

# 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. Major Khan s/o Sh. Dial Khan,  
VPO Hoshiarpur,  
Tehsil Kharar, Mohali

....Appellant

Vs

Public Information Officer  
o/o Block Development and Panchayats Officer,  
Block Majri,  
District Mohali.

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

....Respondents

Appeal Case No. 1039  
(Cisco Webex proceedings)

Present:- Sh. Major Khan, appellant at Chandigarh.  
Sh. Gurpreet Singh, Superintendent on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 14.8.2020 vide which the appellant was advised to go through the information comprising 65 pages supplied by the respondents and point out any deficiency, if any and the respondent-Public Information Officer was directed to remove the same and the case was adjourned to 14.9.2020.

2. The representative of the respondents states that no deficiency has been pointed out by the appellant and the information complete in all respects has already been supplied to the appellant pertaining to his RTI application. Whereas, the appellant states that the information is incomplete and a letter has been written to the Commission in this regard, which is taken on record. In the said letter the appellant states that the information is incomplete and not up to the mark as per the RTI application comprising 14 paras. It has also been mentioned in the said letter that the information is attested by the Panchayat Secretary but not attested by the competent authority i.e. Block Development and Panchayats Officer concerned. The representative of the respondents further states that the appellant may be directed to come to the office and inspect the record, he also assured that the information will be supplied to him after reconciliation with the RTI application with which the appellant agreed to. Accordingly, with the mutual understanding the date of inspection has been fixed as 16.9.2020 at 11.00 AM in the office of the Block Development and Panchayats Officer, Majri. The representative of the respondents also requested the Commission that since official has signed all the documents given under the RTI Act, therefore, there is no need to sign all the documents by the Block Development and Panchayats Officer.

3. Accordingly, the respondent-Public Information Officer is directed to make available the record for the inspection of the appellant and provide the copies of documents if so identified by the appellant and a compliance report be sent to the Commission after the inspection of the appellant. The request of the representative of the respondents is accepted regarding signing of all the documents by the concerned official with the condition that the complete name and designation of the person who is signing the documents must be written clearly.

4. To come up on 30.9.2020 at 11.30 AM at Chandigarh.

Dated: 14.9.2020

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

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Sh. Manjinder Kumar S/o Sh. Laxman Singh,  
Village - Pensra,  
House No. 120, PO - Majara Dingriya,  
Tehsil - Garhshankar,  
Distt Hoshiarpur-146109.  
M : 8968700606

....Complainant

Vs

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Garhshankar, Distt Hoshiarpur.

Public Information Officer-cum-  
Panchayat Secretary,  
o/o Block Development and Panchayats Officer  
Garhshankar, Distt Hoshiarpur.

....Respondent

Complaint Case No. 461/2020

(Video Conference Proceedings/Cisco Webex proceedings)

Present:- Sh. Manjinder Kumar, complainant.  
Sh. Makhan Singh, Panchayat Secretary on behalf of the respondent through cisco webex.

## ORDER

The RTI application is dated 27.4.2020 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 21.7.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The complainant states that no information has been provided to him by the respondents. Whereas the representative of the respondents submitted the copy of information pertaining to the RTI application to the Commission comprising 8 pages including the forwarding letter written to the complainant through whatsapp and the same is taken on record. The copy of the information so received from the representative of the respondents has been forwarded to the complainant during the course of hearing through whatsapp and after going through the same, the complainant states that the information is not legible. **A copy of the same is sent to the complainant along with this order.** However, the representative of the respondents states that the information pertaining to Point No. 2,5,6,7,9 and 10 is not available in the record of the panchayat. A copy of the said letter mentioning the same has been received in the Commission, which is taken and record and a copy of the same is sent to the complainant.

3. **After deliberations and as per the record available on the case file, it transpired that the partial information relates to the office of the Block Development and Panchayats Officer. Hence, the Public Information Officer o/o Block Development and Panchayats Officer is directed to file his reply/response before the next date of hearing.**

4. As far as the record pertaining to the panchayat is concerned the Panchayat Secretary, Shri Makhan Singh is directed to bring the original record at Chandigarh for the inspection of the complainant as per the submissions of the complainant.

