

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
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Sh. Ashok Kumar,
105, New Punjab Mata Nagar,
Pakhawal Road,
Distt: Ludhiana-141013

.....Appellant

Vs

Public Information Officer,
O/o Tehsildar, (West)
Distt: Ludhiana.

First Appellate Authority
O/o Sub Divisional Magistrate, (West)
District- Ludhiana.

.....Respondents

Appeal Case No. 3041 of 2019 (Through Video Conference Facility)

Present:- Shri Ashok Kumar, appellant.
Shri Navdeep Singh, Tehsildar, Ludhiana (West) on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 23.09.2019 vide which the respondents were directed to supply information according to his application dated 01.05.2019 received in the respondent's office vide diary No.1333 for seeking information under the provisions of RTI Act, 2005 before the next date of hearing.

2. The respondent-PIO states that copy of statement of Shri Desh Raj, Junior Assistant (Retired) and certified copy of enquiry report has been provided to the appellant. He further states that the appellant has sought information on above two points, which has been provided to him completely and nothing has been kept pending according his RTI application..

3. The appellant states that he should be given information regarding overwriting/tempering of record vide application diarised in respondent's office vide diary No.1333 dated 04.05.2019. He requests that fresh inquiry be conducted and justice be given to him/her daughter by fixing responsibility of the employee who has overwritten/tampered the marriage register.

Contd.....p/2

-2-

4. After hearing both the parties and going through the record available on the case file, it is observed that information on two points raised by the appellant in his RTI application dated 11.2.2019 has been provided. Further, it is found that a copy of inquiry report of Sub Divisional Magistrate (West) has already been sent to the appellant vide their letter dated 15.11.2018. If he wants any other information, the appellant is advised to approach the PIO for seeking information afresh. Complete information on two points raised by the appellant has been supplied as per his RTI application and nothing has been left, which could be supplied to him. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 06.11.2019

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

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Sh. Anil Kumar,
S/o Sh. Devi Chand,
Vill: Nanowal Bet,
Tehsil: Balachaur,
Distt: Shaheed Bhagat Singh Nagar-144521Appellant
Vs

Public Information Officer,
O/o Block Development and Panchayat Officer,
Balachaur,
Distt: Shaheed Bhagat Singh Nagar-144521.

First Appellate Authority
O/o District Development and Panchayat Officer,
District: Shaheed Bhagat Singh Nagar-144521.Respondents.

Appeal Cases Nos.2993, 3013, 3046 and 3047/2019

(Video Conference Proceeding)

Present:- Shri Surinder Mohan Bhanot on behalf of the appellant at Chandigarh.
Shri Kuldeep Singh, Panchayat Secretary, on behalf of the respondents
through VC at SBS Nagar.

ORDER

This order may be read with reference to the previous order dated 30.09.2019 vide which the respondent PIO was directed to provide the information before the next date of hearing.

2. The representative of the appellant states that no information has been provided in any of the cases mentioned above.

3. The respondents-PIO states that they have prepared the information and it was sent to the appellant's address through their Chowkidar. Chowkidar reported that Shri Anil Kumar was not available at home. His wife has refused to take the information stating that information be provided to Shri Anil Kumar, the appellant, himself.

Contd.....p/2

Appeal Cases Nos.2993, 3013, 3046 and 3047/2019

-2-

4. After hearing both the parties, it is observed that the information is ready with the respondents and the appellant is advised to get the information by visiting their office by hand. After going through the same, he is further advised to revert back to the authorities, in case of deficiency, in the information so provided as early as possible. On receipt of the deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing.

5. To come up on 2.12.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, SBS Nagar.

Dated : 06.11.2019

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

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Sh. Vikram Singh,
983-E, Benipal Colony,
Machhiwara,
Distt: Ludhiana-141115

.....Appellant
Vs

Public Information Officer,
O/o Tehsildar, Samrala,
Distt: Ludhiana.

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

.....Respondents

Appeal Case No. 3082 of 2019
(Through Video Conference Facility)

Present:- Shri Vikram Singh, appellant.

Shri Navdeep Singh, Tehsildar, Samrala on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 23.09.2019 vide which the respondent-PIO was directed to look into the matter and help the appellant in getting the same from the concerned department/branch as per the provision of Section 5(4) of the RTI Act, 2005.

2. The appellant states that no information has been provided to him till date.
3. The respondent-PIO states that they have written to the office of the Deputy Commissioner, Ludhiana followed by two reminders but no information has been received from that office.
4. The respondents are directed to supply the information after procuring the same from the Deputy Commissioner, Ludhiana before the next date of hearing.
5. To come up on 2.12.2019 at 3.30 P.M. through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 06.11.2019

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

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Sh. Avtar Singh,
S/o Sh. NanakSingh,
VPO: KarianaKalan,
Tehsil & Distt: Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Gram Panchayat,
Kariana Kalan,
Block Ludhiana-2,
Distt: Ludhiana.

