

# PUNJAB STATE INFORMATION COMMISSION

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

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Sh. Manjit Singh s/o Sh. Bachan Singh  
Near Nirmal Palace,  
H.No. 2, Village Dhaba  
Ludhiana.

....Appellant

Vs

Public Information Officer,  
o/o Tehsildar (South) Ludhiana,  
Near GNE College,  
Gill Road, Ludhiana.

First Appellate Authority,  
o/o Tehsildar (South) Ludhiana,  
Near GNE College  
Gill Road, Ludhiana.

....Respondents

**Appeal Case No. 3918 of 2019**  
(Video Conference Proceedings)

Present: Sh. Manjit Singh, appellant.

Ms Harpreet Kaur, Jr. Assistant on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 25.11.2019, in which it is mentioned that as per decision of Hon'ble Supreme Court of India in case -Indian Institute of Company Secretaries, New Delhi vs. Paras Jain, it has been held that the fee is to be charged according to the RTI Act, 2005, if the application for seeking information has been filed by the appellant under the said Act.. Accordingly, the respondents were directed to provide copy of Jamabandi as per the request of the applicant after getting the fee deposited under the provisions of RTI Act, 2005 because he has asked copy of Jamabandi under the provisions of RTI Act, 2005.

2. The appellant states that no information has been provided to him till date.

3. The representative of the respondents states that the record is available with the concerned Patwari.

4. After hearing both the parties and going through the record available on the case file, it is revealed that present respondent-PIO/Tehsildar (South) Ludhiana has to collect the information from the concerned Patwari and supply the information to the appellant after charging fee under the provisions of RTI Act, 2005 as early as possible as he has not transferred the application under Section 6(3) of the RTI Act, 2005. Now he can seek help of Patwari under Section 5(4) of the RTI Act and supply the same as early as possible. On receipt of the information from the respondents, the appellant is advised to revert back to the authorities in case of deficiencies in the information before the next date of hearing.

4. To come up on 08.01.2020 at 11.00 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 09.12.2019

Sd/-

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Sh. Satnam Singh s/o Sh. Kishan Singh,  
Village Bondli,  
Tehsil Samrala,  
Ludhiana.

..Appellant

Vs

Public Information Officer,  
Panchayat Secretary, Village Bondli,  
c/o Block Development and Panchayats Officer,  
Block Machhiwara,  
Ludhiana.

First Appellate Authority  
District Development and Panchayats Officer,  
Administrative Complex,  
Ferozepur Road,  
Ludhiana.

....Respondent

## Appeal Case No. 3865 of 2019

(Video Conference Proceedings)

Present:- None on behalf of the appellant.  
Sh. Amarjit Singh, Panchayat Secretary, on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 25.11.2019 vide which the respondents were directed to give details of fee to be charged from the appellant within week's time and the appellant was directed to deposit the amount after receipt of details from the respondents and the respondents were further directed that on receipt of the necessary fee from the appellant and provide necessary information as per the provisions of the RTI Act.

2. The appellant is absent today but he has sent in writing through e-mail stating that the respondents have sent details of fee Rs.1720/- for supply of copies of the information instead of Rs.3500/- He further states that one adjournment be given due to ill health and Panchayats Secretary be directed to confirm, which fee is to be deposited.

3. The representative of the respondents is directed to send confirmation to the appellant, which fee is correct and to be deposited for supply of information within seven days from today. On receipt of the fee from the appellant, the respondents are directed to supply the information as early as possible but not after the next date of hearing.

4. To come up on **08.01.2020** at **03.00 PM** to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 09.12.2019

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

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Sh. Gurdeep Singh,  
S/o Sh. Ghan Singh,  
P.O: Ambedkar Gram Sabha, Burj,  
Mansa, Tehsil: Maur,  
Distt: Bathinda.

.....Appellant

Vs

Public Information Officer,  
Block Development and Panchayat Officer, Maur,  
District- Bathinda.

PIO/Executive Engineer,  
Water Supply and Sanitation Department, Punjab,  
Bathinda.

.....Respondents

## Complaint Case No. 608 of 2019

Present:- Shri Gurdeep Singh, complainant.  
Shri Gurrcharan Singh, Superintendent on behalf of the respondent-PIO.

### ORDER

In compliance to the previous order dated 29.1.2019, the respondent-PIO filed his explanation dated 28.11.2019, which is taken on the record of the case file . He stated in his letter that application dated 28.02.2019 of complainant for seeking information was transferred to the PIO/Executive Engineer, Water Supply and Sanitation Department, Bhatinda vide their letter dated 11.03.2019 for supplying the information to the complainant. He further states that penalty imposed on him be dropped because he is not at fault because he has transferred the application of the complainant within stipulated period under the provisions of the RTI Act, 2005. Hence, penalty imposed on him be withdrawn. He further stated that Shri Nahar Singh, SDO, Water Supply and Sanitation, Maur, District Bhatinda is at fault for not supplying the information.

