

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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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

Present:- Sh. Manjinder Singh, complainant in person.
Sh. Makhan Singh, Panchayat Secretary 94173 42556 in person on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 14.9.2020 and the case was adjourned to 8.10.2020 but due to administrative reasons, the case is further adjourned for today i.e. 19.10.2020.

2. The appellant state that he is not satisfied with the information so supplied by the respondents as there are ambiguities. The appellant also pointed out the deficiencies in the information through whatsapp so supplied by the respondents, which are taken on record. However, the representative of the respondents states that he is having the original record with him and the appellant may inspect the same and whatever information pertaining to the RTI application of the complainant, the same will be supplied to him.

3. Accordingly, the appellant was advised to inspect the record during the course of hearing. After inspecting the record and getting the information, the complainant shows his satisfaction regarding Point No. 1 to 8 of the RTI application. Regarding Point No. 9 and 10 of the RTI application, the representative of the respondents states that the same may be in the custody of the Block Development and Panchayats Officer, Garhshankar.

4. Accordingly, the Public Information Officer o/o the Block Development and Panchayats Officer, Garhshankar is directed to file the reply/supply the information pertaining to Point No. 9 and 10 of the RTI application before the next date of hearing under intimation to the Commission.

5. To come up on 2.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Hoshiarpur/Cisco Webex.

Dated:19.10.2020

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

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Sh. Balwinder Singh Kaler S/o Sh. Sardara Singh,
R/o Village Amargarh Kaler, (98728-04926)
Tehsil Jagraon,
District Ludhiana.

.....Appellant

Vs

Public Information Officer,
Panchayat Secretary,
O/o Block Development & Panchayat Officer,
Block -Jagraon, Distrcit Ludhiana.

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

.....Respondent

Appeal Case No. 4410 of 2019

Present:- Sh. Balwinder Singh Kaler, appellant at Chandigarh.
Sh. Harjinder Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.9.2020.

2. The appellant state that he is not satisfied with the information so supplied by the respondents as the respondent-Public Information Officer –cum-Panchayat Secretary has not counter-signed the proceedings book, cash book etc. and that too is incomplete. In addition the appellant states that the respondent-Panchayat Secretary has not supplied the legible copies of bank pass books so far. Furthermore, the appellant states that the respondents have harassed him by not providing the information as his RTI application is dated 22.7.2019 and he may be compensated for the harassment & financial loss. However, the representative of the respondents states that he is having the copies of three bank accounts of the Panchayat along with him and handed over the same to the appellant during the course of hearing. The representative of the respondents also counter-signed all the documents provided to the appellant during the course of hearing.

3. After deliberations, it appears that the complete information has been supplied except the copies of proceeding book of year 2015 (Page No 58,59,60 and 61) proceeding book of year 2017 (Page No. 1,2,3,12,13,18,19,20 and 21) and proceeding book of year 2018 (Page No. 30 and 31) and the representative of the respondents assured that the same will be supplied to the appellant before the next date of hearing.

4. The perusal of the file shows that in this case, application for information was filed by the appellant on 22.07.2019 but after a lapse of more than one year, complete information has not been supplied to the appellant so far. It is, thus apparent from the response of the respondent-PIO that there has been delay in providing the information. Appellant had also suffered financial loss in getting the information. The department still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act.

5. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 5000/- (Rupees Five thousands only) by way of compensation to the appellant. This amount shall be payable by the office of the Public Information Officer-cum-Panchayat

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Appeal Case No. 4410 of 2019

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Secretary o/o Block Development and Panchayats Officer, Jagraon from the State Exchequer to the appellant before the next date of hearing under intimation to the Commission. Block Development and Panchayats Officer, Jagraon will ensure that the amount of compensation be paid to the appellant before the next date of hearing failing which the penalty provisions will be invoked.

6. The respondent-Public Information Officer is also directed to supply the remaining pages of proceedings book as has been mentioned in Para 3 above before the next date of hearing.

7. To come up on 3.12.2020 to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana/Cisco webex.

Dated: 19.10.2020

SD
(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

District Development and Panchayats Officer (By name) (Registered) To comply with the
District Administrative Complex, above orders.
Ludhiana.

Block Development and Panchayats Officer,(By name) (Registered) -do-
Block Jagraon, Ludhiana.

PUNJAB STATE INFORMATION COMMISSION

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Sh. Rohit Sharma Advocate,
Chamber No. 320,
Lawyers Chamber,
Second Floor, District Court,
Bathinda 9872200918

....Complainant

Vs

Public Information Officer
o/o Addl. Deputy Commissioner (D)
Zila Parishad,
Bathinda

....Respondents

Complaint Case No. 469 of 2020
(Video Conference Proceedings)

Present:- None on behalf of the complainant.

Sh. Rakesh Kumar, Supdt o/o Zila Parishad on behalf of the respondents

ORDER

This order may be read with reference to the previous order dated 4.9.2020.

2. The representative of the respondents states that the complete information has already been supplied to the complainant and no deficiency has been pointed out by the complainant so far in the provided information.

3. Since, the complainant is absent, one last opportunity is granted to him to point out deficiency, if any, before the next date of hearing to the respondent-Public Information Officer under intimation to the Commission failing which the decision will be taken ex-parte on the next date of hearing.

4. To come up on 12.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Bathinda/cisco webex.

SD/

(Suresh Arora)

Dated: 19.10.2020

Chief Information Commissioner,
Punjab.

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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.

....Respondents

Appeal Case No. 1896 of 2020

(Video Conference Proceedings)

Present:- Sh. Surinder Kumar, appellant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.9.2020.

2. The appellant states that no information has been provided by the respondents so far. Furthermore, the appellant states that the respondent-Public Information Officer has harassed him by not providing the information as his RTI application is dated 8.11.2019 and he may be compensated for the harassment & financial loss in getting the information.

3. The perusal of the file shows that in this case, application for information was filed by the appellant on 8.11.2019 but after a lapse of more than eleven months no information has been supplied to the appellant so far. Appellant had also suffered financial loss in getting the information. The department still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act and nobody is present today as well as during the last hearing i.e. 4.9.2020.

4. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 5000/- (Rupees Five thousands only) by way of compensation to the appellant. This amount shall be payable by the office of the Public Information Officer-cum-Panchayat Secretary o/o Block Development and Panchayats Officer, Khuhian Server from the State Exchequer to the appellant before the next date of hearing under intimation to the Commission. Block Development and Panchayats Officer, Block Khuhian Server will ensure that the amount of compensation be paid to the appellant before the next date of hearing failing which the penalty provisions will be invoked.

5. The respondent-Public Information Officer is also directed to supply the remaining pages of proceedings book as has been mentioned in Para 3 above before the next date of hearing.

6. To come up on 3.12.2020 to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana/Cisco webex.

Dated: 19.10.2020

Sd/

(Suresh Arora)

Chief Information Commissioner,

Punjab.

**Block Development and Panchayats Officer, (By name) Registered
Block Khuhian Server, Fazilka**

**To ensure compliance
of this order.**

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Sh. Kaka Singh s/o Sh. Harnam Singh,
Village Ladpur(S), Tehsil Amlah,
Distt Fatehgarh Sahib 147203 9781599006

....Appellant

Vs

Public Information Officer
o/o Block Development and Panchayats Officer,
Block Amlah,
Fatehgarh Sahib.

First Appellate Authority
o/o Block Development and Panchayats Officer,
Block Amlah
Fatehgarh Sahib.

..Respondents.

Appeal Case No. 2490 of 2020
(Video Conference Proceedings)

Present:- Sh. Jagdeep Singh s/o Kulwant Singh on behalf of the appellant.
Sh. Balkar Singh, Supdt on behalf of the respondents.

ORDER

The RTI application is dated 30.5.2020 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 14.7.2020 and second appeal was filed in the Commission on 4.9.2020 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 states that the information is ready and will be supplied to him within two days and requests for the adjournment of the case.

3. According to the assurance given by the respondents, the case is adjourned with the directions to supply the complete information before the next date of hearing.

4. To come up on 29.10.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fatehgarh Sahib/cisco webex.

Sd/

Dated: 19.10.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Jit Lal 9876720742

r/o Bhulpur

Block Tanda

District Hoshiarpur

....Appellant

Vs

Public Information Officer

o/o Block Development and Panchayats Officer,

Block Tanda,

Hoshiarpur.

First Appellate Authority

o/o District Development and Panchayats Officer,

Hoshiarpur.

....Respondents

Appeal Case No. 1885 of 2020

(Video Conference Proceedings)

Present:- Sh. Jit Lal, appellant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.9.2020 vide which the respondent-Public Information Officer stated that the information comprising 470 pages have been sent to the appellant and the appellant was advised to go through the same on its receipt and point out deficiencies, if any before the next date of hearing.

2. A request has been received from the respondent-Public Information Officer Sh. Gural Singh, Panchayat Secretary that he is not medically fit to attend the hearings and requested for the adjournment of the case.

3. The appellant states that incomplete information has been supplied by the respondent-Public Information Officer but he has assured to provide the remaining information details of which has already provided to him.

4. Accordingly, the respondent-Public Information Officer is directed to supply the remaining information to the appellant under intimation to the Commission before the next date of hearing.

5. To come up on 2.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Hoshiarpur/cisco webex.

Sd/

Dated: 19.10.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Karnail Singh s/o Chhanga Singh 9876944476

H.No. 378,

New Azad Nagar,

District Ferozepur.

....Appellant

Vs

Public Information Officer

o/o District Development and Panchayats Officer,

Mini Secretariat,

Ferozepur.

