



Sh Charan Dass, S/o Sh Phul Chand  
C/o Sh Roshan Lal, Street NO-4-5, Satwa Chowk,  
New Suraj Nagri,  
Abohar, Distt. Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o EO, NC,  
Abohar, Distt. Fazilka.

**First Appellate Authority,**  
O/o Deputy Director,  
Local Govt, Ferozepur

.....Respondent

**Appeal Case No. 2944 of 2019**

**PRESENT: Sh.Charan Dass as the Appellant**  
**None for the Respondent**

**ORDER:** This order should be read in continuation to the earlier order.

The case came up for hearing earlier on 17.12.2019, 25.02.2020, 22.06.2020 and 22.09.2020.

On the date of hearing on **22.06.2020**, the appellant claimed that the PIO has not provided the information. The PIO was absent. The respondent present was not able to reply suitably. Having gone through the file, the Commission observed there has been an enormous delay of more than one year in providing the information. The PIO was issued a **show cause under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit**. The PIO was again directed to provide the information to the appellant within 10 days.

On the date of hearing on 22.09.2020, the respondent informed that the information has been provided. As per appellant, the information was not provided. The appellant wanted the copy of order vide which his yearly increments, 4-9-14 & 32 years increments were stopped/not provided. The respondent informed that since there was a court case pending, the case for yearly increments/4-9-14 increments was not processed.

The PIO was absent nor has sent any reply to the show cause notice. The respondent informed that after upgrading the Municipal Council to Municipal Corporation, no regular PIO has been appointed. The respondent was directed to give an appropriate reply to point-1 to the appellant. The respondent was also directed to inform;-

- Who was the PIO when the RTI application was filed;
- Who was the PIO when show cause notice was issued

The current PIO was directed to appear personally on the next date of hearing alongwith reply to the show cause notice.

A copy of the order was sent to the Commissioner, Municipal Corporation, Abohar with the direction to ensure compliance of this order since the RTI application is being very poorly handled by the Corporation and there is an enormous delay in providing the information. The Commissioner, MC Abohar was also directed to look into the matter of PIOs showing utter disregard towards the RTI applications, as well as various orders of the Commission.

**Hearing dated 10.11.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per appellant, the information provided by the PIO is incomplete. The respondent is absent nor has sent any reply to the show cause notice.

The appellant is directed to point out the discrepancies in writing to the PIO and the PIO is directed to remove the same.

The PIO has is given one last opportunity to file a reply to the show cause and appear personally on the next date of hearing otherwise the Commission will be constrained to issue a warrant against the PIO under section 18(3) of the RTI Act.

The case is adjourned. To come up for further hearing on **11.01.2021 at 11.00 AM** through video conference facility available in the office of **Deputy Commissioner, Fazilka.**

**Chandigarh**  
**Dated 10.11.2020**

**(Khushwant Singh)**  
**State Information Commissioner**

**Note:** Sh.Ramesh Kumar, Accountant o/o EO-NC Abohar appeared late and informed that the information has been provided to the appellant. He was informed the status of the hearing.

**CC to The Commissioner,**  
**Municipal Corporation, Abohar**



Sh Charan Dass, S/o Sh Phul Chand C/o Sh Roshan Lal,  
Street NO-4-5, Satwa Chowk, New Suraj Nagri,  
Abohar, Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o EO, NC,  
Abohar, Distt Fazilka.

**First Appellate Authority,**  
O/o Deputy Director,  
Local Govt. Ferozepur

Respondent

**Appeal Case No. 2945 of 2019**

**PRESENT: Sh.Charan Dass as the Appellant**  
**None for the Respondent**

**ORDER:**

The case was first heard on 17.12.2019. The appellant claimed that despite direction of the First Appellate Authority, the PIO has not provided the complete information. The respondent was absent.

There has been an enormous delay in providing the information, the PIO was issued a show cause notice under **section 20 of the RTI Act and directed to** file a reply on an affidavit. The PIO was again directed to provide the information to the appellant within 10 days.

On the next date of hearing on **25.02.2020**, the **PIO** was absent. Mrs.Rita Rani appeared on behalf of the PIO and informed that the information has been provided to the appellant on 19.06.2019. The appellant stated that he has received the information only on points 2 & 3.

Having gone through the RTI application, reply of the PIO and hearing both the parties, the PIO was directed to suitably reply all the points of the RTI application on an affidavit. The Commission further observed that the PIO had not sent reply to the show cause notice, the PIO was directed to appear personally on the next date of hearing and submit reply to the show cause notice on an affidavit.