First Appellate Authority
O/o District Development and Panchayat Officer,
District- Ludhiana.

.....Respondents.

Appeal Case .No. 3114 of 2019

(Video Conference Proceeding)

Present:- Shri Avtar Singh, appellant.

Shri Sukhwinder Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 23.09.2019 vide which show cause notice was issued to Shri Sukhwinder Singh, Panchayat Secretary for imposition of penalty under the provisions of the RTI Act, 2005 for his absence and non-supply of the information.

2. The respondent-PIO states that he has brought the information to be supplied to the appellant. He states that Shri Gurmail Singh is the present Panchayat Secretary, in his place. He was absent on the previous date of hearing due to non-receipt of hearing notice. He feels sorry for his absence.

3. The appellant is advised to get the information from the respondents and revert back to the authorities, in case of deficiencies in the information, so provided within one week. On receipt of the deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing. Taking lenient view, show cause notice issued to Shri Sukhwinder Singh is dropped with the direction to be careful

Contd.....p/2

-2-

in future while dealing with RTI applications in future. Shri Gurmail Singh, Panchayat Secretary c/o Block Development and Panchayats Officer, Ludhiana-2 Block is impleaded as a necessary party in place of Shri Sukhwinder Singh, Panchayat Secretary.

4. To come up on 02.12.2019 at 3.30 P.M. through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 06.11.2019

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

cc

Shri Gurmail Singh,
Panchayat Secretary
c/o Block Development and Panchayats Officer,
Ludhiana-2 Block,
Ludhiana.

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Sh. Gagan Deep Singh Janjua,
Vill: Tura,
P.O: Kumbh,
Tehsil: Amloh,
Distt: Fatehgarh Sahib-147301

.....Appellant

Vs

Public Information Officer,
O/o Tehsildar, Payal,
Distt: Ludhiana.

First Appellate Authority,
O/o Sub Divisional Magistrate,
Payal, Distt: Ludhiana.

.....Respondents

Appeal Case No. 3109 of 2019

(Video Conference Proceeding)

Present:- Shri Gagandeep Singh Janjua, appellant at Chandigarh.
Shri Darshan Kumar, Sadar Kanugo on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 23.09.2019 vide which the Sadar Kanugo was impleaded as a necessary party with the direction to provide the requisite information or if the information is not available pass specific orders before the next date of hearing.

2. The appellant states that no information has been provided by the respondents till date.

3. Shri Darshan Kumar, Sadar Kanugo states that they have tried to trace the concerned record but they could not succeeded in tracing the record. He further states that ten days' time be given to them to trace the record.

4. As per the request of the Sadar Kanugo, more time is given with the direction to trace the concerned record otherwise give in writing that the same is not available before the next date of hearing.

5. To come up on 2.12.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 06.11.2019

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

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Sh. Gurdeep Singh Kahlon,
S/o Sh. Boorh Singh,
947, HIG, Punjab Housing Board Colony,
Jamalpur, Distt: Ludhiana-141010

.....Appellant

Vs

Public Information Officer,
O/o Chief Minister, Punjab,
Chandigarh.

Public Information Officer,
o/o Commissioner of Police,
Ludhiana.

.....Respondent

Complaint Case No.754 of 2019

Present:- None on behalf of the complainant.
None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 23.09.2019 vide which the Commissioner of Police, Ludhiana was made necessary party with the direction to intimate the complainant after taking appropriate action on his application under the provisions of the RTI Act, 2005.

2. The respondents have requested for adjournment through e-mail stating that they have been put on VIPs duty due to 550 birth Anniversary of Guru Nanak Dev Ji. Accordingly, they are unable to appear before the Commission and one adjournment may be given.

3. In view of the request of the respondent-PIO, the case is adjourned to 2.12.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 06.11.2019

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

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Sh. Ranjit Singh,
S/o Sh. Sadhu Singh,
Village- Moga, P.O: Bhogpur,
District- Jalandhar.

.....Appellant

Vs

Public Information Officer,
DDPO, Jalandhar.

.....Respondent

Complaint Case No. 670 of 2019
(Through Video Conference Facility)

Present:- Shri Ranjit Singh complainant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 23.09.2019 vide which show cause notice was issued to Shri Sewa Singh, Block Development and Panchayats Officer, Mehatpur for non supply of information and for his non-appearance.

