

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Smt. Kanchan Lata,  
R/o H. No.1739, Main Bazaar,  
Manimajra, Chandigarh.

.....Appellant  
**Vs**

Public Information Officer,  
O/o Tehsildar, Khanna,  
District- Ludhiana.

First Appellate Authority,  
O/o Sub Divisional Magistrate,  
Khanna, District- Ludhiana.

.....Respondents

## **Appeal Case No. 3415 of 2019**

(Video Conference Proceedings)

Present:- Shri Gopal Bhalla on behalf of the appellant at Chandigarh.

Shri Devinder Kumar, Reader to Naib Tehsildar on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 07.11.2019 vide which a compensation of Rs.10,000/- was awarded to the appellant to be paid via Bank Draft drawn through Government Treasury under Section 19(8)(b) of the RTI Act, 2005. The respondent-PIO was directed to supply the information as sought by the appellant under the provisions of RTI Act, 2005. It was also mentioned that regarding imposition of penalty decision will be taken on the next date of hearing, if the respondent-PIO failed to provide the information.

2. The appellant states that till date no information has been provided to him. He further states that the appellant applied for supply of information to the PIO/Deputy Commissioner, Ludhiana on 7.4.2019, who transferred application to PIO, Tehsildar, Payal on 15.4.2019 and PIO/Tehsildar, Payal further transferred the application to Tehsildar, Khanna on 1.5.2019 under Section 6(3) of the RTI Act, 2005. The PIO/Tehsildar, Khanna has written to the appellant to collect the information on 2.9.2019 vide his letter dated 29.8.2019, which was dispatched on 30.8.2019. He further states that today the representative of the respondent-PIO shows a letter to be dispatched on 30.11.2019, when the next date of hearing is 3.12.2019.

Contd.....p/2

3. The representative of the respondents states that Shri Harminder Singh Hundal, Tehsildar-cum-PIO, Khanna stated to him that he has presented a letter on 25.11.2019 to Hon'ble CIC, the contents of which are as under:-

*"With reference to the above said appeal case, this is to submit respectfully that no such information record exists in my pertaining the information sought by the applicant and reply pertaining to above said information was sent to the applicant vide letter No.177 RTI dated 30.07.2019. A compensation to the tune of Rs.10,000/- was imposed by this Hon'ble Court to the undersigned for not providing the information in time. Sir, a sincere effort was made to provide information to the applicant by communicating with different offices. Even now, every effort will be made to help the applicant so that the requisite information may be provided. Sir, since this is a first instance regarding imposition of compensation, a considerate view may please be taken and compensation may be waived off. I will ensure due diligence in future, Sir."*

The respondent PIO sent a letter dated 30.11.2019 to the appellant, which has not received by the appellant, (a copy of the same has been received in the Commission through e-mail) the necessary contents of which are as under:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸੰਬੰਧ ਵਿਚ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦੇ ਸੰਬੰਧ ਵਿਚ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਸੰਬੰਧੀ ਇਸ ਦਫ਼ਤਰ ਵਿਚ, ਇਸ ਸੰਬੰਧੀ ਰਿਕਾਰਡ ਉਪਲਬਧ ਨਹੀਂ ਹੈ।

ਆਪ ਵਲੋਂ ਸਾਲ 1990-91 ਸਮੇਂ ਦੌਰਾਨ ਵਿਚ ਤਹਿਸੀਲ ਪਾਇਲ ਦੇ ਨੰਬਰਦਾਰਾਂ ਦੇ ਨਾਮ, ਪਿਤਾ ਦਾ ਨਾਮ ਅਤੇ ਪੱਤੇ ਨਾਲ ਸੰਬੰਧਤ ਸੂਚਨਾ ਦੀ ਮੰਗੀ ਕੀਤੀ ਗਈ। ਇਸ ਲਈ ਆਪ ਨੂੰ ਇਹ ਸੂਚਨਾ ਤਿਆਰ ਕਰਕੇ ਨਹੀਂ ਦਿਤੀ ਜਾ ਸਕਦੀ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਇਥੇ ਇਹ ਵੀ ਸਪਸ਼ਟ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਆਫ ਇੰਡੀਆ ਜੀ ਦੇ ਸਿਵਲ ਅਪੀਲ ਨੰਬਰ 6454 ਆਫ 2011 ਵਿਚ ਸਪਸ਼ਟ ਦਰਜ ਹੈ। ਕਿਸੇ ਵੀ ਸੂਚਨਾ ਨੂੰ ਤਿਆਰ ਕਰਕੇ (Create) ਨਹੀਂ ਦੇ ਸਕਦਾ।

