

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

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Sh. Salig Ram S/o Sh. Girdhari Lal,

R/o H. No. 116, (98885-03412),

Dashmesh Garden Colony,

Near ITI College, 145001

District -Pathankot.

.....Appellant

Vs

Public Information Officer,

O/o Block Development & Panchayat Officer,

Block – Dhar kalan,

Pathankot.

First Appellate Authority,

O/o District Development & Panchayat Officer,

Mini Secretariat,

Pathankot.

..... Respondents

Appeal Case No. 774 of 2020

Present:- Shri Sudhir s/o Shri Salig Ram on behalf of the appellant.

Shri Vishal Singh, Accountant on behalf of the respondents.

ORDER

The RTI application is dated 22.10.2019 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 20.12.2019 and second appeal was filed in the Commission on 17.2.2020 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 representative of the respondents states that the appellant has sought the information pertaining to voucher No. 68 of dated 2.1.2017 whereas actually the voucher No.68 is of dated 2.1.2015 which relates to the payment to the appellant towards the arrear amounting to Rs.1,43,703/- concerning the military service rendered by him during the 2nd emergency. In addition to it the representative of the respondents further states that the complete information concerning his RTI application has been handed over during the course of hearing and nothing left behind which could be provided to the appellant. The representative of the appellant shows his satisfaction with the submissions of the respondent.

3. As per the satisfaction of the appellant, the case is disposed of and closed.

Dated: 19.3.2020

Sd/-

(Suresh Arora)

Chief Information Commissioner,

Punjab.

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Sh. Salig Ram S/o Sh. Girdhari Lal,

R/o H. No. 116, (98885-03412),

Dashmesh Garden Colony,

Near ITI College, 145001

District -Pathankot.

.....Appellant

Vs

Public Information Officer,

O/o Block Development & Panchayat Officer,

Pathankot.

First Appellate Authority,

O/o District Development & Panchayat Officer,

Mini Secretariat,

Pathankot.

..... Respondents

Appeal Case No. 775 of 2020

Present:- Shri Sudhir s/o Shri Salig Ram on behalf of the appellant.

Ms Sangeeta Gupta, Superintendent on behalf of the respondents.

ORDER

The RTI application is dated 18.11.2019 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 21.12.2019 and second appeal was filed in the Commission on 17.2.2020 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 brief of the case is that the appellant has sought the following information:-

“ਕਿ ਪਿੰਡਾ ਵਿੱਚ ਕੂੜਾ ਪਾਉਣ ਵਾਲੇ ਖੱਡਿਆਂ ਉਤੇ ਖਡੇ ਦੇ ਮਾਲਕ ਵਲੋਂ ਦੁਕਾਨ ਜਾਂ ਮਕਾਨ ਦੀ ਉਸਾਰੀ ਕੀਤੀ ਜਾ ਸਕਦੀ ਹੈ ?”

3. The representative of the respondents states that the appellant has sought the information that is in question form and there is no provision under RTI Act to provide the information sought in question form. In addition to it, the representative of the respondents further states that the appellant was well informed vide letter No. 3647 dated 28.11.2019 and requests for the closure of the case.

4. The appellant has sought the information which is not available on record. Hence, the case is disposed of and closed.

Dated: 19.3.2020

Sd/-

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Sanjeev Thakur,

R/o Village –Gudha khurd, (98142-89764),

PO – Madhopur Cant., 145024

District -Pathankot.

.....Appellant

Vs

Public Information Officer,

O/o Block Development & Panchayat Officer,

Block – Sujampur,

Pathankot.

First Appellate Authority,

O/o District Development & Panchayat Officer,

Mini Secretariat,

Pathankot.

..... Respondents

Appeal Case No. 788 of 2020

Present:- None on behalf of the appellant.

Shri Ramesh Kumar, Panchayat Secretary on behalf of the respondents.

