

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
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Sh. Wassan Singh Goraya,
S/o Sh. Ajit Singh,
R/o 120 D, Sector-79,
Airport Road, Mohali.

Complainant

Versus

Public Information Officer,
O/o Director,
Technical Education and Industrial Training,
Plot No. 1 – A, Sector-36, Chandigarh.

Respondent

Complaint Case No.1007/2018

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
25.07.2018	07.08.2018	Nil	Nil	21.09.2018

Present: Sh. Wassan Singh Goraya, Complainant in person.
Sh. Gurdeep Singh, Deputy Registrar, Maharaja Ranjit Singh Punjab Technical University, Dabwali Road, Bahtinda & Mrs. Balwinder Kaur, APIO, O/o Director, Tech. Edu. & Indl. Trg., Pb.– for Respondent

ORDER:

The following order was passed on 11.04.2019:

“This case has been allocated to this bench on the request of Sh. Sanjeev Garg,

Ld. SIC, who had observed that the conduct of the complainant is non-cooperative and he was unable to successfully clinch the matter. This bench has gone through the original application of the complainant. Essentially, he is seeking information about the appointment of Sh. Sandeep Singh Kaura, Joint. M.D., Rayat Bahra Group of Institutions as Honorary Adviser to the Punjab Skill Development Mission and the various issues concerned about him.

Sh. Baldev Singh, Sr. Assistant appearing on behalf of the respondent says that the entire record pertaining to the application lying with them, has been supplied and the one concerned with the Maharaja Ranjit Singh Punjab Technical University, Bathinda and the Punjab Skill Development Mission were referred to them under 6(3) of the RTI Act for appropriate action. The complainant is not satisfied with the information provided to him by the Maharaja Ranjit Singh Punjab Technical University, Bathinda. The PIO, O/o Maharaja Ranjit Singh Punjab Technical University, Bathinda is directed to send across to him the documents relating to his foreign visit and file a written reply to the Commission as well.

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Complaint Case No.1007/2018

The PIO, Punjab Skill Development Mission, SCO No. 149-52, Sector 17 C, Chandigarh is also directed to file their contention on the points of application from Sr. No. 1 to 4”.

The case has come up today. The respondents have provided him the additional information relating to the foreign visit of the Technical Education Minister and his Adviser. However, according to the applicant, it does not carry along with copies of vouchers and copy of the order of Govt. sanctioning the expenditure. The respondents are again advised to provide him the aforesaid information within a week from today positively and send compliance report to the Commission.

The matter shall be reheard on **25.07.2019 at 11.30 AM.**

04.06.2019

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

CC: The PIO, O/o Maharaja Ranjit Singh Punjab Technical University, Dabwali Road, Bathinda for n/a.

CC: The PIO, O/o Punjab Skill Development Mission, Sector 17-C, Chandigarh, for n/a.

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Sh. Ankit Jain,
S/o Shri Yashpal Jain,
1006, Morni Wala Khuh,
Dera Bassi, Distt. Mohali.

Appellant

Versus

Public Information Officer,
O/o Nagar Council, Dera Bassi,
Mohali.

First Appellate Authority,
O/o Deputy Commissioner,
Patiala.

Respondents

Appeal Case No.3476/2018

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
10.02.2016	Nil	29.05.2018	Nil	20.09.2018

Present: Sh. Ankit Jain, Appellant in person.
Sh. Jaswant Singh, JE, Municipal Council, Dera Bassi – for Respondents.

ORDER

The respondents, represented by Mr. Jaswant Singh, Junior Engineer, submit that they have submitted reply wherein they have submitted that the asked for information has been provided. From the perusal of application, it reveals that the information sought is wide and varied, disjointed and disconnected spread over a long period of time. Such a request, the Commission does not feel, is to be entertained. While disposing of the application, the Commission has advised the appellant to be brief, precise and pin point in seeking the information in future in case he desires to procure an information from public authority.

Disposed.

04.06.2019

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

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Sh. Saroop Singh,
S/o Sh. Bachan Singh,
R/o Village Choure, Block Sri Hargobindpur,
Teh. Batala, Distt. Gurdaspur.

Complainant

Versus

Public Information Officer,
O/o District Development and Panchayat Officer,
Gurdaspur.

Respondent

Complaint Case Nos.1032 and 1033 of 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 Complaint
12.01.2018	Nil	Nil	Nil	26.09.2018

Present: None is present on behalf the Appellant.
Sh. Narinder Singh, Panchayat Secretary, BDPO Office, Sri Hargobindpur –
for Respondent.

ORDER

None is present on behalf of the complainant.

