



Sh. Ajay Kumar,
S/o Sh. Santokh Ram,
R/o VPO-Khaira,
Tehsil-Phillaur, Distt. Jalandhar,

Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat, Khaira,
Block-Phillaur, Distt. Jalandhar.

First Appellate Authority,
O/o Director,
Rural Development and Panchayat Department,
Sector-62, S.A.S Nagar.

Respondents

Appeal Case No.2394/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
14.11.2017	Nil	19.03.2018	Nil	16.07.2018

Present: Sh. Ajay Kumar, Appellant in person.
Sh. Gurchetan Ram, Panchayat Secretary – for Respondents.

ORDER

The following order was passed by this forum on 20.03.2019”

“The appellant had sought information about the various development works having been executed by the gram panchayat of Village Khehra and some allied information.

The appellant has sent various communications to the respondents without any response from them. Apparently the respondents have violated the provisions of Section 7(1) of the RTI Act and have rendered themselves liable for penal consequences.

The BDPO concerned has duly forwarded his application to the Panchayat Secretary under Section 6(3) of the RTI Act. Treating him as deemed PIO, the Panchayat Secretary is 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 maximum of Rs.25,000/- 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 and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of



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Appeal Case No.2394/2018

the Act for the detriment suffered by him.

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 date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.”

“The case has come up for hearing today. Sh. Gurchetan Ram, Panchayat Secretary has not come up with suitable reply to the show cause notice. However, in video conference he says that the information has been provided to the appellant who denies it vociferously.

Sh. Gurchetan Ram, Panchayat Secretary is directed to file a written reply to the show cause notice and come present on the next date of hearing along with original record at Chandigarh on 18.04.2019 at 11.30 AM.”

The case is being taken up today. From the arguments made by the parties, it transpires that the appellant is the nephew of the erstwhile sarpanch. He has a feud with him and intends to settle a score. The details of the bank accounts and the expenses incurred have been given to him on spot by the Panchayat Secretary in the presence of the Presiding Officer of this bench.

The Commission is convinced that he has been sufficiently informed. No more action is called for. The appeal is **disposed**.

18.04.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION
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Sh. Amrinder Singh,
S/o Shri Swaran Singh,
R/o VPO Talwandi Malak,
Tehsil Samana, Distt Patiala.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Samana, Distt. Patiala.

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

Respondents

Appeal Case No.3587/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
16.12.2017	Nil	05.04.2018	Nil	04.09.2018

Present: None.

ORDER

The following order was made by this forum on 12.02.2019:

Despite couple of notices the respondents have failed to file a written reply about the status of information having been sought by the appellant. Seemingly, they have violated Section 7(1) of the RTI Act. The PIO is 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 maximum of Rs.25,000/- 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 and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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 date fixed, it will be presumed that he has nothing to say

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and the Commission shall proceed to take further proceedings against him ex parte.”

The case has come up today for hearing. Sh. Kulwant Singh, Panchayat Secretary has come present on behalf of the respondents. He has brought along the photo copies of the entire record. As the appellant is absent it cannot be transmitted to him. The Panchayat Secretary says that he had brought along the record on the previous occasion also but he did not accept it. Despite various requests he has not come to collect the record. In the scenario, the Commission feels that the appellant is not interested in the information rather causing needless harassment to the Public Authority. The Panchayat Secretary is directed to arrange to deliver it to the appellant under intimation to the Commission.

Disposed.

18.04.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**



Sh. Balwan Gagat,
 S/o Sh. Bachna Ram,
 Ward No 5, Kahangarh Road,
 Anand Basti, Pataran Distt Patiala.

Appellant

Versus

Public Information Officer,
 O/o Block Development and Panchayat Officer,
 Andana at Munak,
 Distt Sangrur.

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

Respondents

Appeal Case No.3718/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
27.11.2017	Nil	03.03.2018	Nil	31.10.2018

Present: **None on behalf of the Appellant.**
Sh. Jagsir Singh, Patwari, BDPO Office, Andana at Munak – for Respondents.

ORDER

The following order was passed by this forum on 19.03.2019:

“Despite couple of notices the respondents have failed to file a written reply about the status of information having been sought by the appellant. Seemingly, they have violated Section 7(1) of the RTI Act. The PIO is 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 maximum of Rs.25,000/- 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 and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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 date fixed, it will be presumed that he has nothing to say



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Appeal Case No.3718/2018

and the Commission shall proceed to take further proceedings against him ex parte.”

“The case has again come up for hearing today. Sh. Ajaib Singh, BDPO appearing on behalf of the respondents submits that he has recently joined. The information is bit exhaustive. He assures the Commission to provide the information expeditiously and seeks one short adjournment. The request is acceded. “

The case has again been taken up today. The appellant is absent. Sh. Jagsir Singh, Patwari has brought along the complete information comprised in about 400 plus pages. He is desired to send it across to the appellant under intimation to the Commission.

To come up on **04.06.2019 at 11.30 A.M.**

18.04.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**



Sh. Janak Singh,
S/o Late Shri Ujjar Singh,
R/o Behlolpur, Block Majri, Tehsil & Distt Mohali.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Majri, Distt Mohali.

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

Respondents

Appeal Case Nos.3656, 3657, 3658, 3659, 3660 and 3661 of 2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
14.08.2018/01.08.2018/ 27.07.2018/02.07.2018/ 12.04.2018/30.07.2018	Nil	13.09.2018	Nil	30.10.2018

Present: Sh. Janak Singh, Appellant in person.
1. Sh. Surinder Pal Singh, Panchayat Secretary,
2. Sh. Yadwinder Singh, Panchayat Secretary, BDPO Office, Majri – for Respondents.

Order:

The Commission had made the following observations on 26.03.2019:

“As the appellant and respondents are the same and a common submission has been made by the respondents. The single order shall address all the aforementioned appeals.

Sh. Charanjeet Singh, Panchayat Secretary, representing the respondents submits that the respondents have been awesomely occupied with the conduct of Panchayat polls and could not attend to the applications. They assure that the information shall be provided to the appellant within fortnight positively.”

“The cases have come up for hearing today. Despite the assurance given by the

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respondents and express directions of the Commission, the respondents have failed to provide the information. The Commission believes that the respondents are malafidely sitting over the applications with willful intent. Taking it as an offence under Section 7(1) of the RTI Act Sh. Hiten Kapila, PIO – cum – Block Development & Panchayat Officer, Majri, District, Mohali is 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 maximum of Rs.25,000/- 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 and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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 date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.

The cases have come up today. The Commission sees that these are very long standing cases. The respondents have shown lackadaisical attitude. The Commission has taken strong exception to it. The respondents as on today have taken the plea that they are engaged seriously with the conduct of Parliamentary Elections. The Commission agrees with them to the

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extent of their engagement in the conduct of elections. However, the earlier delay has not been justifiably explained. A final opportunity is afforded to them to part with the information without fail before the next date of hearing. Be it noted that they are already under show cause notice the cognizance of which shall be taken separately.

To come up on **04.06.2019 at 11.30 AM.**

18.04.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

