

PUNJAB STATE INFORMATION COMMISSION

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

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Sh. Krishan Kumar Singla,
House No. 195/2, Sector-45 A,
Chandigarh

.....Appellant

Vs

Public Information Officer,
General Administration Department (Secretariat Establishment-1 Branch),
Punjab Civil Secretariat,
Chandigarh.

First Appellate Authority,
General Administration Department (Secretariat Establishment-1 Branch),
Punjab Civil Secretariat,
Chandigarh.

.....Respondents.

Appeal Case No. 2501 of 2019

(Corrigendum)

ORDER

"The order in this case was reserved on 1.10.2019 and was pronounced on 29.10.2019". This line may be read before the first line of paragraph No.4 of the order sent vide order No. 41196 to 41198 dated 6.11.2019.

Dated: 18.11.2019.

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

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Sh. Ravi Parkash Gupta,
R/o H.No. 738, Sector-41- A,
Chandigarh.

Vs

.....Appellant

Public Information Officer,
O/o Principal Secretary to Govt. of Punjab,
Deptt. of Finance,
Pb. Civil Secretariat- 1, Chandigarh.

First Appellate Authority,
O/o Principal Secretary to Govt. of Punjab,
Deptt. of Finance,
Pb. Civil Secretariat- 1, Chandigarh.

.....Respondent

Appeal Case .No. 2697 of 2019

Present:- None on behalf of the parties.

ORDER

This case was earlier listed for hearing before the Bench of Hon'ble SIC-Shri Yashvir Mahajan and hearing notice was issued for 03.10.2019 by the said Bench and it was transferred to the Bench of Hon'ble Chief Information Commissioner-Shri Suresh Arora and notice of hearing was issued for 11.11.2019 and was further adjourned to 18.11.2019.

2. Both the parties are absent without intimation. Viewing the absence of the respondents seriously, the PIO is directed to take appropriate action on his RTI application filed by the appellant before the next date of hearing.

3. To come up on 18.12.2019 at 11.00 A.M.

Dated : 18.11.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

After the hearing was over, Shri Rajesh Gupta appeared on behalf of the appellant, who was apprised of the above proceedings.

Dated : 18.11.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Jasbir Singh,
Vill: Bholapur, Jhabewal,
P.O: Ramgarh,
Distt: Ludhiana.

.....Appellant

Vs

Public Information Officer,
Deputy Commissioner,
District-Amritsar.

First Appellate Authority,
Additional Deputy Commissioner,
Distt: Amritsar.

Public Information Officer,
o/o Superintendent (Food Branch),
Food and Drugs Administration, Punjab,
Near Civil Hospital, Kharar, District SAS NagarRespondents

Appeal Case No. 2570 of 2019

Present:- None on behalf of the appellant.

Shri Sukhdev Singh, Statistical Assistant, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 30.09.2019 vide which Show Cause Notice was issued to Shri Sukhdev Singh, Superintendent (Food Branch), Food and Drugs Administration, Punjab, Near Civil Hospital, Kharar district SAS Nagar, why penalty @ Rs.250/- per day for delay in supplying the information maximum upto 25000/- should not be imposed on him for absence and not supplying the information within the stipulated period. He was further directed to take appropriate action on the application of the appellant for seeking information and file written explanation before the next date of hearing.

Contd.....p/2

-2-

2. The appellant remained absent on 04.09.019, 30.09.2019, 15.10.2019 and today without intimation.

3. Shri Sukhdev Singh, Statistical Assistant, states that they have no knowledge about pendency of the case before the Commission. He has come to know about the next date of hearing when he received show cause notice issued to him for imposition of penalty for his absence on 15.10.2019. He further states that moreover he is not PIO and Smt. Jasbir Kaur, Superintendent is the PIO. He places two copies of inquiry reports on the record of the case file (one for the Commission and another for appellant) as sought by the appellant in his application for seeking information.

