

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Balkar Singh,
S/o Sh Jarnail Singh,
R/o Baba Deep Singh Na gar,
Ward No.10, Gali No.-3,
Mahavir Nagar, Teh:Malout,
Distt-Sri Muktsar Sahib -152107

.....Appellant

Vs

Public Information Officer,
O/o BDPO, Malout,
Distt Sri Mukatsar Sahib
First Appellate Authority –cum
DDPO, Sri Mukatsar Sahib

.....Respondent

AC.No. 3741 of 2018

Present : (i) None for the Complainant.
(ii) For the respondent : Sh Rajpal Singh, VDO Sh Narinder Kumar, BDPO and Sh
Gagandeep Singh, P.S

ORDER

This order may be read with reference to the previous order dated 06.03.2019.

2. The appellant is not present today.
3. The Respondent states that the information has been provided to the appellant .
He also shows a copy of the receiving given by the appellant in lieu of having received
the information.
4. In view of the foregoing, no further cause of action is left. Hence the appeal case
filed by the appellant is **disposed off and closed**. Copy of the orders be sent to the
parties.

Sd/-

Chandigarh
Dated: 02.04.2019

(Preety Chawla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Bahadur Singh,
S/o Sh Nirmal Singh,
Village Kurara, Mohali

.....Appellant

Vs

Public Information Officer,
O/o DC, Mohali
First Appellate Authority –cum
O/o ADC(Development), Mohali

.....Respondent

AC.No. 3821 of 2018

Present : (i) Sh Bahadur Singh, Appellant alongwith Sh Bhupinder Singh.
(ii) For the respondent: Smt Parmjit Kaur, Supdt. And Sh Harmesh Singh,
P .S

ORDER

This order may be read with reference to the previous order dated 05.03.2019 vide which Sh Ranjit Singh Bains, BDPO was directed to file his reply on affidavit on the next date of hearing, i.e., today.

2. The Appellant states that he has not received the amount of compensation till date.

3. The Respondent files his reply today.

4. The perusal of the file shows that, the Respondent has failed to file his reply on affidavit today. Even he has not paid the amount of compensation to the Appellant. In view of the same, Sh Ranjit Singh Bains, BDPO is directed to file his reply on affidavit on the next date of hearing. Further, the Respondent is also directed to send the amount of compensation to the Appellant before the next date of hearing.

5. To come up on **16.04.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 02.04.2019

Sd/-
(Preety Chawla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Surjit Lal,
S/o Sh Sarwan Singh,
R/o Village Aujala, Tehsil Phillaur,
Distt-Jalandhar

.....Appellant

Vs

Registered post: **Public Information Officer,**
O/o BDPO, Noormahil
Distt.Jalandhar

First Appellate Authority –cum
O/o DDPO, Jalandhar

.....Respondent

AC.No. 3824 of 2018

Present: (i) Sh. Amit Sharma Advocate on behalf of the appellant
(ii) None is present on behalf of the respondent

ORDER

This order may be read with reference to the previous order dated 06.03.2019 vide which the respondent was absent and a show cause notice was issued to the PIO, o/o BDPO, Noormail, Distt.Jalandhar . On the next date i.e. 06.03.2019, the respondent was again absent.

2. The counsel for the appellant states that no information has been given to the appellant so far.

3. The brief facts of the appeal is that the respondent has not attended any hearing in the Commission. The appellant filed RTI with the PIO, o/o BDPO, Noormahil on 13.07.2018, but after lapse of more than eight months no information has been given to him. Even he has not bothered to attend the hearing in the commission, which shows that he has no regard for the orders issued by the Commission. This is indeed a serious matter.

4. Respondent may take note that the RTI Act 2005 was enacted with a view to promote transparency and accountability in the working of public authorities so that the corruption in the working of government is contained and the government and its instrumentalities are held accountable to the people.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



AC.No. 3824 of 2018

5. This has resulted in much avoidable inconvenience and hardship to the Appellant. He is, therefore, entitled to be compensated under Section 19(8)(b) of RTI Act 2005 for the loss and detriment suffered by him. In the circumstances, I am of the view that ends of justice would be met if a sum of **Rs.2500/- (Rupees Twenty Five hundred Only)** is awarded to the Appellant as compensation. I order accordingly.
6. This amount shall be payable by the Respondent from the State exchequer within fifteen days from the receipt of this order under intimation to the Commission.
7. To come up on **06.05.2019 at 11:00AM**. Copy of the order be sent to the parties

Chandigarh
Dated: 02.04.2019

Sd/-
(Preety Chawla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Joginder Singh,
S/o Sh Jarnail Singh,
R/o Village Araimajra, POMauradi,
Tehsil Samana, Distt Patiala

.....Complainant.

