

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

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Whatsapp No. 62848 20189



Sh. Jaspal Singh S/o Sh. Sadhu Singh,  
R/o Village -Jasowal,  
PO Sindhuwal,  
Tehsil & Distt Patiala-147001 9463115653

**Registered**

Appellant

Vs

Public Information Officer,  
O/o Chief Secretary,  
Personnel Department, PB,  
Chandigarh.

First Appellate Authority  
O/o Chief Secretary,  
Personnel Department, PB,  
Chandigarh.

...Respondents

Appeal Case No. 2526 of 2020  
(Cisco Webex/Phone proceedings)

Present:- Sh. Jaspal Singh, on phone.  
Sh. Kuldeep, Sr. Asstt 8725000575, 8847046055, in person o/o Secretary  
Personnel (PCS Branch) on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 24.11.2020.

2. The representative of the respondents states that in spite of the best efforts made by the office to trace the file concerning the RTI application, the same could not be traced so far. He further requests for the adjournment of the case. Also the appellant has sent the copy of the first appeal filed along with the registry receipt through whatsapp which is not legible.

3. Accordingly, the respondent-Public Information Officer is directed to trace the file and supply the sought information else file an undertaking in this regard to the Commission before the next date of hearing. Also the appellant is advised to send the legible copy of the first appeal filed along with the postal receipt.

4. To come up on 15.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala/cisco webex.

Dated: 18.12.2020

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

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Sh. Nirmal Singh Dhiman,  
H.No. 895, Phase 11,  
Mohali

....Appellant

Vs

Public Information Officer  
o/o Financial Commissioner,  
Administration III Branch,  
Punjab Civil Secretariat-1, Chandigarh.

First Appellate Authority  
o/o Joint Secretary, Revenue,  
Punjab Civil Secretariat-1, Chandigarh.

...Respondents

Appeal Case No. 2897 of 2020

(Video Conference/cisco webex/phone Proceedings)

Present:- Sh. Nirmal Singh Dhiman, on phone  
Sh. Nitish Ashta 7696938242 and Ms Amarjeet Kaur on behalf of the  
respondents.

## ORDER

The RTI application is dated 31.8.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 8.6.2020 and second appeal was filed in the Commission on 1.10.2020 under Section 19 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 he has received the complete information except Point No. 3(iii)(c) related to the pay fixation orders after the pay revision of Sh. Dalbir Singh Saroya in 1986, 1996 and dated 1.1.2006 and 3(iii)(f) of the RTI application the appellant states that he has mistakenly written the case noting of CWP No. 14269/2015 which relates to the Haryana Government. He further request that the directions may be given to respondent-Public Information Officer to supply the remaining information. However, the representative of the respondents states that the information 3(iii)(c) relates to 3<sup>rd</sup> party and 3(iii)(f) already informed the appellant that it relates to the Haryana Government.

3. After deliberations, the plea taken by the representative of the respondents is rejected related to 3(iii)(c) of the RTI application and directed to reconsider the reply given by the respondents as there is nothing related to the 3<sup>rd</sup> party information which can be prohibited under the provisions of the RTI Act, 2005 before the next date of hearing. With regard to the 3(iii)(f) the Commission accepts the reply given by the respondent-Public Information Officer. However, the appellant is advised that his original RTI application cannot be amended at this point of time and he may file the application afresh in case he wants to change the CWP Number as has been sought by him.

4. To come up on 15.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Mohali/cisco webex.

Sd/

Dated: 18.12.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Sh. Dilbagh Chand (Naib Subedar Retd), S/o Sh. Ramji Dass,  
Village Hayatpur,  
PO Habowal,  
Tehsil Samrala,  
Distt Ludhiana.M : 9814414473; 9463262669

..Appellant

Vs

Public Information Officer,  
O/o Principal Secretary,  
Rural Development and Panchayat Department, PB,  
Chandigarh.

First Appellate Authority  
O/o Principal Secretary,  
Rural Development and Panchayat Department, PB,  
Chandigarh.

...Respondents

Appeal Case No. 2501 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- Sh. Dilbagh Chand, appellant.  
Sh. Jaswinder Singh, Supdt o/o District Development and Panchayats Officer  
9780033633 on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 9.11.2020.

2. The appellant states that no information has been provided by the respondents so far. However, the representative of the respondents states that the complaint of the complainant has already been sent to the Block Development and Panchayats Officer, Machhiwara for enquiry which has been received from the Director, Rural Development & Panchayat, Pb. action taken of which has been sought by the appellant.

3. Accordingly, the Public Information Officer Block Development and Panchayats Officer, Machhiwara is impleaded as necessary party in this case to file the reply/supply the information as has been sought by the appellant. The RTI application of the appellant is **sent** with this order.