4. The appellant is advised to collect a copy of inquiry report from the office of the Commission personally, if he so desires. The appellant is absent for last four consecutive dates of hearing and no communication has been received from him concerning this case. In view of verbal submissions and written reply/submissions that their office has not received any information regarding the pendency of the case, show cause notice issued to Shri Sukhdev Singh for imposition of penalty and award of compensation to the appellant is dropped. With these observations, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 18.11.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Shri Parminder Singh
s/o Shri Bhajan Singh,
Village Gharuan, Tehsil Kharar,
District Mohali.

.....Appellant

Vs

Public Information Officer,
O/o Block Development and Panchayats Officer,
Kharar, District SAS Nagar.

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

.....Respondents

Appeal Case No. 3470 of 2019

Present:- Shri Parminder Singh, appellant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 15.10.2019 vide which the respondents were directed to remove the deficiencies as early as possible from the appellant.

2. The appellant states that no information has been received from the respondents after the previous date of hearing.

3. The respondent-PIO is absent but he has sent a letter dated 14.11.2019 vide which he has stated that he may be exempted from appearance due to an urgent piece of work at home.

4. In view of the request of the respondent-PIO, the case is adjourned with the direction to provide information before the next date of hearing failing which punitive action will be initiated against him.

5. To come up on 05.12.2019 at 11.00 A.M.

Dated : 18.11.2019

Sd/-
(Suresh Arora)
Chief Information Commissioner
Punjab

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Shri Satinder Singh Soni
H.No.21-E, Rama Estate,
Near Dayal Bagh Gurudwara,
Ambala Cantt.,

.....Appellant

Vs

Public Information Officer,
O/o Chief Secretary to Govt. of Punjab,
Punjab Civil Secretariat, Chandigarh.

First Appellate Authority,
O/o Chief Secretary to Govt. of Punjab,
Punjab Civil Secretariat, Chandigarh.

The Public Information Officer
O/O Principal Secretary to Government of Punjab,
Departments of Higher Education and Languages,
Punjab Civil Secretariat, Chandigarh.

.....Respondents

Appeal Case No. 3376 of 2019

Present:- Shri Satinder Singh Soni, appellant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 15.10.2019 vide which the appellant was advised to seek specific information as early as possible so that the respondents could transfer the application for seeking information to the concerned branch for supplying the information.

2. The respondents are absent without intimation.
3. The appellant has sent application seeking specific information, which are reproduced below, vide his letter dated 21.10.2019:-

- (1) *Kindly give me the information of all the Universities (Public & Private) established by the State Government of Punjab till date i.e. 21st October 2019 by passing ordinances by the State Governor of Punjab when the State Legislative Assembly of Punjab was in Session and when it was not in session.*

Contd.....p/2

-2-

(2) *I would like to inspect the complete record files of the Ordnnances passed for the Universities (Public & Private) mentioned in the paragraph (1)*

4. After hearing the appellant and going through the record available on the case file, it is revealed that the respondents have transferred application of the appellant for seeking information to the Principal Secretary to Government of Punjab, Department of Higher Education and Languages, Chandigarh. The Principal Secretary to Government of Punjab, Departments of Higher Education and Languages, Chandigarh is impleaded as a necessary party with the directions to the respondents to intimate the appellant after taking appropriate action on his application for seeking information before the next date of hearing failing which punitive action will be initiated against the respondents.

5. To come up on 05.12.2019 at 11.00 A.M.

Dated : 18.11.2019

Sd/
(Suresh Arora)
Chief Information Commissioner
Punjab

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Sh. Karnail Singh,
S/o Sh. Gurdev Singh,
r/o Village Bahmana Basti, Tehsil Samana,
District Patiala.

.....Complainant.

Vs

Public Information Officer,
Panchayat Secretary,
Gram Panchayat, Basti Bahman,
Block Samana, District Patiala.

.....Respondent

Complaint Case No. 691 of 2019 **(Through Video Conference Facility)**

Present:- Shri Karnail Singh, complainant.
Shri Kulwant Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 15.10.2019 vide which a show cause notice was issued to Shri Kulwant Singh, Panchayat Secretary under Section 20 of the Right to Information Act, 2005 why penalty should not be imposed on him for not supplying the information within the stipulated period. He was further directed to appear on or before 18.11.2019 and file written explanation.

