

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

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



Sh. Rajwinder Singh s/o Sh. Kuldeep Singh 9728 21947
r/o H.no. 2636, Street No. 1,
Azad Nagar, Near Shimla Market
Putligarh, District Amritsar.

....Complainant

Vs

Public Information Officer
o/o Deputy Commissioner,
Amritsar.

Public Information Officer (By name) Registered
O/o the Chief Engineer,
PSPCL Border Range,
District Amritsar

Public Information Officer
-cum-Sub Divisional Officer,
P.S.P.C.L.
Chati Wind Sub Division,
Industrial Division,
Under City Circle, Amritsar.

....Respondent

Complaint Case No. 390 of 2020
(Cisco Webex proceedings)

Present:- Sh. Rajwinder Singh, complainant.
Sh. Sudhir Kumar, SDO 9646113048 and Sh. Amrinder Pal Singh, SDO on
behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 3.11.2020.

2. The appellant has sought the eight point information from the respondent-Public Information Officer i.e. action taken on the complaint sent by him to the Managing Director, PSPCL and Deputy Commissioner, Amritsar through email dated 14.2.2020 at 7.09 AM.

3. The appellant states that he has received the complete information but few pages of which is not being attested by the respondent-Public Information Officer. However, the respondent-Public Information Officer states that all the official documents have been attested but the appellant is insisting on attestation of the photographs sent by him through email. After deliberations, the respondent-Public Information Officer states that the appellant may come to the office and he will certify the same.

4. After the hearing was over, the respondent-Public Information Officer sent the receipt of the registered letter vide which the information again has been sent to the appellant as the appellant has left the office without receiving the same. Copy of the information along with the receipt of the registered letter has also been received in the Commission, which is taken on record.

5. Accordingly, it has transpired that the complete information has been sent to the appellant duly attested, which is **sent** with this order to the appellant. Therefore, the Commission is of the view that no further action is required in this case. Hence, the case is disposed of and closed.

Sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab

Dated: 17.12.2020

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Sh. Santokh Singh 9815419676

r/o Malsia Patti Haweli,

Tehsil Shahkot,

Jalandhar

..Complainant

Vs

Public Information Officer

o/o Block Development and Panchayats Officer,

Shahkot, Jalandhar

....Respondent

Complaint Case No. 716 of 2020

(Video Conference Proceedings)

Present:- Sh. Santokh Singh, complainant.

Sh. Davinder Singh Panchayat Secretary 9478538436 on behalf of the respondents.

ORDER

The RTI application is dated 29.6.2020 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 28.9.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that the respondent-Public Information Officer may be directed to provide the complete information as there are private colonies and the panchayat has also spent the government grants on various development works in the year 2019-2020. However, the representative of the respondents states that the complainant has already been informed vide letter no. 03 dated 30.7.2020 that as per the information of the gram panchayat no private colony was in existence during the year 2019-2020. The appellant states that nothing more is available that could be provided to the complainant in this case

3. After hearing both the parties and going through the record of the case file, the Commission observes that no further action is required in this case. Hence, the case is disposed of and closed.

Dated: 17.12.2020

Sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Harinder Singh Sidhu s/o Late Sh. Jagdev Singh,
r/o 127, Sector 23-A,
Chandigarh 9815355655

....Appellant

Vs

Public Information Officer
o/o Secretary to Govt. of Punjab,
Department of Personnel,
Punjab Civil Secretariat,
Chandigarh.

First Appellate Authority
o/o Secretary to Govt. of Punjab,
Department of Personnel,
Punjab Civil Secretariat,
Chandigarh.

...Respondents

Appeal Case No. 2158 of 2020

(Cisco Webex proceedings)

Present:- Sh. Ashwani Prashar, Advocate on behalf of the appellant.
Ms Shailja, Supdt 9888404906 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 5.10.2020.

2. The appellant has sought the following information:-

“Number of department inquiries entrusted to Sh. B.C. Gupta, Additional and Session Judge (Retd.) on Punjab Govt. penal during the calendar year 1.1.2019 to 31.12.2019 by Punjab Government.”

