

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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Whatsapp No. 62848-20189



Sh. Baldev Singh 9872124103
Village Sathiali, PO Nainakot,
Gurdaspur

....Appellant

Vs

Sh. Sukhinder Singh 9653233333
Public Information Officer **Registered**
o/o Block Development and Panchayats Officer,
Block Khanuwan,
Gurdaspur

First Appellate Authority
o/o Block Development and Panchayats Officer
Block Khanuwan,
Gurdaspur

....Respondents

Appeal Case No. 2850 of 2020
(Video Conference Proceedings)

Present:- Sh. Baldev Singh, appellant.
Sh. Rajesh 8080000064, Panchayat Secretary on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 2.2.2021.

2. The appellant states that the Public Information Officer-cum-Block Development and Panchayats Officer is not supplying the sought information. He also states that the sought information relates to the panchayat funds in which an enquiry has already been completed by the Sub Divisional Officers of Provisional Sub Division No. 1, PWD, Gurdaspur and Punjab Mandi Board, Gurdaspur. Furthermore, he states that the enquiry was sent by the Deputy Commissioner, Gurdaspur to the Director, Rural Development & Panchayat, Pb. vide No. 493-94 dated 18.12.2019. He has also sent the enquiry report conducted by the Deputy Commissioner and a decision taken by the Director, Rural Development & Panchayat, Pb., bearing dated 24.1.2020, which are taken on record. In addition, he states that the respondent-Public Information Officer-cum-Block Development and Panchayats Officer is knowingly not supplying the information so that the recovery from the Sarpanch and Panchayat Secretary may be delayed and requested for directions to the respondents to supply the sought information.

3. However, the representative of the respondents-cum-Panchayat Secretary states that he has not been given the record while taking the charge from the previous Panchayat Secretary. As such, he is not able to supply the information.

4. Since, the appellant has filed the RTI application on 20.8.2019 and nothing is being supplied by the Block Development and Panchayats Officer. The respondent-Public Information Officer is also absent without any intimation. Video Conference Facility/cisco webex facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent and attitude in dealing with the RTI application seriously, Sh. Sukhinder Singh 9653233333, Public Information Officer-cum-Block Development and Panchayats Officer 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 the RTI Act, 2005 on him for causing wilful delay/denial of the information

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Appeal Case No. 2850 of 2020

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to the RTI application and to issue show cause for compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005.

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 a 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.

5. Accordingly, the Public Information Officer-cum-Block Development and Panchayats Officer is also directed to file the reply/supply the information to the appellant as has been sought by the appellant before the next date of hearing failing which penal section(s) will be invoked as per the provisions of the RTI Act, 2005.

6. To come up on 19.4.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Gurdaspur/cisco webex.

Sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 15.3.2021

CC

Director (By name) **Registered**
Rural Development & Panchayat, Pb.,
Vikas Bhawan, Sector 62, Mohali

To look into the matter personally
and ensure compliance of this order.
A copy of the letter dated 24.1.2020
along with the enquiry report is
sent along with this order.

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Sh. Nirmal Singh Dhiman, Supdt, Grade-I (Retd.),
S/o Late Sh. Gurbax Singh,
R/o - H No 895, Phase IX (Sector 65),
Mohali-160062 Mob. 9988163411

..Appellant

Vs

Public Information Officer,
O/o Financial Commissioner (Revenue),
(Administration - I Branch),
Punjab Civil Secretariat,
Chandigarh.

First Appellate Authority
O/o Financial Commissioner (Revenue),
Punjab Civil Secretariat,
Chandigarh.

....Respondent(s)

Appeal Case No. 98/2021

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Sh. Nirmal Singh Dhiman, appellant in person.
Ms Manjit Kaur, Under Secretary-cum-Public Information Officer 9417936222
on behalf of the respondents.

ORDER

The RTI application is dated 7.10.2020 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 17.11.2020 and second appeal was filed in the Commission on 24.12.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 15.3.2021.

2. The representative of the respondents states that the sought information has already been supplied to the appellant. She has also placed on record a copy of the information so supplied to the appellant, which is taken on record. However, the appellant stated that he has not received the reply and requested for a copy of the same.

3. Accordingly, the information comprising 24 pages along with the submission of the respondent-Public Information Officer comprising 3 pages and a forwarding letter is handed over to the appellant during the course of hearing with an advise to go through the same and point out deficiency, if any, before the next date of hearing.

4. Also the appellant has made the submissions, which are taken on record and a copy of the same is sent to the respondent-Public Information Officer to file the rejoinder, if any, before the next date of hearing.