2. Shri Kulwant Singh, Panchayat Secretary, states that he is not looking after the work of concerned panchayat for the last one year and in his place Shri Baljinder Singh (M.No.98761-0674) is the present Panchayat Secretary. He further states that information pertaining to village Bahmna has been supplied as per its availability in their record and nothing has been left, which could be supplied to him. He further states that record of panchayat Bahmna will be supplied to Shri Baljinder Singh, Panchayat Secretary.

3. The appellant states that he has sent deficiencies in the information supplied to him by the respondent-PIO.

4. After hearing both the parties and going through the record available in the case file, it is revealed that deficiencies sent by the complainant are not in consonance with original application dated 26.02.2019 for seeking information. Shri Baljinder Singh, Panchayat Secretary is directed to take charge of record of Panchayat Bahmna from Shri Kulwant Singh, Panchayat Secretary, and get the record inspected from the complainant and supply copies of the documents identified by the complainant on the spot, as per his RTI application dated 26.02.2019, before the next date of hearing failing which punitive action will be initiated against him.

5. To come up on **05.12.2019 at 3.30 P.M.** through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated : 18.11.2019

Sd/-
(Suresh Arora)
Chief Information Commissioner
Punjab

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Sh. Satish Chander
S/o Sh. Subhash Chander,
R/o H. No. 1555, Sector- 23 –B,
Chandigarh.

.....Appellant

Vs

Public Information Officer,
O/o Superintendent,
Punjab Public Service Commission,
Patiala.

First Appellate Authority,
O/o Secretary,
Punjab Public Service Commission,
Patiala.

.....Respondents

Appeal Case No. 3605 of 2019

(Video Conference Proceedings)

Present:- Shri Satish Chander, appellant, in person, at Chandigarh.

Ms. Rajni, Superintendent Grade-1 alongwith Shri Yadvinder Singh,
Senior Assistant, on behalf of the respondents through Video Conference
Facility at Patiala.

ORDER

This order may be read with reference to the previous order dated 24.10.2019 vide which the respondents were directed to reconsider/re-examine legality of its decision taken in Commission's meeting dated 3.4.2014.

2. In compliance to the previous order, the appellant has placed submissions dated 15.11.2019 on the record of the case file and further submits that attested copies of summary sheets of nine Annual Confidential Reports of the employees have not been provided to him. The representatives of the respondents state that they have sent attested copies of summary sheets to the appellant at his given address on 14.11.2019 through registered post. They further states that their Commission has decided not to provide attested photocopies of notings and correspondence in this case.

3. After hearing both the parties and going through the record, the order in the present case is reserved and will be pronounced in due course.

Dated : 18.11.2019

Sd/-
(**Suresh Arora**)
Chief Information Commissioner
Punjab

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Sh. Jagar Singh S/o Sh. Rabbi Singh,
R/o Village- Sri Nagar, PO – Raisal,
Tehsil – Nabha, District - Patiala.

.....Complainant

Vs

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

Public Information Officer,
O/o District Development & Panchayat Officer,
Mini Secretariat,
District- Patiala.

.....Respondents

Complaint Case No. 849 /2019 & Complaint Case No.848/2019

(Video Conference Proceedings)

Present:- None on behalf of the complainant.
Shri Jatinder Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 24.10.2019 vide which the respondents were directed to take appropriate action on his application for seeking information under the provisions of the RTI Act, 2005 and send reply to the complainant under intimation to the Commission within seven days.

2. The appellant was absent on the previous date of hearing and is also absent today without any intimation.

3. Shri Jatinder Singh, Panchayat Secretary states that he has brought complete information to be handed over to the complainant, who is absent today.

4. The representative of the respondents is directed to send the information, brought by him to be handed over to the complainant, through registered post/by hand. Last opportunity is afforded to the appellant to appear before the Commission. He is further advised to go through the information on its receipt from the respondents and revert back to the authorities in writing, within seven days. The respondent-PIO is directed to remove the same on its receipt from the complainant before the next date of hearing.

