

PUNJAB STATE INFORMATION COMMISSION

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

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

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



Smt. Jagdish Kaur 9855019296

H.No. 24, Street No. 3,

Avtar Nagar, Gram panchayat New Rajguru Nagar,

Kharike, District Ludhiana

....Appellant

Vs

Sh. Baldev Singh, Panchayat Secretary,

Public Information Officer

o/o Gram Panchayat,

New Rajguru Nagar,

c/o Block Development and Panchayats Officer,

Block Ludhiana -1, Ludhiana.

First Appellate Authority

o/o District Development and Panchayats Officer,

District Ludhiana.

Sh. Dhanwant Singh,

Registered

Block Development and Panchayats Officer,

Ludhiana-1, Ludhiana

....Respondents

Appeal Case No. 2667 of 2020

(Cisco Webex Proceedings)

Present:- Smt. Jagdish Kaur, appellant.

Sh. Dhanwant Singh Randhawa, Block Development and Panchayats Officer
9653288889 and Sh. Sarabjit Singh, Supdt. 6239079871 on behalf of the
respondents.

ORDER

This order may be read with reference to the previous order dated 27.5.2021.

2. The appellant states that he has supplied the complete information related to Point No. 1 to 3 of the RTI application but incomplete information is being supplied by the respondent-Public Information Officer related to Point no. 4 of the RTI application. She also states that she is being harassed by the respondents deliberately. Furthermore, she states that an undertaking was given to deposit the requisite fee of information even after a lapse of more than 10 months as her RTI application is dated 9.6.2020. In addition, she states that the Block Development and Panchayats Officer was directed during the last hearing dated 27.5.2021 to call both the parties in the office and necessary information be supplied to the appellant in his presence but she has been harassed again by not supplying the information for one reasons or the other.

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Appeal Case No. 2667 of 2020

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3. The perusal of the file shows that in this case, application for information was filed on 9.6.2020 but after a lapse of one year, incomplete information is being supplied to the appellant. Although the appellant has filed the RTI application to the Public Information Officer, Gram Panchayat but as per the submissions made by Sh. Baldev Singh, Panchayat Secretary on 5.1.2021 that no record is being received from the panchayat and requested the Block Development and Panchayats Officer to intervene in the matter so that the information can be supplied to the appellant after receipt of the record from the Panchayat. Being the Head of the office, Block Development and Panchayats Officer was directed on 8.3.2021 to look into the matter & ensure compliance and the said orders were sent to him through registered post. As such, during the hearing on 8.3.2021, 31.3.2021, 12.5.2021 the representative of the Block Development and Panchayats Officer, Ludhiana-1 attended the hearings but the matter regarding supply of information was dilly delaying. Also the Block Development and Panchayats Officer, Ludhiana-1 remained present on the last date of hearing on 27.5.2021 and he assured that both the parties will be called in the office and the necessary information will be supplied and the appellant stated that she has no objection and will deposit the requisite fee of the documents. In spite of the assurance given by the Block Development and Panchayats Officer, remaining information has not been supplied to the appellant till date.

4. As per the provisions of the RTI Act, 2005 :-

“7. (1) Subject to the proviso to sub-section (2) of section 5 or the proviso to sub-section (3) of section 6, the Central Public Information Officer or State Public Information Officer, as the case may be, on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9:

Provided that where the information sought for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request.

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Appeal Case No. 2667 of 2020

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(2) If the Central Public Information Officer or State Public Information Officer, as the case may be, fails to give decision on the request for information within the period specified under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall be deemed to have refused the request.

The RTI application in this case of the appellant is dated 9.6.2020 and till date after a lapse of around one year, incomplete information is being supplied to the appellant.

Thus, it is 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. The department still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act. Therefore, it is a fit case to award compensation to the appellant under Section 19(8)(b) of the RTI Act, 2005.

5. Therefore, the Commission is of the view that principal of natural justice would be met by awarding a sum of Rs. 10,000/- (Rupees ten thousands only) by way of compensation to the Appellant. This amount shall be payable from the State Exchequer by the office of the Block Development and Panchayats Officer, Ludhiana-1 before the next date of hearing.

6. Also the Public Information Officer-cum-Block Development and Panchayats Officer, Ludhiana-1 is impleaded as necessary party in this case.

