

PUNJAB STATE INFORMATION COMMISSION

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

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Shri Sukhpal Singh Gill, M 9915981769

R/o Village Sahijad,

PO Jodha,

Tehsil and District –Ludhiana

..Complainant

Vs

Public Information Officer,

o/o Finanacial Commissioner,

Rural Development and Panchayat Department, Pb.

Mohali

..Respondent

Complaint Case No. 440 of 2020

(Cisco Webex Proceedings)

Present: None on behalf of the complainant.

Sh. Lehambar Dass, Superintendent 7973431495 in person on behalf of the respondent.

Order

This order may be read with reference to the previous order dated 10.9.2020 vide which the case was adjourned to 16.10.2020 but due to holiday declared by the Government of Punjab on the said date the case was adjourned to 19.11.2020. The case was further adjourned for today i.e. 2.12.2020 due to administrative reasons.

2. The representative of the respondents requests that the case may be adjourned as the record pertaining to the Point No. 1 of the RTI application is not being traced. With regard to other points the representative of the respondents states that the information as available on record has already been replied/supplied to the appellant vide No. 5482 dated 18.11.2020. He has also placed on record the copy of the said letter, which is taken on record.

3. The complainant is absent without intimation. He was also not present during the last hearing dated 10.9.2020.

4. After hearing, the appellant is advised to go through the response/information sent by the respondents and point out deficiency, if any, before the next date of hearing. He is also directed to establish the public interest involved in seeking the information before the next date of hearing.

5. To come up on 22.12.2020 at Chandigarh.

Dated 2.12.2020

sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Shri Sukhpal Singh Gill, M 9915981769

R/o Village Sahijad,

PO Jodha,

Tehsil and District –Ludhiana

..Complainant

Vs

Public Information Officer,

o/o Finanacial Commissioner,

Rural Development and Panchayat Department, Pb.

Mohali

..Respondent

Complaint Case No. 441 of 2020

(Video conference/Cisco Webex/Phone Proceedings)

Present: None on behalf of the complainant.

Sh. Lehambar Dass, Superintendent 7973431495 in person, on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 10.9.2020 vide which the case was adjourned to 16.10.2020 but due to holiday declared by the Government of Punjab on the said date the case was adjourned to 19.11.2020. The case was further adjourned for today i.e. 2.12.2020 due to administrative reasons.

2. The representative of the respondents requests that the case may be adjourned as the record pertaining to the Point No. 1 & 2 of the RTI application is not being traced. With regard to the other points the representative of the respondents states that the information has already been supplied to the appellant vide No. 5482 dated 18.11.2020. He has also placed on record the copy of the said letter, which is taken on record.

3. The complainant is absent without intimation. He was also not present during the last hearing dated 10.9.2020.

4. After hearing, the appellant is advised to go through the response/information sent by the respondents and point out deficiency, if any, before the next date of hearing. A copy of the letter is **sent** with this order. He is also directed to establish the public interest involved in seeking the information before the next date of hearing. Also the respondent-Public Information Officer is directed to supply the information pertaining to Point No. 1 & 2 else file an affidavit that the record is not traceable.

5. To come up on 22.12.2020 at Chandigarh.

Dated: 2.12.2020

sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Sukhpal Singh Gill 9915981769

R/o Village - Sahijad,

PO - Jodha,

Tehsil and District - Ludhiana.

....Appellant

Vs

Public Information Officer,

o/o Director,

Rural Development and Panchayat Department, Pb.,
Mohali.

First Appellate Authority,

o/o Director,

Rural Development and Panchayat Department, Pb.,
Mohali.

....Respondents

Appeal Case No. 1889/2020

(Video conference/Cisco Webex/Phone Proceedings)

Present: None on behalf of the complainant.

Sh. Lehambar Dass, Superintendent 7973431495 in person, on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 10.9.2020 vide which the case was adjourned to 16.10.2020 but due to holiday declared by the Government of Punjab on the said date the case was adjourned to 19.11.2020. The case was further adjourned for today i.e. 2.12.2020 due to administrative reasons.

2. The representative of the respondents states that the appellant is seeking the 3rd party information so a letter bearing No. 5482 dated 18.11.2020 has been written to the appellant copy of which has been sent to the Commission, which is taken on record.

3. The complainant is absent without intimation. He was also not present during the last hearing dated 10.9.2020.

4. After hearing, the appellant is also directed to establish the public interest involved in seeking the 3rd party information before the next date of hearing.

5. To come up on 22.12.2020 at Chandigarh.

sd/

Dated: 2.12.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Sukhpal Singh Gill 9915981769
R/o Village - Sahijad,
PO - Jodha,
Tehsil and District - Ludhiana.

....Appellant

Vs

Public Information Officer,
o/o Financial Commissioner,
Rural Development and Panchayat Department ,Pb.,
Mohali.

First Appellate Authority,
o/o Financial Commissioner,
Rural Development and Panchayat Department, Pb.,
Mohali.

....Respondents

Appeal Case No. 1892/2020

(Video conference/Cisco Webex/Phone Proceedings)

Present: None on behalf of the complainant.

