

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Whatsapp No. 62848-20189



Shri Prem Singh
S/o Sh. Santa Singh,
Village – Gehlaran,
P. O. – Bhogpur,
Tehsil & DIstt. - Jalandhar(Punjab)

....Appellant

V/s

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat Gehlaran,
P. O. Bhogpur, Tehsil &
DIstt. Jalandhar (Punjab)

First Appellate Authority,
O/o District Development
and Panchayat Officer,
Jalandhar (Punjab)

...Respondents

Appeal Case No. 1133 of 2022
(Video Conference Proceedings)

Present: Sh. Prem Singh , appellant.

Sh. Mohit Anand, Panchayat Secretary cum PIO.

Order

This order may be read with reference to the previous order dated 7.9.2022. The case was adjourned and fixed for hearing today.

2. The PIO states that he has complied with the order of the Commission and sent the sketch plan of the constructed area in Khasra No. 36 along with affidavit duly notarized through registered post to the appellant on 16.9.2022. The PIO has given copies of the same to the appellant during the hearing. The PIO has sent an email along with the above said documents which is taken on record.

3. The appellant states that he has not received the documents sent by the PIO through registered post. He states that the PIO has supplied sketch plan of new construction of construction on area in Khasra No. 36 and not of old construction. The PIO states that this sketch plan has been given to the appellant beyond the scope of the provisions of RTI Act, 2005 as there is no provisions of creating information under RTI Act, 2005.

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2

Appeal Case No. 1133 of 2022

4. In view of the above, the Commission agrees with the contention of the PIO. As the appellant has not received the original documents sent by the PIO, the case is adjourned accordingly.

5. To come up on 27.9.2022 at 3.30 P.M. to be heard through video conference facility available in the office of the Deputy Commissioner, Jalandhar.

sd

Dated 19.9.2022

@s

(Suresh Arora)

Chief information Commissioner, Punjab

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Sh. Rahul Chander,
797/2C, Madhopuri No 7,
Circular Road, Opp. Bonn Bakers,
Ludhiana-141008.

Appellant

Vs

Public Information Officer,
O/o DC, Ludhiana.

First Appellate Authority
O/o DC, Ludhiana.

**Ms. Kirandeep, Sub Registrar, For Compliance
Ludhiana (East),
Ludhiana.**

Respondents

Appeal Case No. 3778/ 2022
(Video Conference Proceedings)

Present: Sh. Rahul Chander, appellant.

Sh. Manjinder Singh. RTI Cell o/o D.C. Ludhiana.

Order

The RTI Application is dated 26.2.2022 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 7.4.2022 and Second Appeal was filed in the Commission on 5.8.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 19.9.2022. The appellant has sought the following information:

1. ਕਿਰਪਾ ਕਰਕੇ ਖਸਰਾ ਨੰਬਰ 2054/1713/1538-1539/1362/ 158-159-182-184 ਜਮਾਬੰਦੀ ਸਾਲ 1987-88 ਅਤੇ 1977-78 ਦਾ ਨਿਰੀਖਣ ਪ੍ਰਦਾਨ ਕਰੇ ਵਿੱਚ
2. ਕਿਰਪਾ ਕਰਕੇ ਮੈਨੂੰ ਖਸਰਾ ਨੰਬਰ 2053/1713/1538-1539/1362/159 ਦਾ ਜਮਾਬੰਦੀ ਸਾਲ 1987-88 ਅਤੇ 1977-78 ਨਿਰੀਖਣ ਪ੍ਰਦਾਨ ਕਰੇ

2. The appellant states that he has sought inspection of Jamabandi of Khasra No. 2053 and 2054 but the PIO has concerned has not yet allowed him to inspect the same. The appellant requests the Commission to direct the PIO to allow him inspection as per his RTI application. The appellant has sent an email dated 17.9.2022 along with the citation of Hon'ble Supreme Court of India in support of his representation which is taken on record.

3. The representative of the respondents states that the RTI application of the appellant has been transferred to Ms. Kirandeep, Sub Registrar cum PIO, Ludhiana(East)(M 9815100016) vide

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Appeal Case No. 3778/ 2022

letter 3361 dated 9.9.2021. He has sent the same to the Commission which is taken on record. He requests the Commission to implede her necessary party in this case.

4. That it is noticed that despite the issue of above said letter by the PIO o/o D.C. Ludhiana neither Ms. Kirandeep, Sub Registrar, Ludhiana(West) is present in the hearing nor she has sent her representative to attend the hearing.

5. In view of the above, Ms. Kirandeep, Sub Registrar, Ludhiana(East) is hereby, impleaded as necessary party in this case.

6. That it is ascertained that the respondent PIO has dealt the RTI application very casually and remains absent during the hearing, Ms. Kirandeep, Sub Registrar, Ludhiana (East) 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 her for causing wilful delay/denial of the information to the RTI applicant and to show cause why a compensation under section 19(8) of the RTI Act,2005, may not be paid to the appellant for causing wilful delay/denial of the information for detriment suffered by him.

In addition to the written reply, the Public Information Officer 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. She may take a note that in case she does not file his written reply and does not avail herself of the opportunity of personal hearing on the next date, it will be presumed that she has nothing to say and the Commission will proceed ex-parte, on merit.

7. That the PIO is hereby, directed to submit response/supply the sought information to the appellant before the next date of hearing and further directed to remain present on the next date of hearing. The case is adjourned.

8. To come up on 27.9.2022 at 3.30 P.M. to be heard through video conference facility available in the office of the Deputy Commissioner, Ludhiana. sd

Dated 19.9.2022

@s

(Suresh Arora)

Chief information Commissioner, Punjab

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Sh. Jarnail Singh,
S/o Sh. Shyam Singh,
R/o Village Kamma,
Tehsil Khanna, Distt Ludhiana.
M : 9876632038

Appellant

Vs

Public Information Officer,
O/o DEO (SE), Ludhiana.

First Appellate Authority
O/o DEO (SE), Ludhiana.

Respondents

Appeal Case No. 3772/ 2022
(Video Conference Proceedings)

Present:
Order

The RTI Application is dated 4.4.2022 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 5.4.2022 and Second Appeal was filed in the Commission on 5.8.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 19.9.2022.

2. The appellant states that the PIO has not supplied complete noting sheets pertaining to information sought in his RTI application. The appellant requests the Commission to direct the PIO to provide him complete information.

3. The representative of the PIO states that the dealing hand of this case has gone to attend hearing in the Hon'ble High Court. He assures to provide the complete information to the appellant. The representative of the PIO further submits that the appellant can also inspect the record. The representative of the appellant agrees to inspect the concerned record. Both the parties mutually agree to get the record inspected on 20.9.2022 at 11 A.M. The PIO has sent letter along with the copy of General Provisions relating to Grant of Pension which is taken on record.

4. In view of the above, the appellant is hereby, directed to visit to the office of the PIO to inspect the record on 20.9.2022 at 11 A.M. and PIO is directed to make the record available for inspection to the appellant and provide the certified copies of information identified by the appellant, if any before the next date of hearing.

5. To come up on 27.9.2022 at 3.30 P.M. to be heard through video conference available in the office of the Deputy Commissioner, Ludhiana.

SD

Dated 19.9.2022

@s

(Suresh Arora)

Chief information Commissioner, Punjab