

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Helpline 0172-2864100

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## Appeal Case No. 2953 of 2023

### **Sh. Sunil**

S/o Sh. Krishan Lal,  
Flat No. 244, D2 Tower,  
Penta Homes, Zirakpur,  
Distt. SAS Nagar (Mohali) – 140603  
(M: 9569806826)

V/s

... Appellant

### **Ms. Nirmal, Superintendent**

-cum-Public Information Officer,  
O/o The Addl. Chief Secretary cum  
Financial Commissioner (Revenue)  
(Stamp and Registry Branch)  
Punjab Civil Secretariat -1,  
Chandigarh

### **First Appellate Authority**

O/o The Addl. Chief Secretary cum  
Financial Commissioner (Revenue)  
(Stamp and Registry Branch)  
Punjab Civil Secretariat -1,  
Chandigarh

### **Ms. Harpreet Kaur, Superintendent**

-cum-Public Information Officer,  
O/o The Principal Secretary Finance,  
(Finance Expenditure-6 Branch),  
Punjab Civil Secretariat -1,  
Chandigarh

### **Sh. Sham Sunder**

### **Superintendent-cum**

### **Public Information Officer,**

O/o The Deputy Commissioner,  
SAS Nagar (Mohali)

... Respondents

## Appeal Case No. 2880 of 2023

### **Sh. Sunil**

S/o Sh. Krishan Lal,  
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## **Appeal Case No. 2953 of 2023 & Appeal Case No. 2880 of 2023**

**Public Information Officer,**  
O/o The Deputy Commissioner,  
SAS Nagar (Mohali)

**First Appellate Authority,**  
O/o The Deputy Commissioner,  
SAS Nagar (Mohali)

..Respondents

### **ORDER:**

This order may be read with reference to the previous order dated 04.12.2024 vide which the cases were reserved to be pronounced.

2. The brief of the case is that the mother of the appellant Mrs. Kailash Bhutani purchased the stamp paper but due to its non usage, the appellant filed the request to refund the E-Registration fee. To take the refund of the said fee the appellant filed the separate RTI application to the Department of Finance, Department of Revenue, Deputy Commissioner office and requested for information related to the said refund.

3. The appellant sought the following information:

### **AC No. 2953 of 2023:**

- i. Duly certified photocopy of letters/opinions/advices/circulars/orders all the official communicated and dispatched to any government department with dispatch no. and date. In the regards of refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 of Rs. 42,500/- issued on 30.11.2021 (Copy of e-Registration fee receipt attached herewith as annexure as A-1)
- ii. Kindly Provide the Name of dealing assistant, superintendent and Head of the department, along with their official contact number (Mobile or working landline), official email id, those are having the official responsibility of dealing the request of refund of E- Registration fee.
- iii. Duly certified photocopy of complete instructions/rules for dealing department related to the process of refund of e-Registration fee and any instructions/rules for the applicant.

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## **Appeal Case No. 2953 of 2023 &**

## **Appeal Case No. 2880 of 2023**

- iv. Diary Number and date of receipt of any letter received from D.C office Mohali or SDM Office Mohali or SDM office Derabassi regarding the refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 issued on 30.11.2021.
- v. Duly certified photocopy of all the official letters/opinions/advices/circulars/orders communicated, received and dispatched to any government department with diary no. and date regarding the refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 issued on 30.11.2021
- vi. What is the time limit to complete the request for refund of the amount of e-Registration of the applicant after the request is received through the D.C Office or SDM Office?
- vii. To make available the "Progress Report" on any letter received from the D.C Office or SDM Office regarding the refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 issued on 30.11.2021, to which officers did this letter go and which officer stayed with for how many days or what action did those officers take during those days?
- viii. In how many days should the request for a refund of the E- Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 application be processed according to your department? Has the above deadline been adhered to in this case?
- ix. Please tell me the name and designation of the officers who were supposed to process the request application for a refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 but did not take any action.
- x. When will the request for a refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 issued on 30.11.2021, work likely be completed?
- xi. Kindly provide the name of the first appellate authority along with the official mobile number or active landline number. official email id and postal address.

