

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Sh. Love Kumar Dua s/o Sh. Megh Raj Dua

125, Model Town, Samrala Road,

Khanna 9815255646

....Appellant

Vs

Public Information Officer
o/o Sub Divisional Magistrate,
Khanna, District Ludhiana

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

Public Information Officer
o/o Executive Officer,
Municipal Council, Khanna,
District Ludhiana

....Respondents

Appeal Case No. 3158 of 2019

(Video Conference/Telephone Proceedings)

Present:- Sh. Love Kumar Dua, on telephone.

Ms Harminder Kaur 7009571123 and Sh. Charanjit Singh, E.O. M.C. Khanna
9646008771 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 2.8.2021.

2. The case could not be heard due to poor connectivity. However, the reply has already been received from the Sub Divisional Magistrate, Khanna, copy of which is being sent to the appellant as well as to the Public Information Officer o/o the Executive Officer, Municipal Council, Khanna along with this order. The Public Information Officer o/o the Executive Officer, Municipal Council, Khanna is also directed to file his response regarding the letters sent by the Sub Divisional Magistrate, Khanna before the next date of hearing.

3. To come up on 6.10.2021 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: 7.9.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Tejinder Singh Advocate,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur-144410 M : 9041004313

..Appellant

Vs

Public Information Officer,
O/o Sub Registrar,
Mullanpur Dakha, Distt Ludhiana.

First Appellate Authority
-cum-Sub Divisional Magistrate (West),
Ludhiana.

Distt. Revenue Officer
-cum-Public Information Officer **Registered**
(Establishment Branch)
o/o Deputy Commissioner,
District Ludhiana

....Respondent(s)

Appeal Case No. 1115/2021

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- None on behalf of the appellant.

Ms Prabjot Kaur, Sr. Asstt _____ on behalf of the respondents.
9876402777.

ORDER

This order may be read with reference to the previous order dated 2.8.2021.

2. A request has been received from the appellant vide which he has showed his inability to attend the hearing due to fever. However, the representative of the respondents states that the information has already been sent to the appellant with a copy to the Commission through email. Since, the appellant is absent, therefore, the respondent-Public Information Officer is also directed to forward the said email to the appellant before the next date of hearing and the appellant is advised to go through the same and file the rejoinder, if any.

4. To come up on 22.9.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana /cisco webex.

Dated: 7.9.2021

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

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Sh. Tejinder Singh 9041004313

Civil Court, Tehsil Complex, Backside Sanjh Kender,

Phillaur, District Ludhiana

....Appellant

Vs

Public Information Officer

o/o Minister Local Government, Punjab,

Chandigarh.

First Appellate Authority

o/o Minister Local Government, Punjab,

Chandigarh.

Public Information Officer **Registered**

o/o Chief Administrator,

Greater Ludhiana Area Dev. Authority,

District Ludhiana

....Respondents

Appeal Case No. 1692 of 2021

(Video Conference/Telephone Proceedings)

Present:- None on behalf of the parties.

Sh. Dibleen Singh, Executive Engineer-cum-Public Information Officer, GLADA
9915030005 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 2.8.2021.

2. A request has been received from the appellant vide which he has showed his inability to attend the hearing due to fever. However, the respondent-Public Information Officer requested for the adjournment of the case for a week and assured that he will file the reply/supply the information will be complete in this case.

3. Accordingly, the case is adjourned.

4. To come up on 22.9.2021 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: 7.9.2021

(Suresh Arora)

Chief Information Commissioner, Punjab.

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Sh. Daljit Singh s/o Sh. Gopal Singh
r/o H.No. 477/4 A
Street No. 00, Hargobind Nagar,
Near Hargobind Sahib, Gurudwara Sahib
District Ludhiana 9592313001

....Appellant

Vs

Sh. Navdeep Singh Bhogal, **Registered**
Public Information Officer
o/o Circle Revenue Officer-cum-
Tehsildar East,
District Ludhiana

First Appellate Authority
o/o S.D.M. (East)
District Ludhiana

....Respondents

Appeal Case No. 2332 of 2021
(Video Conference Proceedings)

Present:- Sh. Daljit Singh, appellant.
Sh. Lalit _____ on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 2.8.2021.

2. The appellant states that neither the respondent-Public Information Officer complied the order passed by the First Appellate Authority to supply the information within a week nor the respondent-Public Information Officer has supplied the information.

