2021 along with the letter dated 22.4.2019 through email that the property under complaint falls under the jurisdiction of the National Highway Authority of India, New Delhi. Also the respondent-Public Information Officer o/o the Sub Divisional Magistrate, Khanna sent the letters written to the National Highway Authority of India in this regard. However, the appellant has not filed any written submissions in this case but he requested for the hard copy of the letters written by the respondent authorities. The copies so received from the respondent are being **sent** to the appellant along with this order. Also the respondent-Public Information Officer o/o the Sub Divisional Magistrate, Khanna assured that a copy of the same will also be sent to the appellant within a week.

9. Keeping in view the assurance given by the respondent, the case is adjourned.

10. To come up on 29.10.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated: 6.10.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Sanjeev Goyal
s/o Sh. Ashok Kumar
148 Model Town,
Phase 1, Bathinda

....Appellant

Vs

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

First Appellate Authority
o/o Chief Minister, Punjab
Punjab Civil Secretariat-1, Chandigarh.

Public Information Officer **Registered**
o/o Principal Secretary to Govt. of Punjab
Department of Civil Aviation,
Punjab Civil Secretariat-1, Chandigarh.

....Respondents

Appeal Case No. 3024 of 2021
(Video Conference/Telephone Proceedings)

Present:- Sh. Sanjeev Goyal, appellant.
Sh. Manoj Kumar, Public Information Officer-cum-Dy. Secretary Civil Aviation
8699136978, on telephone, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 25.8.2021.

2. The appellant has sought the following information:-

- (1) ਮਿਤੀ 01.01.2014 ਤੋਂ ਬਾਅਦ ਪੰਜਾਬ ਦੇ ਮਾਨਯੋਗ ਮੁੱਖ ਮੰਤਰੀਆਂ ਦੇ ਹੈਲੀਕਾਪਟਰਾਂ ਸੰਬੰਧੀ ਆਏ ਖਰਚੇ ਦੀ ਕੁੱਲ ਰਾਸ਼ੀ/ਰਕਮ ਦੀ ਸੂਚਨਾ/ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਜਾਵੇ।
- (2) ਮਿਤੀ 01.01.2014 ਤੋਂ ਬਾਅਦ ਪੰਜਾਬ ਦੇ ਮਾਨਯੋਗ ਮੁੱਖ ਮੰਤਰੀਆਂ ਦੇ ਹੈਲੀਕਾਪਟਰਾਂ ਸੰਬੰਧੀ ਆਏ ਖਰਚੇ ਦੀ ਕੁੱਲ ਰਾਸ਼ੀ/ਰਕਮ ਦੀ ਸੂਚਨਾ/ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਜਾਵੇ ਹਰ ਸਾਲ ਦੀ ਅਲੱਗ-ਅਲੱਗ।
- (3) ਮਿਤੀ 01.01.2021 ਤੋਂ ਬਾਅਦ ਜੇ ਪੰਜਾਬ ਦੇ ਮਾਨਯੋਗ ਮੁੱਖ ਮੰਤਰੀ ਦਫ਼ਤਰ ਵੱਲੋਂ ਨਵਾਂ ਨਰੋਆ ਪੰਜਾਬ ਸੰਬੰਧੀ ਪੇਪਰ ਮੀਡਿਆ, ਇਲੈਕਟ੍ਰਾਨਿਕ ਮੀਡਿਆ ਆਦਿ ਦੇ ਰਾਹੀਂ ਇਸਤਿਹਾਰਾਂ ਤੇ ਜੋ ਖਰਚ ਕੀਤਾ ਗਿਆ ਹੈ ਉਸ ਦੀ ਡਿਟੇਲ ਸਹਿਤ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ ਰਕਮ ਅਤੇ ਮਿਤੀ ਸਹਿਤ।
- (4) ਮਿਤੀ 01.01.2021 ਤੋਂ ਬਾਅਦ ਜੇ ਪੰਜਾਬ ਦੇ ਮਾਨਯੋਗ ਮੁੱਖ ਮੰਤਰੀ ਦਫ਼ਤਰ ਵੱਲੋਂ ਨਵਾਂ ਨਰੋਆ ਪੰਜਾਬ ਸੰਬੰਧੀ ਪੇਪਰ ਮੀਡਿਆ, ਇਲੈਕਟ੍ਰਾਨਿਕ ਮੀਡਿਆ ਆਦਿ ਦੇ ਰਾਹੀਂ ਇਸਤਿਹਾਰਾਂ ਤੇ ਜੋ ਖਰਚ ਕੀਤਾ ਗਿਆ ਹੈ ਉਸ ਦੀ ਕੁੱਲ ਰਾਸ਼ੀ/ਰਕਮ ਦੀ ਸੂਚਨਾ/ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਜਾਵੇ ਹਰ ਮਹੀਨੇ ਦੀ ਅਲੱਗ-ਅਲੱਗ।
- (5) ਮਿਤੀ 01.01.2021 ਤੋਂ ਬਾਅਦ ਜੇ ਪੰਜਾਬ ਦੇ ਮਾਨਯੋਗ ਮੁੱਖ ਮੰਤਰੀ ਦਫ਼ਤਰ ਵੱਲੋਂ ਵਧਾਈ ਸੰਦੇਸ਼ਾਂ, ਸੁਰ ਕਾਮਨਾਵਾਂ, ਉਪਲਬੱਧੀਆਂ, ਲੋਕਾਂ ਨੂੰ ਦਿੱਤੀਆਂ ਜਾਣ ਵਾਲੀਆਂ ਸੁਵਿਧਾਵਾਂ, ਲੋਕਾਂ ਨੂੰ ਦਿੱਤੀਆਂ ਗਈਆਂ ਸੁਵਿਧਾਵਾਂ, ਸਗਨ ਸਕੀਮਾਂ, ਮਹਿਲਾਵਾਂ ਲਈ ਮੁਫ਼ਤ ਬੱਸ ਸੇਵਾ, ਕੀਤੇ ਕੰਮਾਂ-ਕਾਰਾਂ ਆਦਿ ਸੰਬੰਧੀ ਪੇਪਰ ਮੀਡਿਆ, ਇਲੈਕਟ੍ਰਾਨਿਕ ਮੀਡਿਆ ਆਦਿ ਦੇ ਰਾਹੀਂ ਇਸਤਿਹਾਰਾਂ ਤੇ ਖਰਚ ਕੀਤਾ ਗਿਆ ਹੈ/ਹੋਇਆ ਹੈ ਉਸ ਦੀ ਡਿਟੇਲ ਸਹਿਤ ਸੂਚਨਾ ਦਿੱਤੀ ਜਾਵੇ ਰਕਮ ਅਤੇ ਮਿਤੀ ਸਹਿਤ।
- (6) ਮਿਤੀ 01.01.2021 ਤੋਂ ਬਾਅਦ ਜੇ ਪੰਜਾਬ ਦੇ ਮਾਨਯੋਗ ਮੁੱਖ ਮੰਤਰੀ ਦਫ਼ਤਰ ਵੱਲੋਂ ਵਧਾਈ ਸੰਦੇਸ਼ਾਂ, ਸੁਰ ਕਾਮਨਾਵਾਂ, ਉਪਲਬੱਧੀਆਂ, ਲੋਕਾਂ ਨੂੰ ਦਿੱਤੀਆਂ ਜਾਣ ਵਾਲੀਆਂ ਸੁਵਿਧਾਵਾਂ, ਲੋਕਾਂ ਨੂੰ ਦਿੱਤੀਆਂ ਗਈਆਂ ਸੁਵਿਧਾਵਾਂ, ਸਗਨ ਸਕੀਮਾਂ, ਮਹਿਲਾਵਾਂ ਲਈ ਮੁਫ਼ਤ ਬੱਸ ਸੇਵਾ, ਕੀਤੇ ਕੰਮਾਂ-ਕਾਰਾਂ ਆਦਿ ਸੰਬੰਧੀ ਪੇਪਰ ਮੀਡਿਆ, ਇਲੈਕਟ੍ਰਾਨਿਕ ਮੀਡਿਆ ਆਦਿ ਦੇ ਰਾਹੀਂ ਇਸਤਿਹਾਰਾਂ ਤੇ ਖਰਚ ਕੀਤਾ ਗਿਆ ਹੈ/ਹੋਇਆ ਹੈ ਉਸ ਦੀ ਕੁੱਲ ਰਾਸ਼ੀ/ਰਕਮ ਦੀ ਸੂਚਨਾ/ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਜਾਵੇ ਹਰ ਮਹੀਨੇ ਦੀ ਅਲੱਗ-ਅਲੱਗ।