### **AC No. 2880 of 2023:**

- i. Duly certified photocopy of letters/opinions/advices/circulars/orders all the official communicated and dispatched to any government department with dispatch no, and date, in the regards of refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 of Rs. 42,500/- issued on 30.11.2021 (Copy of e-Registration fee receipt attached herewith as annexure as A-1)

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## **Appeal Case No. 2953 of 2023 &**

## **Appeal Case No. 2880 of 2023**

- ii. Kindly Provide the Name of dealing assistant, superintendent and Head of the department, along with their official contact number (Mobile or working landline), official email id, those are having the official responsibility of dealing the request of refund of E- Registration fee.
- iii. Duly certified photocopy of complete instructions/rules for dealing department related to the process of refund of e-Registration fee and any instructions/rules for the applicant.
- iv. Diary Number and date of receipt of SDM derabassi letter No. 447/fee-c dated 25.04.2022 (Copy of letter attached herewith as annexure as A-2),
- v. Duly certified photocopy of letters/opinions/advices/circulars/orders all the official communicated and dispatched to any government department with dispatch no, and date for SDM derabassi letter No. 447/fee-c dated 25.04.2022 refund / correspondence made.
- vi. What is the time limit to complete the request for crediting the refund of amount of e-Registration in bank account of the applicant after the request received at D.C Office?
- vii. To make available the "Progress Report" on request of refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561, to which officers did this request application go and which officer stayed with for how many days or what action did those officers take during those days?
- viii. To make available the "Progress Report" on SDM derabassi letter No. 447/fee-c dated 25.04.2022 refund/correspondence made, to which officers did this letter go and which officer stayed with for how many days or what action did those officers take during those days?
- ix. In how many days should the request for a refund of the E- Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 application be processed according to your department? Has the above deadline been adhered to in this case?
- x. Please tell me the name and designation of the officers who were supposed to process the request application for a refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 but did not take any action.
- xi. What action will be taken against these officers who do not do their work properly and harass the public and for how long?
- xii. When will the request for a refund of E-Registration fee of Mrs. Kailash Bhutani having Receipt No. PB1235163346561 issued on 30.11.2021, work likely be completed?
- xiii. Kindly provide the name of the first appellate authority along with active landline number, official email id and postal address.

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## **Appeal Case No. 2953 of 2023 &**

## **Appeal Case No. 2880 of 2023**

4. In view of the second appeals filed by the appellant, the notice of hearing was issued to the concerned public authorities. It is also appropriate to mention that the mother of the appellant purchased E-Stamp paper amounting to Rs. 42,500/- details of which is as follows:

Registration Fee	Rs.17,113/-
Mutation fees	Rs. 600/-
Pasting Fees English	Rs.200/-
Pasting fees Punjabi	Rs.200/-
PLRS facilitation charge	Rs.3,000/-
Infrastructure Development Fees	Rs.17,113/-
Special Infra Dev Fee	Rs.4,250/-
Service Charges	Rs.20/-
CGST @ 9%	Rs.2/-
SGST @ 9%	Rs.2/-
Total amount	Rs. 42,500/-

5. Out of the above, as per the response of the respondent only Registration Fee, Infrastructure Development Fee and Special Infrastructure Development Fee can be refunded. As far as the REGISTRATION FEE is concerned i.e. Rs. 17,113/-, the same had already been refunded to the appellant as per the procedure established by Law. With regard to the refund of remaining Infrastructure Development Fee and Special Infrastructure Development Fee, there was a provision to refund the same but no procedure was defined to issue the refund in favour of the applicant(s) and no appropriate directions were issued to the Deputy Commissioners of the State.

6. During the hearing, the respondent clarified that the Deputy Commissioners of the State has already been advised to refund the fees related to e-stamp paper in case of its non-usage and the procedure how to issue the refund of E-Stamp paper fee has already been conveyed to the Deputy Commissioner of the State. Also, the respondent clarified that the remaining Infrastructure Development Fees and Special Infrastructure Development Fees has already been refunded to the appellant electronically. It is also a fact that a show cause notice was issued to Ms. Harpreet Kaur, Superintendent-cum-PIO, O/o Principal Secretary (Finance Expenditure 6 Branch) in Appeal Case no. 2953 of 2023 who has filed specific reply that neither the said branch is collecting any E-Registration fee, nor any request to refund the said amount can be entertained.

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## **Appeal Case No. 2953 of 2023 &**

## **Appeal Case No. 2880 of 2023**

She further clarified that the said e-registration fee is being collected by the Revenue Department and the said amount can only be refunded by the said department. Also, she tenders unconditional apology and made the submissions that immediately on receipt of the RTI application, the RTI application of the appellant was transferred to the Revenue Department due to reason, mentioned herein. She also requested to withdraw the show cause notice issued to her.

7. Keeping in view the submissions made by Ms. Harpreet Kaur, Superintendent-cum-PIO, O/o Principal Secretary (Finance Expenditure 6 Branch), after consideration, the show cause notice, which was issued to her, is hereby withdrawn.

8. It is also an astonishing fact that the Department of Finance issued instructions for the imposition of the said fees on 27.04.2017 but the Government took more than 07 years to make the procedure to refund the said fees in case of its non-usage. Since, the Government has now made the procedure to refund the E-Stamp paper fees in case of its non-usage, the Commission is of the view that no further action is required to be taken in this case. As such the cases are **disposed of & closed**.

**Date: 24.12.2024**

**(Inderpal Singh)  
Chief Information Commissioner  
Punjab**