ORDER

The RTI application is dated 21.9.2019 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 3.12.2019 and second appeal was filed in the Commission on 20.2.2020 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 representative of the respondents states that the information pertaining to the RTI application of the appellant was sent to be delivered at the residence of the appellant in person but the appellant refused to take the information. He further states that due to non receipt of the information by hand by the appellant, the information was sent through the speed post but even the speed post returned back to the office with the remarks that the appellant has refused to take the information. In addition, the representative of the respondents states that even the cheque amounting to Rs.2260/- of the appellant as fee of the information was not encashed and requests for directions to the appellant to deposit the necessary fee in the shape of bank draft favouring 'Sarpanch Gram Panchayat'. With regard to the payment sought after 30 days, the representative of the respondents states that the appellant has not filed the RTI application to the concerned authority i.e. Public Information Officer-cum-Panchayat Secretary but the appellant filed the request with the Block Development and Panchayats Officer whereas the concerned authority is Panchayat

Contd..P/2

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Secretary and the Block Development and Panchayats Officer transferred the RTI application of the appellant to the Panchayat Secretary and hence, he requests for the deposit of fee amounting to Rs.2260/-.

3. As the appellant is absent, one opportunity is granted to the appellant to deposit the necessary fee amounting to Rs.2260/- with the 'Sarpanch Gram Panchayat' as fee for the information asked for and get the same from the respondents well before the next date of hearing failing which the case will be decided on merits.

4. To come up on 9.4.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Pathankot.

Dated: 19.3.2020

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

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Sh. Sukhminder Singh Rekhi,(9888880556)

C/o Office of The General Manager,

District Industries Centre,

District -Ludhiana.

.....Appellant

Vs

Public Information Officer,

O/o Addl. Deputy Comissoiner(MA Branch),

Administration Complex,

Ludhiana.

First Appellate Authority,

-cum- Addl. Deputy Comissoiner(G),

Administration Complex,

Ludhiana.

..... Respondents

Appeal Case No. 789 of 2020

Present:- Shri Sukhminder Singh, appellant

Shri Kuldeep Bhatt on behalf of the respondents.

ORDER

The RTI application is dated 11.10.2019 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 15.11.2019 and second appeal was filed in the Commission on 12.2.2020 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 representative of the respondents states that the complete information has been provided to the appellant whereas the appellant states although he has received the complete information but the respondents deliberately delayed the same. Since the complete information has been provided to the appellant to his entire satisfaction by the respondents but the respondent-Public Information Officer is directed to be careful in future while dealing with the RTI application(s).

Sd/-

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 19.3.2020

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Sh. Iqbal Singh,

R/o VPO –Rasulpur, (88722-00515)

Tehsil – Jagraon, 142035

District -Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Chief Secretary, Punjab,
Punjab civil Secretariat -1,
Chandigarh.

First Appellate Authority,
O/o Chief Secretary, Punjab,
Punjab civil Secretariat -1,
Chandigarh.

..... Respondents

Appeal Case No. 812 of 2020

Present:- None on behalf of the appellant.
Shri Kuldeep Singh, Sr. Asstt. And Shri Rahul Saini, Sr. Asstt on behalf of the respondents.

ORDER

The RTI application is dated 25.10.2019 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 20.12.2019 and second appeal was filed in the Commission on 19.2.2020 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 representative of the respondents submits the letter dated 24.1.2020, copy of which is taken on record, and states that the application of the appellant has been transferred under Section 6(3) of the RTI Act to the Additional Chief Secretary, Department of Home Affairs and Justice.

3. As the appellant is absent and the RTI application of the appellant has been transferred to the Department of Home Affairs and Justice, accordingly, the Public Information Officer o/o Additional Chief Secretary, Department of Home Affairs and Justice is impleaded as necessary party in this case and further directed to file the response on the RTI application of the appellant before the next date of hearing.

4. To come up on 4.5.2020 and the appellant is advised to remain present at Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana and the respondents are directed to remain present at Chandigarh.

Sd/-

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 19.3.2020

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Sh. Prem Kumar,
R/o #261/W- 11, Kartar Niwas,
Gurdaspur Road, Sri Hargobindpur,
Tehsil - Batala, 143515
District –Gurdaspur.

.....Complainant

Vs

Public Information Officer,
O/o Director,
Rural Development and Panchayat Department,
Vikas Bhawan,
District –SAS Nagar(Mohali).

.....Respondent

Complaint Case .No. 184 of 2020
(Video Conference Proceedings)

Present:- Sh. Prem Kumar, complainant
None on behalf of the respondents.

ORDER

The RTI application is dated 18.10.2019 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 18.2.2020 under Section 18 of the right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the party concerned for today.

2. Since no body is present on behalf of the respondent, the case is adjourned to 9.4.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Gurdaspur with the directions to the respondent to file the submissions before the next date of hearing.

Dated: 19.3.2020

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

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Sh. Sohan Lal Sharma, (Astt. Engg. Retd.)

