

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



Shri Karan Luthra, (93000 32600)
R/o # D-30, Silver Heights,
Near Wadala Chowk, Jalandhar – 144001

...Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
Jalandhar.

First Appellate Authority
O/o Municipal Corporation,
Jalandhar.

...Respondents

APPEAL CASE NO. 966 OF 2021 **(Cisco Webex Proceedings)**

PRESENT: Shri Karan Luthra, Appellant.
None on behalf of the Respondents.

ORDER:

The Bench has decided to **RESERVE** this order for the time being and it will be pronounced in due course.

Chandigarh
13.07.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Punjab

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Shri Amarjit Singh Dhaliwal, (81465 99777)
B-16, Bhai Randhir Singh Nagar,
Ludhiana – 141012

...Appellant

Versus

Public Information Officer,
O/o District Development & Panchayat Officer,
Ludhiana.

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

...Respondents

APPEAL CASE NO. 995 OF 2021 **(Cisco Webex Proceedings)**

RTI Application Dated	: 28.11.2020
Reply by the PIO	: 03.12.2020
First Appellate Authority Dated	: 06.01.2021
Reply/Order of the FAA	: -

PRESENT: None for the Parties.

ORDER (SIXTH HEARING):

This order may be read with the reference to the order dated 26.04.2022 passed by this Bench on the previous hearing.

2. Both the parties are absent without any intimation.
3. Last opportunity is given to the appellant to point out the deficiencies in writing to the PIO within week, with a copy to the Commission and the PIO is also directed to provide the rectified information after removing deficiencies, if any, pointed out by the appellant. In case no other information is available in the official records, besides the information supplied, then PIO is directed to file an Affidavit in this regard and produce the same before the Bench, on the next date of hearing.

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-02-

APPEAL CASE NO. 995 OF 2021

4. Shri Amrinder Pal Chauhan, D.D.P.O. is also directed to look into the matter to find out the reasons for delaying the proceedings of the Commission and should appear personally (through CISCO Webex) for proper adjudication of the matter, failing which penal consequences shall follow.

5. The case is adjourned to **06.09.2022 at 11:00 AM through CISCO WEBEX MEETING ID No. 158 188 4645**. Both the parties are directed to come to attend the hearing accordingly. Copies of the order be sent to the parties.

Chandigarh
13.07.2022

Sd/-
(**Maninder Singh Patti**)
State Information Commissioner Punjab

Copy is forwarded to the following for intimation and further necessary action:

Shri Amrinder Pal Chauhan,
District Development and Panchayat Officer,
Ludhiana.

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Shri Anil Singla, (98035 62855)

H. No. 2228, Madhuban Street,

Amrik Singh Road, Bathinda.

....Appellant

Versus

Public Information Officer,

O/o Deputy Registrar,

Cooperative Societies, Bathinda.

First Appellate Authority,

O/o Joint Registrar,

Cooperative Societies, Ferozepur Division,

Ferozepur.

....Respondents

APPEAL CASE NO. 2828 OF 2021

(Cisco Webex Proceedings)

RTI Application Dated : 25.12.2019

Reply by the PIO : -

First Appellate Authority Dated : 07.02.2020

Reply/Order of the FAA : 19.06.2020

PRESENT: Advocate Varun Singla on behalf of the Appellant.

Shri Raman Singla, District Manager, The Bathinda Central Cooperative Bank Ltd. Bathinda on behalf of the PIO (98889 00954)

ORDER (THIRD HEARING):

This order may be read with the reference to the order dated 11.04.2022 passed by this Bench on the previous hearing.

2. The Respondent states that the same information has already been provided to the appellant in Appeal Case No. 2308/2021 whereas the representative of the Appellant states that this RTI application is different from the said RTI application, which is being referred to by the respondent.

3. The Bench after going through the case file, contents and subject matter of RTI application finds the present RTI application is different from the earlier, as such, the PIO is directed to allow the inspection of records to the appellant relating to his RTI application dated 25.12.2019 and provide information on the spot, by fixing mutually agreed date and time.