5. To come up on 24.5.2021 at 12.30 PM at Chandigarh.

Sd/

(Suresh Arora)

Dated: 15.3.2021

Chief Information Commissioner,
Punjab

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Sh. Ashwani Chawla,
Bureau Chief, Sach Kahoon,
2872 B,
Sector 42 C,
Chandigarh. M : 9914405765

..Complainant

Vs

Public Information Officer,
O/o Punjab Vidhan Sabha, PB,
Chandigarh.

....Respondent(s)

Complaint Case No. 12/2021

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- Sh. Ashwani Chawla, complainant on phone.
Sh. Surinder Pal, Joint Secretary, Punjab Vidhan Sabha on behalf of the
respondents 8054495544.

ORDER

The RTI application is dated 30.10.2020 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 21.12.2020 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 he has already sent the deficiency in the information so supplied by respondent-Public Information Officer through whatsapp, which is taken on record, and the respondent-Public Information Officer requested for a copy of the same to file the rejoinder. Also a response has been received from the respondent-Public Information Officer bearing No. 4118 dated 22.2.2021, which is taken on record.

3. Accordingly, the response received from the complainant is **sent** to the respondent-Public Information Officer and the response received from the respondent-Public Information Officer is **sent** to the complainant along with this order to file the rejoinder, if any, before the next date of hearing to take the matter to its logical end.

4. To come up on 25.5.2021 at 12.30 PM to be heard through Cisco Webex.

Dated: 15.3.2021

Sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab

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Sh. H.S. Hundal Advocate,
203, Judicial Courts,
Mohali.-160071.
M : 9878500082

..Appellant

Vs

Public Information Officer,
O/o Punjab State Information Commission, PB,
Chandigarh.

First Appellate Authority
O/o Punjab State Information Commission, PB,
Chandigarh.

....Respondent(s)

Appeal Case No. 126/2021

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- None on behalf of the appellant.

Sh. Sudhir Kumar, 9464395148 on behalf of the respondents.

ORDER

The RTI application is dated 5.3.2020 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 24.8.2020 and second appeal was filed in the Commission on 24.12.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 15.3.2021.

2. A request has been received from the appellant through email dated 13.3.2021, which is taken on record, vide which the appellant showed his inability to attend the hearing due to an unavoidable situation and requested for the adjournment. He has also requested to fix the next date of hearing in the office of the State Information Commission.

3. According to the request of the appellant, the case is adjourned.

4. To come up on 24.5.2021 at 12.30 PM at Chandigarh.

Dated: 15.3.2021

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

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana

....Appellant

Vs

Public Information Officer

o/o Sub Divisional Magistrate

Ludhiana west

Mini Secretariat, District Ludhiana

First Appellate Authority

o/o Deputy Commissioner

Mini Secretariat,

District Ludhiana

....Respondents

Appeal Case No. 3321 of 2020

(Video Conference Proceedings)

Present:- Sh. Ashok Kapoor, appellant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 3.2.2021.

2. A telephonic message has been received from the respondent's office that nobody is appearing on behalf of the respondents due to strike by the office staff and also requested for the adjournment of the case.

3. Accordingly, the case is adjourned.

4. To come up on 4.5.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

Dated: 15.3.2021

Sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana

....Appellant

Vs

Public Information Officer

o/o Sub Divisional Magistrate

Ludhiana west

Mini Secretariat, District Ludhiana

First Appellate Authority

o/o Deputy Commissioner

Mini Secretariat,

District Ludhiana

....Respondents

Appeal Case No. 3323 of 2020

(Video Conference Proceedings)

Present:- Sh. Ashok Kapoor, appellant.

None on behalf of the respondents. 7355280016

ORDER

This order may be read with reference to the previous order dated 3.2.2021.

2. A telephonic message has been received from the respondent's office that nobody is appearing on behalf of the respondents due to strike by the office staff and also requested for the adjournment of the case.

3. Accordingly, the case is adjourned.

4. To come up on 4.5.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

sd

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 15.3.2021

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana

....Appellant

Vs

Public Information Officer

o/o Tehsildar Ludhiana West,

District Ludhiana

First Appellate Authority

o/o Sub Divisional Magistrate,

Ludhiana West,

Mini Secretariat,

District Ludhiana

....Respondents

Appeal Case No. 3324 of 2020

(Video Conference Proceedings)

Present:- Sh. Ashok Kapoor, appellant.

None on behalf of the respondents. 9417000060

ORDER

This order may be read with reference to the previous order dated 3.2.2021.