2. In view of the request/explanation of the respondent-PIO, penalty imposed on him is withdrawn. The respondent-PIO is exempted from appearance in this case in future because he has transferred the application to the PIO/Water Supply and Sanitation Department, Bhatinda. The Block Development and Panchayat Officer, Maur has submitted letter dated 04.12.2019 enclosing a letter dated 27.11.2019 with list of beneficiaries and bank statement after collecting it from Water Supply and Sanitation Department, Maur. Shri Nahar Singh, SDO, Water Supply and Sanitation, Maur, District Bhatinda is impleaded as a necessary party in this case with the direction to appear on the next date of hearing and explain his conduct for not supplying the information within stipulated period. He is further directed to supply complete information before the next date of hearing and if the information is not available in their record, then give in writing to the complainant that except the information already supplied to him no information is available in their record before the next date of hearing dated 8.1.2019 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Bhatinda.

Sd/-

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

Dated : 09.12.2019

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Sh. Baldev Singh,  
S/o Late Sh. Mohinder Singh,  
#22, City Enclave, Zirakpur,  
Distt: Mohali-140603.

.....Appellant

**Vs**

Public Information Officer,  
O/o Deputy Chief Executive Officer,  
Zila Parishad,  
Distt: Roopnagar.

First Appellate Authority  
O/o Chief Executive Officer,  
Zila Parishad,  
District- Roopnagar.

PIO/Deputy Controller (F & A),  
o/o Rural Development and Panchayats, Punjab,  
Vikas Bhawan, Phase VIII, SAS Nagar.

.....Respondents

## **Appeal Case No. 3090 of 2019**

Present:- None on behalf of the appellant.

Shri Baljinder Singh Grewal, Deputy Chief Executive Officer, Zila Parishad,  
Roop Nagar.

### **ORDER**

This order may be read with reference to the previous order dated 07.11.2019 vide which compensation of Rs.2500/- was awarded to be paid to the appellant via demand draft drawn through Government treasury for the loss and detriment suffered by the appellant and the case was adjourned to 22.11.2019 for submitting compliance report to the Commission.

2. Shri Baldev Singh, appellant, in this case was tried to contact on his mobile phone No.9872607466 to inform him about the request of Deputy Chief Executive Officer, Zila Parishad, Roop Nagar many times but he has not picked up the same.

Contd.....p/2

-2-

3. The representative of the respondents presented his explanation dated 25.11.2019 to the Chief Information Commissioner in his office on 26.11.2019. He was directed to appear on the next date of hearing, when his application for award of compensation will be considered. In the application, it is mentioned that an application for seeking information was received in their office on 2.2.2019 and first appeal was filed before the First Appellate Authority on 23.3.2019. Information was supplied to the appellant on 6.6.2019 vide their letter dated 6.6.2019 and record concerning points at Sr. No.7 was not available in their office. It was available in the office of the Deputy Controller (F & A) o/o Director Rural Developments and Panchayats, Punjab, Vikas Bhawan, SAS Nagar. This fact was brought to the notice of the Commission by Shri Kulwinder Singh, Junior Assistant of Zila Parishad, Roop Nagar. The Deputy Controller (F & A) was impleaded as a necessary party on 14.10.2019 but no person on his behalf appeared before the Commission. Their office authorized Shri Sandeep Singh, Temporary Accounts Clerk to collect record from Deputy Controller (F & A), Rural Development and Panchayats Department, SAS Nagar on 25.10.2019, the concerned record was handed over to him. He further states that he has joined only on 1.8.2019 in the office of Zila Parishad, Roop Nagar and he has taken every step to provide the information to the information-seeker. He further states that regarding his absence on 22.11.2019, he stated that order for appearance was only received in his office only at 2.00 P.M. on 22.11.2019. He further requests that he is not at fault because the concerned record was not available in their office. He has taken every effort to get the record from the Deputy Controller (F & A). In view of the problems faced by him in procuring the record from the o/o Deputy Controller (F & A) so compensation awarded to the appellant may be withdrawn.

4. In view of the above request of the respondent-PIO, it is considered that he is not at fault in supplying the information. He has supplied the information concerning points at Sr. No. 1 to 6 and information concerning point at Sr. No.7 was not supplied because the record was not available in his office and the same was available with office of the Deputy Controller (F & A). Order regarding compensation awarding to the appellant is withdrawn with the direction to the respondents to be careful while dealing with RTI applications in future. The case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 09.12.2019

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

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Sh. Malkiat Singh s/o Sh. Subha Singh,  
Village Kang, P.O. Dhariwal,  
Gurdaspur.

....Appellant

Vs

Public Information Officer,  
o/o Block Development and Panchayats Officer,  
Block Dhariwal  
Gurdaspur.