Vs

Public Information Officer,
O/o BDPO, Samana,
Distt Patiala

.....Respondent

CC .No. 1187 of 2018

Present : (i) Sh. Joginder Singh the complainant
(ii) For the respondent :Sh. Sahib Singh, Panchayat Secretary, Sh. Brish bhaan, VDO and Sh. Baljit Singh, BDPO

ORDER

Vide order dated 30.01.2019, a penalty of Rs. 5000/- was imposed on Sh. Baljit Singh Sohi, BDPO, Samana, Distt. Patiala under Section 20 of the Right to Information Act, 2005 for the reason, that there was failure on his part to supply the information within the statutorily prescribed period of 30 days.

2. Today Sh. Joginder Singh the complainant states that he has received the information and is satisfied.

3. Sh. Baljit Singh, Sohi, BDPO today has filed an affidavit dated 01.04.2019 in which he has prayed as under:-

ਮੈਂ ਬਿਆਨ ਕਰਦਾ ਹਾਂ ਕਿ ਮੈਂ ਬਲਾਕ ਦਾ ਪੀ.ਆਈ.ਓ. ਹਾਂ। ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਦਾ ਪੀ.ਆਈ.ਓ. ਦੀ ਜ਼ਿੰਮੇਵਾਰੀ ਸਬੰਧਤ ਪੰਚਾਇਤ ਸਕੱਤਰ ਦੀ ਬਣਦੀ ਹੈ ਕਿਉਂਕਿ ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਦਾ ਰਿਕਾਰਡ ਪੰਚਾਇਤ ਸਕੱਤਰ ਪਾਸ ਹੁੰਦਾ ਹੈ।

ਇਹ ਕਿ ਗ੍ਰਾਮ ਪੰਚਾਇਤ ਅਰਾਈ ਮਾਜਰਾ ਦੇ ਸਬੰਧਤ ਪੰਚਾਇਤ ਸਕੱਤਰ ਸ੍ਰੀ ਸਾਹਿਬ ਸਿੰਘ ਨੂੰ ਇਹ ਸੂਚਨਾ ਦੇਣ ਲਈ ਦਫ਼ਤਰ ਵੱਲੋਂ ਦੋ ਵਾਰ ਲਿਖਿਆ ਗਿਆ ਹੈ।

ਇਹ ਕਿ ਇਸ ਸਬੰਧੀ ਪੰਚਾਇਤ ਸਕੱਤਰ ਸ੍ਰੀ ਸਾਹਿਬ ਸਿੰਘ ਨੂੰ ਸੂਚਨਾ ਦੇਣ ਲਈ ਸ਼ੋ-ਕਾਜ਼ ਨੋਟਿਸ ਵੱਜਾਰੀ ਕਰ ਦਿੱਤਾ ਗਿਆ ਹੈ।

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



CC .No. 1187 of 2018

In view of the above he verbally prayed that the order of penalty dated 30.01.2019 may kindly be recalled/reviewed.

4. I have carefully considered the submissions made by Sh. Baljit Singh Sohi, BDPO for review/recall the penalty. The first question to be addressed is whether I can review /recall my earlier order dated 30.01.2019, imposing a penalty of Rs. 5000/- upon the Respondent?

5. The Right to Information Act, 2005 does not contain any provision conferring the power of review on the Commission in relation to the orders passed by it on the judicial side. It is trite law that power of review can be exercised by a statutory authority only if it has been expressly conferred by the statute concerned. In the absence of an express power, a statutory authority, cannot review its orders on merits. However, this principle is subject to certain exceptions. These exceptions are:-

- i. Where the order sought to be recalled has been passed without notice to the person affected or where his absence at the time of passing the order was not willful, but was occasioned by reasons beyond his control.
- ii. Where the order sought to be recalled has been passed on mis-presentation of facts by the opposite party.

6. In the instant case, I find that Sh. Baljit Singh Sohi, BDPO was not the PIO but Sh. Sahib Singh , Panchayat Secretary had given in writing that Sh. Baljit Singh Sohi , BDPO is the PIO. Today Sh. Baljit Singh Sohi has filed an affidavit stating that he is not the PIO and Sh. Sahib Singh, P.S. is the PIO.