4. To come up on 1.2.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana/cisco webex.

Sd/

Dated: 18.12.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

CC

Public Information Officer,  
Block Development an Panchayat Officer,  
Machhiwara, Distt. Ludhiana

Regd

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Sh. Gurjit Singh 9592341836

Village Behbal Kalan, Tehsil Jaito,

Faridkot

....Appellant

Vs

Public Information Officer

o/o Director, Rural Development & Panchayat, Pb.,

Vikas Bhawan, Sector 62, Mohali

First Appellate Authority

o/o Director, Rural Development & Panchayat, Pb.,

Vikas Bhawan, Sector 62, Mohali

Public Information Officer (By name)

**Registered**

o/o the Divisional Dy. Director,

Panchayats,

Ferozepur

....Respondents

Appeal Case No. 2883 of 2020

(Cisco Webex proceedings)

Present:- Sh. Gurjit Singh, appellant on phone.

Sh. Jasvir Kaur, Sr. Asstt o/o Director, Rural Development & Panchayat, Pb.,  
on behalf of the respondents.

## ORDER

The RTI application is dated 11.5.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 15.6.2020 and second appeal was filed in the Commission on 1.10.2020 under Section 19 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 respondents be directed to supply the complete information as has been sought by him. He also placed on record a copy of the complaint, action taken of which is being sought by him. However, the representative of the respondents states that the Divisional Deputy Director, Panchayats, Ferozepur has already been appointed as enquiry officer in the sought information. He also placed on record a copy of letter No. 7365 dated 17.12.2020 along with the correspondence made in this regard.

3. A copy of the letter dated 17.12.2020 is **sent** to the appellant and also the Public Information Officer o/o the Divisional Deputy Director, Panchayats, Ferozepur is impleaded as necessary party in this case to file the reply/supply the information before the next date of hearing. A copy of the RTI application is **sent** with this order.

4. To come up on 1.2.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Faridkot/cisco webex.

Sd/

Dated: 18.12.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Sh. Amardeep Singh S/o Sh. Harchand Singh,

Village Kuhil Khurd,

PO Lehal,

Tehsil Payal

Distt Ludhiana.-141117.

M : 8437151402

Appellant

Vs

Public Information Officer,

O/o Block Development and Panchyat Officer,

Malaud,

Ludhiana.

First Appellate Authority

O/o Block Development and Panchyat Officer,

Malaud,

Ludhiana.

....Respondents

Appeal Case No. 2514 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- None on behalf of the appellant.

Sh. Jarnail Singh, Supdt o/o Block Development and Panchayats Officer  
9855003560 6283392348 on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 9.11.2020.

2. A request has been received from the appellant that he could not appear during the hearing today i.e. 18.12.2020. Also the appellant has pointed out the deficiencies which are reproduced below:-

1. Estimates and work order of sewerage project running in village Kuhli Khurd
2. Bank a/c statement of Bank of India.
3. Copies of sanctions in case the sanction has been taken by the Panchayat regarding the Shamlat Land from 2019-2020, if any.

However, the representative of the respondents sent the copy of bank statement (one page) along with the copy of estimate(one page) but nothing supplied regarding the copy of work order and approval for shamlat land as mentioned above. A copy of the information so received from the representative of the respondents is **sent** with this order.

3. Accordingly, the respondent-Public Information Officer is directed to supply the remaining information as enumerated in para 2 above else file a specific undertaking in this regard before the next date of hearing failing which the penalty provisions will be invoked.

4. To come up on 21.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

Sd/

(Suresh Arora)

Dated: 18.12.2020

Chief Information Commissioner,  
Punjab.

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Sh. Manpreet Singh Aulakh,  
s/o Sh. Davinder Singh,  
r/o Vill Kailpur, P.O. Dakha,  
District Ludhiana

....Appellant

Vs

Sh. Manohar Singh, 9988802911  
Public Information Officer-cum-  
Executive Officer,  
Nagar Council, Mullanpur Dakha,  
Ludhiana,

First Appellate Authority  
o/o Deputy Director,  
Local Bodies,  
Mini Secretariat, Ludhiana.

....Respondents

Appeal Case No. 3746 of 2019

(Video Conference/phone/cisco webex Proceedings)

Present:- Sh. Manpreet Singh Aulakh, appellant.

Sh. Manohar Singh, EO 9988802911, 7986115740 and Sh. Abhey Joshi,  
Accountant 8360659678 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 28.10.2020.