3. After hearing both the parties and going through the record available on the case file, it is revealed that application for seeking information is dated 7.4.2019 and reply is given only on 30.11.2019 after the lapse of about 9 months stating that information cannot be provided after creating. He is directed to supply the information to the appellant after transferring the application to another department under Section 6(3) and take assistance of another official under 5(4) of the RTI Act, 2005, because no reply has been given within stipulated period under the provisions of the RTI Act, 2005. Last opportunity is given to Shri Harminder Singh, the respondent-PIO, to supply the information to the appellant and comply the previous order for award of compensation to the appellant via demand draft through Government Treasury, failing which the matter will be decided for imposition of penalty on the next date of hearing. The application given on 25.11.2019 by Tehsildar-cum-PIO is rejected.

4. To come up on 6.1.2019 at 11.00 A.M. at Chandigarh.

Dated : 03.12.2019

Sd/-  
( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Sh. Sukhwinder Singh, President,  
Anti Corruption Front(Regd.),  
R/o H No.2364 Ward No.4,  
Sunder Market, Machhiwara,  
Distt. Ludhiana.

.....Appellant

**Vs**

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Block –Mangat,  
District – Ludhiana.

First Appellate Authority,  
O/o District Development & Panchayat Officer,  
Mini Secretariat,  
District – Ludhiana.

.....Respondents

## **Appeal Case No. 3450 of 2019**

(Video Conference Proceedings)

Present:- None on behalf of the appellant.  
Shri Harjit Singh, Panchayat Secretary, on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 07.11.2019 vide which show cause notice was issued to Ms. Jaspreet Kaur, Block Development and Panchayats Officer, Mangat Block, District Ludhiana for imposition of penalty for not supplying the information to the appellant within the stipulated period under the provisions of the RTI Act, 2005. It was further observed that the information was sent to the appellant on 6.11.2019 through post i.e. one day before the date of hearing.

2. The appellant is absent today without intimation.
3. The representative of respondents states that complete information has been provided to the appellant. He further informed the Commission that Ms. Jaspreet Kaur, BDPO has been transferred and joined Nadala Block, District Kapurthala.
4. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that Ms. Jaspreet Kaur, BDPO has joined Nadala Block without responding to the show cause notice issued to her for imposition of penalty. Last opportunity is afforded to Ms. Jaspreet Kaur, BDPO, Nadala Block,

Contd.....p/2

-2-

District Kapurthala for responding to show cause notice issued to her before the next date of hearing failing which penalty will be imposed on her for her absence and for not supplying the information to the appellant within the stipulated period under the provisions of the RTI Act, 2005.

5. To come up on 12.12.2019 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhaina.

Dated : 03.12.2019

Sd/-  
( **Suresh Arora**)  
Chief Information Commissioner  
Punjab

CC

Ms. Jaspreet Kaur,  
Block Development and Panchayats Officer,  
Nadala Block, District Kapurthala..

The Deputy Commissioner, Kapurthala (by name) for information and to ensure the present of PIO during the Video Conference proceedings in future.

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Sh. Amardeep Singh,  
S/o Sh. Harchand Singh,  
Vill: Kuhli Khurd, P.O: Lehal,  
Tehsil: Payal,  
Distt: Ludhiana.

.....Complainant

**Vs**

Public Information Officer,  
Block Development and Panchayat Officer,  
Maloud, Distt: Ludhiana.

.....Respondent

## **Complaint Case No. 657 of 2019 & Complaint Case No.663 of 2019**

Present:- Shri Amardeep Singh, complainant.

None on behalf of the respondent-PIO

### ORDER

This order may be read with reference to the previous order dated 07.11.2019 vide which Shri Sukhpreet Singh, Panchayat Secretary was given show cause notice on 14.10.2019 for his absence and for not supplying the action taken report on his application for seeking information under the provisions of RTI Act, 2005 to the complainant within stipulated period provided under the provisions of the RTI Act, 2005 was dropped. He was further directed to supply the information within ten days.