3. The appellant states that he filed the RTI application on 21.1.2020 and he filed the 1st appeal on 14.2.2020. He further states that after filing the 1st appeal the respondents have sent the reply vide letter dated 27.2.2020 in which it has informed that from 1.1.2019 to 31.12.2019, Sh. B.C. Gupta has conducted 52 regular enquiries. Still the information is incomplete as the information sought by the appellant is that how many enquiries were entrusted to Sh. B.C. Gupta from 1.1.2019 to 31.12.2019 but instead of this it has been mentioned that he has conducted 52 enquiries. In addition he also states that the respondent authority should have transferred the RTI application under Section 6(3) of the RTI Act, 2005 to the authorities concerned. Furthermore, he requests that the directions may be issued to the respondent-Public Information Officer to supply the same.

4. On the other hand, the respondent-Public Information Officer states that the Department of Personnel is not maintaining the record regarding the enquiries being conducted by enquiry officers. She further states that to facilitate the appellant the said information has been provided to the appellant after getting the same from Sh. B.C. Gupta. She further states that nothing more could be supplied to the appellant in this regard as no information is available in the office. She also states that the enquiries are being entrusted to the individual enquiry officer(s) by the Head of the Department etc. and it is beyond the scope of the RTI Act, 2005 to supply the information after getting the same from all the heads of the department of the state. She also referred the instructions of the Ministry of Personnel, Public Grievances & Pensions dated 12.6.2008 in this regard.

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Appeal Case No. 2158 of 2020

-2-

5. After hearing both the parties, going through the case file and the instructions referred to above, the Commission is of the view that no further action is required in this case as the Department of Personnel is not maintaining the information as has been sought by the appellant and no directions can be issued to the respondents to transfer the RTI application to various authorities under Section 6(3) of the RTI Act, 2005. Hence, the case is disposed of and closed. However, the appellant is advised that in case he would like to seek the information from all the departments, he may file the application afresh to the authorities concerned. A copy of the instructions dated 12.6.2008 is **sent** with this order to the appellant.

Dated: 17.12.2020

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

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Sh. Harinder Singh Sidhu s/o Late Sh. Jagdev Singh,
r/o 127, Sector 23-A,
Chandigarh 9815355655

....Appellant

Vs

Public Information Officer
o/o Secretary to Govt. of Punjab,
Department of Personnel,
Punjab Civil Secretariat-2,
Chandigarh.

First Appellate Authority
o/o Secretary to Govt. of Punjab,
Department of Personnel,
Punjab Civil Secretariat-2,
Chandigarh.

....Respondents

Appeal Case No. 2157 of 2020

(Cisco Webex proceedings)

Present:- Sh. Ashwani Prashar, Advocate on behalf of the appellant.
Ms Shailja, Supdt 9888404906 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 5.10.2020.

2. The appellant has sought the following information:-
“1. Number of department inquiries pending Sh. B.C. Gupta, Additional and Session Judge (Retd.) on Punjab Govt. from 1.1.2019 to 15.3.2020.
2. Number of inquiries marked to Sh. B.C.Gupta Additional and sessions Judge (retd.) by various departments of Punjab Govt. from 1.1.2020 to 15.3.2020.”
3. The appellant states that he is satisfied with the information pertaining to Point No. 2 of the RTI application so supplied by the respondent-Public Information Officer. But he contended regarding the information pertaining to Point No.1 of the RTI application that in case the same is not available in the office of the respondents then they should have transferred the same under Section 6(3) of the RTI Act,2005 to the various departments.
4. However, the respondent-Public Information Officer states that the Department of Personnel is not maintaining the record regarding the pending enquiries with the enquiry officer(s). She further states that nothing more could be supplied to the appellant in this regard as no information is available in the office pertaining to Point No.1 of the RTI application. She also states that the enquiries are being entrusted to the individual enquiry officer(s) by the Head of the Department etc. and it is beyond the scope of the RTI Act, 2005 to supply the information after getting the same from various departments of the state. She also referred the instructions of the Ministry of Personnel, Public Grievances & Pensions dated 12.6.2008 in this regard.
5. After hearing both the parties, going through the case file and the instructions referred to above, the Commission is of the view that no further action is required in this case as the Department of Personnel is not maintaining the information as has been sought

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Appeal Case No. 2157 of 2020

-2-

by the appellant and no directions can be issued to the respondents to transfer the RTI application to various authorities under Section 6(3) of the RTI Act, 2005. Hence, the case is disposed of and closed. However, the appellant is advised that in case he would like to seek the information from all the departments, he may file the application afresh to the authorities concerned. A copy of the instructions dated 12.6.2008 is **sent** with this order to the appellant.

Sd/

Dated: 17.12.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.