7. Video Conference Facility was introduced for the convenience of general public and for government officials. Viewing the attitude in dealing with the RTI application of the respondent seriously, Sh. Dhanwant Singh Randhawa, Public Information Officer-cum-Block Development and Panchayats Officer, Ludhiana-1, 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.

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Appeal Case No. 2667 of 2020

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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 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. Keeping in view the above, the Public Information Officer-cum-Block Development and Panchayats Officer, Ludhiana-1, is also directed to ensure that the remaining information complete in all respects be supplied to the appellant free of cost through registered post duly certified before the next date of hearing. A copy of the deficiencies, pointed out by the appellant is being **sent** along with this order.

9. To come up on 5.7.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana /cisco webex.

Dated:9.6.2021

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

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Smt. Kiran Sharma,
W/o Late Sh. Jagdish Sharma,
Street No 42, Preet Nagar,
Shimlapuri, Ludhiana-141003

....Complainant

Vs

Public Information Officer,
O/o Sub Registrar(South),
Ludhiana.

....Respondent(s)

Complaint Case No. 132/2021
(Cisco Webex Proceedings)

Present:- Sh. Sushil Kumar, on behalf of the complainant 9814500575.
None on behalf of the respondents. 9877177747

ORDER

This order may be read with reference to the previous order dated 4.5.2021.

2. The representative of the complainant states that the respondent-Public Information Officer is not supplying the complete information and he may be penalized under the provisions of the RTI Act, 2005.

3. Due to the strike of the officials of the Deputy Commissioner, District Ludhiana, none is present on behalf of the respondents. Therefore, the case is adjourned with the directions to file the reply/supply the information before the next date of hearing. The respondent-Public Information Officer is also directed to file the reply that why show cause notice be not issued on the next date of hearing as per the submissions made by the complainant, which are being **sent** along with this order.

4. To come up on 30.6.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, /cisco webex.

SD

Dated: 9.6.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Jasbir Singh 9888296107

Village Bholapur Jhabewal, PO Ramgarh,

District Ludhiana



....Appellant

vs

Public Information Officer
o/o Deputy Commissioner,
District Ludhiana

First Appellate Authority
o/o Deputy Commissioner,
District Ludhiana

....Respondents

Appeal Case No. 3773 of 2020

(Cisco Webex/Telephone Proceedings)

Present:- Sh. Jasbir Singh, appellant on telephone.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.5.2021 vide which the appellant was directed to file the rejoinder as per the submissions made by the o/o Deputy Commissioner, District Ludhiana vide No. 864 dated 1.3.2021. Also the Public Information Officer o/o the Deputy Commissioner, District Ludhiana was directed to file the up to date status of the sought information and the case was adjourned for 9.6.2021.

2. The appellant states that no information has been supplied by the Public Information Officer o/o the Deputy Commissioner, District Ludhiana. He has also made the submissions through email as well as by post, which are taken on record.

3. Nothing has been pointed out by the appellant concerning the letter of the respondent-Public Information Officer bearing No. 864 dated 1.3.2021, therefore, one more opportunity is granted to the appellant to file the rejoinder, if any, failing which ex-parte decisions will be taken on the next date of hearing.

4. Also the respondent-Public Information Officer is directed to file the up-to-date status of the sought information before the next date of hearing.

5. To come up on 20.7.2021 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: 9.6.2021

(Suresh Arora)

Chief Information Commissioner, Punjab.

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana.

....Appellant

Vs

Public Information Officer

o/o Sub Divisional Magistrate (West),

Mini Secretariat,

District Ludhiana.

First Appellate Authority

o/o Deputy Commissioner,

Mini Secretariat,

District Ludhiana.

....Respondents

Appeal Case No. 3321 of 2020

(Cisco Webex proceedings)

Present:- Sh. Ashok Kapoor, appellant

None on behalf of the respondents

ORDER

This order may be read with reference to the previous order dated 15.3.2021 vide which the case was adjourned for 4.5.2021 but due to administrative reasons the case was further adjourned for today i.e. 9.6.2021

2. Due to the strike by the officials in the office of the respondents, the case is adjourned and the appellant has been informed not to appear in this case. However, the appellant has sent the deficiencies in the information so supplied which are being sent to the respondent-Public Information Officer to remove the same before the next date of hearing.