Sh. Narinder Singh, Panchayat Secretary, representative of the respondent, submits that almost the entire record has been provided to the complainant. The Commission observes that the Show Cause Notice already issued on 24.01.2019 was directed against Sh. Dalbir Singh, PIO-cum-Panchayat Secretary, O/o BDPO Dhariwal. He has failed to explain the delay and reasons for providing the information. The Commission is well within its right to impose penalty even at this juncture. However, final opportunity is afforded to Shri Dalbir Singh, Panchayat Secretary to submit in writing as to why the penalty mentioned in the show cause notice should not be imposed. Be it noted that no further opportunity shall be given to him.

The matter shall be reheard on **25.07.2019 at 11.30 AM.**

04.06.2019

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

CC: The Block Dev. & Panchayat Officer, Dhariwal to ensure that this order is delivered on Sh. Dalbir Singh, Panchayat Secretary, for necessary action.



Sh. Janak Singh,
S/o Late Shri Ujjar Singh,
R/o Behlolpur, Block Majri, Tehsil & Distt Mohali.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Majri, Distt Mohali.

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

Respondents

Appeal Case Nos.3656, 3657, 3658, 3659, 3660 and 3661 of 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
14.08.2018/01.08.2018/ 27.07.2018/02.07.2018/ 12.04.2018/30.07.2018	Nil	13.09.2018	Nil	30.10.2018

Present: Sh. Janak Singh, Appellant in person.
None is present on behalf of the Respondents.

Order:

The following order was passed on 18.04.2019:-

“As the appellant and respondents are the same and a common submission has been made by the respondents. The single order shall address all the aforementioned appeals.

Sh. Charanjeet Singh, Panchayat Secretary, representing the respondents submits that the respondents have been awesomely occupied with the conduct of Panchayat polls and could not attend to the applications. They assure that the information shall be provided to the appellant within fortnight positively.”

“The cases have come up for hearing today. Despite the assurance given by the respondents and express directions of the Commission, the respondents have failed to provide the information. The Commission believes that the respondents are mala fidely sitting over the



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Appeal Case Nos.3656, 3657, 3658, 3659, 3660 and 3661 of 2018

applications with willful intent. Taking it as an offence under Section 7(1) of the RTI Act Sh. Hiten Kapila, PIO – cum – Block Development & Panchayat Officer, Majri, District, Mohali 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.

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 cases have come up today. The Commission sees that these are very long standing cases. The respondents have shown lackadaisical attitude. The Commission has taken strong exception to it. The respondents as on today have taken the plea that they are engaged seriously with the conduct of Parliamentary Elections. The Commission agrees with them to the extent of their engagement in the conduct of elections. However, the earlier delay has not been justifiably explained. A final opportunity is afforded to them to part with the information without fail before the next date of hearing. Be it noted that they are already under show cause notice the cognizance of which shall be taken separately”.

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Appeal Case Nos.3656, 3657, 3658, 3659, 3660 and 3661 of 2018

The respondents are absent despite express orders of the Commission. These are the long standing cases. The Commission is justified in imposing the penalty on the respondents. However, in the interest of fair play, last opportunity is afforded to the respondent to show cause on the notice already issued to him about his conduct in withholding and delaying the information without any valid reasons.

The matter shall be heard on **25.07.2019 at 11.30 AM.**

04.06.2019

**(Yashvir Mahajan)
State Information Commissioner**

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Sh. Balwan Gagat,
S/o Sh. Bachna Ram,
Ward No 5, Kahangarh Road,
Anand Basti, Pataran Distt Patiala.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Andana at Munak,
Distt Sangrur.

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

Respondents

Appeal Case No.3718/2018

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
27.11.2017	Nil	03.03.2018	Nil	31.10.2018

Present: None on behalf of the Appellant.
Sh. Jagsir Singh, Patwari, BDPO Office, Andana at Munak – for Respondents.

ORDER

The following order was passed by this forum on 18.04.2019:

“Despite couple of notices the respondents have failed to file a written reply about the status of information having been sought by the appellant. Seemingly, they have violated Section 7(1) of the RTI Act. The PIO 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.

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

Contd....2



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Appeal Case No.3718/2018

and the Commission shall proceed to take further proceedings against him ex parte.

“The case has again come up for hearing today. Sh. Ajaib Singh, BDPO appearing on behalf of the respondents submits that he has recently joined. The information is bit exhaustive. He assures the Commission to provide the information expeditiously and seeks one short adjournment. The request is acceded.

The case has again been taken up today. The appellant is absent. Sh. Jagsir Singh, Patwari has brought along the complete information comprised in about 400 plus pages. He is desired to send it across to the appellant under intimation to the Commission”.

