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Ms Jotsna d/o Sh. Gurcharanjit 7355688321 # 1307, St. No. 5, Shimlapuri, Gill Road, District Ludhiana

....Appellant

Vs

Public Information Officer o/o Tehsildar East, District Ludhiana

First Appellate Authority o/o Deputy Commissioner, District Ludhiana

....Respondents

Appeal Case No. 2691 of 2021 (Video Conference Proceedings)

Present:-

Ms Jotsna, appellant. None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 5.8.2021.

2. The appellant states that no information has been provided by the respondents so far. The appellant also placed on record the copy of her request dated 27.11.2020/No.69 dated 4.12.2020, which is taken on record. However, none was present on behalf of the respondents due to strike by the officials of the respondent authority and the case was adjourned for today i.e. 8.9.2021. Neither the respondent-Public Information Officer is present nor is information being supplied to the appellant. The perusal of the file shows that in this case, application for information was filed on 9.3.2021 but after lapse of around six months, no information has been given to the appellant so far. It is, thus apparent from the response of the respondent-PIO 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.

3. 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.

4. The respondent-Public Information Officer is also directed to file the reply/supply

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Appeal Case No. 2691 of 2021

-2-

the information to the appellant before the next date of hearing failing which the punitive action will be initiated on the next date of hearing.

4. To come up on 5.10.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

sd

Dated: 8.9.2021

(Suresh Arora) Chief Information Commissioner, Punjab.

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Sh. Amrik Singh 9876800860 Block J 26/100, BRS Nagar, District Ludhiana

..Complainant

Vs

Public Information Officer o/o Deputy Commissioner, District Ludhiana

Sh. Vikas Kumar, **Registered** Superintendent, o/o Deputy Commissioner, District Ludhiana

....Respondents

Complaint Case No. 365 of 2021 (Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Sh. Amrik Singh, complainant.

Sh. Manjinder Singh, Sr. Asstt ______ on behalf of the respondents.

ORDER

Dated: 8.9.2021

This order may be read with reference to the previous order dated 3.8.2021 vide which the appellant was directed to submit the larger public interest involved in seeking the 3^{rd} party information before the next date of hearing.

2. Due to poor connectivity of video conference facility, the appellant is unable to explain the case. Therefore, one more opportunity is granted to the appellant to submit the written response regarding larger public interest involved in seeking the 3rd party information before the next date of hearing, to take the matter to its logical end.

4. To come up on 5.10.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana /cisco webex.

sd (Suresh Arora) Chief Information Commissioner, Punjab.

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Sh. Baljeet Singh 7696500015 64 H , BRS Nagar, District Ludhiana

....Appellant

Public Information Officer (By name) **Registered** o/o Deputy Commissioner, District Ludhiana

First Appellate Authority o/o Deputy Commissioner, District Ludhiana

Public Information Officer (By name) o/o the Civil Surgeon, Ludhiana

....Respondents

Appeal Case No. 2917 of 2020

Vs

(Video Conference/Telephone Proceedings)

Present:-

Sh. Baljeet Singh, appellant. Sh. Pardeep, Sr. Asstt. M.A. Branch ______ on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.8.2021.