2. A telephonic message has been received from the respondent's office that nobody is appearing on behalf of the respondents due to strike by the office staff and also requested for the adjournment of the case.
3. Accordingly, the case is adjourned.
4. To come up on 4.5.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

Dated: 15.3.2021

Sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana

....Appellant

Vs

Public Information Officer

o/o Sub Divisional Magistrate

Ludhiana west

Mini Secretariat, District Ludhiana

First Appellate Authority

o/o Deputy Commissioner

Mini Secretariat,

District Ludhiana

....Respondents

Appeal Case No. 3326 of 2020

(Video Conference Proceedings)

Present:- Sh. Ashok Kapoor, appellant.

None on behalf of the respondents. 9417646005

ORDER

This order may be read with reference to the previous order dated 3.2.2021.

2. A telephonic message has been received from the respondent's office that nobody is appearing on behalf of the respondents due to strike by the office staff and also requested for the adjournment of the case.

3. Accordingly, the case is adjourned.

4. To come up on 4.5.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

sd

(Suresh Arora)

Chief Information Commissioner,

Punjab.

Dated: 15.3.2021

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Whatsapp No. 62848-20189



Sh. Ashok Kapoor 9855556210

8C, Kichlu Nagar,

District Ludhiana

....Appellant

Vs

Public Information Officer

o/o Deputy Commissioner

Mini Secretariat, District Ludhiana

First Appellate Authority

o/o Deputy Commissioner

Mini Secretariat,

District Ludhiana

Public Information Officer

o/o The Sub Registrar,

Ludhiana West,

District Ludhiana

....Respondents

Appeal Case No. 3328 of 2020

(Video Conference Proceedings)

Present:- Sh. Ashok Kapoor, appellant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 3.2.2021.

2. A telephonic message has been received from the respondent's office that nobody is appearing on behalf of the respondents due to strike by the office staff and also requested for the adjournment of the case.

3. Accordingly, the case is adjourned.

4. To come up on 4.5.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

Sd/

(Suresh Arora)

Chief Information Commissioner,

Punjab.

Dated: 15.3.2021

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Whatsapp No. 62848-20189



Sh. Surinder Kumar 9465313956

r/o VPO Bareka,

Tehsil & District Fazilka.

....Appellant

Vs

Public Information Officer, Registered

o/o Panchayat Secretary, Gram panchayat, Bareka,

c/o Block Development and Panchayats Officer,

Block Khuhian Server,

District Fazilka.

First Appellate Authority

o/o District Development and Panchayats Officer,

District Administrative Complex,

Fazilka

Sh. Gian Singh, VDO

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server,

Fazilka

Sh. Varinder Kumar 8968652368, **Registered**

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server,

Fazilka

.....Respondents

Appeal Case No. 1896 of 2020

(Video Conference Proceedings)

Present:- Shri Surinder Kumar, appellant along with an Advocate Sh. Prem Singh.
Shri Gian Singh VDO, M 9914400517, in person, on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 2.2.2021

2. The appellant states that he has received the compensation amounting to Rs.5000/- as has been awarded by the Commission but the respondent-Public Information Officer has not removed the deficiencies as has been pointed out by him on 4.3.2021 through email, which is taken on record.

3. Accordingly, the Public Information Officer-cum-Block Development and Panchayats Officer, Khuhian Server, Fazilka Sh. Varinder Kumar 8968652368 is impleaded as necessary party in this case to file the reply/supply the remaining information. The deficiencies, so pointed out by the appellant is **sent** along with this order. He is also directed to ensure that the complete information be sent to the appellant through registered post with a copy to the Commission.

4. To come up on 19.4.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

sd

Dated: 15.3.2021

(Suresh Arora)

Chief Information Commissioner, Punjab.

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Whatsapp No. 62848-20189



Sh. Surinder Kumar 9465313956

r/o VPO Bareka,

Tehsil & District Fazilka.

....Appellant

Vs

Public Information Officer, Registered

o/o Panchayat Secretary, Gram panchayat, Bareka,

c/o Block Development and Panchayats Officer,

Block Khuhian Server,

District Fazilka.

First Appellate Authority

o/o District Development and Panchayats Officer,

District Administrative Complex,

Fazilka

Sh. Gian Singh, VDO

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server,

Fazilka

Sh. Varinder Kumar 8968652368, **Registered**

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server,

Fazilka

.....Respondents

Appeal Case No. 1896 of 2020

(Video Conference Proceedings)

Present:- Shri Surinder Kumar, appellant along with an Advocate Sh. Prem Singh.
Shri Gian Singh VDO, M 9914400517, in person, on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 2.2.2021

2. The appellant states that he has received the compensation amounting to Rs.5000/- as has been awarded by the Commission but the respondent-Public Information Officer has not removed the deficiencies as has been pointed out by him on 4.3.2021 through email, which is taken on record.