3. The representative of the respondents requested for the adjournment of the case, which is not tenable as the First Appellate Authority has passed the specific order to supply the information within a week. Even though, no action is being taken by the respondent-Public Information Officer. Viewing the attitude in dealing with the RTI application of the appellant Sh.Navdeep Singh Bhogal, Tehsildar-cum-Public Information Officer is thus issued a show cause notice to explain in a self-attested affidavit as to why a compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act,2005 may not be awarded.

5. In addition to the written reply, the Public Information Officer is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before awarding the compensation on the next date of hearing. He may take a note that in case he does not file his written reply and do not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

6. One last opportunity is granted to the respondent-Public Information Officer to supply the complete information to the appellant before the next date of hearing failing which punitive action will be initiated as per the provisions of the RTI Act, 2005.

7. To come up on 20.9.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

sd

Dated: 7.9.2021

(Suresh Arora)

Chief Information Commissioner, Punjab

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Sh. Rajesh Kumar
2049/9B, Jain Nagar
Shiv Puri,
District Ludhiana 141008 M 7837744724

....Appellant

Vs

Sh. Joginder Singh, Distt. Revenue Officer,
Public Information Officer **(Registered)**
o/o Deputy Commissioner,
District Ludhiana

First Appellate Authority
o/o Deputy Commissioner,
District Ludhiana

Public Information Officer
o/o Commissioner of Police,
District Ludhiana

....Respondents

Appeal Case No. 1067 of 2021
(Cisco Webex/Telephone Proceedings)

Present:- Sh. Rajesh Kumar, appellant.

Sh. Pardeep _____ on behalf of the parties. 9915603000
9988110640.

ORDER

This order may be read with reference to the previous order dated 30.6.2021.

2. The appellant states that the respondent has not supplied the copy of 11 pages that were sent by the Deputy Commissioner to the Additional Secretary, Department of Sports & Youth Services Branch, Chandigarh so far. However, the representative of the respondents states that the concerned file could not be traced so nothing can be supplied to the appellant in this regard.

3. Keeping in view the submission made by the respondent, it is evident from the perusal of the case that the RTI application was filed by the appellant on 16.11.2020 but after a lapse of more than nine months, the incomplete information has been supplied to the appellant so far. It is also pertinent to mention that after the hearing in this case on 10.5.2021, 15.6.2021, 30.6.2021, 3.8.2021 and today i.e. 7.9.2021 the respondent is stating that the file could not be traced. 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

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Appeal Case No. 1067 of 2021

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still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act.

5. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 10000/- (Rupees Ten thousands only) by way of compensation to the Appellant. This amount shall be payable from the State Exchequer before the next date of hearing.

6. Also the respondent-Public Information Officer o/o the Deputy Commissioner, District Ludhiana is directed to file an affidavit before the next date of hearing that the record concerning the sought information has been misplaced and no information can be supplied to the appellant in this regard as mentioned herein. Any defiance of this order will be viewed seriously, on the next date of hearing.

4. To come up on 30.9.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

Dated: 7.9.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Jagjit Singh (RTI Activist),
R/o Aman Nagar, Street No 3,
Backside Green Land School,
Near Jalandhar, By pass,
Ludhiana.M : 9914248131

..Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Ludhiana.

First Appellate Authority
O/o Deputy Commissioner,
Ludhiana.

Public Information Officer
o/o Addl. Deputy Commissioner (G)
District Ludhiana

Sh. Joginder Singh,
Distt. Revenue Officer-cum-
Public Information Officer, **Registered**
Record Room
o/o the Deputy Commissioner,
District Ludhiana

....Respondent(s)

Appeal Case No. 1132/2021
(Cisco Webex/Telephone Proceedings)

Present:- Sh.Jagjit Singh, through cisco webex.
Sh. Joginder Singh, Distt. Revenue Officer-cum-Public Information Officer and
Sh. Rajan Sharma on behalf of the parties. 9914945976.

ORDER

This order may be read with reference to the previous order dated 2.8.2021.

2. The appellant states that nothing has been supplied by the Public Information Officer o/o the Record Room. However, the representative of the respondents on behalf of the Addl. Deputy Commissioner states that the file has already been consigned to record room so nothing can be supplied to the appellant. However, the Public Information Officer o/o the Deputy Commissioner, District Ludhiana assured that he will look into the matter personally and the information will be supplied from the Record Room before the next date of hearing.

3. It is also a fact on record that the RTI application was filed by the appellant on 8.11.2019 and yet incomplete information has been supplied to him. Video Conference Facility/cisco webex facility was introduced for convenience of general public and for government officials. Viewing the attitude in dealing with the RTI application of the appellant Sh. Joginder Singh, Distt. Revenue Officer-cum-Public Information Officer, is, thus,

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Appeal Case No. 1132 of 2021

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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 wilful delay/denial of the information to the RTI application and to issue show cause for compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act,2005.

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 a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

4. He is also directed to supply the information as has been assured by the Public Information Officer o/o the Deputy Commissioner, District Ludhiana.

5. To come up on 20.9.2021 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: 7.9.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Surinder Kumar 9465313956

r/o VPO Bareka,

Tehsil & District Fazilka.

....Appellant

Vs

Public Information Officer, **Registered**

o/o Panchayat Secretary, Gram panchayat, Bareka,

c/o Block Development and Panchayats Officer,

Block Khuhian Server,

District Fazilka.

First Appellate Authority

o/o District Development and Panchayats Officer,

District Administrative Complex,

Fazilka

Sh. Gian Singh, VDO **Registered**

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server,

Fazilka

Sh. Varinder Kumar 8968652368, **Registered**

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server,

Fazilka

.....Respondents

Appeal Case No. 1896 of 2020

Present:- Shri Aman s/o Sh. Surinder Kumar, appellant & Sh. Krishan Lal on behalf of the appellant.

Sh. Sanjeev Garg, Dy. Director (Rural) o/o Director, Rural Development & Panchayat, Pb., & Sh. Lehambar Dass, on telephone & Sh. Gian Singh on behalf of the respondents, M 9914400517

ORDER

This order may be read with reference to the previous order dated 26.7.2021.

2. The representative of the appellant states that he has received the complete information except the copy of audit report and audit note of Village Panchayat Bareka from 1.1.2013 to 6.11.2019 till date which is not being supplied. Regarding the remaining information & compensation as has been awarded vide order dated 26.7.2021 no satisfactory reply has been given by the respondent. Also the Block Development and Panchayats Officer Sh. Varinder Kumar was directed to remain present on the next date of hearing but he is absent without intimation. Even the office reminded him regarding the

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Appeal Case No. 1896 of 2020

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hearing of this case yesterday i.e. 6.9.2021 on telephone and he assured that he will be present but today i.e. 7.9.2021 he is not present and also he has switched of his mobile. Viewing the attitude of the Block Development and Panchayats Officer, Sh. Varinder Kumar, the compensation is enhanced from Rs.5000/- (Rupees Five thousand only) to Rs.10,000/- (Rupees Ten thousand only) payable by the office of the Block Development and Panchayats Officer Khuhian Server before the next date of hearing. He is also directed to refund Rs.2560/- (Rupees two thousand five hundred sixty only) as per the order dated 26.7.2021.

3. The directions are also issued to the Block Development and Panchayats Officer to remain present on the next date of hearing failing which disciplinary action will also be recommended to the authorities concerned.

4. The show cause notice has also been issued to Sh. Gian Singh VDO on 22.12.2020 but no reply has been received from him. One last opportunity is granted to him to file his reply before the next date of hearing failing which ex-parte decision will be taken on the next date of hearing.

5. However, the representative of the respondents Dy. Director (Rural) requested for the adjournment of the case and assured that the complete information will be supplied to the appellant before the next date of hearing along with the compensation amount as has been awarded in this case.

6. Accordingly, the case is adjourned.

7. To come up on 5.10.2021 at 12.30 PM at Chandigarh.

Dated: 7.9.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Financial Commissioner (by name) Registered
Government of Punjab,
Rural Development & Panchayat Deptt.,
Vikas Bhawan, Sec-62, Mohali

To look into the matter personally and
ensure compliance of this order.

Sh. MS Chhatwal, IAS
The Director (By name)
Rural Development & Panchayat Deptt.,
Vikas Bhawan, Sector 62, Mohali.

Registered

-do-

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Sh. Sanjeev Garg, **Registered**
Dy. Director (Rural),
o/o Director,
Rural Development & Panchayat, Pb.,
Vikas Bhawan, Sector 62,
Mohali