2. The complainant sent an email dated 20.11.2019 vide which he has informed the Commission that Shri Sukhpreet Singh, Panchayat Secretary has given false statement that he has joined in this block only ten days back. It is mentioned in that e-mail stating that he visited the office of the respondents on 13.11.2019 and 18.11.2019 and made many phone calls for supply of the information but no information has been supplied to him till 20.11.2019. He further states that he has taken the charge of this panchayat for 4-5 months back but till date no information has been provided to him

2. Smt. Rattandeep Kaur, Coordinator, informed the Commission that Shri Sukhpreet Singh, Panchayat Secretary is on leave.

3. In compliance to the previous order, the respondent-PIO has failed to provide the sought for action taken report to the complainant. Thus the Commission draws the inference that the PIO, without any reasonable cause, has refused to furnish

Contd.....p/2

**Complaint Case No. 657 of 2019 & Complaint Case No.663 of 2019**

-2-

the information to the complainant and has malafidly denied him the same and thus, has rendered himself liable for punishment as provided under the RTI Act, 2005. Viewing the absence of the respondent seriously, the PIO 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 him for causing willful delay/denial of the information to the RTI applicant.

4. In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before 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.

5. Last opportunity is given the respondent-PIO to supply the information within 10 days to the complainant. On receipt of the information from the respondent-PIO, the complainant is advised to go through the same and revert back to the authorities, in case of deficiencies in the information with a copy to the Commission. The respondent-PIO is directed to remove the deficiencies on its receipt from the complainant before the next date of hearing.

4. To come up on 12.12.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 03.12.2019

Sd/-  
( **Suresh Arora**)  
Chief Information Commissioner  
Punjab

CC

1. Shri Sukhpreet Singh,  
Panchayat Secretary  
o/o Block Development and Panchayats Secretary,  
Malout, District Ludhiana. (Regd.)
2. The Deputy Commissioner, Ludhiana for information and to ensure the presence of PIO or his representative during the Video Conference proceedings in future.

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Sh. Satinder Kumar Khera,  
# 524, Sector-7,  
Panchkula-134109.

.....Complainant

**Vs**

Public Information Officer,  
Deputy Commissioner Cum  
Collector Agrarian,  
Distt: Ludhiana.

.....Respondent

## **Complaint Case .No. 697 of 2019 and CC No.716 of 20219.**

Present:- Shri Satinder Kumar Khera, complainant.

Shri Darshan Kumar, Sadar, Kanugo, on behalf of the respondent-PIO.

### ORDER

This order may be read with reference to the previous order dated 07.11.2019 vide which Shri Gurmail Singh, Kanugo submitted that information has been sent to the complainant on 6.11.2019 i.e one day before the next date of hearing.

2. The complainant states that partial information has been received from the respondents. The representative of the respondents requests that one month's time be given to him to provide complete information. The complainant also confirms that he has no objection if one month's time be given to the respondents to supply the information.

3. In view of the request of both the parties, the case is adjourned to 6.01.2020 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana. Last opportunity is afforded to the respondents to supply the information to the complainant otherwise proceedings for imposition of penalty will be initiated on the next date of hearing. On receipt of the information, the complainant is directed to revert back to the authorities in case of deficiencies with a copy to the Commission.

Dated : 03.12.2019

Sd/-  
( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Sh. Jasbir Singh,  
R/o Village- Bholapur, Jhabewal,  
P.O.- Ramgarh,  
Distt. Ludhiana. 123455

.....Appellant

**Vs**

Public Information Officer,  
O/o Deputy Commissioner,  
District Administrative Complex,  
Ferozpur Road,  
District- Ludhiana.

First Appellate Authority,  
O/o Deputy Commissioner,  
District- Ludhiana.

.....Respondent

## **Appeal Case No. 3406 of 2019**

Present:- None on behalf of the appellant.  
Shri Pardeep Bhatti, Clerk, on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 07.11.2019 vide which the respondents stated that information has been supplied to the appellant on 31.10.2019 through registered post. The Commission further directed the respondents to send a copy of the information, said to have been supplied to the appellant on 31.10.2019, to the Commission for record.