The case was again heard on 22.06.2020 through video conferencing at DAC, **Fazilka**. The appellant claimed that despite order of the Commission, the PIO has not provided the complete information. The PIO was absent nor had filed reply to the show cause notice. The respondent present was not able to reply suitably.

Since the PIO-NC Abohar had failed to provide the information within the time prescribed under the RTI Act, and defying the orders of the Commission, a penalty of **Rs.10,000/-** was imposed upon the PIO- EO, NC Abohar which was to be deposited in the Govt. Treasury. The PIO-EO, NC Abohar was directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

Further, the Commission was of the view that since the appellant had to suffer undue inconvenience to get the information, the PIO- EO, NC Abohar was directed to pay an amount of **Rs.3000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant and submit proof of having compensated the appellant. The PIO was again directed to provide the information within 10 days.

On the date of last hearing on 22.09.2020, the respondent informed that the information has been provided. As per appellant, the information was not provided on point-2 as well as not provided the compensation.

The penalty was also not deposited by the PIO. The PIO was absent. The Commission received a reply from Jagsir Singh Shergill the former PIO-cum-EO, MC Abohar who is currently the Secretary, Municipal Corporation. The reply was dated 06.07.2020 which was taken on the file of the Commission.

In the reply, it was pleaded that the information sought by the appellant pertained to very old record and related to different sections as well as the staff was busy in doing routine work, the information was delayed. After collecting the information from different sections, the information was provided to the appellant on 23.06.2020.

The Commission found no merit in the reply as it was clear that the delay happened when Jagsir Singh Dhaliwal was the PIO, and it was largely during his tenure that the RTI application and various notices of the Commission were not tended to appropriately. The Secretary, Municipal Corporation, Abohar (Earlier PIO-cum-EO, MC Abohar) was directed to comply with the earlier order of the Commission and deposit the penalty before the next date of hearing. The PIO was also directed to submit proof of having paid the compensation amount of Rs.3000/- to the appellant.

As for the information, the respondent informed that after upgrading the Municipal Council to Municipal Corporation, no regular PIO is posted. The respondent was directed to give an appropriate reply to point-2 to the appellant.

A copy of the order was sent to the Commissioner, Municipal Corporation, Abohar with the direction to ensure compliance of this order since the RTI application was being very poorly handled by the Corporation and there was an enormous delay in providing the information. The Commissioner, MC Abohar was also directed to look into the matter of PIOs showing utter disregard to the RTI applications as well as orders of the Commission.

**Hearing dated 10.11.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per appellant, the information as well as compensation has not been provided by the PIO. The respondent absent nor has sent any reply to the show cause notice. The PIO has also not sent the proof of having deposited the penalty amount of Rs.10000/- in the Govt. Treasury.

The PIO is given one last opportunity to comply with the earlier order of the Commission and appear personally on the next date of hearing alongwith reply to the show cause notice otherwise the Commission will be constrained to issue a warrant against the PIO under section 18(3) of the RTI Act.

The case is adjourned. To come up for further hearing on **11.01.2021 at 11.00 AM** through video conference facility available in the office of **Deputy Commissioner, Fazilka.**

**Sd/-**

**Chandigarh**  
**Dated 10.11.2020**

**(Khushwant Singh)**  
**State Information Commissioner**

**Note:** Sh.Ramesh Kumar, Accountant o/o EO-NC Abohar appeared late and informed that they have prepared a draft of Rs.3000/- which is being sent to the appellant. He further informed that they have written to the EO-NC Amloh for deduction of Rs.10000/- from the salary of Sh.Jagsir Singh, the then EO-cum-PIO, NC Abohar and to deposit the same in Govt. Treasury.

**CC to The Commissioner,**  
**Municipal Corporation, Abohar**

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Sh.Aman Kumar Jain, S/o Sh.Bhagwan Dass,  
R/o H NO-2164, Lakar Mandi, Abohar,  
Distt.Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Tehsildar, Abohar,  
Distt.Fazilka.

**First Appellate Authority,**  
O/o SDM, Abohar,  
DisttFazilka.

...Respondent

**Appeal Case No. 4425 of 2019**

**PRESENT: Sh.Aman Kumar as the Appellant**  
**Sh.Ashwani Kumar, Clerk for the Respondent**

**ORDER:**

The case was first heard on 12.03.2020. The respondent was absent. The Commission received a letter diary No.4004 on 28.02.2020 from the PIO stating that the information has been provided to the appellant vide letter dated 24.09.2019. The appellant was not satisfied and stated that he had received information only on points-1 & 2. Regarding point-3, the PIO had not provided the vasika number of the transfer deed. The PIO had also not provided the website of the department.