2. The respondent-Shri Sewa Singh, BDPO sent in writing to the Commission that the information relates to Bhogpur Block and he is posted in Mehatpur. Hence, the notice issued to him be withdrawn.

3. The appellant states that Shri Ram Lubhaya, BDPO, Bhogpur, District Jalandhar and Shri Amar Pal Singh, Panchayats Secretary o/o BDPO, Bhogpur, District Jalandhar are the custodian of the record.

4. Shri Ram Lubhaya, BDPO, Bhogpur and Shri Amar Pal Singh, Panchayat Secretary o/o BDPO, Bhogpur are made necessary parties in this case with the direction to take appropriate action on his application dated 26.04.2019 and they are directed to intimate the complainant regarding action taken with a copy to the Commission as early as possible otherwise punitive action will be initiated against them on the next date of hearing. Show Cause notice issued to Shri Sewa Singh, BDPO, Mehatpur is dropped.

5. To come up on 2.12.2019 at 3.30 P.M. to be heard through Video Conference Facility Available in the office of the Deputy Commissioner, Jalandhar.

Sd/-

Dated : 06.11.2019

(Suresh Arora)
Chief Information Commissioner,
Punjab

CC

Shri Amar Pal Singh,
Panchayat Secretary
o/o Block Development and Panchayats Officer,
Bhogpur Block, District Jalandhar.

Shri Ram Lubhaya,
Block Development and Panchayats Officer,
Bhogpur Block, District Jalandhar.

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Sh.Gagandeep Singh Janjua,
Vill: Tura,
P.O; Kumbh,
Tehsil: Amloh,
Distt: Fatehgarh Sahib-147801.

.....Appellant

Vs

Public Information Officer,
O/o Block Development and Panchayat Officer,
Banga, Distt: Shaheed Bhagat Singh Nagar.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Mini Secretariat, Distt: Shaheed Bhagat Singh Nagar.

..... Respondents.

Appeal Case No. 3157 of 2019

Present:- Shri Gagandeep Singh Janjua, appellant, in person.

Shri Amarjit Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.10.2019 vide which the respondents were directed to take appropriate action on the application of the information-seeker and inform him, whether the information is available or not. If available then supply the same to him otherwise file an affidavit that the asked for information is not available in their record.

2. The representative of the respondents states that information has been sent to the appellant on 31.10.2019 through registered post. The appellant states that he has received the information to his satisfaction but the forwarding letter is without dispatch number.

3. The respondent is ready to put dispatch number on the forwarding letter. Accordingly, the appellant is advised to visit the respondent's office and get the dispatch number marked on the forwarding letter. With these observations, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 06.11.2019

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

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Sh. Balwinder Singh,
S/o Sh. Sadhu Singh,
Vill: Rang Kalan,
Tehsil: Shahkot,
Distt: Jalandhar.

.....Appellant

Vs

Public Information Officer,
Block Development and Panchayat Officer, Lohian Khas,
District- Jalandhar.

First Appellate Authority
Block Development and Panchayat Officer, Lohian Khas,
District- Jalandhar.

.....Respondents

Appeal Case No. 2548 of 2019

(through Video Conference Facility)

Present:- None on behalf of the appellant.

Shri Satnam Singh, Superintendent o/o BDPO, Lohian Khas on behalf of
the respondents.

ORDER

This order may be read with reference to the previous order dated 25.09.2019, vide which the respondents were directed to remove the deficiencies within seven days.

2. The counsel for the appellant is absent but he has sent an application dated 6.11.2019 through e-mail stating that he is busy in attending the other courts, so short date may be given to him.

3. The representative of the respondents states that he has brought information to be handed over to the appellant, who is absent today.

4. The appellant is advised to visit the office of the respondents and receive the information from the representative of the respondents. In view of the request of the counsel of the appellant the case is adjourned.

5. To come up on **02.12.2019 at 3.30 P.M.** through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar.

Sd/-

Dated : 06.11.2019.

(Suresh Arora)

Chief Information Commissioner
Punjab

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Sh. Vivek Bakshi,
102, Sugandh Vihar,
Pakhawal Road, Phulawal,
District- Ludhiana.

.....Appellant
Vs

Public Information Officer,
District Development and Panchayat Officer,
District- Ludhiana.

First Appellate Authority
District Development and Panchayat Officer,
District- Ludhiana.

.....Respondents

Appeal Case No. 2561 of 2019
(Through Video Conference Facility)

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

ORDER

This order may be read with reference to the previous order dated 25.09.2019 vide which the appellant was advised to go through the same and revert back to the authorities in case of deficiencies within week's time.