3. Accordingly, the Public Information Officer-cum-Block Development and Panchayats Officer, Khuhian Server, Fazilka Sh. Varinder Kumar 8968652368 is impleaded as necessary party in this case to file the reply/supply the remaining information. The deficiencies, so pointed out by the appellant is **sent** along with this order. He is also directed to ensure that the complete information be sent to the appellant through registered post with a copy to the Commission.

4. To come up on 19.4.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Dated: 15.3.2021

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Jasveer Singh 9781599959

r/o Village Megha Panj Garai Hithar,

Block and Tehsil Guru Harshai,

Distt.Ferozepur.

..Appellant

Vs

Public Information Officer,

Block Development and Panchayat Officer,

Block Guru Harsahai, Distt. Ferozepur.

First Appellate Authority,

District Development and Panchayat Officer,

Mini Secretariat,

Distt.Ferozepur.

..Respondents

Appeal Case No. 1111 of 2020

(Video conference/Cisco webex/phone proceedings)

Present:- Sh. Jasveer Singh, appellant.

Sh. Chanda Singh, Panchayat Secretary on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 2.2.2021.

2. The appellant states that the incomplete information is being supplied by the respondent-Public Information Officer Panchayat Secretary. He also states that the respondent-Public Information Officer has not paid the compensation as has been awarded by the Commission amounting to Rs.5000/-. Furthermore the appellant states that he is being harassed by Sh. Chanda Singh by not supplying the complete information. He has also placed on record the documents of Ministry of Rural Development Pradhan Mantri Awaas Yojana Gramin, Punjab and Swachh Bharat Mission Gramin Punjab related to the development of Megha Panj Grain, which are taken on record and states that nothing has been supplied by the respondent-Public Information Officer in this regard and misguided the Commission also by not supplying the complete information. He also states that Sh. Chanda Singh, also submitted an affidavit in Complaint Case No. 671 of 2019 that the complete information has been supplied but he is not supplying the complete information. In addition he further states that the information pertaining to Point No. 11 relates to the Water Supply Department so the said department may be impleaded as necessary party in this case.

3. However, the respondent-Public Information Officer Sh. Chanda Singh, Panchayat Secretary states that every grant received by the Panchayat is through banks and after the receipt of the same, the amount received is taken in the cash book and, the copies of the bank account and the cash book has already been supplied to the appellant. Regarding the documents sent by the appellant, the respondent-Public Information Officer requested to direct the appellant to disclose the source so that proper verification can be done as has been alleged by the appellant. He also states that the complete record has already been inspected by the appellant and the desired documents, as has been identified by the appellant, has already been supplied and the appellant has already signed the receipt regarding the satisfaction after inspection of the record. Thereafter the appellant states that he will disclose the source of papers and the grants received by the Panchayat but not entered in the bank accounts and cash book after the hearing will be over. Then the office

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Appeal Case No. 1111 of 2020

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contacted the appellant and he has sent the link of a website www.egramswaraj.gov.in through whatsapp and requested that the respondent-Block Development and Panchayats Officer has not provided the information regarding works mentioned in the website.

4. It is appropriate to consider the instructions issued by the Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training No. 10/2/2008-IR dated 12.6.2008 to transfer the RTI application of the appellant under Section 6(3) of the RTI Act, 2005 to 'public authority' and not to the 'public authorities'. Therefore, the request of the appellant to implead the Water Supply and Sanitation department is not tenable as the Public Information Officer o/o the Block Development and Panchayats Officer has already transferred the RTI application to the Public Information Officer-cum-Panchayat Secretary under Section 6(3) of the RTI Act, 2005 and the information has already been supplied to the appellant by the Public Information Officer-cum-Panchayat Secretary.

5. Accordingly, the respondent-Public Information Officer is directed to pay the compensation amount i.e. Rs.5000/- (Five thousands only) from the state exchequer to the appellant as has been awarded by the Commission before the next date of hearing. The Block Development and Panchayats Officer, Guru Harsahai is also directed to ensure that the compensation amount be paid to the appellant before the next date of hearing failing which the case will be considered for the enhancement of the compensation amount. Also the Public Information Officer-cum-Block Development and Panchayats Officer is directed to submit the response regarding the allocation and expenditure of funds related to various schemes mentioned in the website. Copy of the documents sent by the appellant are **sent** along with this order.

6. To come up on 27.4.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ferozpur/cisco webex.

Dated: 15.3.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.