

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Sh. Rohit Sabharwal,
Kundan Bhawan,126,
Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Deputy Excise and Taxation Commissioner,
Mini Secretariat, Ludhiana.

First Appellate Authority,
O/o Deputy Excise and Taxation Commissioner,
Mini Secretariat, Ludhiana.

Respondents

Appeal Case No.565/2019

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 15.10.2018 | Nil | 19.11.2018 | Nil | 29.01.2019 |

ORDER:

The Video Conference facility was not available due to a conference of the Election Commission with the District Administration.

The matter shall be heard on **26.06.2019 at 11.30 AM through Video Conference at Ludhiana.**

01.05.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Harjit Singh Dhillon,
S/o Late S. Gurbax Singh,
R/o 4072/3, Gobind Colony,
Jamalpur, Ludhiana.

Complainant

Versus

Public Information Officer,
O/o Assistant Excise & Taxation Commissioner,
Mini secretariat, Ludhiana.

Respondent

Complaint Case No.130/2019

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 21.01.2018 | Nil | Nil | Nil | 29.01.2019 |

ORDER:

The Video Conference facility was not available due to a conference of the Election Commission with the District Administration.

The matter shall be heard on **26.06.2019 at 11.30 AM through Video Conference at Ludhiana.**

01.05.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Shri Ajmel Singh,
S/o Shri Surjeet Singh,
R/o Village Sangatpura,
Tehsil Jagraon, Distt Ludhiana.

Complainant

Versus

Public Information Officer – cum –
Panchayat Secretary, Gram Panchayat,
Sangatpura, Tehsil Jagraon,
Distt Ludhiana.

Respondent

Complaint Case No. 915/2018

Date of RTI application: 18.05.2018
Date of First Appeal : Nil
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 23.08.2018

Present: Sh. Ajmel Singh, Complainant in person.
None on behalf of the Respondent.

Order

The Video Conference facility was not available due to a conference of the Election Commission with the District Administration.

The matter shall be heard on **26.06.2019 at 11.30 AM through Video Conference at Ludhiana.**

01.05.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Smt Gurjeet Kaur,
W/o Shri Prabhdyal Singh,
R/o VPO Khamra, Jalandhar.
M: 9914552002

Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat, Khamra,
Distt Jalandhar.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Jalandhar.

Respondents

Appeal Case No. 2815/2018

Date of RTI application: 19.02.2018
Date of First Appeal : 27.04.2018
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 14.08.2018

**Present: Smt. Gurjeet Kaur, Appellant is absent.
Non is present for the Respondents.**

Order

The case has been heard through video conferencing.

The following order was made by the Commission on 20.02.2019:-

"The appellant had sought the certified copies of the documents relating to various resolutions passed, works having been executed by the Gram Panchayat and other connected information relating to the years 2013-18. Adv. Ravinder Kumar, Counsel for the appellant submits that they were desired to deposit a fee of Rs.9500/- as cost of information in response to which an irrelevant information comprising the bank statements in about 100 pages has been provided. The respondent Panchayat Secretary has failed to explain the demand of such a hefty amount and supply of the relevant information. It is a clear case of violation of the provision of RTI Act. Prima facie he has rendered himself liable for penal consequences.

Sh. Charanjit Singh, PIO – cum – Panchayat Secretary, Village Khamra, O/o BDPO, Jalandhar is issued a show cause notice to explain in a self- attested affidavit as to why a penalty @

Contd...page...2



-2-

Appeal Case No. 2815/2018

Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO 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. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.

The case has come up today. The parties are adhering to the respective stands. They are again advised to sit together and sort it out before the next date of hearing”.

Today, both the parties are absent. The matter shall be heard **on 26.06.2019 at 11.30 AM through Video Conference at Jalandhar.**

01.05.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

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Sh. Sukhjit Singh,
S/o Sh. Harjoginder Singh,
VPO- Mianwal Molvian,
Tehsil-Shahkot, Distt. Jalandhar.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Shahkot, Distt. Jalandhar.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Distt. Jalandhar.

Respondents

Appeal Case No.518/2019

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 04.06.2018 | Nil | 17.07.2018 | Nil | 03.01.2019 |

Present: Shri Sukhjit Singh, Appellant is present.
None is present on behalf of the PIO/Respondents.