First Appellate Authority,  
o/o District Development and Panchayats Officer,  
Gurdaspur.

Ms. Suman Lata, Incharge, C.A  
c/o Block Development and Panchayats Officer,  
Block Dhariwal,  
Gurdaspur.

Amandeep Singh, G.R.S. Manrega  
c/o Block Development and Panchayats Officer,  
Block Dhariwal,  
Gurdaspur

....Respondent

## **Appeal Case No. 3927 of 2019** (Video Conference Proceedings)

Present:- Shri Malkit Singh, appellant.

Shri Pawan Kumar, Superintendent alongwith Ms. Suman Lata, Incharge CA and  
Shri Amandeep Singh, GRS on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 25.11.2019, vide which it is mentioned that information concerning points at Sr. No. 1, 2 and 5 has already been provided and information pertaining to Points at Sr. No. 3 and 4 has to be provided by Ms. Suman Lata, Incharge CA and Mr. Amandeep Singh, GRS Manrega. They were impleaded as necessary parties with the direction to take an appropriate action on the RTI application, which was sent to them with the order of the Commission.

Contd....p/2

-2-

2. The representatives of the respondents state that complete information has been provided to the satisfaction of the appellant. The appellant also confirms that he has received information to his satisfaction and does not want to pursue the matter any further. He further requests that the present case be disposed of and closed.

3. After hearing both the parties, it is revealed that complete information has been received by the appellant to his satisfaction and he does not want to pursue the matter any further. Hence, the present case is disposed of and closed.

Dated: 09.12.2019

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

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Sh. Rakesh Kumar Singla,  
Voice Organization (Retd.)  
Opp. Tehsil Office,  
Lehragaga,  
Sangrur 148031

...Appellant

Vs

Public Information Officer-cum-V.D.O.,  
Gram Panchayat Bhutal kalan,  
c/o Block Development and Panchayats Officer,  
Lehragaga,  
Sangrur

First Appellate Authority,  
o/o District Development and Panchayats Officer,  
Sangrur

....Respondent

**Appeal Case No. 3948 of 2019**  
(Video Conference Proceedings)

Present:- Shri Rakesh Kumar Singla, appellant.  
None on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 25.11.2019 in which it is mentioned that although he has submitted a cheque of Rs.6000/- to PIO-cum-Village Development Officer, Gram Panchayat Bhutal Kalan, Tehsil Lehra, District Sangrur. Shri Rajinder Singh, appearing on behalf of the respondents stated that cheque sent to them is not in the name of proper competent authority. The appellant was directed to send fresh cheque in favour of Sarpanch, Gram Panchayat, Bhutal Kalan. The appellant agreed to send the same in the name of Sarpanch, Gram Panchayat, Bhutal Kalan.

2. The appellant states that he has sent a fresh cheque in favour of Sarpanch, Gram Panchayat Bhutal Kalan, District Sangrur amounting to Rs.6000/- but till date no information has been supplied to him. He further states that new Sarpanch of respondent Panchayat approached him and stated that the previous Panchayat has not handed over the charge of the record to new panchayat.

Contd.....p/2



-2-

3. After hearing the appellant and going through the record available on the case file, it is revealed that vide letter dated 8.4.2019, the respondent-Shri Rajinder Singh VDO has written to the appellant to deposit Rs.6020/- so that sought for information can be supplied to him. Shri Rajinder Singh, Village Development Officer, Bhutal Kalan, District Sangrur is directed to bring original record on the basis of which he has asked the appellant to deposit a sum of Rs.6020/- for the perusal of the Commission at Chandigarh. The appellant is advised to appear before the Commission through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur and the respondents are directed to appear with original record before the Commission at Chandigarh on 8.1.2019 at 3.00 P.M..

Dated: 09.12.2019

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

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Sh. Surjit Singh,  
H No. 2990/76, Street No. 4,  
Guru Gobind Singh Nagar,  
Near Mair Di Chakki,  
P.O – Daba, 141003,  
District- Ludhiana.

Vs

.....Appellant

Public Information Officer,  
O/o The Chief Secretary,  
Govt. of Punjab,  
Room No. 26, 6<sup>th</sup> Floor,  
Punjab Civil Secretariat- I,  
Chandigarh.

First Appellate Authority,  
O/o The Chief Secretary,  
Govt. of Punjab,  
Room No. 26, 6<sup>th</sup> Floor,  
Punjab Civil Secretariat- I,  
Chandigarh.

PIO/Additional Chief Secretary to Government of Punjab,  
Department of Home Affairs and Justice,  
Punjab Civil Secretariat, Chandigarh.