2. The representative of the respondents handed over the 50 pages of information to the appellant during the course of hearing pertaining to Point No. 1,2 & 3 of the RTI application. Regarding Point No. 5,6,7,8,9 and 10 the Civil Surgeon, District Ludhiana has already filed the reply which is reproduced below:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਬਿਨੈਕਾਰ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਪਹਿਲਾਂ ਹੀ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: ਆਰਟੀਆਈ/21/303 ਮਿਤੀ 18.02.2021 ਰਾਹੀਂ ਭੇਜ ਦਿੱਤੀ ਸੀ, ਜਿਸ ਵਿੱਚ ਸਪਸ਼ਟ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਲਤੀ ਨੰ: 1,2,3 ਸਬੰਧੀ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਇਸ ਦਫਤਰ ਨਾਲ ਸਬੰਧਤ ਨਹੀਂ ਹੈ। ਲਤੀ ਨੰ: 5,6,7,8,9 ਅਤੇ 10 ਸਬੰਧੀ ਲਿਖਿਆ ਗਿਆ ਸੀ ਕਿ ਕੋਵਿਡ-19 ਪੀਰੀਅਡ ਦੌਰਾਨ ਜ਼ਿਆਦਾਤਰ ਸਮਾਨ ਚੰਡੀਗੜ੍ਹ ਹੈਂਡਕੁਆਟਰ ਤੋਂ ਪ੍ਰਾਪਤ ਹੋਇਆ ਹੈ ਅਤੇ ਉਸ ਤੋਂ ਇਲਾਵਾ (ਜੋ ਸਮਾਨ ਚੰਡੀਗੜ੍ਹ ਵਿਖੇ ਉਪਲਬਧ ਨਹੀਂ ਹੈ) ਦਵਾਈਆ ਅਤੇ ਹੋਰ Consumable items ਦੀ ਖਰੀਦ Govt. Approved Source (NACOF) ਤੋਂ ਖਰੀਦੀਆ ਗਈਆ ਹਨ। ਬਿੱਲਾਂ ਦੀ ਵੋਟੋਕਾਪੀ ਇਸ ਐਕਟ ਅਧੀਨ (As per RTI act of Non Disclosure of information- This information cannot be supplied under section 8(1)(d). Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authrity is satisfied that large public interest warrants the disclosure of such information) ਨਹੀਂ ਦਿੱਤੀਆ ਜਾ ਸਕਦੀਆ ਹਨ।

ਆਪ ਜੀ ਨੂੰ ਇਹ ਵੀ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਜੀ ਵੱਲੋਂ ਸਿਵਲ ਅਪੀਲ ਨੰ: 6454 ਅੱਫ 2011 ਵਿੱਚ ਦਿੱਤੇ ਫੈਸਲੇ ਅਨੁਸਾਰ ਇਹ ਸੂਚਨਾ ਦੇਣੀ ਨਹੀਂ ਬਣਦੀ ਹੈ। ਕਿਉਂ ਜੋ ਸਿਹਤ ਵਿਭਾਗ ਪਹਿਲਾਂ ਹੀ ਕਰੋਨਾ ਮਹਾਂਮਾਰੀ ਨੂੰ ਨਜਿੱਠਣ ਹਿੱਤ, ਆਮ ਜਨਤਾ ਨੂੰ ਸਿਹਤ ਸਹੂਲਤਾਂ ਦੇਣ ਵਿੱਚ ਲੱਗਾ ਹੋਇਆਂ ਹੈ। ਇਸ ਲਈ ਬਿਨੈਕਾਰ ਨੂੰ voluminous ਸੂਚਨਾ ਨਹੀਂ ਦਿੱਤੀ ਜਾ ਸਕਦੀ ਕਿਉਂ ਕਿ ਇਸ ਵਿੱਚ ਬਹੁਤ ਲੰਬਾ ਸਮਾਂ / ਧਿਆਨ ਲੱਗਦਾ ਹੈ, ਜੀ।



Appeal Case No. 2917 of 2020

-2-

3. Accordingly, the appellant is advised to go through the information provided to him and file a rejoinder if any, before the next date of hearing to the respondent-Public Information Officer with a copy to the Commission. As per the RTI application of the appellant it has ascertained that Point No. 4 of the RTI application has not been mentioned and is missing. Regarding Point No. 8 of the RTI application concerning the Gifts received in connection with Covid-19 pandemic, the respondent-Public Information Officer is directed to supply the information else file a specific undertaking in this regard before the next date of hearing. Regarding supply of information pertaining to Point No. 5,6,7,9 and 10 of the RTI application the decision on the same will be taken on the next date of hearing.

3. To come up on 12.10.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated: 8.9.2021

sd (Suresh Arora) Chief Information Commissioner, Punjab.

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Sh. Brichh Bhan 9876101698 H.No. 33, Kahangarh Road, Patran, Patiala

....Appellant

Sh. Parveej Goyal, 7986875019, Public Information Officer o/o the Executive Officer, Block Samiti, Patran, Patiala.

First Appellate Authority o/o the Executive Officer, Block Samiti, Patran, Patiala.

....Respondents

Appeal Case No. 2930 of 2020 (Video Conference/Telephone Proceedings)

Vs

Registered

Present:-

:- Sh. Brichh Bhan, appellant. None on behalf of the respondents. 7986875019 9463880287 6280769005 9815758505

ORDER

This order may be read with reference to the previous order dated 5.8.2021 vide which the compensation was enhanced from Rs.5000/- to Rs.10000/- which has to be paid by the respondent authority from the state exchequer.