First Appellate Authority

o/o Deputy Commissioner

Mini Secretariat,

Ferozepur.

Public Information Officer

Registered

o/o Block Development and Panchayats Officer,

Block Mamdot, Ferozepur.

....Respondents

Appeal Case No. 1865 of 2020

(Video Conference Proceedings)

Present:- Sh. Karnail Singh, appellant.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.9.2020 vide which the Block Development and Panchayats Officer, Mamdot was impleaded as necessary party in this case to supply the information and the case was adjourned for today i.e. 19.10.2020.

2. The appellant states that no information has been provided by the respondents so far.

3. A telephonic message has been received from the District Development and Panchayats Officer Ferozepur that the case may be adjourned as the mother of the concerned Block Development and Panchayats Officer, Mamdot has expired.

4. Accordingly, the request of the respondents is accepted and the case is adjourned with the directions to supply the complete information to the appellant before the next date of hearing under intimation to the Commission.

5. To come up on 2.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ferozepur/cisco webex.

sd

Dated: 19.10.2020

(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 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 15.9.2020.

2. The appellant made the submissions that the respondent-Public Information Officer is not providing the complete information. Copy of submissions sent by the appellant is taken on record. Whereas the respondent-Public Information Officer states that the complete information has been supplied pertaining to the RTI application of the appellant.

3. After hearing both the parties, the directions are issued to both the parties to remain present at Chandigarh along with the information received/supplied to take the matter to its logical end. The respondent-Public Information Officer is also directed to bring the original record pertaining to the RTI application on the next date of hearing.

4. The Block Development and Panchayats Officer, Guru Harsahai is directed to ensure compliance of this order.

sd

(Suresh Arora)

Chief Information Commissioner,

Punjab.

Dated: 19.10.2020

Block Development and Panchayats Officer, (By name) Registered
Block Guru Harsahai,
Ferozepur

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Sh. Baldev Singh s/o Hardit Singh

Village Laduka

District Fazilka 152123 Mobile 8437795286

....Appellant

Vs

Public Information Officer,

O/o APO MGREGA

c/o Block Development and Panchayats Officer

Block Jalalabad,

District Fazilka.

First Appellate Authority

Block Development and Panchayats Officer

Block Jalalabad,

District Fazilka.

Public Information Officer

Registered

o/o the Addl. Deputy Commissioner (Dev.),

Mini Secretariat,

Fazilka.

....Respondents

Appeal Case No. 1155 of 2020

(Cisco Webex proceedings)

Present:- Sh. Baldev Singh, appellant

Sh. Gurjinder Singh, Block Development and Panchayats Officer 9855300174

& Sh. Karan Kataria, APO 8427783000 on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 15.9.2020.

2. The appellant states that no information has been provided by the respondents so far. However, the representative of the respondents states that the office record concerning the RTI application is not available in the office with the present incumbent. He also states that even the notice was issued to the previous employees who remained the custodian of the record. Furthermore, he states that the employees have been transferred to various districts and they are not under the control of the Block Development and Panchayats Officer to enable him to supply the information. He also states that the correspondence in this regard, the statements of all concerned employees and their present place of posting will be sent to the Commission afternoon but no such documents have been received from the respondent office till evening.

3. None is present on behalf of the Public Information Officer o/o the Additional Deputy Commissioner (Dev.) Fazilka. He is directed to remain present on the next date of hearing failing which the punitive action will be initiated.

4. With regard to the compensation awarded to the appellant amounting to Rs.5000/- (Rupees five thousands) it is clarified that the compensation amount has to be paid by the office to the appellant after drawing the same from the Government Treasury. Accordingly, the Block Development and Panchayats Officer, Jalalabad is directed to pay the same to the appellant before the next date of hearing.

5. Also the Public Information Officer o/o the Director, Rural Development & Panchayat Deptt., Pb. is impleaded as necessary party in this case to file the reply/supply the information before the next date of hearing.

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Appeal Case No. 1155 of 2020

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6. Also the Director, Rural Development & Panchayat Deptt.,Pb. Punjab is directed to look into the matter and initiate enquiry and fix responsibility with regard to the handing over the record as well as giving compensation to the appellant due to delay in supplying the information.

7. To come up on 2.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

sd

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 19.10.2020

CC

Financial Commissioner (By name) (Registered) To look into the matter personally.

Government of Punjab,

Rural Development & Panchayat Deptt.,Pb.,

Vikas Bhawan, Sector 62,

Mohali

Director, (by name) (Registered)

Rural Development & Panchayat Deptt.,Pb.,

Vikas Bhawan, Sector 62,

Mohali

Public Information Officer (by name) (Registered)

o/o the Director,

Rural Development & Panchayat Deptt.,Pb.,

Vikas Bhawan, Sector 62,

Mohali