6. To come up on 05.12.2019 at 03.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Sd/-

(Suresh Arora)

Chief Information Commissioner
Punjab

Dated : 18.11.2019

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Sh. Gurvir Singh S/o Hardiyal Singh,
R/o Village- Bhagwanpur alias Khatriwala,
Tehsil- Samana, District - Patiala.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block – Samana, District- Patiala.

.....Respondent

Complaint Case .No. 866 of 2019

(Video Conference Proceedings)

Present:- None on behalf of the complainant.

Shri Balwinder Singh, GRS (Narega) on behalf of the respondents.

ORDER

In compliance to the previous order dated 24.10.2019 vide which the complainant was advised to visit respondent-PIO's office on 29.10.2019 at 11.00 A.M. and get the information downloaded with the help of Shri Balwinder Singh, GRS. The respondent-PIO was directed to take appropriate action on RTI application of the complainant under the provisions of RTI Act, 2005.

2. The complainant is absent without intimation.

3. The representative of the respondent states that the information-seeker has failed to visit their office on 29.10.2019 for getting the information downloaded from the website. He further states that after downloading the information consisting of about 100 pages from the website, he has sent it to the information-seeker on 13.11.2019 through registered post, which might have been received by him. Nothing has been received from the information-seeker after receipt of the same.

4. The information-seeker is advised to peruse the information sent to him through registered post and revert back to the authorities, in case of deficiencies and respondent-PIO is directed to remove the deficiencies on its receipt from the complainant before the next date of hearing.

5. The case is adjourned to 05.12.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated : 18.11.2019

Sd/-
(Suresh Arora)
Chief Information Commissioner
Punjab

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Sh. Jaswant Singh s/o Sh. Amrik Singh
R/o Village Talwandi Rai Dadu
PO Fatehwal,
Tehsil Ajnala, Amritsar

.....Appellant.

Vs.

Public Information Officer,
O/o Panchayat Secretary,
Gram panchayat, Talwandi Rai Dadu,
c/o Block Development & Panchayat Officer,
Block Ajnala, Amritsar

First Appellate Authority,
O/o District Development & Panchayat Officer,
District -Amritsar

..... Respondents.

Appeal Case No. 3339 of 2019

(Video Conference Proceedings)

Present:- Shri Jaswant Singh, appellant.
Shri Samandeep Singh, Clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 31.10.2019 vide which the respondents were directed to provide the information as available in their record and gave an affidavit of BDPO, Ajnala, District Amritsar regarding non-availability of record, before the next date of hearing and the case was adjourned to 11.11.2019, which could not be heard due to administrative reasons and was further adjourned for today.

2. In compliance to the previous order, the representative of the respondents states that they have sent a copy of forwarding letter alongwith a copy of an affidavit of BDPO, Ajnala through e-mail.

3. The appellant states that he has not received photocopies of resolution book from the respondents concerning 2008 to 07/2010.

4. After hearing both the parties and going through the record available on the case file, it is revealed that copies of complete information has been supplied as per its availability in the record of the respondents except Resolution Book from 2008 to 07/2010. In compliance to the previous order dated 11.11.2019, Shri Manmohan Singh, Block Development and Panchayats Officer, Block Ajnala, District Amritsar has sent a copy of the affidavit stating that record from 2008 to 07/2010 has not been handed over to the present Panchayat Secretary by Shri Rajinder Parshad, VDO, who has been convicted and he is presently in jail. Nothing more can be done under the provisions of RTI, 2005. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

Sd/-

Dated : 18.11.2019

(Suresh Arora)
Chief Information Commissioner
Punjab

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Sh. Harmit Singh Sidhu

S/o Sh. Sher Singh,

C/o Baba Kala Finance Company,

Near Truck Union, Phull Road,

Rampur Phull, Distt. Bathinda.

.....Appellant

Vs

Public Information Officer,

O/o Secretary, Punjab Vidhan Sabha,

Secretariat, Pb.,

Chandigarh.

First Appellate Authority,

O/o Secretary, Punjab Vidhan Sabha,

Secretariat, Pb.,

Chandigarh.

.....Respondent

Appeal Case No. 3516 of 2019

(Video Conference Proceedings)

Present:- None on behalf of the appellant.

Shri Chhotu Sharma, Senior Assistant, on behalf of the respondents.