2. The appellant states that no information has been provided by the respondents so far. He also states that the respondent-Public Information Officer has not complied with the order of the Commission to pay the compensation amounting to Rs.10,000/-(Rupees Ten Thousands only) as has been awarded.

3. The appellant has sought the following information :-

"ਜਨਵਰੀ 2015 ਤੋਂ ਲੈ ਕੇ 8 ਜੁਲਾਈ 2020 ਤੱਕ ਨਜਾਇਜ ਕਬਜੇ ਵਾਲੀਆਂ ਜਮੀਨਾਂ ਛਡਵਾਉਣ ਲਈ ਵੱਖ ਵੱਖ ਸਾਧਨਾਂ ਰਾਹੀਂ ਕੀਤੇ ਗਏ ਖਰਚ ਦੀ ਪ੍ਰਤੀ ਸਾਲ/ਪ੍ਰਤੀ ਪੰਚਾਇਤ ਦੇ ਹਿਸਾਬ ਨਾਲ ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਜਾਵੇ।"

4. As the sought information relates to the every panchayat of the block so the directions are issued to the respondent-Public Information Officer to supply the information in case the same exists on official record of the Block Development and Panchayats Officer only else file an undertaking in this regard before the next date of hearing. As far as the other information is concerned the respondent-Public Information Officer has already supplied the information and a copy of the forwarding letters have been sent to the Commission, which are taken on record. Also a copy of the said letters vide which the information has been supplied to the appellant is being **sent** to the appellant along with this order.



Appeal Case No. 2930 of 2020

-2-

5. The respondent-Public Information Officer is also directed to pay the compensation from the state exchequer amounting to Rs.10,000 (Rupees Ten Thousands only) as has been awarded vide order of the Commission dated 5.8.2021 failing which punitive action will be initiated against the present incumbent Sh. Parveej Goyal, 7986875019, Public Information Officer-cum-Block Development and Panchayats Officer. He is also directed to place on record the name(s) of Block Development and Panchayats Officer, mobile number and present place of posting from the date of RTI application i.e. 6.7.2020.

6. To come up on 5.10.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

sd

Dated:8.9.2021

(Suresh Arora) Chief Information Commissioner, Punjab.

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Sh. Suresh Kumar s/o Sh. Om Parkash First and Second Floor, W.No. 20, Piara Lal Thekedar Street, Mansa 01652233614 A THE AT A HEAT AREAS WOISSING

..Complainant

Vs

Ms Manjeet Kaur, Under Secy-cum-Public Information Officer o/o the Financial Commissioner Revenue, Stamp and Registration Branch, Punjab Civil Secretariat, Chandigarh.

Public Information Officer o/o the Tehsildar, Mansa

....Respondents

Complaint Case No. 846 of 2020

Present:- Sh. Suresh Kumar, complainant, in person. Ms Shalu Sharma 9803122959, 7889254016 Sh. Jaswinder Singh, Supdt., on behalf of the respondents. 8196031300, 9803122959 9478379829.

ORDER

This order may be read with reference to the previous order dated 20.8.2021.

2. The complainant inspected the record of the Public Information Officer o/o the Financial Commissioner, Revenue and filed the written submissions, which are taken on record.

3. After hearing both the parties the order in this case is 'RESERVED' and will be pronounced later on.

sd

Dated: 8.9.2021

(Suresh Arora) Chief Information Commissioner, Punjab.

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Sh. Ashok Kapoor 9855556210 # 8C, Kichlu Nagar, District Ludhiana.

Vs

Sh. Joginder Singh, Distt. Revenue Officer-cum-**Public Information Officer** (H.R.C. Branch) o/o Deputy Commissioner, Mini Secretariat, District Ludhiana.

First Appellate Authority o/o Deputy Commissioner, Mini Secretariat, District Ludhiana.

Sh. Jagdish Singh Sra, Registered Sub Registrar(West)-cum-**Public Information Officer** District - Ludhiana.