The PIO was directed to provide the following information to the appellant:

- Point-3 To provide vasika number and date of the transfer deed
- Point-4&5 To provide website of department and appropriately answer point-5

On the date of last hearing on **22.09.2020**, the appellant claimed that the PIO has not provided the information. Sh.J.S.Brar, Tehsildar-cum-PIO appeared and assured to provide the information on that day itself. The respondent was directed to provide the informant as assured and send a compliance report to the Commission.

**Hearing dated 10.11.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant claims that the PIO has not provided the information on points 4 & 5 whereas as per respondent, the information on point-4 is available on the website of the department.

Hearing both the parties, the respondent is directed to give appropriate reply on point-4 and provide a copy of the rules. The PIO is also directed to clarify point-5 and give reply on an affidavit.

To come up for compliance on **11.01.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated 10.11.2020**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh.Aman Kumar Jain, S/o Sh.Bhagwan Dass,  
R/o H NO-2164, Lakar Mandi, Abohar,  
Distt.Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Tehsildar, Abohar,  
Distt.Fazilka.

**First Appellate Authority,**  
O/o SDM, Abohar,  
Distt.Fazilka.

...Respondent

**Appeal Case No. 4426 of 2019**

**PRESENT: Sh.Aman Kumar as the Appellant**  
**Sh.Ashwani Kumar, Clerk for the Respondent**

**ORDER:**

The appellant through RTI application dated 30.08.2019 has sought information regarding attachment and stay of property as per DRT Chandigarh – case No.725 of 2000 – copy of register in which the said order was entered and other information concerning the office of Tehsildar Abohar. The appellant was not satisfied with the reply of the PIO dated 03.09.2019 vide which the appellant was asked to clarify number and date on which the application was submitted in the office of Tehsildar Abohar, after which the appellant filed first appeal before the First Appellate Authority on 09.10.2019 which took no decision on the appeal.

The case was last heard on 12.03.2020. The appellant pleaded that they have already mentioned the date and number of the application in the RTI application but the PIO has not provided the information.

The PIO was directed to relook at the RTI application and provide appropriate information to the appellant within 15 days.

On the date of the last hearing on **22.09.2020**, the appellant claimed that the PIO has not provided the information. The respondent stated that the copy of the bank letter is not available in their record and the appellant be asked to provide a copy of that letter. The appellant had provided the copy of the letter to the PIO.

The respondent assured to provide the information within a week. The respondent said that the appellant may collect the information by hand. The appellant had agreed for the same. The respondent was directed to provide the information within a week and send a compliance report to the Commission. The appellant was directed to collect the information by hand from the office of PIO on any working day.

**Appeal Case No. 4426 of 2019**

**Hearing dated 10.11.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per respondent, the information has been provided. The appellant claims that the PIO has not provided the information.

The Commission has received a copy of letter from the PIO through email vide which the PIO has sent following reply to the appellant:

- |         |   |   |
|---------|---|---|
| Point-1 | - | To get the information from concerned patwari by depositing requisite fee |
| Point-2 | - | Information will be provided after receipt of verification from the bank  |
| Point-3 |   | To get the information from the Kendra by depositing requisite fee        |

Since the appellant has asked for information under RTI Act, the PIO is directed to relook at the entire RTI application and provide the information to the clear satisfaction of both the parties under RTI Act. The PIO is given one last opportunity to provide the information before the next date of hearing otherwise the Commission will be constrained to issue a show cause notice under section 20 of the RTI Act.

To come up for compliance on **11.01.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Fazilka.

Sd/-

**Chandigarh**  
**Dated 10.11.2020**

**(Khushwant Singh)**  
**State Information Commissioner**

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Sh Rajinder Singh, S/o Sh Jaspal  
Singh, VPO Amarpura, Tehsil Abohar,  
Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o SSP,  
Fazilka.

**First Appellate Authority,**  
O/o IGP, Ferozepur Range,  
Ferozepur

.....Respondent

**Appeal Case No. 4208 of 2019**

**PRESENT: Sh.Rajinder Singh as the Appellant**  
**Sh.Mohan Lal-APIO O/o SSP Patiala for the Respondent**

**ORDER:**

The appellant through RTI application dated 29.07.2019 has sought information regarding backup of recording of CCTV cameras of police station Wahabwala Tehsil Abhoar of dated 22.07.2019 and other information concerning the office of SSP Fazilka. The appellant was denied the information by the PIO vide letter dated 12.08.2019 after which the appellant filed first appeal before the First Appellate Authority on 08.09.2019 which took no decision on the appeal.