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-02-

APPEAL CASE NO. 2828 OF 2021

In case no information is available in the official records, then PIO is directed to file an Affidavit in this regard and produce the same before the Bench, on the next date of hearing, failing which penal consequences shall follow.

4. The case is adjourned to **06.09.2022 at 11:00 AM through CISCO WEBEX MEETING ID No. 158 188 4645**. Both the parties are directed to come to attend hearing accordingly. Copies of the order be sent to the parties.

**Chandigarh
13.07.2022**

Sd/-
(Maninder Singh Patti)
State Information Commissioner Punjab

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Shri Vijay Kumar, (95920 39699)
S/o Shri Babu Ram,
R/o Village & Post Office Rupana,
Tehsil & District Sri Muktsar Sahib.

....Appellant

Versus

Public Information Officer,
O/o Additional District Programme Coordinator
MNREGA, Zila Parishad Building,
Sri Muktsar Sahib.

First Appellate Authority
O/o Additional Deputy Commissioner (Development),
Sri Muktsar Sahib.

...Respondents

APPEAL CASE NO. 3770 OF 2021 **(Cisco Webex Proceedings)**

RTI Application Dated	: 18.05.2021
Reply by the PIO	: 25.05.2021
First Appellate Authority Dated	: 19.06.2021
Reply/Order of the FAA	: -

PRESENT: Shri Vijay Kumar, Appellant.
Shri Major Singh, Additional Programme Officer (98558 98725) on behalf of the
Respondents

ORDER (FOURTH HEARING):

This order may be read with the reference to the order dated 05.04.2022 passed by this Bench on the previous hearing.

2. The Appellant states that information has not been provided to him by the PIO so far whereas the Respondent verbally states that information sought by the appellant is available on the portal of the Department.

4. The PIO is again absent for today's hearing and has absented himself from for the four consecutive hearing, inspite of the Notice/Orders of the Commission. This shows her disregard to the Commission. The absence of the PIO is viewed seriously and it has also affected the hearing and disposal of the case.

Cont...Pg2

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- 02 -

APPEAL CASE NO. 3770 OF 2021

5. The perusal of the case file reveals that after the lapse of 13 months period, no information has been provided to the appellant.

6. In view of the above, a **SHOW CAUSE NOTICE** under Section 20(1) of the RTI Act is issued to **Smt. Sukhwinder Kaur, PIO – cum – BDPO** O/o Block Development and Panchayat Officer, Sri Muktsar Sahib, as to why penalty should not be imposed upon her for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the appellant under the provisions of the RTI Act, 2005.

7. The PIO is directed to file a reply in response to the Show Cause Notice and appear personally (through Cisco Webex) on the next date fixed, otherwise it will be presumed that she has nothing to say and the Commission shall impose penalty of Rs. 25000/- upon her.

8. The case is adjourned to **06.09.2022 at 11:00 AM through CISCO WEBEX MEETING ID No. 158 188 4645**. Both the parties are directed to come to attend hearing accordingly. Copies of the order be sent to the parties.

Chandigarh
13.07.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner Punjab

(Regd. Post)

Copy is forwarded to the following for Intimation and further necessary action: -

- 1) **The Additional Deputy Commissioner,**
Sri Muktsar Sahib.
- 2) **The District Development and Panchayat Officer,**
Sri Muktsar Sahib.
- 3) **Smt. Sukhwinder Kaur,**
PIO – cum – BDPO
O/o Block Development and Panchayat Officer,
Sri Muktsar Sahib.

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Shri Gurnam Singh, (99154 07584)
S/o Shri Joginder Singh,
R/o Village Todderwal, P.O. Babarpur,
Tehsil Nabha, District Patiala.

...Appellant

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer,
Nabha, District Patiala.

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

...Respondents

APPEAL CASE NO. 4481 OF 2021 **(Cisco Webex Proceedings)**

RTI Application Dated	: 12.03.2021
Reply by the PIO	: -
First Appellate Authority Dated	: 25.05.2021
Reply/Order of the FAA	: -

PRESENT: Shri Gurnam Singh, Appellant.
Shri Deepak Jindal, Superintendent (78884 62020) on behalf of the PIO

ORDER (THIRD HEARING):

This order may be read with the reference to the order dated 05.04.2022 passed by this Bench on the previous hearing.