Sh. Lehambar Dass, Superintendent 7973431495 in person, on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 10.9.2020 vide which the case was adjourned to 16.10.2020 but due to holiday declared by the Government of Punjab on the said date the case was adjourned to 19.11.2020. The case was further adjourned for today i.e. 2.12.2020 due to administrative reasons.

2. The representative of the respondents states that the appellant is seeking the action taken on the emails sent to the Financial Commissioner, Rural Development and Panchayats Department Punjab but no such emails has been received in the branch and the appellant has already been informed vide letter No. 5481 dated 18.11.2020, copy of which has been sent to the Commission, which is taken on record.

3. The complainant is absent without intimation. He was also not present during the last hearing dated 10.9.2020.

4. After hearing, the respondent-Public Information Officer is directed to transfer the RTI application to the concerned under Section 6(3)/5(4) of the RTI Act, 2005 with regard to Point No. 9 before the next date of hearing under intimation to the Commission. Also the appellant is directed to place on record the copy of said emails sent to the Financial Commissioner, Rural Development and Panchayats Department Punjab to take the matter to its logical end.

5. To come up on 22.12.2020 at Chandigarh.

Dated: 2.12.2020

sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab

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Sh. Nirbhai Singh Sidhu
Village Khirnia,
PO Mushakabad,
District Ludhiana

..Appellant

Vs

Public Information Officer,
Block Development and Panchayat Officer,
Block - Machhiwara Sahib,
Distt. - Ludhiana.

First Appellate Authority,
Block Development and Panchayat Officer,
Block - Machhiwara Sahib,
Distt. - Ludhiana.

....Respondents

Appeal Case No. 2297 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- Sh. Nirbhai Singh Sidhu, appellant.
Sh. Rama Kant, Superintendent 9815196874 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.11.2020.

2. The representative of the respondents states that the information i.e. utilization certificate pertaining to Point No. 1 has already been supplied to the appellant but no reference is being traced regarding the enquiry report as mentioned by the appellant in his RTI application. With regard to Point No. 2 and 4, the representative of the respondents requests for the adjournment of the case and the information pertaining to Point No. 3 of the RTI application the representative of the respondents placed on record the same. However, the representative of the respondents states that he is having the statement filed before the Block Development and Panchayats Officer, Machhiwara and he has sent the copy of the statement after the hearing is over, which is taken on record.

3. Accordingly, the information pertaining to Point No. 3 of the RTI application is **sent** to the appellant with this order to file the rejoinder, if any. Also the respondent-Public Information Officer is directed to supply the information pertaining to Point No. 2 and 4 of the RTI application else file a self attested affidavit in this regard before the next date of hearing. With regard to Point No.1, the respondent-Public Information Officer is directed to locate the enquiry report in which the appellant has made the statement and file the reply/supply the information accordingly. A copy of the statement sent by the appellant is **sent** to the respondent-Public Information Officer with this order.

4. To come up on 18.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/Cisco webex.

sd/

Dated: 2.12.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Nishan Singh 99156 47517,
Village Manewal,
PO Machhiwara, Teh Samrala,
District Ludhiana

Complainant

Vs

Public Information Officer,
o/o Block Development & Panchayat Officer, Machhiwara,
District Ludhiana

Divisional Dy. Director (By name) Registered
Rural Development & Panchayat Deptt., Pb.
Patiala.

....Respondents

Complaint Case No. 549 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- Sh. Nishan Singh, complainant.
Sh. Rama Kant, Superintendent 9815196874 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.11.2020.

2. The complainant clarified that enquiry in the information sought is being conducted by the Divisional Deputy Director, Patiala on the directions of the Director, Rural Development & Panchayat, Pb., vide letter dated 22.10.2019. A copy of the written submissions have also received from the appellant through whatsapp along with the letter dated 22.10.2019, which are taken on record. However, the representative of the respondents states that the original record concerning the RTI application of the appellant has already been sent to the Divisional Deputy Director, Patiala for enquiry. In addition he also requests the copy of the RTI application of the appellant which has been handed over to him during the course of hearing. After going through the RTI application he assures that in case any information will be available in the office concerning this RTI application, the same will be supplied to the appellant under intimation to the Commission.

3. Accordingly, the respondent-Public Information Officer is directed to file the reply/supply the information as assurance enumerated in para 2 above. Also the Public Information Officer o/o the Divisional Deputy Director, Panchayats, Patiala is impleaded as necessary party in this case to file the reply/supply the information as has been sought by the appellant. A copy of the RTI application is **sent** with this order.

4. To come up on 18.1.2021 to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 2.12.2020

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Sh. Manjinder Kumar S/o Sh. Laxman Singh,
Village - Pensra,
House No. 120, PO - Majara Dingriya,
Tehsil - Garhshankar,
Distt Hoshiarpur-146109.M : 8968700606

....Complainant

Vs

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

Public Information Officer-cum-
Panchayat Secretary,
o/o Block Development and Panchayats Officer
Garhshankar, Distt Hoshiarpur.

Public Information Officer
o/o the Addl. Deputy Commissioner (Dev.)
Hoshiarpur

....Respondent

Complaint Case No. 461/2020

(Video conference/cisco webex/phone Proceedings)

Present:- None on behalf of the complainant.

