

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

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Sh. Jagdeep Singh S/o Sh. Dilbagh Singh,  
House No 139,  
Street No 2, Upkar Nagar,  
Civil Lines, Ludhiana-141001 M : 9814107139

..Appellant

Vs

Sh. Amritpal, Patwari (Registered)  
Public Information Officer,  
O/o Executive Officer,  
Panchayat Samiti, Sahina,  
Distt Barnala.

First Appellate Authority  
-cum-District Development and Panchyat Officer,  
Barnala.

....Respondents

Appeal Case No. 2497 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- Sh. Jagdeep Singh, appellant on phone.  
Sh. Amritpal, Patwari 9738469000 on phone, on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 5.11.2020.

2. The respondent-Public Information Officer states that the complete information has already been sent to the appellant on 7.12.2020 through post and the said receipt of the same has been sent by email, which is taken on record. The appellant states that he has not received the same so far.

3. After the perusal of the file, it has transpired that the RTI application has been filed by the appellant on 22.5.2020 but as per the orders of the Commission on 5.11.2020, the respondent-Public Information Officer has sent the information by post on 7.12.2020 i.e. two days prior to the date fixed for hearing. Viewing the attitude in dealing with the RTI application of the appellant Sh.Amritpal respondent-Public Information Officer o/o the Block Development and Panchayats 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.

4. 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.

5. Also, the appellant is advised to go through the information on its receipt and point out deficiency, if any, to the respondent-Public Information Officer with a copy to the Commission before the next date of hearing. The respondent-Public Information Officer is also directed to remove the deficiencies, in case, pointed out by the appellant failing which the penalty provisions will be invoked.

6. To come up 20.1.2021 at 12.30 PM on to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Barnala/cisco webex.

sd/

Dated: 9.12.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Shri Birpal Singh, Panch, 94782-80997  
R/o VPO Bahmna,  
Tehsil - Samana,  
District - Patiala.

..Appellant

Vs

Public Information Officer,  
O/o Divisional Deputy Director,  
Rural Development and Panchayat Department,  
Patiala.

First Appellate Authority,  
O/o Director,  
Rural Development and Panchayat Department,  
Vikas Bhawan,  
Punjab, Mohali.

..Respondents

## Appeal Case No. 1731/2020

(Video Conference Proceedings)

Present:- Sh. Birpal Singh, appellant.  
Sh. Gagandeep Singh Virk, Divisional Dy. Director-cum-Public Information Officer on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 28.10.2020.

2. The appellant states that the directions may be issued to the respondents to supply the complete information. On the other hand, the respondent-Public Information Officer states that the matter related to the sought information is under enquiry and after the finalization of the enquiry the same will be supplied to the appellant. The respondent-Public Information Officer also states that a letter has already been written to the Block Development and Panchayats Officer concerned for the demarcation of shamlat land so that the illegal possession, if any, can be identified. A letter bearing No. 2799 dated 1.12.2020 has also been received in this regard, which is taken on record. The respondent-Public Information Officer also states that the appellant can inspect the relevant file to see that the action is being taken with which the appellant agreed to. With the mutual understanding the date of inspection has been fixed as 16.12.2020 in the office of the Divisional Dy. Director, Panchayat Deptt., Patiala. A copy of the letter dated 1.12.2020 of the Divisional Dy. Director is **sent** with this order.

3. Accordingly, the appellant is advised to visit the office of the respondents and get the record inspected pertaining to the RTI application. Also the respondents are directed to make available the record for inspection on the said date and time.

4. To come up on 23.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala/Cisco Webex.

sd/

Dated: 9.12.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Sh. Narinder Pal Singh s/o Sh. Jagjit Singh 9914480753  
r/o Village Gajipur,  
Tehsil Samana,  
District Patiala.

....Appellant

Vs  
Public Information Officer  
o/o Panchayat Secretary, Gram Panchayat, Gajipur,  
c/o Block Development and Panchayats Officer,  
Block Samana,  
District Patiala.

First Appellate Authority  
o/o District Development and Panchayats Officer,  
Mini Secretariat,  
District Patiala.