.....Respondents

## **Appeal Case No. 3974 of 2019** (Video Conference Proceeding)

Present:- None on behalf of the appellant.  
None on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 25.11.2019 vide which the PIO/Addl Chief Secretary to Government of Punjab, Departments of Home Affairs and Justice, Chandigarh was impleaded as a necessary party with the direction to intimate the appellant after taking appropriate action on the complaint of the present appellant with a copy to the Commission.

2. Both the parties are absent without intimation.

3. PIO/Additional Chief Secretary to Government of Punjab, Department of Home Affairs and Justice, Chandigarh is directed to supply information after taking appropriate action on his complaint dated 03.08.2019 under the provisions of the RTI Act, 2005 before the next date of hearing.

4. To come up on 08.01.2020 at 11.00 A.M. at Chandigarh.

Dated: 09.12.2019.

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

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Sh. Sharanjeet Singh S/o Lakhwinder Singh,  
R/o Vill. –Ariyan Wala Kalan,  
Tehsil & District- Faridkot.

Vs

.....Appellant

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

First Appellate Authority,  
O/o District Development & Panchayat Officer,  
District- Faridkot.

.....Respondents

## **Appeal Case No. 3987 of 2019** (Video Conference Proceeding)

Present:- Shri Sharanjit Singh, appellant.  
Shri Simarjit Singh, Samati Patwari, on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 25.11.2019 vide which the absence of the respondents was viewed seriously. Shri Khushwinder Singh, BDPO, Faridkot PIO was directed to supply the requisite information to the appellant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

2. The appellant states that no information till date has been provided to him by the respondents.

3. The representative of the respondents states that record regarding election of panchayats has been sealed and it can be opened only with the orders of Civil Court or Election Commission.

4. After hearing both the parties and going through the record available on the case file it is ascertained that this information pertains to preparation of voters list before the election process was started. The respondents are directed to supply the information before the next date of hearing, if the record is not available in their record then give in writing that the same is not available in their record.

4. To come up on 8.1.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Faridkot.

Dated: 09.12.2019.

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

CC  
Shri Khushwinder Singh,  
Block Development and Panchayats Officer,  
Faridkot.

The Deputy Commissioner, Faridkot for information and to ensure the presence of PIO or his representative during the Video Conference proceedings in future.

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Sh. Surjeet Singh S/o Surain Singh,  
R/o Vill. –Devi Dass, P.O.- Baja Chak,  
Tehsil – Mukerian  
District- Hoshiarpur.

..... Complainant

Vs

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Mukerian, District- Hoshiarpur.

.....Respondent

## **Complaint Case .No. 937 of 2019**

(Video Conference Proceeding)

Present:- Shri Surjeet Singh, complainant.  
None on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 25.11.2019 vide which the respondent-PIO stated that complete information has been sent to the complainant at his given address on 22.11.2019 through registered post.

2. The representative of the respondents stated on the previous date of hearing that they sent complete information to the information-seeker on 22.11.2019 through registered post but the complainant states that no information has been received by him till date. The respondent-PIO is absent without intimation.

3. After hearing the complainant and going through the record available on the case file, it is revealed that the respondent-PIO has sent an e-mail on 22.11.2019, which was received on 25.11.2019 without annexures. He was reverted back on the same date with the request by the office that annexures be sent to this office as letter has been received without annexures. Shri Jarnail Singh, Panchayat Secretary, is absent without intimation. Viewing the callous and lackadaisical attitude of the PIO seriously, last opportunity is afforded to the PIO to comply with the orders of the Commission issued on 25.11.2019, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. To come up on **08.01.2019 at 3.00 P.M.** to be heard through video conference facility available in the office of the Deputy Commissioner, Hoshiarpur

Dated: 09.12.2019.

Sd/-

(Suresh Arora),  
Chief Information Commissioner,  
Punjab.

CC:

Shri Jarnail Singh, Panchayat Secretary,  
o/o Block Development and Panchayats Officer,  
Mukerian, District Hoshiarpur.

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Shri Jaswinder Singh  
s/o Shri Sardool Singh  
r/o Village Badanpur,  
PO Rajla, Tehsil Samana,  
District Patiala.

.....Appellant.

Vs.

Public Information Officer  
o/o Block Development and Panchayats Officer,  
Samana, District Patiala.

FAA-District Development and Panchayats Officer,  
Patiala.

.....Respondents.

## **Appeal Case No.3293 of 2019.**

Present:- None on behalf of the appellant.

None on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 25.11.2019 vide which it was observed that the respondent-PIO was not ready to supply the information sought by appellant on the plea that he will harass them, in future, by filing complaints with higher authorities.

2. The representative of the respondents informed that Commission vide his letter dated 6.12.2019 stating that he has been assigned duty to attend in Legal Literacy and Awareness Camp being organized at village Assarpur by Secretary, District Legal Services Authority, Patiala. Hence, the case may be adjourned to another date.