2. The appellant is absent without intimation.

3. On the previous date of hearing, complete information was handed over to the appellant by Shri Sarabjit Singh, Superintendent, during the hearing. In compliance to the previous order dated 25.09.2019, nothing has been received from the appellant. Non-receipt of reply and non appearance of the appellant shows that he is satisfied with the information provided to him. Accordingly, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 06.11.2019.

Sd/-
(Suresh Arora)
Chief Information Commissioner
Punjab

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Sh. M.S Toor (Advocate),
Chamber No.2004, New Courts
District: Ludhiana.

.....Appellant
Vs

Public Information Officer,
Sub Registrar/Tehsildar (West),
District- Ludhiana.

First Appellate Authority
Sub Divisional Magistrate (West),
District- Ludhiana.

PIO/Municipal Corporation,
Ludhana.

.....Respondents

Appeal Case No. 2562 of 2019 and Appeal Case No.2563/2019 **(Video Conference Proceeding)**

Present:- Shri Kuldip Kumar on behalf of the appellant.

Shri Rajeev Bhardwaj, Superintendent, Municipal Corporation, Ludhiana
on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 25.09.2019 vide which the respondents were directed to take a decision on three points mentioned in that order and pass a speaking order as early as possible.

2. The representative of respondents states that complete information consisting of 104 pages has been supplied to the appellant after deposit of Rs.210/- and nothing has been kept pending which could be supplied to him.

3. The appellant states that one adjournment may be given as his counsel is busy in another court.

4. Keeping the request of the appellant, in view, the present case is adjourned to **02.12.2019 at 3.30 P.M.** through Video Conference Facility available in the office of the **Deputy Commissioner, Ludhiana.**

Dated : 06.11.2019.

Sd/-
(Suresh Arora)
Chief Information Commissioner
Punjab

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Sh. Sarabjeet Singh Gill,
60-35-P-376-1,
Street No.8, Maha Singh Nagar,
P.O: Dhandari Kalan,
District: Ludhiana.

.....Appellant

Vs

Public Information Officer,
Tehsildar, Central,
District- Ludhiana.

First Appellate Authority
Tehsildar, Central,
District- Ludhiana.

.....Respondent

Appeal Case .No. 2580 of 2019 (Through Video Conference Facility)

Present:- Shri Sarabjeet Singh Gill, appellant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 25.09.2019 vide which Shri Harinder Singh, Junior Assistant, sought some time to provide complete information to the appellant. On the request of the representative of the respondents, the case was adjourned for today.

2. The appellant states that no information has been received from the respondents till date.

3. The respondent-PIO is absent without intimation. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, the Shri Gurdev Singh Dham, Tehsildar, Central, Ludhiana is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay/denial of the information to the RTI applicant and why the compensation be not awarded to the information-seeker under Section 19(8)(b) of the Act for the detriment suffered by him.

Contd.....p/2

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4. In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte. He is further directed to take appropriate action on his RTI application for seeking information under the provision of the RTI Act, 2005 before the next date of hearing.

5. To come up on **02.12.2019** at **3.30 P.M.** through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 06.11.2019.

Sd/-
(Suresh Arora)
Chief Information Commissioner
Punjab

cc

Regd.

Shri Gurdev Singh Dham,
Tehsildar (Central),
Ludhiana

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Sh. Jarnail Singh Mitke (Vice President Malwa Zone),
Indian National Trade Union Congress,
318, Near Baba Manjit Gurudwara Habhra Road,
Pratap Singh Wala, Tehsil: Lodhi West,
District: Ludhiana.

.....Appellant

Vs

Public Information Officer,
Block Development and Panchayats Officer, Block-1,
District- Ludhiana.

First Appellate Authority
Block Development and Panchayats Officer, Block-1,
District- Ludhiana.

.....Respondents

Appeal Case .No. 2635 of 2019

Present:- Shri Jarnail Singh Mitke, appellant, in person.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 25.09.2019 vide which the appellant was advised to go through the same and revert back to the authorities, in case of deficiencies, within seven days. On receipt of the deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing.

2. The appellant has sent deficiencies to the Commission vide his letter dated 31.10.2019 mentioning that the record given by the respondent PIO is incomplete and not attested by any of the officer.

3. The respondent is absent without intimation.

4. The appellant has sent deficiencies to the respondents with a copy to the Commission vide his letter dated 31.10.2019.

5. None is present on behalf of the respondents without any intimation. Viewing the absence of the respondent seriously, the PIO is directed to supply the requisite information to the complainant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

6. To come up on **2.12.2019** at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Sd/-

(Suresh Arora)

Chief Information Commissioner
Punjab

Dated : 06.11.2019.