2. The appellant is absent but he has sent an e-mail dated 30.11.2019 stating that no information till date has been provided to him.

3. The representative of the respondents states that information has been sent to the appellant through WHATSAPP also. He further states that complete information has been provided to him and nothing has been kept pending which could be provided to him, as per his application for seeking information, under the provisions of RTI Act, 2005.

3. After hearing the representative of the respondents and going through the record available on the case file, it is observed that respondents sent the information vide their letter dated 31.10.2019 to the wrong person. The appellant remained absent on three consecutive dates i.e. on 14.10.2019, 07.11.2019 and is absent today. The respondents are again directed to send a copy of the reply to the appellant

Contd.....p/2



-2-

through registered post today itself. The representative of the respondents assures that he will send the same today itself. The Commission is satisfied with the information provided by the respondents. The appellant is advised to go through the information to be supplied to the appellant through registered post and revert back to the authorities in case of deficiencies to the respondents with a copy to the Commission. On the assurance of the Commission that a copy of the information was sent to the appellant through whatsapp but no deficiencies have been received from the appellant, the present case is disposed of and closed with the liberty to the appellant to approach the Commission again if he finds any deficiency in the information within one month from today.

Dated : 03.12.2019

Sd/-  
( **Suresh Arora**)  
Chief Information Commissioner  
Punjab

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Sh. Ajaib Singh,  
S/o Sh. Bhinder Singh,  
Vill: Bishanpura, P.O: Gajewas,  
Tehsil: Samrala,  
Distt: Patiala.

.....Appellant

**Vs**

Public Information Officer,  
Sub Divisional Magistrate, Samana,  
District: Patiala.

First Appellate Authority,  
Deputy Commissioner,  
District: Patiala.

.....Respondents

## **Appeal Case No. 2914 of 2019**

(Video Conference Proceeding).

Present:- Shri Ajaib Singh, appellant.

Shri Hakam Singh, Junior Assistant o/o Tehsildar, Samana on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 04.11.2019 vide which the respondent-PIO was directed to procure the information from the concerned offices and supply the same to the appellant before the next date of hearing.

2. The appellant states that no information has been received concerning point No.1 of his application under the provisions of the RTI Act, 2005.

3. The representative of the respondents states that a letter has been received from the Deputy Director, Land Records, Punjab, Jalandhar stating that no information is available in their record. He further states that the information may be available with the Deputy Commissioner, Patiala in the General Record Room. The representative of the respondents further states that they have already supplied the report after taking it from the office of the Deputy Commissioner, Patiala concerning this case. The respondent-Tehsildar, Samana is directed to send, in writing, within a week's time positively that no information is available in their record. With these observations, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 03.12.2019.

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

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864100-101, Fax 0172 2864110

Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Smt. Shakuntla Devi W/o Sh.Rulia Ram,  
R/o Rambagh Road,  
Guru Ram Dass Marg , Ward No. 3,  
District- Mansa. 151505

.....Appellant

**Vs**

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Block- Mamdot,  
Tehsil & District- Ferozepur.

First Appellate Authority,  
O/o Deputy Commissioner,  
Administrative Complex,  
District-Ferozepur.

Respondents

## **Appeal Case No. 3674 of 2019**

(Video Conference Proceeding).

Present:- None on behalf of the appellant.  
Shri Nishan Singh, Panchayat Secretary on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 04.11.2019 vide which the representative of the respondents states that he has sent the information to the appellant on 30.10.2019 through registered post, which would be received by her within a day or so. The appellant was advised to go through the same on its receipt and revert back to the authorities, in case of deficiencies, within seven days. On receipt of the deficiencies from the appellant, the respondents were directed to remove the same otherwise give in writing that the same is not available in their record before the next date of hearing.

2. The appellant is absent without intimation.

3. The representative of the respondents states that the appellant must have received the information, sent by them, on 30.10.2019 till now. He further states that no deficiency in the information has been received from the appellant till now.

4. After hearing the representative of the respondents and going through the record available on the case file, it is ascertained that no letter mentioning deficiencies has been received from the appellant in the Commission also. Last opportunity is afforded to the appellant to send deficiencies in the information before the next date of hearing.

5. To come up on 12.12.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ferozepur.

Dated: 03.12.2019.

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