ORDER:

The case has been heard through video conferencing.

The respondents are absent. The appellant has sought detailed information connected with the laying of sewer in the village Mianwal Maulvian, Tehsil Shahkot, District Jalandhar. The Commission takes serious note of the absence of the respondents. They have not even bothered to file reply to the notice, much less providing the information to the Appellant. BDPO is desired to file an affidavit and explain his conduct as to why he should not be proceeded against.

The matter shall be heard on **19.06.2019 at 11.30 AM through Video Conference at Jalandhar.**

01.05.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Paramjeet Chand ,
S/o Shri Ramesh Chand,
R/o Baghe ke Hithar,
Tehsil Jalalabad, Distt Fazilka.

Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat, Baghe ke Hithar,
Tehsil Jalalabad, Distt Fazilka.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Fazilka.

Respondents

Appeal Case No. 2751/2018

Date of RTI application: 26.03.2018
Date of First Appeal : 23.04.2018
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 09.08.2018

Present: Sh. Paramjeet Chand, Appellant in person.
Sh. Jagpal Singh, Panchayat Secretary – for Respondents.

Order

The case has been heard through video conferencing.

The following order was made by this forum on 20.02.2019:

“Sh. Paramjeet Chand, Appellant is present. None is present on behalf of the respondents. The Commission takes strong exception to the neglectful and dismissive attitude of the respondents.

The PIO –cum – BDPO, Jalalabad, Distt. Fazilka is 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 maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.



-2-

Appeal Case No. 2751/2018

In addition to the written reply, the PIO 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. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.

The case has come up today. The information sought pertains to ten years. Obviously, it will be a humongous information. Its provision shall divert their resources disproportionately. The Commission directs the Panchayat Secretary to allow him inspection of the record on a mutually agreed date and time. The respondents shall provide him the certified copies of the documents identified by him not beyond one hundred fifty page”.

Both the parties are present. The appellant expresses satisfaction on the receipt of information as directed above. The Commission does not feel any further requirement of intervention in the matter. **The appeal is disposed.**

01.05.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

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Sh. Pritam Singh,
S/o Sh. Amir Singh,
Village-Guddarh Bhaini,
PO-Ladhuka, Distt. Fazilka.

Appellant

Versus

Public Information Officer,
O/o Director,
Rural Development and Panchayat Department,
Mohali.

First Appellate Authority,
O/o Secretary,
Rural Development and Panchayat Department
Mohali.

Respondents

Appeal Case No.545/2019

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 22.10.2018 | Nil | 27.11.2018 | Nil | 25.01.2019 |

Present: Sh.Pritam Singh, Appellant is present.
Sh.Manoj Kumar, Panchayat Secretary – for Respondents.

ORDER:

The case has been heard through video conferencing.

Shri Manoj Kumar, Panchayat Secretary is present. He submits that the information comprising 228 pages has already been provided to the Appellant. Shri Pritam Singh, Appellant is dissatisfied. He has alleged it to be deficient. The Commission directs the Panchayat Secretary to provide him complete access to the record. The Appellant shall identify the documents considered to be furnished to him, which shall be provided by the Respondents free of charge but not beyond 50 pages. The respondent shall convey a definite date and time to the Appellant and comply with the aforesaid directions.

To come up on **19.06.2019 at 11.30 AM through video conference at Fazilka.**

01.05.2019

Sd/-
(Yashvir Mahajan)
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Sh. Amarjit Singh,
S/o Sh. Hukam Singh,
Village-Guddarh Bhaini,
PO-Ladhuka, Distt. Fazilka.

Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat, Guddarh Bhaini,
Fazilka.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Fazilka.

Respondents

Appeal Case No.546/2019

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 22.10.2018 | Nil | 31.12.2018 | Nil | 25.01.2019 |

Present: Shri Amarjit Singh, Appellant is present.
Shri Manoj Kumar, Panchayat Secretary – for Respondents.

ORDER:

The case has been heard through video conferencing.

The application in hand is a photocopy of one made in Appeal No.545. The same information has been sought under different signature. This is misuse of the RTI Act. The Appellant is advised to share it with the Appellant in the first case - AC No.545/2019.