....Respondents

Appeal Case No. 1509 of 2020  
(Video Conference Proceedings)

Present:- Sh. Narinder Pal Singh, appellant.  
Sh. Brish Bhan, Panchayat Secretary on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 28.10.2020.

2. The respondent-Public Information Officer states that the letter has been issued to the appellant to deposit Rs.5800/- (Rupees five thousand eight hundred only) as fee for the documents as per the orders of the Commission dated 28.10.2020. However, the appellant states that the said amount has already been deposited in the bank and shown the receipt of the same to the respondent-Public Information Officer during the course of hearing. The appellant also states that he called number of times to the Panchayat Secretary to inform regarding the fee deposited in the bank but he has not picked up the call.

3. The appellant has filed the RTI application with the respondent-Public Information Officer on 28.12.2019 and till date nothing has been supplied to the appellant. Viewing the attitude in dealing with the RTI application of the appellant Sh. Brish Bhan, Panchayat Secretary-cum-Public Information Officer o/o the Block Development and Panchayats 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.

4. 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.

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Appeal Case No. 1509 of 2020

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5. 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 under intimation to the Commission failing which the penalty provisions will be invoked.

6. To come up 11.1.2021 at 12.30 PM on to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala/cisco webex.

Dated: 9.12.2020

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

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Sh. Sandeep Kumar Maluja, S/o Sh. Om Prakash,  
R/o House No. 81/1, Street No 2,  
Near Shani Dev Mandir,  
Patel Nagar, Malout,  
Distt Muktsar Sahib.M : 9646546613

..Appellant

Vs

Sh. Gaurav Phutela,  
Public Information Officer,  
-cum-APO, Manrega,  
C/o Block Development and Panchayats Officer,  
Block Abohar,  
Distt Fazilka.

First Appellate Authority  
O/o District Development and Panchyat Officer,  
Fazilka.

....Respondents

Appeal Case No. 2505 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- None on behalf of the appellant, on phone.  
Sh. Raja Singh, Samiti Patwari, on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 5.11.2020.

2. The representative of the respondents states that a letter bearing No. 857 dated 19.3.2020 has been written to the appellant to deposit Rs.25000/- (Rupees twenty five thousands only) i.e. the fee for obtaining the information but the appellant has not deposited the same. Whereas, the appellant contended that he has not received the copy of the said letter and requested for the same.

3. Since, the copy of the letter dated 19.3.2020 has been received from the respondents, the same is **sent** with this order to the appellant for further submissions, if any, before the next date of hearing.

4. To come up on 25.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/Cisco Webex.

sd/

Dated: 9.12.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab

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Sh. Gagan Deep Singh Threke M 9780471680  
SCO 26, Shanti Park,  
Main Sua Road, Threke,  
District Ludhiana.

..Appellant

Public Information Officer,  
o/o Panchayat Secretary,  
Gram Panchayat Threke,  
c/o Block Development and Panchayats Officer,  
Block Ludhiana-1  
Distt. Ludhiana.

First Appellate Authority,  
c/o Block Development and Panchayats Officer,  
Block Ludhiana-1  
Distt. Ludhiana.

..Respondents

Appeal Case No. 1170 of 2020  
(Cisco Webex Proceedings)

Present:- Sh. Gagandeep Singh Threke, appellant.  
Sh. Sarabjit Singh, Supdt. 6239079871 along with Sh. Kiranpal, Panchayat  
Secretary on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 11.11.2020.

2. The representative of the respondents states that the complete information has already been supplied to the appellant and nothing more is available on record that remained pending as per the RTI application. However, the appellant contended that the respondent-Public Information Officer has supplied the complete information but wilfully delayed the information as he has filed his RTI application on 26.12.2019 and requested for the compensation due to financial loss in seeking the information.

3. The perusal of the file shows that in this case, application for information was filed on 26.12.2019 and a complete information has been supplied to the appellant after a lapse of more than eleven months. 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.

4. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 5000/- (Rupees Five thousands only) by way of compensation to the appellant. This amount shall be payable to the appellant from the State Exchequer before the next date of hearing.

5. Since, the complete information has already been supplied. Therefore, the case is disposed of to provide the information in this case.

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Appeal Case No. 1170 of 2020

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6. To come up on 22.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana /Cisco Webex.

Dated: 9.12.2020

sd/  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab

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Whatsapp No. 62848 20189



Sh. Mohinder Singh s/o Sh. Ram Singh 7888365128

Quarter No. T 2 /171, RSD Staff Colony,

Shahpur Kandi Town,

Tehsil & Distt. Pathankot

....Appellant

Vs

Public Information Officer

o/o Dy. Secy Finance (S),

Deptt. of Finance,

Finance Personnel Policy 2 branch,

Punjab Civil Sectt 1 Chandigarh

First Appellate Authority

o/o Dy. Secy Finance (s)

Depatt of Finance,

Finance Personnel Policy 2 Branch,

Punjab Civil Sectt 1, Chandigarh.

Public Information Officer **Registered**

o/o the Principal Secretary to Govt. of Punjab,

Department of Water Resources,

Irrigation Personnel 3 Branch,

Punjab Civil Secretariat-2, Chandigarh.

Public Information Officer **Registered**

o/o the Chief Engineer (Headquarters)

Water Resources Department,

Sector 18, Madhya Marg,

Chandigarh.

Public Information Officer **Registered**

o/o the Chief Engineer,

Ranjit Sagar Dam (Constructions),

Shahpur Kandi Township,

Pathankot.

....Respondents

Appeal Case No. 2278 of 2020

(Video Conference Proceedings)

Present:- Sh. Mohinder Singh, appellant.

Sh. Paramjit Singh, Supdt, (Irrigation Personnel 3 Branch) 9814830139 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 30.10.2020.

2. The appellant states that the respondents have not supplied the certified copy of the instructions dated 11.4.2019. The appellant also requests for the information pertaining to Point No. 3 which has been transferred under Section 6(3) of the RTI Act, 2005 to the Public Information Officer o/o the Principal Secretary to Govt. of Punjab, Water Resources Department.

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Whatsapp No. 62848 20189



Appeal Case No. 2278 of 2020

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The appellant also sent a pay fixation letter bearing No. 29.8.2019 vide which a pay scale of Rs.4020-6200 has been sanctioned and states that on the one hand a pay scale has been given to him on the directions given by the Hon'ble Punjab and Haryana High Court, Chandigarh in CWP No. 23688 of 2014, on the other hand the department is not providing the information under what instructions the same has been sanctioned. Whereas, the representative of the respondents on behalf of the Irrigation Personnel 3 branch states that the RTI application of the appellant has been further transferred under Section 6(3) of the RTI Act to the Chief Engineer, Ranjit Sagar Dam, Shahpur Kandi. But the appellant insisted that the directions may be issued to the Public Information Officers of Principal Secretary Water Resources & Chief Engineer (Headquarters) of the Water Resources Department, Sector 18, Chandigarh to supply the information in this regard.

3. The respondent-Public Information Officer o/o the Principal Secretary to Govt. of Punjab, Department of finance (Finance Budget 1 Branch) requested for the leave of absence on phone, but she has sent the copy of instructions dated 11.4.2019 as was pending duly attested, which is **sent** to the appellant with this order.

4. After hearing and going through the facts of the case, the Public Information Officer of the office of the Principal Secretary to Govt. of Punjab, Department of Water Resources, Punjab Civil Secretariat-2, Chandigarh and Chief Engineer (Headquarters) of the Water Resources Department, Sector 18, Chandigarh are impleaded as necessary party in this case to supply the information pertaining to Point No. 3 of the RTI application, which is **sent** with this order else file an undertaking that no notification has been issued by the Water Resources Department/Irrigation Department to the posted/promoted Data Entry Operator/Computer Operators in the year 1996 and January, 2006.

5. To come up on 20.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Pathankot/cisco webex.

Dated: 9.12.2020

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.