2. The Respondent states that the requisite information has already been provided to the appellant except point no. 1 of his RTI application dated 12.03.2021 and requests that some more time may be given to him to provide the remaining information to the appellant whereas the Appellant states that incomplete information has been provided to him.

3. In view of the above, the PIO is directed to provide the complete information to the appellant. In case no other information is available in the official records, besides the information supplied then PIO is directed to file an Affidavit in this regard and produce the same before the Bench, on the next date of hearing, failing which penal consequences shall follow. Cont...Pg2

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-02-

APPEAL CASE NO. 4481 OF 2021

4. The case is adjourned to **06.09.2022 at 11:00 AM through CISCO WEBEX MEETING ID No. 158 188 4645**. Both the parties are directed to come to attend hearing accordingly. Copies of the order be sent to the parties.

**Chandigarh
13.07.2022**

Sd/-
(Maninder Singh Patti)
State Information Commissioner Punjab

Copy is forwarded to the following for intimation and further necessary action:

Shri Virender Kumar,
PIO – cum BDPO,
O/o Block Development and Panchayat Officer,
Nabha, District Patiala.

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Shri Balwant Singh, (94174 20609)
S/o Shri Narain Singh,
R/o Village & Post Office Karni Khera,
Tehsil & District Fazilka.

...Appellant

Versus

Public Information Officer,
O/o District Development and Panchayat Officer,
Fazilka.

First Appellate Authority
O/o Additional Deputy Commissioner (D),
Fazilka.

...Respondents

APPEAL CASE NO. 4484 OF 2021 **(Cisco Webex Proceedings)**

RTI Application Dated	: 10.07.2021
Reply by the PIO	: -
First Appellate Authority Dated	: 12.08.2021
Reply/Order of the FAA	: -

PRESENT: None on behalf of the Appellant.
Shri Rakesh Kumar, Clerk (94174 48331) on behalf of the PIO

ORDER (THIRD HEARING):

This order may be read with the reference to the order dated 05.04.2022 passed by this Bench on the previous hearing.

2. The Respondent states that the information sought by the appellant relates to the panchayat records and the RTI application has been transferred to the then PIO O/o BDPO, Fazilka vide letter dated 16.09.2021.

3. The Appellant is absent. However, he had also highlighted that till date, no information has been provided to him. It clearly shows that there is **a delay of about 12 months** in not supplying the information to the Appellant, which is definitely on a higher side and cannot be given a go by.

Cont...Pg2

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- 02 -

APPEAL CASE NO. 4484 OF 2021

Besides, the then PIO –cum – BDPO O/o Block Development and Panchayat Officer, Fazilka seems to be totally unmindful and indifferent to the orders issued by the Commission on a number of occasions and he has clearly defied the same.

4. Thus, the Commission draws the inference that the PIO, without any reasonable cause, has malafidly delayed the information and thus, has rendered himself liable for punishment as provided under the RTI Act, 2005. He was given a number of opportunities to provide the information to the Appellant but he is delaying the matter on one pretext or the other. In these circumstances, **Shri Lakhvir Singh, then PIO –cum – BDPO O/o Block Development and Panchayat Officer, Fazilka** is held guilty of default on the above score.

5. The facts of this case also prove beyond any doubt that the respondent PIO concerned does not deserve any kind of leniency. Hence, in exercise of the powers conferred by Section 20(1) of the RTI Act, 2005, **a penalty to the tune of Rs. 15,000/- (Rupees Fifteen Thousand Only)** is imposed upon Shri Lakhvir Singh, then PIO –cum – BDPO O/o Block Development and Panchayat Officer, Fazilka to be deducted from his salary, which is to be deposited in the State Treasury under the relevant head.