7. Sh. Sahib Singh, Panchayat Secretary has submitted the written apology for such mistake and promised that he will not commit such mistake in future. The written apology of Sh.Sahib Singh , Panchayat Secretary is as under:-

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



CC .No. 1187 of 2018

Secretary-cum-PIO. This amount shall be paid by Sh. Sahib Singh, Panchayat Secretary-cum-PIO as his personal liability. **The BDPO, Samana, Distt. Patiala shall ensure that this amount of penalty is deducted from the salary of Sh. Sahib Singh, Panchayat Secretary-cum-PIO and deposited in the Treasury under the relevant head.**

11. To come up on **14.05.2019 at 11.00 AM**. Copy of the order be sent to the parties through registered post.

Chandigarh
Dated: 02.04.2019

Sd/-
(Preety Chawla)
State Information Commissioner

Through registered post

cc: Sh.Baljit Singh Sohi, BDPO, Samana, Distt. Patiala
Sh.Sahib Singh, Panchayat Secretary, o/o BDPO, Samana, Distt. Patiala

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Jagmeet Singh,
S/o Sh Sukhminder Singh,
R/o Village Ratta Tibba,
Tehsil- Malout,
Distt Sri Muktsar Sahib

.....Appellant

Vs

Public Information Officer,
O/o BDPO, Malout,
Distt Sri Mukatsar Sahib
First Appellate Authority –cum
O/o DDPO, Sri Mukatsar Sahib

.....Respondent

AC.No. 3822 of 2018

Present: (i) Sh. Jagmeet Singh the appellant
(ii) For the respondent : Sh.Rajpal Singh, VDO, Sh. Gagandeep Singh,
Panchayat Secretary and Sh.Narinder Kumar, BDPO

ORDER

This order may be read with reference to the previous order dated 06.03.2019.

2. The respondent states that he has brought the information today in the Commission to deliver it to the appellant, which is handed over to him.
3. The appellant has gone through the same and states that he has received complete information except point no. 5.
4. Respondent is directed to provide information pertaining to point no. 5 to the appellant before the next date of hearing.
5. To come up on **03.06.2019 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 02.04.2019

(Preety Chawla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Smt Murti Devi,
H.No-33159, Street No.1,
Partap Nagar, Bathinda

(registered post)

.... Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Dhanaula, Distt Barnala

(registered post)

..Respondent

CC No. 857 of 2018

Present: (i) Sh Vinod Kumar, on behalf of the Complainant.
(ii) For the Respondent: Sh Chanchal Kumar, Jr. Asstt.

ORDER

This order may be read with reference to the previous order dated 05.03.2019.

2. Sh Vinod Kumar is appearing on behalf of the Complainant.
3. The Respondent states that the information has already been sent to the Complainant.
4. The perusal of the file shows that the complainant filed RTI on 15.05.2018 with the PIO, o/o EO, Nagar Council, Dhanaula, Distt Barnala, But the respondent has not provided any information so far. During the hearing dated 30.01.2019, a show cause notice was issued to the respondent, but today again respondent –PIO is not present. It is observed that there has been inordinate delay in properly dealing with and replying to the information request submitted by the Complainant. In this regard action under Section 20(1) RTI Act was initiated against PIO, O/o EO, Nagar Council, Dhanaula, Distt Barnala. He was also given the opportunity of personal hearing vide order dated 30.01.2019. He has, however, failed to attend the hearing despite letter sent to him.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



CC No. 857 of 2018

5. I am, therefore, left with no other option but to decide the question of imposition of penalty upon Mr. Parminder Singh, EO O/o Nagar Council, Dhanaula, Distt Barnala. From the material on record, it transpires that there has been unnecessary delay in conveying the correct State of affairs to the Complainant in regard to his request for information. Mr. Parminder Singh, EO has failed to respond the show cause direction by the Commission reinforces the fact that he has been without any reasonable cause guilty of remissness in the discharge of his duties. He is, therefore, deserves to be penalized. However, taking a lenient view, I impose a penalty of Rs. 2500/- on him. He is directed to deposit this amount in the Treasury before the next date of hearing.

6. Regional Deputy Director, Local Bodies, Patiala, Mini Sectt, Patiala is directed to ensure that in case Mr. Parminder Singh does not deposit the amount of penalty, the penalty amount is recovered from the salary of Mr. Parminder Singh and a compliance report in this regard be sent to the Commission before the next date of hearing.

