

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



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: Sh. Amrinder Singh, Appellant in person.
Sh. Kulwant Singh, Panchayat Secretary, BDPO Office, Samana – for Respondents.

ORDER

The respondents are directed to allow him inspection of record on a specific date and time and provide him zerox copies of the documents identified by him not beyond 150 pages free of cost.

To come up on **18.04.2019 at 11.30 AM.**

Sd/-

19.03.2019

(Yashvir Mahajan)
State Information Commissioner



Sh. Navdeep Gupta,
Kothi No 455, Gillco Valley,
Kharar, Distt. Mohali.140301

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Maloud, Distt Ludhiana.

Respondent

Complaint Case No.1130/2018

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
14.12.2017	Nil	Nil	Nil	12.10.2018

Present:

None on behalf of the Complainant.

1. Sh. Deepak Kumar, Clerk, Labour Inspector, Gr. I off., Khanna,
2. Sh. Salim Khan, V.D.O., BDPO, Maloud – for Respondent

ORDER

The following order was made by this forum on 12.02.2019:

“The complainant had sought an information from respondent about the registration of the workers under Building and Other Construction Workers Act, 1996, working in village Gosal, Block Malaudh, District Ludhiana and its renewal. Sh. Baljinder Singh, working in the O/o BDPO, Malaudh, Ludhiana submits that the original application was transferred to Labor Inspector Khanna under section 6(3) of the Right to Information Act, as the information is related to him. Obviously, the labor Inspector, Khanna is the deemed PIO in this case who has failed to provide the information. He is directed to arrange to provide the information to information seeker before the next date of hearing and explain the delay having taken in timely provision of the information earlier.”

“None is present on behalf of the Parties.”

Contd...page...2



-2-

Complaint Case No.1130/2018

The case has again come up for hearing today. Sh. Deepak Kumar, Clerk, Labour Inspector, Grade I office, Khanna, appearing on behalf of the respondent submits that the complainant was duly informed with reference to sought for information. He has produced a copy of the same which has been taken on record. Its perusal suggests that the information sought is available on the website of the department and it is not in their exclusive custody. The complainant could have accessed it online. Thus being the case the Commission feels that the complaint does not sustain and is **disposed of** accordingly.

19.03.2019

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

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Sh. Gurmeet Singh,
S/o Sh. Ganesha Ram,
R/o Village Shadipur,
Tehsil Guhla, Distt Kaithal, Distt Haryana.

Complainant

Versus

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

Respondent

Complaint Case No.1155/2018

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
20.08.2018	Nil	Nil	Nil	30.10.2018

Present: Sh. Gurmeet Singh, Complainant in person.
None on behalf of the Respondent.

Order:

The following order was made on 12.02.2019:

“The complainant is seeking an action taken on a complaint made by him against one Sh. Binder, Sarpanch, gram panchayat, Saferi, Tehsil Samana, District Patiala.

None is present on behalf of the respondent. They are advised to apprise the complainant about the status of his complaint under intimation to the Commission failing which it shall be presumed that they have nothing to say on the matter and ex parte decision shall be taken on the complaint in hand under the provisions of RTI Act.”

The case has again come up for hearing. The complainant in fact has a grievance against the sarpanch for having short paid the remunerations for the work executed by him towards construction and renovation of drains and streets in the village. No information in accord with its definition in the RTI Act has been sought. The Commission is not in position to redress his grievance. Nonetheless the Commission advises the District Development & Panchayat Officer, Patiala to have it looked into by giving him an appropriate opportunity of being heard.

The complaint is **disposed**.

19.03.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

Cc: The District Development & Panchayat Officer, Patiala, for n/a.

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Sh. Paramjit Singh,
S/o Sh. Jagdish Ram,
R/o Village Dhabi Gunjara,
Tehsil Patran Distt Patiala.

Complainant

Versus

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

Respondent

Complaint Case No.1159/2018

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
17.05.2018	Nil	Nil	Nil	27.10.2018

Present: Sh. Paramjit Singh, Appellant in person.
Sh. Rajinder Kumar, Panchayat Secretary, BDPO Office, Patran – for Respondent.

Order:

The following order was made on 12.02.2019:

“The respondent submits that the complete details of grants received from the government and other resources for the developmental works in the village have been provided to the complainant. Various bills and vouchers pertaining to the expenses incurred have also been supplied to him.

The complainant submits that the copies of bills have been supplied randomly and he is not in a position to relate the same with the various works. Though, seemingly the sought for information has been supplied, yet, in order to satisfy the complainant, it directs the respondent to allow him an access to the record and provide the certified copies of the documents, if already not provided. The complainant shall restrict his demand up to 50 pages only.”

“The case is being taken up today. The respondent is absent. The complainant suggests that despite having been approached the respondent has been avoiding to provide access to the information. A final opportunity is afforded to the respondent to ensure the compliance of the order as mentioned above. Failure to comply shall invoke the imposition of penalty as per provision of Section 20(1) of the Act.”

The case has come up again today for hearing. Sh. Rajinder Kumar appearing on behalf of the respondent submits that the same information is being sought repeatedly by the complainant and his associate with a view to harass him only. Sh. Darshan Ram who has accompanied the complainant admits in the Court that he is in receipt of complete information but is not inclined to share it with the complainant who otherwise is his friend. This is intriguing. The Commission is inclined to accept the version of the respondent that the complainant is not genuinely interested to get the information. He seemingly has some oblique motives. The Commission as such is not inclined to intervene.

Disposed.

19.03.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Shri Manohar Lal,
S/o Shri Jagdish Chander,
R/o House No 17, Street No 6,
Satjot Nagar, Dhandra Road, Ludhiana.