5. To come up on 8.10.2020 at 11.00 AM at Chandigarh.

Sd/

Dated: 14.9.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Sh. Niranjn Singh S/o Sh. Purn Singh, 9876164002  
R/o Village Kaler Khurd,  
Tehsil & Distt Gurdaspur.

..Appellant

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Dhariwal,  
Gurdaspur.

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

Sh. Dalbir Singh, Panchayat Secretary-cum-  
Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Dhariwal, Gurdaspur.

....Respondents

Appeal Case No. 1916/2020  
(Cisco Webex proceedings)

Present:- Sh. Niranjn Singh, appellant.  
Sh. Pawan Kumar, Superintendent and Sh. Dalbir Singh, Panchayat Secretary,  
on behalf of the respondents.

## ORDER

The RTI application is dated 27.11.2019 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 9.1.2020 and second appeal was filed in the Commission on 21.7.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided by the respondents so far. The representative of the Block Development and Panchayats Officer states that the said RTI application of the appellant has been transferred to the Panchayat Secretary Sh. Dalbir Singh. As per the facts of the case, Sh. Dalbir Singh, Panchayat Secretary is impleaded as necessary party in this case. However, the respondent-Panchayat Secretary states that the information has already been sent to the appellant through registered post comprising 17 pages. He was directed to send the same through whatsapp during the course of hearing along with the receipt of the registered post but no such documents have been received from him. Even the office tried to contact him on phone regarding the receipt of the information comprising 17 pages so that the same can also be sent to the appellant but the Panchayat Secretary Sh. Dalbir Singh did not respond to the call.

3. Viewing the attitude of the respondent seriously, the Sh. Dalbir Singh, Panchayat Secretary, 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 willful delay/denial of the information to the RTI applicant.

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Appeal Case No. 1916/2020

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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.

4. After hearing both the parties, the appellant is advised to go through the information on its receipt, so supplied by the respondent-Public Information Officer-cum-Panchayat Secretary and point out deficiency, if any, to him and the respondent-Public Information Officer is directed to remove the same in case any deficiency is pointed out by the appellant before the next date of hearing.

5. To come up on 30.9.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Gurdaspur.

Dated: 14.9.2020

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

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Shri Gurnam Singh, S/o Sh. Gujjar Singh,  
R/o Village Kaler Khurd, Tehsil & Distt Gurdaspur.  
M : 9779758050

..Appellant

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

First Appellate Authority,  
O/o Deputy Commissioner,  
Gurdaspur.

....Respondents

Appeal Case No. 1917/2020  
(Cisco Webex proceedings)

Present:- Sh. Gurnam Singh, appellant.  
Sh. Pawan Kumar, Superintendent on behalf of the respondents.

## ORDER

The RTI application is dated 25.11.2019 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 9.1.2020 and second appeal was filed in the Commission on 21.7.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been provided by the respondents so far. However, the representative of the respondents requests for the adjournment of the case.

3. Accordingly, the request of the respondents is accepted and the respondent-Public Information Officer o/o the District Development and Panchayats Officer is directed to reply/supply the information pertaining to the RTI application of the appellant and in case the information relates to the subordinate office i.e. Block Development and Panchayats Officer the necessary point of the RTI application be transferred under Section 6(3) of the RTI Act. As per the RTI application it reflects that the Point No. 2 of the RTI application relates to the District Development and Panchayats Officer and Point No. 1 of the RTI application relates to the Block Development and Panchayats Officer. Therefore, the Public Information Officer o/o Block Development and Panchayats Officer, Dhariwal is impleaded as necessary party in this case. The RTI application of the appellant is sent to the Public Information Officer o/o Block Development and Panchayats Officer, Dhariwal with the directions to file the reply/supply the information before the next date of hearing.

4. To come up on 30.9.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Gurdaspur.

Dated: 14.9.2020

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

Block Development and panchyat Officer,  
Dhariwal.

(REGD)  
(For Compliance)