R/o House No. 677, (98744-01531)

MIG, Phase -1, Urban Estate,

District- Patiala.

.....Appellant

Vs

Public Information Officer,

O/o Deputy Director(E.P),

Rural Development & Panchayat Department,

Vikas Bhawan Sector -68,

SAS Nagar(Mohali).

First Appellate Authority,

O/o Financial Commissioner,

Rural Development & Panchayat Department,

Vikas Bhawan Sector -68,

SAS Nagar(Mohali).

..... Respondents

Appeal Case No. 171 of 2020
(Video Conference Proceeding)

Present:- Shri Sohan Lal Sharma, appellant.

Shri Harpreet Singh o/o Joint Development Commissioner, Pb, Shri Gurpreet Singh, Sr. Asstt. and Shri Kuldip Singh, Supdt o/o Financial Commissioner, Rural Development and Panchayats, Punjab at Chandigarh.

ORDER

This order may be read with the previous order dated 2.3.2020.

2. The representative of the office of Joint Development Commissioner, Punjab states that the information i.e. enquiry report of dated 13.5.2018 has already been provided to the appellant and further states that nothing is left behind which could be provided to the appellant. However, the appellant states that he is satisfied with the information so provided by the office of the Joint Development Commissioner, Punjab but he needs the information primarily from the office of the Financial Commissioner, Rural Development and Panchayats i.e. action taken on the enquiry report. The representative of the office of the Financial Commissioner, Rural Development and Panchayats submits the letter bearing no. 1519 dated 19.3.2020, copy of which is taken on record, and states that they have not received the application of the appellant except the directions given by the Joint Development Commissioner, Punjab to attend the hearings in this case today and requests for the copy of the same.

3. As per the request of the appellant, the copy of the RTI application of the appellant is given during the course of hearing and directions are issued to provide the action taken on the enquiry report so submitted by the Joint Development Commissioner before the next date of hearing. Since, the Public Information Officer o/o The Joint Development Commissioner has provided the information and nothing is left behind, hence, exempted from further appearance in this case.

4. To come up on 4.5.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala and respondents are directed to remain present at Chandigarh.

Dated: 19.3.2020

Sd/-

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Vikram Vaid, RTI Activist and Whistle Blower,
R/o # 1527, Gali No. 2,(9855032897)
Bagh Ramanand,
Amritsar.

.....Appellant

Vs

Public Information Officer,
O/o Tehsildar,
Amritsar –II,
Amritsar.

First Appellate Authority,
O/o Deputy Commissioner,
Administrative Complex
Amritsar.

..... Respondents

Appeal Case No. 255 of 2020

(Video Conference Proceeding)

Present:- Shri Vikram Vaid, appellant
None on behalf of the respondents.

ORDER

This order may be read with the previous order dated 3.2.2020.

2. The case was heard on 18.3.2020 when Shri Amarinder Singh, Reader to Tehsildar, Amritsar-1 was present but on the request of the representative of the respondents that the response of the respondents is ready and will be supplied to the appellant today i.e. 18.3.2020 but later on the request of the representative of the respondents when he committed to submit the response the case was adjourned for tomorrow i.e. 19.3.2020.

3. During the hearing today i.e. 19.3.2020, neither the Public Information Officer nor his representative is present and the appellant states that no information after the previous date of hearing has been supplied to him.

4. The respondents are absent without intimation especially when the date was fixed on his request. Serious view has been taken for the absence of Public Information Officer Shri Manjit Singh, Tehsildar, Amritsar-2, Amritsar and Shri Amarinder Singh, Reader to Tehsildar, Amritsar-2, Amritsar for not supplying the information to the appellant. Thus, a show cause notice is hereby issued to them to explain their conduct as to why compensation should not be awarded to the appellant under Section 19(8)(b) of the Right to Information Act, 2005. They may send their explanation to the Commission for its perusal and may make use of next date of hearing for personal hearing before award of compensation failing which the punitive action will be initiated against them.

5. To come up on 4.5.2020 at 3.00 to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

Dated: 19.3.2020

Sd/-

(Suresh Arora)

Chief Information Commissioner,
Punjab.

CC : Deputy Commissioner (By name)
District Administrative Complex,
Amritsar.

To ensure presence of the
respondents.

Shri Amarinder Singh,
Reader to Tehsildar,
Amritsar-2, Amritsar.