Sh. Makhan Singh, Panchayat Secretary 94173 42556 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 19.10.2020.

2. The representative of the respondents states that the information concerning the Point No. 9 has already been sent to the complainant with a copy to the Commission, which is taken on record. Also a copy of the same is **sent** to the complainant with this order. Regarding Point No. 10, the representative of the respondents states that no papers are being traced in the office.

3. After hearing, last opportunity is granted to the respondent-Public Information Officer-cum-Block Development and Panchayats Officer to supply the information pertaining to Point No. 10 of the RTI application i.e. letter No. 5270 dated 27.9.2019 and endst No. 5835 dated 8.11.2019 along with the action taken to the complainant else file an undertaking, on a self attested affidavit in this regard as enumerated in para 2 above.

4. Also the Public Information Officer o/o the Addl. Deputy Commissioner (Dev.) Hoshiarpur is impleaded as necessary party in this case to file the reply/supply the information pertaining to Point No. 10 of the RTI application, which is **sent** with this order.

5. To come up on 18.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Hoshiarpur/cisco webex.

sd/

Dated: 2.12.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Mall Singh s/o Sh. Guljar Singh 9914032831
r/o Village Smalsar,
Tehsil BaghaPurana,
District Moga.

....Appellant

Vs

Sh. Jagjit Singh Registered
Public Information Officer
o/o District Development and Panchayats Officer,
Mini Secretariat, Moga

First Appellate Authority
o/o Deputy Commissioner,
Mini Secretariat,
Moga.

....Respondents

Appeal Case No. 1377 of 2020

(Video Conference/Cisco Webex proceedings)

Present:- Sh. Mall Singh, appellant along with his son Shri Surinder Singh.
Sh. Shamsher Singh, Panchayat Secretary 93172 00008 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.11.2020.

2. The representative of the respondents states that the complete information as available on record has already been supplied to the appellant. However, the appellant states that he has received the information except the copy of mustroll pertaining to April, June, July(half) and August, 2019 that relates to his own work and he signed the mustroll but no payment has been received. But the representative of the respondents states that he has already supplied the copy of mustroll as available on record showing that he did not done any work during the period.

3. The perusal of the file shows that a show cause notice was issued to the respondent-Public Information Officer on 4.11.2020 that why a compensation to the appellant for detriment suffered by him under Section 19(8) of the RTI Act, 2005 may not be awarded in this case. As the application for information was filed by the appellant on 9.12.2019 but after lapse of more than eleven months, complete information has not been provided to the appellant so far. It is, thus apparent from the response of the respondent-Public Information Officer that there has been delay in providing the information. Appellant had also suffered financial loss in getting the information. There are systemic deficiencies in the manner of receiving and disposing of applications. The department still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act.

4. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 5000/- (Rupees Twenty Five hundred only) by way of compensation to the Appellant. This amount shall be payable from the State Exchequer before the next date of hearing.

5. The District Development and Panchayats Officer is also advised to look into the matter personally and in case he feels that injustice has been done to the appellant, the matter may be enquired as enumerated in para 2 above.

6. To come up on 15.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Moga.

sd/

Dated: 2.12.2020

(Suresh Arora)

Chief Information Commissioner, Punjab.

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Sh. Karnail Singh s/o Chhanga Singh 9876944476

H.No. 378,

New Azad Nagar,

District Ferozepur.

....Appellant

Vs

Public Information Officer (By name) **Registered**

o/o District Development and Panchayats Officer,

Mini Secretariat,

Ferozepur.

First Appellate Authority

o/o Deputy Commissioner

Mini Secretariat,

Ferozepur.

Public Information Officer

Registered

o/o Block Development and Panchayats Officer,

Block Mamdot, Ferozepur.

....Respondents

Appeal Case No. 1865 of 2020

(Video Conference Proceedings)

Present:- Sh. Karnail Singh, appellant.

Sh. Jasmail Singh, Panchayat Secretary 9417538069 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 19.10.2020.

2. The appellant states that the respondent-Public Information Officer is not providing the complete information. However, the representative of the respondents states that the information pertaining to Point No. 3 & 4 of the RTI application relates to District Development and Panchayats Officer and he may seek the information from that office. Regarding the remaining information he states that the appellant may visit the office for inspection and the complete record will be made available to him for inspection and in case the appellant wants any information pertaining to the RTI application the same will be supplied to the appellant with which the appellant agreed to. Both the parties exchanged their mobile numbers to fix the date for inspection.

3. Accordingly, the appellant is advised to visit the office of the respondents and inspect the record pertaining to the RTI application. Also the respondents are directed to make available the record for inspection and supply the documents if so identified by the appellant.

4. Also, the Public Information Officer o/o the District Development and Panchayats Officer is directed to file the reply/supply the information pertaining to Point No. 3 & 4 of the RTI application before the next date of hearing failing which the penalty provisions will be invoked on the next date of hearing.

5. To come up on 18.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ferozepur/cisco webex.

sd/

Dated: 2.12.2020

(Suresh Arora)

Chief Information Commissioner, Punjab.