The appeal is **disposed**.

01.05.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Shri Ripu Sudan Sharma,
S/o Shri Bujja Ram Sharma,
Ward No. 2, House No 818,
Garhshankar, Distt Hoshiarpur.

Complainant

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer,
Garhshankar, Distt Hoshiarpur.

Respondent

Complaint Case No.1096/2018

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 24.07.2018 | Nil | Nil | Nil | 04.10.2018 |

Present: None.

Order

The case has been heard through video conferencing.

The complainant has grievance about the assignment of a Number to his house in the Village. The Commission is not competent to look into a grievance, on the above score.

The DDPO may look into it and endeavour to redress it.

Disposed.

01.05.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: The District Development & Panchayat Officer, Hoshiarpur for necessary action.



Sh. Sandeep Singh,
S/o Sh. Malkit Singh,
R/o Village-Khanpur,
Block-Malerkotla, Distt.-Sangrur.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Malerkotla-1, Sangrur.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Sangrur.

Respondents

Appeal Case No. 2754/2018

Date of RTI application: 09.05.2018
Date of First Appeal : 14.06.2018
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 06.08.2018

Order

The following order was made by this forum on 20.08.2019:

“The appellant is present in the Court itself. He rues the dismissive attitude of the respondents in having refused to respond to his original application, first appeal and even the second appeal in the Commission.

None is present on behalf of the respondents. No reply has also been filed to the notice issued by the Commission. The Commission takes serious note of it.

The PIO – cum – BDPO, Malerkotla - 1 is 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 maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.



-2-

Appeal Case No. 2754/2018

In addition to the written reply, the PIO 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. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.

The case has come up today for hearing. Despite the express and clear instructions, the BDPO has chosen to ignore the show cause notice of the Commission. A final opportunity is afforded to Smt. Amardeep Kaur, PIO – cum – BDPO, Malerkotla – 1 to arrange the inspection of the record by the appellant and provide him certified copies of the documents to an extent of one hundred fifty pages only. She will also explain the delay having taken place in dealing with this case of providing information”.

The case has come up today. Due to technical glitch, the V.C. could not mature.

To come up on **19.06.2019 at 11.30 AM through video conference at Sangrur.**

01.05.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

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Sh. Inderpal Singh,
S/o Sh. Udham Singh,
Village-Dehriwal Kiran,
PO-Bisankot, Distt. Gurdaspur.

Appellant

Versus

Public Information Officer,
O/o Director, Rural Development and
Panchayat Department, Mohali.

First Appellate Authority,
O/o Secretary, Rural Development and
Panchayat Department, Mohali.

Respondents

Appeal Case No.544/2019

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 13.09.2018 | Nil | 22.10.2018 | Nil | 25.01.2019 |

Present: Shri Inderpal Singh, Appellant is present in person.

Sh. Ishwar Singh, Senior Assistant, O/o Director, Rural Development & Panchayat, Punjab, Mohali – for Respondents.

ORDER:

The case has come up today.

The Appellant is seeking outcome of a complaint made by him to the office of Prime Minister of India which, according to him, has been endorsed to the Respondent. The respondent in his communication has denied the receipt of the complaint. Moreso, according to them, the information sought strictly does not come in the ambit of definition of information. Further enquiry reveals that the Appellant has made a complaint against the BDPO for some alleged mis-appropriation.

The Commission understands that the Cadre control of a BDPO is with the Government in the Department of Rural Development and Panchayats and not in the Directorate. The respondents are directed to trace out the complaint made by the appellant and refer it to the Government for appropriate decision. With this observation, the appeal is **disposed**.

01.05.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**



Sh. Karaj Singh,
S/o Sh. Bakshish Singh,
VPO-Rukna Begu.
Distt. Ferozepur.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block-Ghall Khurd, Distt. Ferozepur.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Ferozepur.

Respondents

Appeal Case No.571/2019

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 07.09.2018 | Nil | 19.11.2018 | Nil | 30.01.2019 |

ORDER:

The case has come up today.

Due to technical glitch, the V.C. did not mature. .

To come up on **19.06.2019 at 11.30 AM through video conference at Sangrur.**

01.05.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**