....Respondents

....Appellant

Appeal Case No. 3328 of 2020 (Video Conference Proceedings)

Present:-ORDER

Sh. Ashok Kapoor, appellant None on behalf of the respondents

This order may be read with reference to the previous order dated 5.8.2021 vide which the appellant was directed to send the legible copy of the deficiencies to the respondent-Public Information Officer with a copy to the Commission and the respondent-Public Information Officer was directed to remove the same before the next date of hearing. 2. The appellant states that the respondent Sub Registrar (W), Ludhiana/Public Information Officer o/o the Deputy Commissioner, District Ludhiana has not supplied the document annexed with report No. 194/H.RC dated 19.12.2018 of Committee to investigate wrongly registered wasika No. 12350 dated 11.1.2018 (14 pages). He also states that the documents which are part and parcel of the enquiry report has also not been supplied duly certified. He also states that the respondent-Public Information Officer may be directed to supply the annexures attached with the enquiry report conducted by the District Revenue Officer, District Ludhiana, Addl. Deputy Commissioner, Jagraon and Addl. Deputy Commissioner, (Dev.) District Ludhiana. Furthermore he requested for a copy of wasika No.

Contd..p/2



Appeal Case No. 3328 of 2020

-2-

12350 dated 11.1.2018 which is a part and parcel of the sought information attached with the enquiry report. He further states that he is being harassed by the respondent and requested to penalize the respondent and also requested for the compensation in this case.

3. None is present on behalf of the respondent. Although the appellant has sent the deficiencies to the respondent-Public Information Officer but none is present on behalf of the Public Information Officer o/o the Deputy Commissioner, District Ludhiana as well as the Public Information Officer o/o the Sub Registrar West, District Ludhiana.

4. The perusal of the file reveals that the appellant has sought the information vide his RTI application dated 26.6.2020. Since then few pages have been supplied to the appellant by the respondent that too uncertified. It is also a fact on record that the sought information relates to the appellant himself, who is around 79 years old. It is appropriate to mention that the officers committee comprising of District Revenue Officer, District Ludhiana, Addl. Deputy Commissioner, Jagraon and Addl. Deputy Commissioner, (Dev.) District Ludhiana submitted the enquiry report on 19.1.2018 in which they recommended the departmental action/enquiry against Naib Tehsildar Mullanpur Sh. Deepak Bhardwaj, Naib Tehsildar, Ludhiana West Sh. Harminder Singh Sidhu and Reader Sh. Vikas Kumar. It clearly reflects that the respondent authority is hiding the facts about the action being taken against the defaulters regarding the sought information by not supplying the action taken.

5. The perusal of the file shows that in this case, application for information was filed on 26.06.2020 but after lapse of more one year, neither any information has been given to the appellant so far nor the respondent-Public Information Officer is attending the hearing as he is absent in this case consecutively fifth time i.e. on 15.3.2021, 9.6.2021, 8.7.2021, 5.8.2021 and today i.e. 8.9.2021. It is, thus apparent from the response of the respondent-PIO 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.

6. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 20,000/- (Rupees Twenty thousand only) by way of compensation to the Appellant. This



Contd..p/3

Appeal Case No. 3328 of 2020

-3-

amount shall be payable from the State Exchequer by the respondent-Public Information Officer o/o Sub Registrar (west) Ludhiana before the next date of hearing.

7. The respondent-Public Information Officer is absent without intimation. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, Sh. Jagsir Singh Sra, Sub Registrar (West) District Ludhiana 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 wilful delay/denial of the information to the RTI applicant. 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 next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

8. That the respondent-Public Information Officer o/o Sub Registrar (west) Ludhiana is also directed to remain present on the next date of hearing along with the original record.

9. That the appellant has sought the information from the Public Information Officer o/o the Deputy Commissioner, District Ludhiana and the said office transferred the RTI application of the appellant to the Sub Registrar (West), District Ludhiana. Therefore, directions are issued to the Public Information Officer (HRC Branch) o/o the Deputy Commissioner, District Ludhiana and Sub Registrar, Ludhiana (West), District Ludhiana to remain present on the next date of hearing along with the original record related to the sought information. Non compliance of this order will be viewed seriously.

10. To come up on 5.10.2021 at 12.30 PM at Chandigarh. SD/

Dated: 8.9.2021

(Suresh Arora) Chief Information Commissioner, Punjab.

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CC Sh. Varinder Kumar, IAS Deputy Commissioner, Ludhiana