The case was last heard on 26.02.2020. The respondent present pleaded that since the recording of the cameras in the police department is a secret document, the information cannot be provided and it is exempted under section 8(1)(G) of the RTI Act.

The appellant was absent. Having gone through the file, the Commission observed that there was nothing on record to establish that there is a larger public interest involved in disclosure of information. The appellant was directed to establish that there is sufficient public interest in disclosure of information since the PIO has denied the information under section 8(1)(G).

On the date of the last hearing on 22.09.2020, the appellant claimed that the PIO has not provided the information. The respondent stated that since the record being a secret document of the department, cannot be provided.

Hearing out both the parties, the commission was of the view that footage the appellant asked for the webcam placed at the entry of the police station for monitoring entry and exit of people at the police station is not a secret and this can be shared since webcam footage is defined as information in Section-2 (f) of the RTI Act. However, the commission also felt that there is not a point in providing the entire footage into the hands of an individual, and since the appellant was seeking a particular footage on a particular date and approximate time, the Commission directed the PIO of the Police Station Wahabwala to allow inspection to the appellant for dated 22.07.2019 on 23.09.2020 at 12.00 Noon. The PIO was directed to provide only that particular footage, if it exists, that the appellant is seeking.

**Hearing dated 10.11.2020:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent pleaded that the footage has not been backed up. According to the respondent there is no provision to backup footage after a month of its existence.

The appellant however claims that he has a communication from the police department which had assured him that the police would keep the back up as desired by him.

The appellant is directed to produce the particular email of the officer to the PIO, and the PIO is directed to investigate and provide the information as per earlier order of the Commission.

To come up for further hearing on **11.01.20201 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh  
Dated 10.11.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

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Sh. Tahaf Bains, S/o Sh. Dipender Singh,  
# 1562, Sector-18-D,  
Chandigarh.

.....Appellant

Versus

**Public Information Officer,**  
O/o Sub Registrar, Jalalabad,  
Distt. Fazilka..

**First Appellate Authority,**  
O/o SDM, Jalalabad,  
Distt. Fazilka.

..Respondent

**Appeal Case No. 3838 of 2018**

**Present: Sh. Tahaf Bains as the Appellant**  
**None for the Respondent**

**Order:**

This order be read in continuation to the earlier order.

On the date of hearing on **07.07.2020**, the respondent present pleaded that the information available in the record has been provided to the appellant. The appellant was not satisfied. The Commission received observations of the appellant which were taken on the file of the Commission.

Hearing both the parties, the PIO was directed to bring entire record to the Commission at the next date of hearing. A copy of the observations was attached with the order for the PIO. The appellant was directed to appear personally on the next date of hearing to plead his case.

On the date of last hearing on **22.09.2020**, the respondent asked for some more time to provide the remaining information. The appellant was absent. The case was adjourned.

**Hearing dated 10.11.2020:**

The appellant is present and informed that he has received the remaining information which is however, not certified. The appellant has brought a copy of uncertified copy of information that has been provided by the PIO.

The respondent is absent. A copy of the information produced by the appellant is being sent to the PIO, and the PIO is directed to certify the same and send it back to the Commission. The appellant is asked to collect the same from the office of the Commission once it is received back from the PIO.

The case is adjourned. To come up for compliance on **11.01.2021 at 11.00 AM.**

Sd/-

**Chandigarh**  
**Dated: 10.11.2020**

**(Khushwant Singh)**  
**State Information Commissioner**

**Note:** Sh. Baldev Singh, Naib Tehsildar appeared late and he was asked to certify the copy of information and send it back to the Commission.

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Sh Ajay Kumar, S/o Lt Sh Ram Rakha,  
H No-A-1346, Street No-1, Radha Swami Colony,  
Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o DC,  
Fazilka.

**First Appellate Authority,**  
O/o DC,  
Fazilka.

...Respondent

**Appeal Case No. 3560 of 2019**

**PRESENT: Sh.Ajay Kumar as the Appellant**  
**Sh.Ajinder Kumar, Clerk for the Respondent**

**ORDER: Facts of the case-**

That the appellant through RTI application dated 03.06.2019 sought information regarding approval of Shri Jain Elementary Primary School Fazilka by the Managing Committee – list of members – advertisement for election – list of work done and list of employees of the Managing Committee from the office of Deputy Commissioner, Fazilka. Since the information related to District Education Officer(Primary) Fazilka, the RTI was transferred by the office of DC Fazilka to DEO on 10.06.2019. The appellant was not provided the information after which the appellant filed first appeal on 09.07.2019 which took no decision on the appeal.

That the case first came up for hearing on 22.01.2020. The respondent present from the office of DC Fazilka pleaded that since the information relates to the District Education Officer, they have already transferred the RTI application to them under section 6(3) vide letter dated 10.06.2019. The respondent from Education department was absent and vide email has sought exemption on the plea that the dealing assistant is on leave due to illness.

Having gone through the file, the Commission observed that there has been an enormous delay of 7 months in sending the reply. The Commission directed the PIO-District Education Officer(Primary) Fazilka to appear personally on the next date of hearing and explain the reasons for delay in attending to the RTI application. The appellant was absent and vide email has sought exemption.

That on the date of hearing on **10.06.2020**, the respondent present pleaded that the information has been provided to the appellant by hand on 10.01.2020. The appellant was absent nor had pointed out any discrepancies.

Since there had been an enormous delay of 7 months in attending to the RTI application, and the PIO-District Education Officer(Primary) as per earlier direction did not appear personally nor filed any reasons for delay in attending to the RTI application, the PIO-District Education Officer(Primary) Fazilka was issued a **show cause under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit as well as** appear before the Commission along with the written replies.

**Appeal Case No. 3560 of 2019**

That on the date of last hearing on **22.09.2020**, the respondent informed that the information has been provided. The appellant was not satisfied. Having gone through the RTI application and hearing both the parties, the following was concluded:

- Point-1 - As per respondent, the approval was granted to the Committee once only and the reply has been provided to the appellant.
- Point-2 - Information provided
- Point-3 - As per respondent, no advertisement was published and information has been provided.
- Point-4 - As per respondent, no govt employee is working and the information has been provided

The PIO was directed to provide all the points on an affidavit. The respondent submitted reply to the show cause notice which was taken on the file of the Commission.

The case has come up for hearing today on **10.11.2020** through video conferencing at DAC Fazilka. As per respondent, the information has been provided to the appellant. The appellant has received the information and is satisfied.

The PIO is absent. Having gone through the reply to the show cause notice, the Commission observes that since the RTI application was filed on 03.06.2019 whereas the complete information has been provided on 10.01.2020 i.e. with a delay of more than seven months, the reply is not justified.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, The PIO-DEO(Primary) Fazilka is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request, and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of **Rs.5,000/-** is hereby imposed upon the PIO-DEO (Primary) Fazilka which will be deposited in the Govt. Treasury. The PIO-DEO(Primary) Fazilka is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

The case is adjourned. To come up for compliance on **11.01.2021** at **11.00 AM** through **a video** conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated 10.11.2020**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC: to DEO (Primary),**  
**Fazilka.**



Sh Mukhtiar Singh, S/o Sh Hukam Singh,  
R/o Basti Kamer Wala, Tehsil Jalalabad,  
Distt Fazilka.

... Complainant

Versus

**Public Information Officer,**  
O/o ADC, (D),  
Fazilka.

...Respondent

**Complaint Case No. 523 of 2019**

**PRESENT:** **Sh.Mukhtiar Singh as the Complainant**  
**Sh.Amarjit Singh, Panchayat Secretary & Sh.Gurjinder Singh,**  
**BDPO-Jalalabad Respondent**

**ORDER:** **History of the case-**

That the complainant through RTI application dated 24.08.2018 sought information regarding formation of a separate panchayat from village Kamrewala Block Jalalabad alongwith copy of complete file and other information from the office of ADC(D) Fazilka. The ADC(D) transferred the RTI application to BDPO-Jalalabad vide letter dated 17.09.2018. The complainant was asked vide letter dated 20.09.2018 by the PIO-BDPO to deposit requisite fee of Rs.320/- which was deposited by the complainant vide draft dated 04.10.2018. However, since the information was not supplied by the PIO, the complainant filed a complaint in the Commission on 03.06.2019.

That on the date of first hearing on 21.10.2019, the complainant vide email sought exemption stating that he had to cast his vote in Jalalabad Constituency. The PIO was absent.

Having gone through the record, the Commission observed that despite a deposit of the requisite fee by the complainant, the PIO did not provide the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to** file reply on an affidavit. The PIO was again directed to provide the information within 10 days and send a compliance report to the Commission.

That on the date of next hearing on **08.01.2020**, the respondent was absent for the 2<sup>nd</sup> consecutive hearing nor did he send any reply to the show cause notice. The respondent also did not provide the information, after which the PIO was given one more opportunity to provide the information and appear before the Commission on the next date of hearing alongwith written reply to the show cause notice on an affidavit.

That on the date of hearing on **10.06.2020**, the respondent present from the office of ADC(D) pleaded that since the information relates to BDPO Jalalabad, the RTI application was transferred to them. The respondent further informed that the some of the information has been provided to the complainant by the concerned panchayat secretary.

The PIO-BDPO was yet again absent (3<sup>rd</sup> consecutive hearing) nor did he send any reply to the show cause notice. The PIO-BDPO-Jalalabad was given one last opportunity to appear before the Commission on the next date of hearing alongwith the reply to the show cause notice on an affidavit.

That on the date of last hearing which was held on 22.09.2020 through video conferencing at DAC Fazilka, the appellant claimed that the PIO has not provided the information. The BDPO Jalalabad was absent again nor did he send any reply to the show cause notice. The respondent present from MGNREGA informed that due to death of a relative of Panchayat Secretary, the Panchayat Secretary had not appeared.

Given the above, the Commission on that hearing observed that since the appellant to collect the information had to suffer undue inconvenience, for which the PIO-BDPO Jalalabad was directed to pay an amount of **Rs.3000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant and submit proof of having compensated the appellant. The PIO-BDPO was also directed to provide the information to the complainant within 10 days and appear personally on the next date of hearing.

**Decision dated 10.11.2020:**

That the case has come up for hearing today through video conferencing at DAC Fazilka. The PIO-BDPO-Jalalabad and Panchayat Secretary are present. The respondent present pleaded that in compliance with order of the Commission, the compensation amount of Rs.3000/-(vide draft No.892227 dated 28.09.2020) has been paid to the complainant. As per respondent, the information has also been provided to the complainant. The complainant has received the information and compensation.

The respondent further informed that he joined as BDPO-Jalalabad only on 17.06.2020 and following were the PIO-cum-BDPO Jalalabad from the date of transfer of RTI application from the ADC's office:

Sh.Gurmail Singh	-	09.07.2018 to 20.11.2018
Sh.Bhupinder Singh	-	06.12.2018 to 20.06.2019
Sh.Joga Singh	-	20.06.2019 to 19.09.2019
Sh.Gurvinder Singh	-	19.09.2019 to 14.02.2020
Sh.Ravinder Singh	-	14.02.2020 to 17.06.2020
Sh.Gurjinder Singh	-	17.06.2020 to till date

From the facts above, it is clear that the present BDPO has been the PIO for the maximum period as well as the one who received the order dated 10.06.2020 and 22.09.2020 to provide the complete information after the RTI application was transferred by ADC(D) to BDPO but did not comply the order of the Commission.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, The PIO-BDPO-Jalalabad is hereby held guilty for not providing the complete information on time and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of **Rs.5,000/-** is hereby imposed upon the PIO-BDPO-Jalalabad which be deposited in the Govt. Treasury. The PIO-BDPO-Jalalabad is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

From the above, it is also observed that when the RTI application was transferred by the ADC(D) to BDPO-Jalalabad(17.09.2018), Sh.Gurmail Singh was the PIO and when the Show cause notice was issued on 21.10.2019, Sh.Gurvinder Singh was the PIO who also received the further order dated 08.01.2020 but did not attend the hearing nor send any reply to the show cause notice.

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Since the other PIOs (Sh.Joga Singh and Sh.Ravinder Singh) were the PIOs for short period, the responsibility to provide the information and comply the order of the Commission lay on Sh.Gurvinder Singh, the then PIO, given that he is also held guilty for not providing the complete information on time and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of **Rs.5,000/-** is hereby also imposed upon Sh.Gurvinder Singh, the then PIO-BDPO-Jalalabad which be deposited in the Govt. Treasury. Sh.Gurvinder Singh, the then PIO-BDPO-Jalalabad is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

The case is adjourned. To come up for compliance on **11.01.2021** at **11.00 AM** through **video** conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh  
Dated 10.11.2020

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to 1. PIO-Block Development and Panchayat**  
**Offier (BDPO), Jalalabad(Pb)**

**2. Sh.Gurvinder Singh,**  
**BDPO, Patiala**  
**(Earlier.BDPO-Jalalabad)**