Vide a communication dated 29.05.2019, the BDPO Andana at Moonak, has intimated that the information has since been provided to the appellant. They have also sent a copy of the acknowledgement issued by the appellant. In the absence of any communication from the appellant or personal presence, the Commission presumes that he is satisfied with the information provided. No further action is called for. The appeal is **disposed**.

04.06.2019

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



Sh. Jarnail Singh,
S/o Shri Rakha Singh,
Village Chuni Khurd,
PO Chuni Kalan, Tehsil Bassi Pathana,
Distt Fatehgarh Sahib.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block Khera, Distt Fatehgarh Sahib.

Respondent

Complaint Case No.1068/2018

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 Complaint
04.04.2018	Nil	Nil	Nil	01.10.2018

Present: Sh. Jarnail Singh, Complainant in person.
Sh. Harpreet Singh, Panchayat Secretary on behalf of the Respondent.

ORDER

The following order was made on 29.01.2019:

"No written reply has been filed in response to the notice issued by the Commission.

None is present on behalf of the respondent as well. The Commission takes a serious note of it. The respondent is directed to file a written statement before the next date of hearing positively."

The case has come up today. Both the parties are present. Sh. Harpreet Singh appearing on behalf of the respondent regrets the delay and says that he has been busy in the conduct of panchayat elections in the State. He assures the Commission that he shall provide the information before the next date of hearing.

The appellant has been advised to inspect the record and identify the documents. However, he insists that he requires complete record pertaining to five years. The respondent shall ensure its provision on payment of requisite fee before the next date of hearing positively".

The issue has been taken up today.



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Complaint Case No.1068/2018

Shri Harpreet Singh, Panchayat Secretary states that he has brought along the requisite information. He has handed over the same to the complainant in the Court itself. The delay has been assigned to his pre-occupation with the Panchayat and Parliamentary Elections. No further interference by the Commission is called for. The respondent is warned to be careful in future.

The complaint is disposed.

04.06.2019

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



Sh.Bhagwan Singh,
VPO Harpalpur, Tehsil Rajura,
District Patiala.

Appellant

Versus

Public Information Officer,
O/o The Ghanaur Primary Cooperative
Agricultural Development Bank Ltd.,
Ghanaur, District Patiala.

First Appellate Authority,
O/o The Ghanaur Primary Cooperative
Agricultural Development Bank Ltd.,
Ghanaur, District Patiala.

....Respondents

Appeal Case No.389/2019

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 Complaint
13.11.2018	Nil	27.11.2018	Nil	16.01.2019

Present: **Sh.Bhagwan Singh, Appellant in person.**
Sh.Jai Dev, Asstt.Manager, The Ghanaur Primary Coop. Agri. Dev. Bank Ltd.
Ghanaur, - for respondents.

ORDER:

The appellant has sought information from the respondents about the loans having been given with details of schemes by the respondent Bank during the period from year 2006 to 2010. The respondents claim that they are third party and had already agitated the issue in the Hon'ble High Court who has been pleased to stay the order passed by the Commission way back in the year 2010. The respondents state that the issue is still pending and have produced photocopies of the documents extracted from the website of the Punjab and Haryana High Court which do not lead us anywhere.

The Commission finds that the civil writ petition pertains to the year 2010. The appellant has produced before us a blanket order of the Hon'ble Punjab & Haryana High Court passed in the year 2011, in CWP No.19234/2006- The Hindi Urban Coop.Bank Ltd. Vs. The State Information Commission & ors.; CWP No.19481/2006- The Punjab State Coop. Bank Ltd. Vs. The State Information Commission & ors.; CWP No.1835/2007- The Zenith Cooperative House Building Society Ltd., Ludhiana versus. The State Information Commission & others.; CWP No.4790/2007-



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Appeal Case No.389/2019

The Haryana State Coop. Agricultural and Rural Development Bank Ltd. Vs. The State Information Commission & ors.; CWP No.17732 TO 17735 of 2009 vs. The State Information Commission & ors.; and similarly placed organizations wherein they have been declared as public authorities as defined in Section 2(h) of the RTI Act, 2005.

The Commission feels that the respondents are misrepresenting and misleading this Forum. The PIO, Baljinder Singh, Manager is hereby directed to file a written affidavit as to why he should not be proceeded against for having violated the provisions of RTI Act. They have failed to submit the information by quoting the issue which has already been decided. He should note that no further opportunity will be provided.

To come up on 06.08.2019 at 11.30 AM.

04.06.2019 **(Preety Chawla)** **(Yashvir Mahajan)**
State Information Commissioner **State Information Commissioner**

CC: PS/SIC (Smt. Preety Chawla) for the kind information of Ld. SIC.

