

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

Shri Nirbhai Singh Sidhu,
R/o Village Khirnian, PO Mushkabad,
Tehsil Samrala, Distt Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Panchayat Officer,
Block-Sri Machhiwara Sahib, Distt Ludhiana.

First Appellate Authority,
O/o Block Development Panchayt Officer,
Block-Sri Machhiwara Sahib, Distt Ludhiana.

Respondents

Appeal Case No. 3187/2018

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
21-05-2018	Nil	12.07.2018	Nil	14.09.2018

Present: Sh. Nirbhai Singh Sidhu, Appellant in person.
None on behalf of Respondents.

Order

The appellant is interested to know as to whether the Sarpanch of his village is authorized to sell the silt of the village and if so, is he not obliged to account for the same. He complains that the chunk sold to him has not been duly accounted for. Sh. Gurcharan Singh, Panchayat Officer, the respondent has sent a memo requesting for an adjournment of the matter as he has to attend the proceedings in the Civil Court, Samrala. His request is accepted. Meanwhile he is directed to file a written reply to the notice and observations made by the Commission.

To come up on **01.01.2019 at 11.30 AM.**

20.11.2018

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Shri Anokh Singh,
S/o Shri Gurdeep Singh,
R/o Village Burj Mohammad Shah,
Tehsil Zira, Distt Ferozepur.

Complainant

Versus

Public Information Officer,
O/o Block Development Panchayt Officer,
Makhu, Tehsil Zira, Distt Ferozepur.

Respondent

Complaint Case No. 971/2018

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
05.06-2018	Nil	Nil	Nil	10.08.2018

Present: Adv. Tarun Jhatta, Counsel on Behalf of appellant.
Sh. Karandeep Singh, BDPO, Makhu,
Sh. Sukhdev Singh, Panchayat Secretary, Block-Makhu-for respondent.

Order

Sh. Karandeep Singh, BDPO, Makhu, Tehsil Zira is present. He submits that he has recently joined. He assures to arrange the transfer of information expeditiously. Sh. Sukhdev Singh, Panchayat Secretary, is also present. He undertakes to provide the information without further loss of time.

The Commission takes serious note of inordinate delay that has already taken place. Besides advising them to provide the information, they are desired to explain the delay.

To come up for hearing **through Video Conferencing facility of PAWAN** in
Deputy Commissioner Office, Ferozepur on 09.01.2019 at 11.30 AM.

Sd/-

20.11.2018

(Yashvir Mahajan)
State Information Commissioner

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Shri Harwinder Singh,
S/o Late Shri Gurdev Singh,
200 (Ground Floor), Sector 41 A, Chandigarh.

Appellant

Versus

Public Information Officer,
O/o Examiner,
Local Fund Accounts,
Vitte Yojna Bhawan, Sector 33-A, PB, Chandigarh.

First Appellate Authority,
O/o Secretary (Expenditure),
Punjab Civil Secretariat, sector 1, Chandigarh.

Respondents

Complaint Case Converted into Appeal Case No. 977/2018

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
24-05-2018	25.05-2018	25.06.2018	Nil	24.08.2018

Present: Sh. Harwinder Singh, Appellant in person.
Smt. Paramjeet Kaur, APIO-for respondents.

Order

Smt. Paramjeet Kaur, APIO, submits that file is in process and seeks an adjournment enabling them to file an appropriate reply. The Commission takes strong exception to such a lackadaisical attitude. The stipulated period of providing the information has since elapsed. The PIO is desired to provide appellant the complete information and explain his conduct of having violated the provisions under section 7 (1) of the Right to Information Act, 2005. Be it noted that no further opportunity shall be granted and the penal provisions shall be invoked in the event of failure to comply.

To come up on **01.01.2019 at 11.30 AM.**

Sd/-

20.11.2018

(Yashvir Mahajan)
State Information Commissioner

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

Complainant

Versus

Public Information Officer,
O/o Incharge,
Police Chowki, Sunny Enclave, Kharar,
Distt Mohali.

Respondent

Complaint Case Nos. 981, 982, 983, 984 and 985 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 Complaint
29.06.2018/28.06.2018/ 27.06.2018/ 26.06.2018/25.06.2018	Nil	Nil	Nil	13.09.2018

Present: **None on behalf of complainant.**
 ASI Avtar Singh, Chowki Incharge, Police Chowki-Sunny Enclave,
 Constable Shiv Raj- for respondent.

Order

Since the complainant and the respondents are the same and the information sought for is almost identical, single order shall dispose of the above complaints.

The complainant is absent. The respondent submits that the complainant was criminally booked by them in FIR No. 86 dated 25.04.2018 for causing physical assault on government official on duty and criminal intimidation under various sections of Indian Penal Code. Ever since, he has been filing vexatious complaints to harass the respondent. The information available with them has since been given to him. The respondent has shown us the copies of the memos sent and acknowledged to have been received by him. Since he is absent without any communication, the Commission presumes that he has nothing more to say on the matter.

While agreeing with submissions made by the respondent, the Commission believes that he had been adequately informed. No cognizance of the complaint filed by him is desirable to be taken which is **filed**.