3. To come up on 8.7.2021 at 12.30 PM at Chandigarh.

SD

Dated: 9.6.2021

(Suresh Arora)

Chief Information Commissioner,

Punjab.

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana.

....Appellant

Vs

Public Information Officer

o/o Sub Divisional Magistrate (West),

District Ludhiana.

First Appellate Authority

o/o Deputy Commissioner,

Mini Secretariat,

District Ludhiana.

....Respondents

Appeal Case No. 3323 of 2020

(Cisco Webex proceedings)

Present:- Sh. Ashok Kapoor, appellant

None on behalf of the respondents

ORDER

This order may be read with reference to the previous order dated 15.3.2021 vide which the case was adjourned for 4.5.2021 but due to administrative reasons the case was further adjourned for today i.e. 9.6.2021

2. Due to the strike by the officials in the office of the respondents, the case is adjourned and the appellant has been informed not to appear in this case. However, the appellant has sent the deficiencies in the information so supplied which are being **sent** to the respondent-Public Information Officer to remove the same before the next date of hearing.

3. To come up on 8.7.2021 at 12.30 PM at Chandigarh.

SD

Dated: 9.6.2021

(Suresh Arora)

Chief Information Commissioner,

Punjab.

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana.

....Appellant

Vs

Public Information Officer

o/o Tehsildar (West),

District - Ludhiana.

First Appellate Authority

o/o Sub Divisional Magistrate (West),

District Ludhiana.

....Respondents

Appeal Case No. 3324 of 2020

(Cisco Webex proceedings)

Present:- Sh. Ashok Kapoor, appellant

None on behalf of the respondents

ORDER

This order may be read with reference to the previous order dated 15.3.2021 vide which the case was adjourned for 4.5.2021 but due to administrative reasons the case was further adjourned for today i.e. 9.6.2021

2. Due to the strike by the officials in the office of the respondents, the case is adjourned and the appellant has been informed not to appear in this case. However, the appellant has sent the deficiencies in the information so supplied which are being **sent** to the respondent-Public Information Officer to remove the same before the next date of hearing.

3. To come up on 8.7.2021 at 12.30 PM at Chandigarh.

SD

Dated: 9.6.2021

(Suresh Arora)

Chief Information Commissioner,

Punjab.

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana.

....Appellant

Vs

Public Information Officer

o/o Sub Divisional Magistrate (West),

District Ludhiana.

First Appellate Authority

o/o Deputy Commissioner,

Mini Secretariat,

District Ludhiana.

....Respondents

Appeal Case No. 3326 of 2020

(Cisco Webex proceedings)

Present:- Sh. Ashok Kapoor, appellant

None on behalf of the respondents

ORDER

This order may be read with reference to the previous order dated 15.3.2021 vide which the case was adjourned for 4.5.2021 but due to administrative reasons the case was further adjourned for today i.e. 9.6.2021

2. Due to the strike by the officials in the office of the respondents, the case is adjourned and the appellant has been informed not to appear in this case. However, the appellant has sent the deficiencies in the information so supplied which are being **sent** to the respondent-Public Information Officer to remove the same before the next date of hearing.

3. To come up on 8.7.2021 at 12.30 PM at Chandigarh.

SD

Dated: 9.6.2021

(Suresh Arora)

Chief Information Commissioner,

Punjab.

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana.

....Appellant

Vs

Public Information Officer
o/o Deputy Commissioner,
Mini Secretariat,
District Ludhiana.

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

Public Information Officer
o/o Sub Registrar (West),
District - Ludhiana.

....Respondents

Appeal Case No. 3328 of 2020
(Cisco Webex proceedings)

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

ORDER

This order may be read with reference to the previous order dated 15.3.2021 vide which the case was adjourned for 4.5.2021 but due to administrative reasons the case was further adjourned for today i.e. 9.6.2021

2. Due to the strike by the officials in the office of the respondents, the case is adjourned and the appellant has been informed not to appear in this case. However, the appellant has sent the deficiencies in the information so supplied which are being **sent** to the respondent-Public Information Officer to remove the same before the next date of hearing.

3. To come up on 8.7.2021 at 12.30 PM at Chandigarh.

SD

Dated: 9.6.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.