Complainant

Versus

Public Information Officer,
O/o Block Development Panchayat Officer,
Inside PAU Block- I, Ludhiana.

Respondent

Complaint Case No. 990/2018

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 Complaint
12.07.2018	Nil	Nil	Nil	12.09.2018

Present: Sh. Manohar Lal, Appellant in person.
Sh. Gurmail Singh, BDPO, Block – 1, PAU, Ludhiana – for Respondent.

Order

The following order was passed by this forum on 12.02.2019:

“The respondents are absent. On the last date of hearing the proxy for the respondent has assured this forum to provide the information to the complainant before the next date of hearing under intimation to the Commission.

None is present on behalf of respondents, nor has any written reply been filed. The Commission takes strong exception towards the callous and apathetic conduct of the respondent. Apparently, they have violated the provisions of Section 7 (1) of the Right to Information Act, 2005.

The BDPO is hereby issued a show cause notice under section 20(1) of the Right to Information Act as to why a penalty at the rate of Rs. 250/- per day, subject to a maximum of Rs. 25000/- be not imposed upon him for the delay in the supply of information and also to why a suitable compensation under Section 19(8)(b) of the RTI Act, 2005, be not awarded to the complainant for the loss and detriment suffered by him. He is also afforded an opportunity of personal hearing on the next date of hearing, before taking any action.”

Contd....page...2



-2-

Complaint Case No. 990/2018

“The case has come up today for hearing. Sh. Hardeep Singh, Panchayat Secretary of Gram Panchayat, Satjot Nagar, submits that the street in question was not got constructed by the gram panchayat of the village of its location and the appellant has been informed by the BDPO accordingly. Simultaneously, he maintains that as the jurisdiction of the village has recently changed hands it is quite probable that the aforesaid construction might have been made by the gram panchayat of village Dhandla, its erstwhile local body. The Block Dev. & Panchayat Officer, Block – 1, PAU, Ludhiana, is hereby directed to clarify the position in the interest of the transparency to the complainant before the next date of hearing failing which it shall be presumed that they are willfully suppressing the information and the follow up action for such conduct shall be taken. Be it noted that a show cause notice stands already issued to him.”

The case has again come up for hearing. Sh. Gurmail Singh, BDPO has come present. He has communicated in writing that his JE is on leave and as such he is not in position to give him the information. He says that the information shall be provided as and when JE joins.

The Commission is not inclined to accept the submission of the respondent. The original application was filed on 12.07.2018. Even after a lapse of about seven months the respondent is beating about the bush. The Commission senses malafide on the part of the respondent to suppress the information. A final opportunity is afforded to him to give the information complete in all respects strictly in accord with the application as is available in the office. Be it noted that he is already under show cause notice and the Commission has yet to take a call on the same.

To come up on **18.04.2019 at 11.30 AM.**

19.03.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email: psic22@punjabmail.gov.in



Sh. Anil Sandhir,
R/o House No. 2994, HIG, Phase-1,
Dugri, District-Ludhiana.

Appellant

Versus

Public Information Officer,
O/o District Education Officer (SE),
District-Ludhiana.

First Appellate Authority,
O/o District Education Officer (SE),
District- Ludhiana.

Respondents

Appeal Case Nos.2818, 2739, 2740 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/ Complaint
05.01.2018 19.03.2018	Nil	03.03.2018 23.05.2018	Nil	27.07.2018

Present: **None on behalf of the Appellant.**
 Sh. Hari Dev, Superintendent, DEO (SE), Ludhiana – for Respondents.

Order

Above three appeals have been entrusted to this bench on the request of Dr. Pawan Kumar Singla, Ld. SIC who has recused himself from these cases on alleged uncharitable comments.

As the appellant and the respondents are the same and the information emanates from the same source the subject appeals are clubbed together to be disposed by a single order.

The perusal of the applications suggest that the appellant is seeking outcome of a complaint made by him against some officials, the details of the officials appointed as invigilators during the conduct of Matriculation and Plus II examinations in the year 2017 and the remunerations paid to them. The details of the medical/other leaves availed by the Principal of a school have also been sought. In another application he seeks to know the details of Principals having been reverted and posted on adhoc basis on the same assignment during the last couple of years.

The Commission finds that the appellant has been absent in most of the hearings with the former bench. A communication has been received from the appellant by this bench with the request to adjourn the case sine die as the appellant is gravely sick and is proceeding abroad for

Contd....page...2



-2-

Appeal Case Nos.2818, 2739, 2740 of 2018

treatment. The Commission wishes him a quick recovery.

However, the Commission observes that these are quasi-judicial proceedings and are desirable to be disposed of expeditiously in a time-bound manner. The adjournment of cases for an interminable period shall defeat the public cause. The Commission has been given to understand that the appellant is a retired official of the department with a dubious past. He was dismissed from service to be reinstated at the time of superannuation.

The cursory perusal of his applications suggests that the appeals are intended to settle some personal scores with old colleagues and have not been filed in public interest. Having said so, the respondents say that they have brought along information comprising a couple of hundred of pages. The Commission has perused it and finds it apparently to be in order. The Commission is not inclined to accept his request to adjourn the case sine die and the same is rejected. The respondents are directed to send it by post at the given address under intimation to the Commission.

All the above appeals are **disposed**.

Sd/-

19.03.2019

**(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,
Anandana 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: Sh. Balwan Gagat, Appellant in person.
Sh. Ajaib Singh, BDPO, Andana at Munak – for Respondents.

ORDER

The following order was passed 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



-2-

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 matter shall be reheard on **18.04.2019 at 11.30 AM.**

19.03.2019

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