20.11.2018

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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. Hardeep Singh, PIO, Panchayat Secretary, Gram Panchayat, Satjot Nagar, Ludhiana.

Order

On the request of both the parties matter is adjourned to be heard on **08.01.2019** at

11.30 AM.

Sd/-

20.11.2018

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Shri Bhupinder Singh,
S/o Shri Jagdish Singh,
Village Kurara, Distt Mohali.

Complainant

Versus

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

Respondent

Complaint Case No. 994/2018

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
19.06.2018	Nil	Nil	Nil	17.09.2018

Present: Sh. Bhupinder Singh, Appellant in person.
Sh. Harmesh Singh, Panchayat Secretary-for respondent

Order

Sh. Harmesh Singh, Panchayat Secretary, assures to provide the information soon.

He is directed to do it quickly under intimation to Commission.

To come up on **01.01.2019 at 11.30 AM.**

Sd/-

20.11.2018

(Yashvir Mahajan)
State Information Commissioner

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Shri Gurinder Singh Sekhon,
S/o Shri Ram Singh Sekhon,
R/o Village Chibranwali,
PO Khunan Kalan, Tehsil & Distt Sri Muktsar Sahib.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Sri Muktsar Sahib.

Respondent

Complaint Case No. 997/2018

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
10.10.2017	Nil	Nil	Nil	18.09.2018

Present: Shri Gurinder Singh Sekhon, Appellant in person.
None is present on behalf of respondent.

Order

The complainant had sought to know the detail concerning revenue generated by the Gram Panchayat of village Chibranwali, Tehsil & Distt. Sh. Muktsar Sahib and the expenditure incurred on various development works having been undertaken by it from year 2017 onwards besides other connected information.

The respondent is absent. No reply has been filed by him. The Commission takes serious note of the lackadaisical attitude on part of PIO and directs him to provide him the information immediately and explain the inordinate delay in having failed to provide it so far.

To come up on **01.01.2019 at 11.30 AM.**

20.11.2018

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Ms. Baljeet Kaur,
D/o Sh. Jang Singh,
R/o House No. 369,
Sector 10 A, Surjit Nagar,
Mandi Gobindgarh, Distt. Fatehgarh Sahib.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Bassi Pathana, Distt. Fatehgarh Sahib.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Distt. Fatehgarh Sahib.

Respondents

Appeal Case No.2593/2018

Date of RTI application:	24.10.2017
Date of First Appeal :	25.05.2018
Date of Reply :	Nil
Date of Order of FAA :	Nil
Date of 2 nd Appeal/complaint:	01.08.2018

Present: **Smt. Baljeet Kaur, Appellant in person.**
Sh. Gurkanwal Singh, Panchayat Secy.,
Sh. Jarnail Singh, JRS, Block-Bassi Pathana,
Smt. Reena, APIO, O/o BDPO, Bassi Pathana,
Sh. Harwinder Singh, JRS, Block-Bassi Pathana.

Order

The following order was passed on 18.10.2018:

"The appellant is alleging misappropriation of MGNREGA funds by the Gram Panchayat by fudging the record and muster rolls in cahoot with the departmental authorities. She has sought the record relating to preparation of the job cards of the workers in the village by the concerned authority.

The respondents submit that the jurisdictional Panchayat Secretary was duly directed to attend the proceedings along with the original record. However, due to notice of an unscheduled hearing in the Hon'ble Punjab & Haryana High Court, Chandigarh he is unable to attend the proceedings in the Commission. As the application has been duly forwarded to Sh. Gurkanwal Singh Sandhu, Panchayat Secretary under Section 6(3) of the Act he is directed to file a written statement and explain his failure in providing the information. Meanwhile he shall ensure that the sought for information is transmitted to the appellant without further loss of time."

Contd...page...2

Appeal Case No.2593/2018

The case has come up today. Despite the express order of the Commission the respondents have failed to provide the information. No written reply has been filed also. The respondents are absent. The Commission takes a strong exception to their conduct and brazenness. The respondents render themselves liable for penal consequences.

The Block Development & Panchayat Officer, Bassi Pathana and Sh. Gurkanwal Sandhu, Panchayat Secretary, O/o BDPO, Bassi Pathana are issued 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 them 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 her.

In addition to the written reply, they are 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. They may take note that in case they do not file their written reply and do not avail themselves of the opportunity of personal hearing on the date fixed, it will be presumed that they have nothing to say and the Commission shall proceed to take further proceedings against them ex parte.

Meanwhile Sh. Gurkanwal Sandhu, Panchayat Secretary is directed to bring along the entire record in the Commission on the next date of hearing failing which the Commission shall be constrained to invoke its authority under Section 18(3) to coerce his presence in the Commission."

The case has come up today. The respondents say that they had sent the information by speed post, but it was refused to be received as intimated by postal authorities. They have brought it along in the court itself. It has been delivered to the appellant. She has found it to be in order except that the copy of original application filed by her for enrolment as a worker and issue of a job card is not tagged along. The respondents say that the record in question is not available with them as most likely it has been intentionally withheld by the appellant or her family who were in custody of the same. Be that as it is the respondents are desired to file an affidavit in this regard about the non-availability of the aforesaid application.

To come up on **01.01.2019 at 11.30 AM.**

20.11.2018

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