ORDER

This order may be read with the previous order dated 17.10.2019 vide which the appellant was directed to access the information directly which is available on their website i.e. www.punjabassembly.gov.in.

2. The appellant is absent without intimation.

2. The representative of the respondents states that complete information is available on their website and no information is to be supplied by the respondents, which is not available on the website as per RTI application of the information-seeker. He further submits that no query/deficiency has been received from the information-seeker till date in their office. In view of this, the present case may be disposed of.

3. After hearing the representative of the respondents and perusing the record available on the case file, it is revealed that no communication has been received from the appellant and keeping in view his absence during the hearing. It is presumed that the appellant is satisfied with the reply given by the respondents. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 18.11.2019

Sd/-

(Suresh Arora)

Chief Information Commissioner

Punjab

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Sh. Balwinder Singh S/o Sh. Gurdeep Singh,
R/o Village- Rao ke Uttar,
Post Office- Khundar Uttar,
Block- Mamdot, District- Ferozepur.
152023

.....Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Mamdot,
District- Ferozepur.

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

.....Respondents.

Appeal Case No. 3510 of 2019 (Video Conference Proceedings)

Present:- Shri Balwinder Singh, appellant.
Shri Roshan Lal, Panchayat Secretary on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 17.10.2019 vide which the respondents has assured that they would send the information to the appellant on 21.10.2019 through registered post. On receipt of the information from the respondents, the appellant was advised to go through the same and revert back to the authorities in case of deficiencies before the next date of hearing.

2. The appellant states that he has received information except bills, receipts and Utilization Certificate relating to NAREGA.

3. The representative of the respondents states that complete information has been provided except Utilisation Certificate. The balance information relates to NAREGA.

4. The representative of the respondents is directed to transfer application for seeking information to NAREGA under Section 6(3) of the RTI Act, 2005. Shri Deepak Kumar, Assistant Programme Officer, Narega (M.No.98145-00957) is directed to provide the information relating to NAREGA within 10 days from the receipt of the order. Shri Roshan Lal, Panchayat Secretary is directed to get the record inspected from the appellant on 25.11.2019 at 11.00 A.M. and supply copies of the documents, on the spot, after identification.

5. To come up on 5.12.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ferozepur.

Sd/-

(Suresh Arora)

Chief Information Commissioner
Punjab

Dated : 18.11.2019

CC:

Sh. Deepak Kumar, APO, Narega.
O/o Block Development & Panchayat Officer,
Block- Mamdot,
District- Ferozepur.

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Sh. Sanjeev Kumar Agnihotri,
VPO- Sarhal Mandi via Dosanj Kalan,
Tehsil- Phillaur, Distt. Jalandhar.-144502Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Phillaur- 144410, Distt. Jalandhar.

First Appellate Authority,
O/o Block Development & Panchayat Officer,
Phillaur- 144410, Distt. Jalandhar.Respondent

Appeal Case No. 3314 of 2019

Present:- None on behalf of the parties.

ORDER

The RTI application is dated 29.05.2019 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 13.07.2019 and second appeal was filed in the Commission on 06.09.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 11.11.2019 which was further postponed for today due to technical problem in the video conference facility.

2. None is present on behalf of the appellant but a letter dated 16.11.2019 has been received through e-mail.

3. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, Shri Ranjit Singh Khatra, Block Development and Panchayats Officer, Doraha-cum- PIO 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

Contd.....p/2

-2-

complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on his for causing willful delay/denial of the information to the RTI applicant and why the compensation be not awarded to the information-seeker under Section 19(8)(b) of the Act for the detriment suffered by him.

4. 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.

5. To come up on **05.12.2019** at **03.30 P.M.** for further proceedings to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar.

Dated : 18.11.2019

Sd/-
(Suresh Arora)
Chief Information Commissioner
Punjab

cc

1. Shri Ranjit Singh Khatra,
Block Development and Panchayats Officer,
Doraha, District Jalandhar. (Regd.)
2. The Deputy Commissioner, Jalandhar (by name) for information and to ensure the presence of PIO or his representative during the Video Conference proceedings in future.