2. The appellant has made the submissions received through email dated 18.12.2020, which is taken on record. The respondent-Public Information Officer states that the information, whatever on record, has already been supplied to the appellant. He also states that even the Commission passed the orders dated 16.12.2019 for the inspection of the record. He further states that the appellant came to the office on 21.1.2020 at around 4.00 PM but he left the office and said to the APIO that he is coming in 10-15 minutes but since then the appellant never came forward to inspect the record concerning the RTI application. He also states that neither the appellant is inspecting the record nor he is being satisfied with the information so supplied. With regard to the compensation amounting to Rs.5000/- (Rupees five thousands only) the representative of the respondents states earlier the draft was prepared by the peon as the cash payment was made to him. He also assured that the draft amounting to Rs.5000/- will be handed over to the appellant as compensation from the funds of the public authority. He also requested that the appellant may be directed to send the old draft already issued to him, which he has not encashed yet. Furthermore, the representative of the respondents states that more than 100 RTI applications of the appellant are being dealt by the office on the one subject or the other and almost all the staff of the office have been involved in dealing with the RTI application(s) irrespective of the other official work. He also states that he has brought along the original file concerning the RTI application of the appellant. He also tenders unconditional apologies for the same.

3. The appellant has sought the four point information from the respondent-Public Information Officer. Now, the rejoinder has been filed by the appellant through email dated 18.12.2020, which is taken on record, on the submissions made by the respondents. Also

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Appeal Case No. 3746 of 2019

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the submissions made by the respondent-Public Information Officer, there upon, is deliberated point wise, the details of which are as follows:-

1. With regard to Point No. 2 of the RTI application the appellant submitted that the copy of parvana sent to respondent dated 3.1.2019 is provided and the copy of statement of respondent dated 4.1.2019 is also provided which is now missing from the records during the tenure of Mr. Parvinder Singh Bhatti. However, the respondent-Public Information Officer shown the Commission during the hearing that the same exists in the record and no record is missing in this regard. He also states that nothing more is available on record pertaining to this point as has been sought by the appellant. According, the Commission observes that no further action is required in the matter.

2. With regard to Point No. 3 of the RTI application the appellant submits that the Public Information Officer has stated that Inspector Amarjit Singh was Inquiry Officer, but he (respondent-Public Information Officer) has failed to provide order of inquiry and inquiry report of inquiry conducted. In this connection, the respondent-Public Information Officer states that Sh. Amarjit Singh, the then Inspector was to conduct the inquiry who issued the notice the copy of which has already provided to the appellant in Point No. 2 of the RTI application. He also states that no written orders were issued to appoint Sh. Amarjit Singh as enquiry officer in this case. He further states that nothing more is available on record which could be supplied to the appellant with which the Commission is satisfied. Therefore, no directions can be issued to the respondent-Public Information Officer in this regard.

4. Regarding information pertaining to Point No. 4 of the RTI application the appellant has filed the rejoinder in which it has stated that no information has been supplied to him by the respondent-Public Information Officer. However, the respondent-Public Information Officer states that the information as available on record has already been supplied as supplied in Point No. 2 of the RTI application. He also states that nothing more is available in the office which could be supplied to him. After deliberations with the respondent-Public Information Officer, the Commission accepts the plea taken by the respondents and observes that no further action is required in this regard.

5. Regarding Point No. 5 of the RTI application, the appellant submitted that the appellant sought the information and copies of applicable law with regard to such violation to be taken by the EO Municipal Corporation Dakha. However, the respondent-Public Information Officer states that the action can be initiated as per Section 172 of The Punjab Municipal Act, 1911. The respondent-Public Information Officer also placed a copy of the said section of the Act, which is **sent** to the appellant with this order. Accordingly, the Commission observes that no further action is required in this regard.

4. After going through the RTI application, submissions made by the appellant and the respondents viz. a viz. point wise deliberations with the respondent-Public Information Officer, it has transpired that the information whatever on record has already been supplied No further directions can be given to the respondents in this regard. With regard to the compensation amount the appellant is advised to return the demand draft already provided to him by the respondents within 15 days from the issue of this order and the respondent-

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Appeal Case No. 3746 of 2019

-3-

Public Information Officer is directed that a fresh demand draft amounting to Rs.5000/- (Rupees five thousands only) be provided to the appellant from the funds of the public authority before the next date of hearing under intimation to the Commission. The respondent-Public Information Officer is also warned to be careful in future while paying the compensation amount.

5. To come up on 2.2.2021 at 12.30 PM at 12.30 PM at Chandigarh.

Sd/

Dated: 18.12.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

Sh. Vikramjeet (Registered)  
Executive Officer,  
Nagar Council,  
Ahmedgarh (Sangrur)

Sh. Parvinder Singh (Registered)  
Chief Executive Officer-cum-  
Public Information Officer  
o/o Nagar Council, Mullanpur Dakha,  
District Ludhiana