7. To come up on **03.06.2019 at 11.00 AM**. Copy of the order be sent to the parties through ***registered post***.

Sd/-

Chandigarh
Dated: 02.04.2019

(Preety Chawla)
State Information Commissioner

Through Registered Post

cc: Regional Deputy Director, Local Bodies, Patiala, Mini Sectt, Patiala

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Saroop Singh, s/o Sh. Bachan Singh
Village choure, Block Sri Hargobindpur
Tehsil Batlaa, Distt. Gurdaspur

..... Complainant

Vs

Public Information Officer,
o/o District Social Welfare Officer
Gurdaspur

Registered post: Public Information Officer
o/o BDPO, Sri Hargobindpur
Distt. Gurdaspur

.....Respondent

CC.No. 1039 of 2018

Present : (i) None for the Complainant.
(ii) For the respondent :Sh Jaspal Singh, Junior Asstt.

ORDER

This order may be read with reference to the previous order dated 05.03.2019.

2. The Complainant is not present today.
3. The Respondent states that the information is related to PIO O/o BDPO, Sri Hargobindpur, Distt Gurdaspur.
4. The perusal of the file shows that, on the previous date of hearing, PIO O/o BDPO, Sri Hargobindpur, Distt Gurdaspur was impleaded as Respondent No.2. Today no one has appeared on behalf of Respondent No.2.

In view of the above, **PIO O/o BDPO, Sri Hargobindpur, Distt Gurdaspur** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for 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 detriment suffered.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



AC .No. 4218 of 2018

In addition to his submission, the PIO is also hereby 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 note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next 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.

5. To come up on **14.05.2019 at 11.00 AM**. Copy of the order be sent to the parties through registered post.

Chandigarh
Dated: 02.04.2019

Sd/-
(Preety Chawla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Malkiat Khan,
S/o Sh.Jumma Khan,
Village Balipur, PO Kalyan,
Distt & Tehsil: Patiala

..... Complainant

Vs

Public Information Officer,
O/o Astd Registrar,
Cooperative Societies, Patiala
First Appellate Authority,
O/o Deputy Registrar,
Cooperative Societies, Patiala

.....Respondent

AC . No. 3549 of 2018

Present : (i) Sh.Malait Khan the appellatant
(ii) For the respondent : Smt.Shamsher Kaur, PIO, Sh.Ravinder Nath,
Supdt., Sh. Nikhil Garg, Inspector, Sh. Gurjant Singh, Secretary

ORDER

This order may be read with reference to the previous order dated 05.03.2019.

2. The appellatant states that no information has been given to him so far.
3. Smt. Shamsher Kaur PIO the respondent states that the information is lying with the society and society has given in writing that they are not covered under the RTI Act 2005.
4. After hearing both the parties, it is found that the preliminary objection taken by the Respondent is that the society is not a 'public authority' within the meaning of Section 2 (h), RTI Act 2005 and, therefore, is under no obligation to provide the information demanded by the appellatant.
3. It is observed that it is complicated case and requires adjudication by the Larger Bench In view of the foregoing, the case file is sent to Deputy Registrar for placing the same before the Hon'ble Chief Information Commissioner for appropriate orders.

Sd/-

Chandigarh
Dated: 02.04.2019
DR

(Preety Chawla)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Ujjagar Singh, S/o Late Shri Bant Singh
R/o Street No. 1, Mann Colony Daba,
Ludhiana

.....Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner
Barnala
First Appellate Authority
O/o Deputy Commissioner,
Barnala

.....Respondent

AC No. 4221 of 2018

Present: (i) Sh Ujagar Singh, Appellant
(ii) For the respondent : Sh Makhan Lal, Sr Asstt. And Sh Amrinder Singh,
Clerk

ORDER

This order may be read with reference to the previous order dated 06.03.2019.

2. The Respondent states that the complete information has already been sent to the Appellant. He further states that he has also got the original record today .

3. The Appellant has gone through the record and states that he is not satisfied with the same.

4. After hearing both the parties, it is ascertained that the information has already been provided to the Appellant. Further, the Appellant has pointed out the deficiencies in the information provided to the Respondent. Hence, PIO O/o Respondent is directed to provide complete information to the Appellant and in case such information is not available in the official record of the Respondent then to file an affidavit for the same.

5. To come up on **24.04.2019 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 02.04.2019

(Preety Chawla)
State Information Commissioner