3. On the request of the respondent-PIO, the appellant was informed on phone not to appear before the Commission as the respondent-PIO has sent in writing that he is busy to attend a camp organized at village Assarpur.

4. In view of the request of the respondent-PIO, the case is adjourned to 8.1.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated: 09.12.2019.

sd/-  
(Suresh Arora),  
Chief Information Commissioner,  
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Sh. Kulwant Singh S/o Sh. Pritam Singh,  
R/o VPO- Pohir, Block – Dehlon,  
Tehsil & Distt. – Ludhiana-141204.

.....Complainant

Vs

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

PIO/Naib Tehsildar,  
Dehlon, District Ludhiana.

.....Respondents

## **Complaint Case .No. 867 of 2019**

(Video Conference Proceeding)

Present:- Shri Kulwant Singh, complainant.

Shri Ravinder Kumar, Superintendent, on behalf of the respondent-PIO.

### ORDER

This order may be read with reference to the previous order dated 20.11.2019 vide which PIO/Naib Tehsildar, Dehlon, District Ludhiana was made necessary party to take action on points at Sr. No.1 and 2 of the application dated 17.07.2019 (copy enclosed) for seeking information under the provisions of RTI Act, 2005 and intimate the complainant with a copy to the Commission.

2. The complainant states that he has not received any information except Jamabandi of Khasra No.266.

3. In compliance to the previous order dated 20.11.2019, PIO/Naib Tehsildar, Dehlon, District Ludhiana has sent his reply dated 09.12.2019 through e-mail stating that notice was issued to Shri Kulwant Singh (the present complainant in this case) and BDPO, Pohir for demarcation on 7.12.2019. He visited the site on 7.12.2019 for demarcation and it was brought to his notice by the concerned Patwari that stay has been granted by the Civil Court on taking any type of action on Khasra No.266. It has been mentioned in their record vide Rapat No.12 and Rapat No.13 dated 09.09.2014. Accordingly no action was taken for demarcation. This information was provided to the complainant but he has not signed on its receipt..

4. After hearing both the parties and going through the record available on the case file, it is revealed that both the parties are not agreeing with each other's statement (as the respondent-PIO/Naib Tehsildar, Dehlon stated vide his e-mail that information was handed over to the complainant but he has not given signatures on its receipt. On the other hand, complainant states that no information has been provided to him till date). To settle this matter, both the parties are directed to appear at Chandigarh with original record on 8.1.2020 at 11.00 A.M. for the perusal of the Commission.

Dated: 09.12.2019.

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

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Sh. Kulwant Singh S/o Sh. Pritam Singh,  
R/o VPO- Pohir, Block – Dehlon,  
Tehsil & Distt. – Ludhiana.  
141204

.....Complainant

Vs

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

.....Respondent

Complaint Case .No. 868 of 2019

(Video Conference Proceeding)

Present:- Shri Kulwant Singh, complainant.

Shri Gurinder Pal Singh, Panchayat Secretary alongwith Shri Ravdeep Singh, Sarpanch, on behalf of the respondent-PIO.

## ORDER

This order may be read with reference to the previous order dated 01.11.2019 vide which the representative of the respondent handed over the information-reply to the complainant during the hearing. The complainant was directed to peruse the same and revert back to the authorities within seven days.

2. The complainant states that partial information has been provided but in compliance to the previous order, he has not sent any deficiency in the information, so provided to him.

3. The representatives of the respondent-PIO places on record of the case file, their point-wise written reply, which is taken on the record of the case file.

4. The complainant has failed to send any deficiencies in writing to the respondent-PIO. The reply placed on the record of the case file and information sought by the complainant is taken point-wise. Complete information has been provided to the complainant. Complete information has been provided to the complainant except for reasons for not filing any case concerning land of 14 kanals 15 marlas. The Hon'ble Supreme Court has time and again said that the information envisaged under the Act is that which is available on the records of a public authority. Their Lordships held that though an information-seeker is entitled to all the information available on the records of public authority. He asks for the reasons or justification for the action or decision taken by the public authority or by any of its functionaries. In other words the information-seeker can ask for the information but not for the reasons or justification for the material available on the record. No public authority is

suppose to create or manufacture information for the benefit of the information seeker. This is a crux of the judgment rendered by the Hon'ble Supreme court of India. To say the questions cannot be asked as to vide a preposition be accepted. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 20.11.2019.

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



# PUNJAB STATE INFORMATION COMMISSION

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Sh. Kulwant Singh S/o Sh. Pritam Singh,  
R/o VPO- Pohir, Block – Dehlon,  
Tehsil & Distt. – Ludhiana.  
141204

.....Complainant

Vs

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

.....Respondent

## **Complaint Case .No. 874 of 2019**

(Video Conference Proceeding)

Present:- Shri Kulwant Singh, complainant.