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3. During the last hearing i.e. 25.8.2021, the Public Information Officer o/o the Chief Minister, Punjab filed the written reply according to which the information with regard to Point No. 3 & 4 of the RTI application related to the Public Relations Office, Point No. 5 & 6 of the RTI application related to the Social Justice/Social Security, Women & Child Development and Point No. 7 relates to the Local Government Department. As far as the information pertaining to Point No. 1 & 2 of the RTI application is concerned, the same has already been transferred to the Principal Secretary, Civil Aviation, Punjab. Accordingly, the Public Information Officer o/o the Principal Secretary, Civil Aviation Punjab was impleaded as a necessary party in this case to file the reply/supply the information pertaining to Point No. 1 & 2 of the RTI application. A copy of the RTI application was also **sent** to the respondent-Public Information Officer along with the order dated 25.8.2021. Regarding the remaining points i.e. from 3 to 7 of the RTI application, no directions were given to the respondent authorities in accordance with the instructions issued by the Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training No. 10/2/2008-IR dated 12.6.2008 to transfer the RTI application of the appellant under Section 6(3) of the RTI Act, 2005 to 'public authority' and not to the 'public authorities'.

4. The appellant sent the written submissions regarding Point No. 1 & 2 of the RTI application through email vide which it has informed that the total of the figures supplied by the Civil Aviation Department are not correct. However, the respondent-Public Information Officer o/o the Principal Secretary, Civil Aviation filed the written reply vide No. 1415 dated 8.9.2021 and the corrigendum bearing No. 1580 dated 6.10.2021, which are taken on record. Also the respondent-Public Information Officer assured that the remaining information pertaining to Point No. 8 to 10 of the RTI application i.e. name designation, contact number and address of the APIO, Public Information Officer and First Appellate Authority will be sent to the appellant within a day. A copy of the submissions made by the respondent-Public Information Officer is being **sent** to the appellant along with this order.

5. After hearing both the parties and going through the submissions made by the respondent-Public Information Officer, it has ascertained that the respondent-Public Information Officer has supplied the information pertaining to Point No. 1 & 2 of the RTI application. Also the respondent-Public Information Officer is directed to supply the remaining information pertaining to Point No. 8

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to 10 of the RTI application i.e. name designation, contact number and address of the APIO, Public Information Officer and First Appellate Authority as has been assured during the hearing within a week. With these directions, the case is disposed of and closed. However, liberty is granted to the appellant to approach the Commission within two weeks in case he does not receive the information pertaining to Point No. 8 to 10 of the RTI application.

sd

Dated: 6.10.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.