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Sh. Sucha Singh,
S/o Sh. Rajinder Singh
VPO Jasraur, Block Chogawan,
Tehsil Ajnala, District Amritsar.

Appellant

Versus

Public Information Officer,
O/o The Deputy Registrar,
Cooperative Societies,
Amritsar.

First Appellate Authority,
O/o The Registrar,
Cooperative Societies, Punjab
17-Bays Building, Sector-17,
Chandigarh.

....Respondents

Appeal Case No.547/2019

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 Complaint
11.10.2018	Nil	27.11.2018	Nil	29.01.2019

Present: Sh. Surinder Bhanot, on behalf of Appellant Sh. Sucha Singh.
None is present on behalf of the respondents.

ORDER:

The case is committed to the Double bench by CIC on the request of Ld. State Information Commissioner, Ms. Preety Chawla vide order dated 08.04.2019. The appellant has sought to know the details of the farmers to whom the loans given by the society namely the Jasraur Cooperative Agriculture Service Society, Jasraur, have been waived by the Government under 'Karja Mukti Scheme'. The respondents are absent and have taken a stand of their not being a public authority. The Commission is not inclined to accept it. Public funds are involved in the Govt. policy under which the loans to the marginal farmers had been waived. The respondents are directed to provide information to the appellant within 15 days failing which, the penal consequences shall follow.

To come up on 06.08.2019 at 11.30 AM.

04.06.2019
Sd/-
(PREETY CHAWLA)
State Information Commissioner

Sd/-
(Yashvir Mahajan)
State Information Commissioner

CC: PS/SIC (Smt. Preety Chawla) for the kind information of Ld. SIC.

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Sh. Rajvir Singh S/o Sh.Gurtej Singh
Village Thaska, PO Bhutan,
Tehsil Moonak, District Sangrur-148027.

Complainant

Versus

Public Information Officer,
O/o Naib Tehsildar, Khanouri, Distt. Sangrur.

First Appellate Authority
O/o Deputy Commissioner, Sangrur.

Public Information Officer
O/o Commissioner,
Patiala Division, Patiala.

Respondent

Complaint Case No.578/2019

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
17.09.2016	Nil	24.10.2016	Nil	14.02.2017

Present: **Shri Rajvir Singh, Appellant in person.**
 Sh.Varinder singh, Bill Clerk O/o Naib Tehsildar, Khanauri
 District Sangrur- for Respondents.

ORDER:

The instant case was adjourned on the last 3 hearings to ensure the compliance of the orders passed in imposing the penalty and compensation. The appellant admits having received the information as well as the compensation amount. The respondents represented by Sh. Varinder Singh, Bill Clerk states penalty imposed by the Commission has duly been deducted from the salary of delinquent official.

No further cause of action sustains. **The complaint is disposed.**

04.06.2019 **Sd/-** **Sd/-**
 (Avtar Singh Kaler) **(Yashvir Mahajan)**
 State Information Commissioner **State Information Commissioner**

CC: **PS/SIC (Sh.Avtar Singh Kaler) for the kind information of Ld. SIC.**

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Sh. Wassan Singh Goraya,
S/o Sh. Ajit Singh,
R/o 120-D, Sector-79,
Airport Road, Mohali.

Complainant

Versus

Public Information Officer,
O/o Vice Chancellor,
IKG Punjab Technical University,
Jalandhar Road, Kapurthala.

Respondent

Complaint Case No.979/2018

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
26.07.2018	Nil	Nil	Nil	13.09.2018

Present: Sh. Wassan Singh Goraya, Complainant in person.
Sh. BKS Chhabra, Advocate on behalf of IKG Punjab Technical University,
Jalandhar Road, Kapurthala – for Respondent

ORDER:

The Commission finds that this issue has already been dealt with in respect of original Application in appeal No.1007 of 2018, in which an appropriate order has been passed. In the instant case, Shri BKS Chhabra, Advocate appearing on behalf of the respondents submits that a reply has already been conveyed to the complainant. Besides, he states that Sh.Sandeep Singh Kaura to whom the sought information relates, is not on the rolls of IKG PTU Jalandhar and no information pertaining to him is available with them. The Commission is convinced that the appellant has sufficiently been informed. No intervention of the Commission is called for.

Disposed.

04.06.2019

Sd/-
(Avtar Singh Kaler)
State Information Commissioner

Sd/-
(Yashvir Mahajan)
State Information Commissioner

CC: PS/SIC (Sh. Avtar Singh Kaler) for the kind information of Ld. SIC.