Shri Ravinder Kumar, Superintendent, on behalf of the respondent-PIO.

### ORDER

This order may be read with reference to the previous order dated 20.11.2019 vide which the respondents were directed to give specific reply to the queries before the next date of hearing.

2. The representative of the respondents states that complete information has been provided to the complainant.

3. The complainant also confirms that he has received complete information from the respondents to his satisfaction and does not want to pursue the matter any further. Accordingly, the present case may be disposed of and closed.

4. In view of the statement of the representative of the respondents and the appellant, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 09.12.2019.

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

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Sh. Amrik Singh S/o Sh. Rattan Singh,  
R/o VPO- Pohir, Block – Dehlon,  
Tehsil & Distt. – Ludhiana.  
141204

.....Complainant

Vs

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

.....Respondent

**Complaint Case .No. 877 of 2019**  
(Video Conference Proceeding)

Present:- Shri Amrik Singh, complainant.

Shri Gurinder Pal Singh, Panchayat Secretary alongwith Shri Ravdeep Singh, Sarpanch, on behalf of the respondent-PIO at Chandigarh.

## ORDER

This order may be read with reference to the previous order dated 01.11.2019 vide which the representative of the respondent-PIO handed over the information-reply to the complainant during the hearing. The complainant was directed to get the record inspected and get the copies of the documents identified by him on the spot.

2. The complainant states that partial information has been provided but in compliance to the previous order, he has not filed any deficiency with the respondent-PIO or in the office of the Commission.

3. The representative of the respondent-PIO states that he has advised to the complainant vide letter dated 14.11.2019 for inspection of the record on 18.11.2019 at 11.00 A.M. but the complainant failed to inspect the record. He places point wise record on the case file of the Commission.

4. After hearing both the parties and perusing the record available on the case file, it is revealed that complainant hasw failed to file deficiency in the information and inspect the record . After discussing point wise reply, it is ascertained that complete information has been provided to the complainant. Hence, the present c ase is disposed of and closed. Copies of the order be sent to the parties.

Dated: 20.11.2019.

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

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Sh. Hari Singh,  
S/o Sh. Harbans Singh,  
VPO: Tara Singh, Wan,  
Tehsil: Patti,  
District- Tarn Taran.

.....Appellant

**Vs**

Public Information Officer,  
District Development and Panchayat Officer,  
District- Tarn Taran.

First Appellate Authority,  
Additional Deputy Commissioner (Development),  
District- Tarn Taran.

.....Respondents.

## **Appeal Case No. 2585 of 2019**

(Video Conference Proceeding)

Present:- Shri Hari Singh, appellant.

Shri Ranjit Singh, Junior Engineer on behalf of the respondents

### **ORDER**

This order may be read with reference to the previous order dated 29.10.2019 vide which Shri Ranjit Singh, Junior Engineer, appeared through Video Conference Facility available in the office of the Deputy Commissioner, Tarntaran.

2. The appellant states he has not been provided copies of bills, utilization certificate and map.

3. Shri Ranjit Singh, Junior Engineer states that grant of Rs.12.00 lacs were received by Gram Panchayat, which has been utilized for laying pipe line. Cheques were prepared in advance by Shri Lal Singh, BDPO, Valtaha and bills must be received by his office. He further states that no papers regarding utilization of funds, map and how much pipe line has been laid are available with them. He further states that he

visited the office of BDPO many times for getting the concerned papers from him but no paper has been provided to him.

4. Shri Lal Singh, Block Development and Panchayats Officer, Valtoha, District Tarntaran is impleaded as necessary party with the direction to provide papers regarding bills, map and utilization certificate to Shri Ranjit Singh, Junior Engineer and bring original record for the perusal of the Commission on 5.12.2019.

5. To come up on **05.12.2019** at **11.00 A.M.** at Chandigarh for further proceedings in the matter.

Dated 20.11.2019

CC

Shri Lal Singh,  
Block Development and Panchayts Officer,  
Valtoha, district Tarantaran.

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

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Sh. Hari Singh,  
S/o Sh. Harbans Singh,  
VPO: Tara Singh, Wan,  
Tehsil: Patti,  
District- Tarn Taran.

.....Appellant

**Vs**

Public Information Officer,  
District Development and Panchayat Officer,  
District- Tarn Taran.

First Appellate Authority,  
Additional Deputy Commissioner (Development),  
District- Tarn Taran.

.....Respondents

**Appeal Case .No. 2617 of 2019**

**(Through Video Conference Proceedings)**

Present:- Shri Hari Singh, appellant.  
Shri Paramjit Singh, Panchayat Secretary on behalf of the respondents..

ORDER

In compliance to the previous order dated 29.10.2019 the respondents have sent their reply except Utilisation Certification.

2. The respondent-PIO states that utilization certificate has been prepared as yet.

3. The appellant states that work has been completed, how it is possible that utilization certificate has not been prepared.