6. The Drawing and Disbursing Officer O/o DDPO, Fazilka is directed to deduct the amount of penalty of Rs. 15000/- from the salary of Shri Lakhvir Singh, then PIO –cum – BDPO O/o Block Development and Panchayat Officer, Fazilka now Education Panchayat Officer posted at Amritsar under the o/o Deputy Director – cum – Principal O/o Community Development Training Centre, Batala, District Gurdaspur deposited in the State Treasury in the following Head of Account and to report its compliance to the Commission: -

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- 03 -

APPEAL CASE NO. 4484 OF 2021

- 0070 – Other Administrative Services
- 60 – Other Services
- 0800 – Other Receipts
- 86 – Fee under the RTI Act, 2005

7. The case is adjourned to **06.09.2022 at 11:00 AM through CISCO WEBEX MEETING ID No. 158 188 4645**. Both the parties are directed to come to attend hearing accordingly. Copies of the order be sent to the parties.

**Chandigarh
13.07.2022**

Sd/-
(Maninder Singh Patti)
State Information Commissioner Punjab

Copy is forwarded to the following for intimation and compliance of the order:

- 1) **The Additional Deputy Commissioner (D), (By Name)**
Fazilka.
- 2) **Shri Sukhpal Singh,**
District Development and Panchayat Officer,
Fazilka.
- 3) **The Drawing & Disbursing Officer,**
O/o District Development and Panchayat Officer,
Fazilka.
- 4) **The Deputy Director – cum – Principal**
O/o Community Development Training Centre,
Batala, District Gurdaspur.
- 5) **Shri Lakhvir Singh,**
Education Panchayat Officer,
Amritsar.

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Shri Manmohan Singh, (98769 50505)
S/o Shri Atma Singh,
R/o Near Flour Mill, Village Masitan,
Tehsil Dharamkot, District Moga.

....Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat, Masitan,
Tehsil Dharamkot, District Moga.

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

....Respondents

APPEAL CASE NO. 4498 OF 2021

(Cisco Webex Proceedings)

RTI Application Dated	: 11.08.2020
Reply by the PIO	: 22.10.2020
First Appellate Authority Dated	: 08.04.2021
Reply/Order of the FAA	: -

PRESENT: None for the Parties.

ORDER (THIRD HEARING):

This order may be read with the reference to the order dated 05.04.2022 passed by this Bench on the previous hearing.

2. The Appellant is again absent and he was also absent on the last hearings dated 16.03.2022 and 05.04.2022.

3. The PIO is again absent for today's hearing and he was also absent on the last hearings dated 16.03.2022 and 05.04.2022, inspite of the Notice/Orders of the Commission. This shows his disregard to the Commission. The absence of the PIO is viewed seriously and it has also affected hearing and disposal of the case.

4. The perusal of the case reveals that after the lapse of the 23 months period no information has been provided to the appellant.

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- 02 -

APPEAL CASE NO. 4498 OF 2021

5. In view of the above, a **SHOW CAUSE NOTICE** under Section 20(1) of the RTI Act is issued to **Shri Manjit Singh, PIO – cum – Panchayat Secretary** O/o Gram Panchayat Masitan, Block Dharamkot at Kot Ise Khan, District Moga, as to why penalty should not be imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the appellant under the provisions of the RTI Act, 2005.

6. The PIO is directed to file a reply in response to the Show Cause Notice and appear personally (through Cisco Webex) on the next date fixed, otherwise it will be presumed that he has nothing to say and the Commission shall impose penalty of Rs. 25000/- upon him.

7. The case is adjourned to **06.09.2022 at 11:00 AM through CISCO WEBEX MEETING ID No. 158 188 4645**. Both the parties are directed to come to attend accordingly. Copies of the order be sent to the parties.

**Chandigarh
13.07.2022**

Sd/-
(Maninder Singh Patti)
State Information Commissioner Punjab

(Regd. Post)

Copy is forwarded to the following for Intimation and further necessary action: -

- 1) **The District Development and Panchayat Officer,**
Moga.
- 2) **The Block Development and Panchayat Officer,**
Dharamkot at Kot Ise Khan, District Moga.
- 3) **Shri Manjit Singh,**
Panchayat Secretary – cum – PIO,
O/o Gram Panchayat Masitan,
Dharamkot at Kot Ise Khan, District Moga.