

PUNJAB STATE INFORMATION COMMISSION

**Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.
Ph: 0172-2864100-101, Fax 0172 2864110**

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Sh. Dalip Singh S/o Sh. Lachhman Singh,
R/o Village – New Salem Shah, (94173-76444)
Tehsil & District- Fazilka.

..... Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayats Officer,
Fazilka.

First Appellate Authority,
O/o District Development & Panchayats Officer,
Mini Secretariat, Fazilka.

..... Respondent

Appeal Case No. 276 of 2020
(Video Conference Facility)

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 15.04.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 17.10.2019 and second appeal was filed in the Commission on 13.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

2. The appellant is absent but he has sent an e-mail stating that he is unable to appear before the Commission due to death in his family. On receipt of the message from the appellant, the respondents were informed not to appear before the Commission, due to absence of the appellant.

3. To come up on 3.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilika.

Dated :13 02.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Nachatar Singh S/o Sh. Hamir Singh,
R/o Village –Kutha Kheri,
Tehsil –Rajpura, (99886-54758)
District- Patiala.

.....Appellant

Vs

Public Information Officer,
O/o Panchayat Secretary-cum-APIO,
Gram Panchayat, Dharamgarh,
C/o Block Development & Panchayat Officer,
Block – Shambu Kalan, Rajpura,
District- Patiala.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, Patiala.

..... Respondents

Appeal Case No. 243 of 2020
(Video Conference Proceeding)

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 16.10.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 27.11.2019 and second appeal was filed in the Commission on 07.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

2. The appellant is absent without intimation.

3. None is present on behalf of the respondents without any intimation. Viewing the absence of the respondent seriously, the PIO is 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. The appellant is advised to appear on the next date of hearing and pursue his case.

4. To come up on 3.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated :13 02.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Varun Walia Advocate,
Civil Courts , Dasuya,
Tehsil Dasuya,
District- Hoshiarpur.

.....Appellant
Vs

Public Information Officer,
O/o Block Development & Panchayats Officer,
Block -Hajipur,
Tehsil -Mukerian, District- Hoshiarpur.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, Hoshiarpur.

..... Respondents

Appeal Case No. 285 of 2020
(Video Conference Proceeding)

Present:- Shri Varun Walia appellant at Chandigarh.
Shri Sukhpreet Singh, Block Development and Panchayats Officer, Hazipur on behalf of
the respondents.

ORDER

The RTI application is dated 13.09.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 02.11.2011 and second appeal was filed in the Commission on 13.01.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

2. The respondent-PIO states that information was provided to the appellant vide their letter dated 07.01.2020 by Shri Surti Ram, VDO-cum-PIO and again on 06.02.2020 through registered post. The appellant states that he has received the information to his satisfaction but he insists that penalty should be imposed on the PIO and award compensation to him for not supplying the information within stipulated period as provided in the RTI Act, 2005.

3. After hearing both the parties and going through the record available on the case file, it is revealed that complete information to the satisfaction of the appellant has been supplied on 07.01.2020 and again on 06.02.2020. He also submitted that the information demanded was voluminous. He, however, submitted that the delay, if any, was not intentional. In this circumstance I don't deem it to be a fit case in which award of compensation to the Appellant or imposition of penalty upon the respondent is called for. The case is disposed of and closed with the direction to be careful in future while dealing with the application for seeking information under the provisions of RTI Act, 2005. Copies of the order be sent to the parties.

Dated :13 02.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
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Sh. Roshanlal Singla, (83691-19715)

R/o B 403, Sai Mannat, Plot No. 1, Sector 34 A,

Kharghar, 410210.

Navi Mumbai.

.....Complainant

Vs

Public Information Officer,

O/o Rural Development & Panchayats Department,

Vikas Bhawan, Sector- 62,

SAS Nagar.

.....Respondent

Complaint Case No. 1072 of 2019

Present:- Shri Bhim Sen on behalf of the complainant.

None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 03.02.2020 vide which last opportunity was afforded to Shri Kuldeep Singh Banwait, Deputy Controller (F & A)-cum-PIO to take action on his application for seeking information under the provisions of RTI Act and intimate the complainant accordingly before the next date of hearing otherwise punitive action would be initiated.