4. After hearing both the parties, the respondent-PIO has given in writing that utilization certificate is not available in their record. The Hon'ble Supreme Court has time and again said that the information envisaged under the Act is that which is available on the records of a public authority. Their Lordships held that though an information-seeker is entitled to all the information available on the records of public authority. No public authority is suppose to create or manufacture information as per the wish of information seeker. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Sd/-

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

Dated 20.11.2019

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Sh. Booti Ram,  
S/o Sh. Diwan Chand,  
Nabha Road,  
Near Sohrab Public School,  
Village- Ahmedabad, Malerkotla,  
District-Sangrur.

.....Appellant

Vs

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Malerkotla, Distt: Sangrur.

First Appellate Authority  
O/o Deputy Commissioner,  
Distt: Sangrur.

.....Respondents

## **Appeal Case No. 3165 of 2019**

(Through Video Conference Proceedings)

Present:- Shri Booti Ram, appellant, at Chandigarh..

Ms. Amandeep Kaur, BDPO, Malerkotla-1-cum-, PIO, on behalf of the  
respondents at DC Officer, Sangrur.

## **ORDER**

This order may be read with reference to the previous order dated 20.11.2019 vide which the Sub Divisional magistrate, Malerkotla was issued a show cause notice for imposition of penalty and award of compensation for absence and for not supplying the information. After comparing the information supplied by the respondents and information sought by the appellant, it was found that information concerning points at Sr.No. 3 and 5 is left to be supplied. The representative of the respondents states that this information may be available with the office of Sub Divisional Magistrate-cum-Returning Officer, Malerkotla. He was directed to transfer the application of the appellant to the concerned office under Section 6(3) of the RTI Act, 2005 for supplying the same before the next date of hearing.

Contd.....p/2

-2-

2. The representative of the respondent-3 (SDM, Malerkotla) filed an affidavit stating that no information is available in their office because SDM Malerkotla was not Returning Officer in the said Panchayats Elections. Hence, there is no delay on the part of SDM, Malerkotla in providing the information to the appellant. Show Cause Notice issued to SDM, Malerkotla is not tenable and needs to be withdrawn.

3. After hearing the parties and going through the record available on the case file, it is revealed that information relating to points at Sr. No.3 and 5 regarding notifications of elections concerning Sarpanches and Panches have been provided to the appellant by BDPO, Malerkotla-1 through whatsapp. After taking the print out of information supplied by BDPO, Malerkotla-1, is handed over to the appellant, during the hearing. With the supply of this information, no information is left to be supplied to the appellant. Hence, the present case is disposed of and closed. Keeping in view the affidavit given by the PIO/SDM, Malerkotla regarding show cause notice issued to him that no information is available in their office. Accordingly the same is withdrawn.

Dated 09.12.2019

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

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Sh Jasbeer Singh Sekhon,  
S/o Late S. Kartar Singh,  
Village-Tandi, PO Laroya,  
Distt.- Jalandhar.

.....Appellant

**Vs**

Shri Paramjit Singh,  
Public Information Officer-cum-Panchayat Secretary,  
o/o Block Development and Panchayats Officer,  
Bhogpur, Distt.- Jalandhar.

First Appellate Authority,  
O/o Block Development and Panchayat Officer,  
Bhogpur, District- Jalandhar.

.....Respondents.

## **Appeal Case No. 3233 of 2019**

(Through Video Conference Facility)

Present:- Shri Jasbeer Singh Sekhon, appellant.  
Shri Paramjit Singh, Panchayat Secretary, on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 11.10.2019 vide which the Shri Jagdish Chander, Development Assistant stated that information has been prepared by Shri Paramjit Singh, PIO-cum-Panchayat Secretary and will be supplied to the appellant through registered post.

2. The appellant states that no information till date has been received by him. On the otherside the respondent-PIO states that he has sent information to the appellant through registered post.

3. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence on the previous date of hearing on 11.10.2019 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 his for causing willful delay/denial of the information to the RTI applicant and why the compensation be not awarded to the information-seeker 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.

3. Both the parties are directed to appear on 20.11.2019 at Chandigarh with original record concerning information.

Dated 29.10.2019

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



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Ms. Surinder Kaur,  
S/o Sh. Banchit Singh,  
Village-Miyawal, Tehsil-Phillaur,  
Distt.- Jalandhar.

.....Appellant

**Vs**

Public Information Officer,  
O/o Panchayat Secretary, Gram Panchayat,  
Meuwal, Block- Phillaur,  
Distt.- Jalandhar.

First Appellate Authority,  
O/o Block Development and Panchayat Officer,  
Phillaur, District- Jalandhar.

.....Respondents

## **Appeal Case No. 3252 of 2019**

( Through Video Conference)

Present:- Ms. Surinder Kaur, appellant.

Shri Parwinder Singh, Panchayat Secretary, on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 29.10.2019 vide which penalty of Rs.5000/- was imposed on Shri Parwinder Singh, Panchayat Secretary, o/o Block Development and Panachayats Officer, Phillaur for his absence and for not providing the information to the appellant within stipulated period and an amount of Rs.10,000/- was awarded being compensation to the appellant via demand draft from the Government Treasury.

2. The appellant states that no draft of amount of compensation has been provided to her till date.

3. The representative of the respondents requests that order for imposition of penalty and award of compensation be withdrawn.

Contd.....p/2

-2-

4. After hearing both the parties and going through the record available on the case file, it is revealed that the appellant has sought information vide his application dated 10.1.2019 but till 20.11.2019, no information was provided to her. In view of the absence of the respondent-PIO on 11.10.2019 and 29.10.2019 without intimation and for not supplying the information till 29.11.2019, penalty of Rs.5000/- was imposed on the respondent-PIO to be deducted from his salary in two installments and Rs.10,000/- was awarded as compensation to be paid to the appellant via bank draft through Government Treasury. The respondent-PIO is directed to pay Rs.10,000/-, which is to be paid from Government Treasury, and not by him. Decision regarding order for withdrawal of penalty will be taken on receipt of reply from the respondent-PIO, on the next date of hearing.

5. To come up on 8.1.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar.

Dated 09.12.2019

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

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Sh. Harvinderpal Singh s/o Sh. Kuldip Singh,  
H.No. 210, Sudarshan nagar,  
Sultanwind Road,  
Amritsar 143001

....Appellant

Vs

Public Information Officer,  
Tehsildar Amritsar-1  
District Administrative Complex,  
Amritsar.

First Appellate Authority  
o/o Sub Divisional Magistrate,  
Amritsar-1, District Administrative Complex,  
Amritsar.

....Respondent

**Appeal Case No. 3920 of 2019**  
(Video Conference Proceedings)

Present:- Shri Hardeep Singh, on behalf of the appellant.

None on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 25.11.2019 in which it is mentioned that the appellant was not satisfied with the reply given by the respondents and the absence of the respondent-PIO was viewed seriously and he was directed to take appropriate action on the RTI application of the appellant before the next date of hearing under intimation to the Commission.

2. The respondent-PIO was absent on the previous date of hearing and he is also absent today without any intimation.

3. The appellant states that now Shri Lachhman Singh is Tehsildar, Amritsar-1-cum-PIO. He further states that after the previous date of hearing nothing has been received from the respondents.

4. After hearing the representative of the appellant and going through the record available on the case file, it is revealed that Shri Lachhman Singh, Tehsildar, Amritsar-1-cum-PIO was absent on the previous date of hearing and is also absent today without intimation. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence of Shri Lachhman Singh seriously, the PIO is, thus, issued a show

Contd.....p/2

-2-

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 his for causing willful delay/denial of the information to the RTI applicant and why the compensation be not awarded to the information-seeker under Section 19(8)(b) of the Act for the detriment suffered by him.

5. 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.

6. To come up on **08.01.2020** at **3.00 P.M.** through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar.

Dated: 09.12.2019

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

CC

1. Shri Lachhman Singh, (Regd.)  
Tehsildar-cum- PIO,  
Amritsar-1..
2. The Deputy Commissioner, Amritsar for information and to ensure the presence of PIO or his representative during the Video Conference proceedings in future.

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Shri Jaspreet Singh (Advocate,  
Chamber No. 5301,  
Lawyers Chamber,  
Part -2, District Courts,  
Ludhiana.

....Appellant

Vs

Public Information Officer,  
o/o Block Development and Panchayats Officer,  
Ludhiana

First Appellate Authority,  
o/o District Development and Panchayats Officer,  
Ludhiana.

Public Information Officer,  
o/o Block Development and Panchayats Officer,  
Doraha Block,  
Ludhiana.

....Respondents

Appeal Case No. 3891 of 2019  
(Video Conference Proceedings)

Present:- None on behalf of the parties.

## ORDER

This order may be read with reference to the previous order dated 25.11.2019 vide which PIO/Block Development and Panchayats Officer, Doraha, District, Ludhiana was impleaded as a necessary party in this case and a copy of the RTI application of the appellant was attached herewith, with the directions to take appropriate action on the RTI application before the next date of hearing.

2. Both the parties are absent without intimation.

3. Today, none is present on behalf of the appellant as well as the respondents, without any intimation. Viewing the callous and lackadaisical attitude of the PIO seriously, last opportunity is afforded to the PIO to comply with the orders of the Commission issued on 25.11.2019, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. To come up on 08.01.2019 at 3.00 P.M. to be heard through video conference facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 09.12.2019

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