

# 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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Whatsapp No. 6284820189



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

.....Appellant

Vs

Public Information Officer (By name) Registered  
o/o Block Development and Panchayats Officer,  
Block Fazilka.  
Fazilka

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

Sh. Paramjit Singh, Registered  
Block Development and Panchayats Officer, Fazilka  
c/o Director,  
Rural Development & Panchayat Deptt.,Pb.  
Vikas Bhawan, Sector 62, Mohali  
Mohali.

....Respondents

Appeal Case No. 276 of 2020

Present: Dalip Singh, the appellant on phone.  
None on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 4.1.2021 and 17.11.2020.

2. The appellant states that he is not able to attend the hearings in person/video conference so he has sent the message through whatsapp regarding his absence. However, he states on phone that the respondents have neither supplied the information nor any compensation amounting to Rs.5000/- has been paid as per the directions given by the Commission.

3. The representative of the respondents is also not present. Shri Santokh Singh, Panchayat Secretary appeared on behalf of the respondents during the last hearing. The office tried to contact him on telephone but his phone is switched off.

4. Viewing the attitude in dealing with the RTI application and non compliance of the previous orders of the Commission, Sh. Parminder Singh, Block Development and Panchayat Officer, Fazilka 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 him for causing wilful delay/denial of the information to the RTI applicant.

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 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. 276 of 2020

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5. During the hearing on 4.1.2021, Sh. Paramjit Singh, Block Development and Panchayats Officer, Fazilka had not filed the written reply regarding the show cause notice issued to him under section 19(8) of the RTI Act, 2005, therefore, the Commission awarded the compensation amounting to Rs.5000/- due to non receipt of the reply as well as the information.

6. Since the responsibility to ensure the timely supply of information to the complainant lies upon the deemed-Public Information Officer, Shri Paramjit Singh, Block Development and Panchayats Officer, Fazilka is hereby held guilty for not providing the information on time as prescribed under Section 7 of the RTI Act, 2005 and for repeated and wilful defiance of the Commission's orders to file the reply of the show cause notice issued to him. He has also not availed the opportunity of personal hearing which was offered to him while issuing the show cause notice. -

7. Such kind of failure on the part of Shri Paramjit Singh, Block Development and Panchayats Officer, Fazilka is totally unacceptable. It is pertinent to mention here that RTI Act has been enacted to ensure participative nature of management between the public & the public authorities and also to know as to what is happening behind the closed doors with regard to the governance affairs of the public authorities and their functioning.

8. After giving thoughtful consideration and due perusal of the facts of the case and the material available on record, I have come to the conclusion that he has failed to perform his duty as per the mandate of the RTI Act, which requires the public servant to ensure due transparency and accountability in its functioning. It has also come out that he has not only failed to perform his duty at his own level but also has shown his casual approach in complying with the explicit order of the Commission.

9. It has been further established from his conduct that he has failed to make an effort to provide the information even after getting formal show cause notice from the Commission. This speaks volumes as to how much respect & regard he has in his mind to the provisions of the RTI Act, which mandates that all public authorities will ensure that the RTI Act, 2005 is duly implemented by them, whenever any citizen approaches the public authority to get any public information for which they have right to ask for as per the provisions of RTI Act. In view of the facts mentioned herein, I am of the considered view that Shri Paramjit Singh, Block Development and Panchayats Officer, Fazilka should be penalised for his negligence in discharge of his statutory duty prescribed under the RTI Act.

10. All his failure makes me believe that his sheer neglect to perform his duties will be met only after he is duly taken to task as per Section 20(2) of the RTI Act, 2005. Under these circumstances, I am left with no other option but to recommend a disciplinary action against Shri Paramjit Singh, Block Development and Panchayats Officer, Fazilka. **Therefore, the Financial Commissioner, Rural Development & Panchayat Deptt., Pb. is directed to initiate the disciplinary action against the erring officer under intimation to the Commission before the next date of hearing.**

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Appeal Case No. 276 of 2020

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11. Shri Paramjit Singh, Block Development and Panchayats Officer, Fazilka presently posted in the office of the Director, Rural Development & Panchayat, Pb., is hereby, directed to remain present during the next date of hearing and provide the complete information. He is further directed to pay the compensation amount to the appellant before the next date of hearing.

12. To come up on 24.2.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Sd/

Dated: 14.1.2021

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

CC

Financial Commissioner (by name) Registered  
Government of Punjab,  
Rural Development & Panchayat Deptt.,  
Vikas Bhawan, Sec-62, Mohali

To look into the matter personally and  
ensure compliance of this order.

The Director (By name)  
Rural Development & Panchayat Deptt.,  
Vikas Bhawan, Sector 62,  
Mohali

Registered

-do-

District Development and Panchayats Officer, (By name) (Registered)  
Mini Secretariat,  
Fazilka.

-do-

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Sh. Balwinder Singh Kaler S/o Sh. Sardara Singh,  
R/o Village Amargarh Kaler, (98728-04926)  
Tehsil Jagraon,  
District Ludhiana.

.....Appellant

**Vs**

Public Information Officer,  
Panchayat Secretary,  
O/o Block Development & Panchayat Officer,  
Block -Jagraon, Distrcit Ludhiana.

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

.....Respondent

## **Appeal Case No. 4410 of 2019**

(Video Conference Proceedings)

Present:- Shri Balwinder Singh, appellant at Chandigarh.  
Shri Harjinder Singh, Panchayat Secretary (M 9855104947) on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 15.12.2020.

2. The appellant states that the respondent-Public Information Officer has not provided the bank statement of I.D.B.I. bank Jagraon and State Bank of Patiala now State Bank of India Bank, Sidhwan Bet. With regard to the compensation amount, he states that he has received the compensation amounting to Rs 5000/- from the respondent.

3. The representative of the respondent states that the he has supplied the bank statements and a copy of the banks statements have also been received in the Commission through whatsapp.

4. A copy of banks statements so received in the Commission are forwarded to the appellant through whatsapp and is advised to go through the same and point out deficiency, if any, before the next date of hearing to the respondent-Public Information Officer with a copy to the Commission.

5. To come up on 25.2.2021 at 12.30 P.M. to be heard through video Conference Facility to be provided in the office of the Deputy Commissioner, Ludhiana/cisco webex.

Dated: 14.1.2021

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

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Whatsapp No. 6284820189



Sh. Ashwani Chawla, 9914405765,  
2872, Sector 42-C,  
Chandigarh.

..Complainant

Vs

Sh. Krishan Rattu, Registered  
Public Information Officer  
-cum- Joint Director  
o/o The Director,  
Information & Public Relations, Punjab,  
Punjab Civil Secretariat-1,  
Chandigarh.

....Respondent

Complaint Case No. 574 of 2020  
(Video Conference/Cisco Webex Proceedings)

Present:- Sh. Ashwani Chawla, complainant.  
Sh. Manvinder Singh, 9780036111 on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 21.12.2020.

2. The complainant states that he is satisfied with the information pertaining to point no. 1 and 4 of his RTI application. He further states that the respondent has not complied with the previous order of the Commission to provide the information regarding salary including allowances and qualification of the employees employed through out source basis pertaining to point no. 2 and a copy of agreement with Sanchi Management Service Private Limited pertaining to the point no. 3 of his RTI application.

3. The representative of the respondents has assured that the same will be provided to the complainant before the next date of hearing.

4. Since, the respondent has not made the compliance of the last order vide which directions were given to Sh. Manvinder Singh Deputy Director to supply the complete information concerning the RTI application of the complainant as has been assured by him failing which the penalty provisions will be invoked on the next date of hearing. Viewing the attitude in dealing with the RTI application and non compliance of the previous orders, **Sh. Manvinder Singh Singh, Deputy Director, 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 him for causing wilful delay/denial of the information to the RTI applicant.**

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 next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

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Complaint Case No. 574 of 2020

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5. The case is adjourned with the directions to Sh. Manvinder Singh, Deputy Director to supply the complete information concerning the RTI application of the complainant before the next date of hearing under intimation to the Commission.

6. The decision regarding the show cause notice issued to Sh. Krishan Rattu, Joint Director will be decided on the next date of hearing.

7. To come up on 04.02.2021 at 12.30 PM at Chandigarh.

Sd/

Dated: 14.1.2021

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Whatsapp No. 6284820189



Shri Gurmeet Singh s/o Shri Lal Singh  
r/o Village Kikkar Khera,  
Tehsil Abohar,  
District Fazilka.

....Appellant

Vs

Public Information Officer  
o/o Block Development and Panchayats Officer,  
Block Munak at Andana,  
Tehsil Khanauri,  
District Sangrur.

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

Sh. Shavinder Singh,  
Block Development and Panchayats Officer  
Block Andana at Munak,  
Sangrur.

....Respondents

Appeal Case No. 1393 of 2020

Present:- Sh. Gurmeet Singh, appellant at Chandigarh.  
Shri Shavinder Singh Block Development and Panchayat Officer and Shri  
Prithvi Singh Panchayat Secretary on behalf of the respondents at  
Chandigarh.

## ORDER

This order may be read with reference to the previous order dated 26.11.2020.

2. The appellant has received the complete information pertaining to the point no. 1 of his RTI application during the hearing. He requested the commission to provide the remaining information pertaining to point no. 2 to 4 of his RTI application from the Block Development and Panchayat Officer.

3. The respondent Public Information Officer Shri Shavinder Singh assured the Commission that the remaining information will be provided to the appellant before the next date of hearing and requested for the adjournment of the case.

4. After deliberations, the Commission hereby, directs the respondent Public Information Sh. Sahavinder Singh Block Development and Panchayat Officer, Block Moonak at Andana to provide the remaining information pertaining to point no. 2 to 4 of RTI application of the appellant before the next date of hearing as per the assurance given by him. The decision regarding the Show Cause Notice issued to him will be taken on the next date of hearing.

5. To come up on 24.2.2021 at 12.30 P.M. to be heard through video Conference Facility provided in the office of the Deputy Commissioner, Sangrur/cisco webex.

Sd/

Dated: 14.1.2021

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Whatsapp No. 6284820189



Shri Gurmeet Singh s/o Shri Lal Singh  
r/o Village Kikkar Khera,  
Tehsil Abohar,  
District Fazilka.

....Appellant

Vs

Sh. Uttam Singh, Public Information Officer  
-cum-Panchayat Secretary, Gram Panchayat Bhulan,  
c/o Block Development and Panchayats Officer,  
Block Munak at Andana,  
Tehsil Khanauri,  
District Sangrur.

Public Information Officer, (By name)  
o/o the Senior Superintendent of Police,  
District Sangrur.

**Registered**

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

....Respondents

Appeal Case No. 1400 of 2020

Present:- Sh. Gurmeet Singh, appellant at Chandigarh.  
Shri Shavinder Singh Block Development and Panchayat Officer and Shri Prithvi Singh  
Panchayat Secretary on behalf of the respondents at Chandigarh.

## ORDER

This order may be read with reference to the previous order dated 26.11.2020.

2. The respondent states that the requisite information has been provided to the appellant through registered post on 6.8.2020 and information pertaining to Point No. 7 of the RTI application is not available in their office as this information relates to the Station House Officer, Khanauri. The Commission has received an email dated 13.1.2021 sent by the BDPO Andana at Munak and reply of the show cause notice issued to Uttamjit Singh Panchayat Secretary, which are taken on record.

3. The appellant states that he has not received any information so far. The respondent has again provided the information pertaining to point 1 to 6 during the course of hearing to the appellant. The appellant shows his satisfaction with the information so supplied by the respondent. He requests the Commission to provide the information pertaining to point no. 7 of the RTI application from the Station House Officer, Khanauri.

4. Accordingly, the Block Development and Panchayat Officer is hereby, directed to transfer the RTI application to the Public Information Officer o/o the Senior Superintendent of Police, Sangrur under section 6(3) of the RTI Act, 2005 who is impleaded as necessary party in this case. A copy of RTI application of the appellant is **sent** herewith to file the reply/supply the information to the appellant before the next date of hearing.

5. The decision regarding Show Cause Notice issued to Sh. Uttamjit Singh, Panchayat Secretary will be decided on the next date of hearing. Copy of the reply submitted by him is taken on record.

6. To come up on 24.2.2021 at 12.30 P.M. to be heard through video Conference Facility provided in the office of the Deputy Commissioner, Sangrur/cisco webex.

sd

Dated: 14.1.2021

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.



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Smt. Kamaldeep Kaur D/o Sh. Pritpal Singh,  
VPO - Gumtala,  
Opp. Govt. Dispensary,  
Ward No 5,  
Amritsar. M : 9872139640

..Appellant

Vs

Public Information Officer,  
O/o Deputy Commissioner,  
Amritsar.

Ms. Anayat, PCS  
Public Information Officer,  
Sub Divisional Magistrate, Amritsar-2  
Amritsar.

REGD

First Appellate Authority  
O/o Deputy Commissioner,  
Amritsar.

....Respondents

AC No. 2120 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- Ms Kamaldeep Kaur, appellant.  
Sh. Prempreet Singh Gorya Sub-Registrar Amritsar-2, 9814354074 on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 26.11.2020.

2. The appellant states that she has received the complete information except a copy of "Tabdeel Malkiat". She requests the Commission to direct the respondent to provide the same.

3. Shri Parampreet Singh Goraya, Sub registrar Amritsar 2 was impleaded as necessary party who states that the Patwari's record has been checked and the sought information is not available in his record. He has sent a copy of intkal register No. 40067 through whatsapp, which is taken on the record. He further states that the orders regarding "Tabdeel Malkiat" as shown in Column no.13 have been passed in the court of Shri Rajesh Sharma PCS, Sub Divisional Magistrate-cum-Collector Amritsar-2 on 26.08.2016. He requests to implead the Sub Divisional Magistrate-cum-Collector Amritsar-2 as necessary party as the said orders dated 26.8.2016 have been passed by him.

4. After hearing both the parties, Public Information Officer o/o the Sub Divisional Magistrate, Collector Amritsar-2 is impleaded as a necessary party to this case and is hereby, directed to remain present on next hearing. A copy of intkal No. 40067, copy of which has been supplied by the Patwari concerned and RTI application of the appellant is sent herewith the order with the directions to file the reply regarding Point No. 5 of the RTI application viz a viz orders mentioned in Column No. 13 of the Intkal No. 40067, before the next date of hearing.

5. To come up on 22.2.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar/cisco webex.

Sd/

Dated: 14.1.2021

(Suresh Arora)

Chief Information Commissioner,  
Punjab

CC

1. Sh. Parampreet Singh Goraya,  
Sub Registrar Amritsar-2  
Amritsar.
2. Ms. Ritu Daman  
Patwari, Ghumtala C/o Tehsildar, Amritsar-2  
Amritsar.

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Shri Ram Singh s/o Amar Singh M 9464206003

PO Karni Khera

Tehsil and District Fazilka(Punjab) 152123

-----Appellant

Vs

Public Information Officer,

o/o Block Development and Panchayat Officer,

Fazilka.

First Appellate Authority,

o/o Block Development and Panchayat Officer,

Fazilka.

-----Respondents

Appeal Case No. 3024 Of 2020

(Video Conference Proceedings)

Present: None on behalf of the appellant.

Shri Arvinder Singh, Panchayat Secretary M 9463426378 on behalf of the  
respondents (On Telephone)

## ORDER

The RTI application is dated 20.7.2020 vide which the appellant has sought information on two points as enumerated in his RTI application. First appeal was filed with the First Appellate Authority on 4.9.2020 and second appeal was filed on 13.10.2020 under section 19 of Right to Information Act, 2005. Notice of hearing was issued to the parties for today.

2. The representative of the respondents states that the information has been provided to appellant through registered post but the appellant is not present today and he has not even responded to the telephone call of the Commission.

3. Since, the appellant has been provided the information through registered post by the respondent Public Information Officer, so, he is hereby, directed to submit his response to the PIO in case of deficiency, if any in the information within 10 days from the issue of this order failing which the case will be decided ex-parte and respondent Public Information Officer is hereby, directed to remove the same in case any deficiency is pointed out by the appellant, before the next date of hearing.

4. To Come up on 22.2.2021 at 12.30 PM through video conference facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Sd/

(Suresh Arora)

Chief Information Commissioner,  
Punjab

Dated: 14.1.2021

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Shri Ram Singh s/o Amar Singh, M 9464206003

PO Karni Khera

Tehsil and District Fazilka (Punjab) 152123

-----Appellant

Vs

Public Information Officer,

o/o Block Development and Panchayat Officer,

Fazilka.

First Appellate Authority,

o/o Block Development and Panchayat Officer,

Fazilka.

-----Respondents

Appeal Case No. 3023 Of 2020

(Video Conference Proceedings)

Present: None on behalf of the appellant.

Shri Arvinder Singh, Panchayat Secretary M 9463426378 on behalf of the  
respondents (On Telephone)

## ORDER

The RTI application is dated 20.7.2020 vide which the appellant has sought information on five points as enumerated in his RTI application. First appeal was filed with the First Appellate Authority on 4.9.2020 and second appeal was filed on 13.10.2020 under section 19 of Right to Information Act, 2005. Notice of hearing was issued to the parties for today.

2. The representative of the respondents states that the information has been provided to appellant through registered post but the appellant is not present today and he has not even responded to the telephone call of the Commission.

3. Since, the appellant has been provided the information through registered post by the respondent Public Information Officer, so, he is hereby, directed to submit his response to the PIO in case of deficiency, if any in the information within 10 days from the issue of this order failing which the case will be decided ex-parte and respondent Public Information Officer is hereby, directed to remove the same in case any deficiency is pointed out by the appellant, before the next date of hearing.

4. To Come up on 22.2.2021 at 12.30 PM through video conference facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Dated: 14.1.2021

Sd/

(Suresh Arora)

Chief Information Commissioner,  
Punjab