2. The representative of the complainant states that no information has been provided to the complainant till date.

3. Viewing the absence of the respondent seriously, it is, therefore, a fit case to issue a notice under Section 20 of the Right to Information Act, 2005 to Shri Kuldeep Singh Banwait, DCFA-cum-PIO to show cause why penalty should not be imposed on him for absence and for not supplying the information within the stipulated period to the complainant. The written explanation of the PIO may be filed before the next date of hearing when he may also avail the opportunity of personal hearing.

4. To come up on 3.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 13.02.2020.

sd/-

(Suresh Arora),

Chief Information Commissioner,

Punjab.

After the hearing was over, Shri Jaswant Singh and Shri Tejinder Singh, both Senior Assistants appeared on behalf of the respondents and state that they have brought some information to be supplied to the complainant. They place a copy of letter dated 10.02.2020, in which it is mentioned that " *some of the queries raised by him are in the nature of seeking reasons and the expression used by him are 'why' 'whether and 'which'. These queries are in the nature of seeking explanation. The Right to Information*

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Act, 2005 does not confer any right to seek advice or reasons of views. A citizen has a right to only seek copies of papers/documents etc. Hence, the reply cannot be given by this office. Apply fresh if you require some documents.” They state that they reached late in the Commission due to traffic jam and puncture in their vehicle and submit unconditional apology for being late. In view of the statement of the representatives of the respondents, show cause notice being issued to the respondent-PIO is dropped. The respondents are directed to take action on his application for seeking information and intimate him about the decision taken on it with a copy to the Commission and not give any reason or reply to the complainant in which he has asked questions before the next date of hearing, which is fixed 20.03.2020 at 3.00 P.M. instead of 03.03.2020 to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 13.02.2020.

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

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Sh. Gurcharan Singh S/o Sh. Bachan Singh,
R/o Vill. –Ralla,
Tehsil & District –Mansa.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block Bhikhi,
District- Mansa.

.....Respondent

Complaint Case .No. 67 of 2020 (Video Conference Proceeding)

Present:- Shri Gurcharan Singh, complainant.
Shri Jagdeep Singh, Panchayats Secretary on behalf of the respondent.

ORDER

The RTI application is dated 29.05.2019 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 13.01.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today by the Commission.

2. The respondent-PIO states that information has been provided to the complainant but the complainant states that partial information has been provided by the respondent-PIO on 1.11.2019.

3. After hearing both the parties and going through the record available on the case file, it is revealed that partial information has been provided to the complainant. The appellant is advised to send deficiencies in writing to the respondent-PIO within ten days who will remove the same on receipt of the complainant before the next date of hearing.

4. To come up on 3.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Mansa.

Dated: 13.02.2020.

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

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Sh. Harbans Singh S/o Sh. Mahima Singh,
R/o Village –Kiri Afghana, (94649-10068)
Tehsil –Chamkaur Sahib,
District Roopnagar.

.....Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block – Chamkaur Sahib, District – Roopnagar.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat,
District Roopnagar.

.....Respondentd

Appeal Case No. 4404 of 2019

Present:- Shri Harbans Singh appellant alongwith Shri Nirmal Singh Kandhola, Advocate.
Shri Nirmal Singh, Village Development Officer alongwith Shri Sukhwinder Singh, GRS on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.02.2020 vide which last opportunity was afforded to Shri Nirmal Singh, Panchayats Secretary-cum-PIO to provide the remaining information as per his original RTI application before the next date of hearing otherwise punitive action will be initiated under the provisions of the RTI Act, 2005.

2. Shri Nirmal Singh, VDO states that complete information has been provided to the appellant as per his original RTI application dated 18.03.2019. On this the appellant states that information provided to him is without attestation. Shri Nirmal Singh, VDO is directed to attest the same during the hearing. He hands over the same after attestation to the appellant. Accordingly, the present case is disposed of and closed with the direction to the respondent-Village Development Authority to be careful in future while dealing with RTI application.

Dated :13. 02.2020

sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab