

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Sh. Kulwinder Kaur,  
w/o Late Shri Kulwant Singh,  
c/o Pawan Kumar s/o Shri Shiv Lal,  
Village Rupana,  
Tehsil & District Sri Muktsar Sahib.

Vs

.....Appellant

Public Information Officer,  
O/o Punjab & Haryana High Court,  
Sector 1,  
Chandigarh.

First Appellate Authority,  
O/o Punjab & Haryana High Court,  
Sector 1,  
Chandigarh.

..... Respondent

## **Appeal Case No. 870 of 2020**

( CISCO WEBEX Proceedings)

Present: Ms. Kulwinder Kaur, applellant.  
Shri Satish Kumar Wig(M8558830996), Joint Registrar and Sh. Charanjit Singh,  
Senior Assistant (M 8146992019) on behalf of the respondents.

### ORDER

This order may be read with the previous order dated 22.6.2020 and as per the request of the appellant the case was adjourned to 20.7.2020.

2. An email has been received from the appellant, in which she has submitted his written notes of arguments. The copy of the same is forwarded to the respondent-Public Information Officer along with this order to file his submissions, if any, before the next date of hearing.

3. To come up on 25.8.2020 at 11.30 through Cisco Webex.

Sd/

Dated:20.7.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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

....Appellant

Vs

Public Information Officer  
o/o Department of General Administration,  
Establishment Branch-1, Punjab Civil Secretariat-1,  
Chandigarh.

First Appellate Authority  
o/o Department of General Administration,  
Establishment Branch-1, Punjab Civil Secretariat-1,  
Chandigarh.

....Respondents

Appeal Case no. 1381 of 2020  
(CISCO WEBEX Proceedings)

Present:- Sh. Krishan Kumar Singla, appellant.  
Ms. Simarpreet Kaur, Sr. Asstt. On behalf of the respondents.

## ORDER

The RTI application is dated 28.1.2020 vide which the appellant has sought information as enumerated in his RTI applicat.

ion. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 26.2.2020 and second appeal was filed in the Commission on 2.6.2020 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 representative of the respondents states that the RTI application of the appellant is covered under Section 8(1) (j) of the RTI Act, 2005. She further states that an email has also been sent to the Commission for consideration, which is taken on record. However, the appellant states that the letter received from the respondents be transmitted to him and requested for the adjournment of the case.

3. According to the request of the appellant the copy of email, as received from the respondents, is attached with this order to make the submissions, if any, to the respondents with a copy to the Commission within 15 days from the issue of this order.

4. To come up on 25.8.2020 at 11.30 AM through CISCO WEBEX.

Dated:20.7.2020

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

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Shri Gurmeet Singh s/o Shri Lal Singh  
r/o Village Kikkar Khera,  
Tehsil Abohar,  
District Fazilka.

....Appellant

Vs

Public Information Officer  
o/o Block Development and Panchayats Officer,  
Block Munak at Andana,  
Tehsil Khanauri,  
District Sangrur.

First Appellate Authority  
o/o Block Development and Panchayats Officer,  
Munak,  
District Sangrur.

....Respondents

Appeal Case No. 1393 of 2020

(CISCO WEBEX proceedings)

Present:- Shri Gurmeet Singh, appellant.  
Shri Shavinder Singh, Block Development and Panchayats Officer on behalf of the respondents.

## ORDER

The RTI application is dated 30.12.2019 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 3.2.2020 and second appeal was filed in the Commission on 3.6.2020 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 representative of the respondents requests for the adjournment of the case due to Covid 19 pandemic and he assures the Commission that the complete information, whatever in the official record pertaining to the RTI application, will be supplied within 10 days. He further states that in case of any submissions, the same will also be submitted to the Commission before the next date of hearing. The appellant agrees with the submissions of the representative of the respondents.

3. As per the submissions of the representative of the respondents, the case is adjourned to 5.8.2020 to file his reply/supply the complete information.

Sd/

Dated:20.7.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Shri Gurmeet Singh s/o Shri Lal Singh  
r/o Village Kikkar Khera,  
Tehsil Abohar,  
District Fazilka.

....Appellant

Vs

Public Information Officer  
o/o Panchayat Secretary, Gram panchayat Bhulan,  
c/o Block Development and Panchayats Officer,  
Block Munak at Andana,  
Tehsil Khanauri,  
District Sangrur.

First Appellate Authority  
o/o Block Development and Panchayats Officer,  
Munak,  
District Sangrur.

....Respondents

Appeal Case No. 1400 of 2020  
(CISCO WEBEX proceedings)

Present:- Shri Gurmeet Singh, appellant.  
Shri Shavinder Singh, Block Development and Panchayats Officer on behalf of the respondents.

## ORDER

The RTI application is dated 16.12.2019 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 3.2.2020 and second appeal was filed in the Commission on 3.6.2020 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 representative of the respondents requests for the adjournment of the case due to Covid 19 pandemic and he assures the Commission that the complete information, whatever in the official record pertaining to the RTI application, will be supplied within 10 days. He further states that in case of any submissions, the same will also be submitted to the Commission before the next date of hearing. The appellant agrees with the submissions of the representative of the respondents.

3. As per the submissions of the representative of the respondents, the case is adjourned to 5.8.2020 to file his reply/supply the complete information.

Dated: 20.7.2020

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

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Shri Gurmeet Singh s/o Shri Lal Singh  
r/o Village Kikkar Khera,  
Tehsil Abohar,  
District Fazilka.

....Appellant

Vs

Public Information Officer,  
Assistant program officer, MGNREGA,  
c/o Block Development and Panchayats Officer,  
Block Munak at Andana,  
Tehsil Khanauri,  
District Sangrur.

First Appellate Authority  
o/o Block Development and Panchayats Officer,  
Munak,  
District Sangrur.

....Respondents

Appeal Case No. 1398 of 2020  
(CISCO WEBEX proceedings)

Present:- Shri Gurmeet Singh, appellant.  
Shri Shavinder Singh, Block Development and Panchayats Officer on behalf of the respondents.

## ORDER

The RTI application is dated 17.12.2019 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 3.2.2020 and second appeal was filed in the Commission on 3.6.2020 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 representative of the respondents requests for a copy of the RTI application along with annexures, if any, and he assures the Commission that the complete information, whatever in the official record pertaining to the RTI application, will be supplied within 10 days. He further states that in case of any submissions, the same will also be submitted to the Commission before the next date of hearing. The appellant agrees with the submissions of the representative of the respondents.

3. As per the submissions of the representative of the respondents, the case is adjourned to 5.8.2020 to file his reply/supply the complete information.

Dated: 20.7.2020

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

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Sh. Ranjit Singh S/o Sampruran Singh 9872281018

r/o Gurhi Sanghar,

District Sri Muktsar Sahib.

..Appellant

Vs

Public Information Officer,

o/o Block Development and Panchyat Officer,

Block Gidharbaha,

District Sri Muktsar Sahib.

First Appellate Authority,

o/o Block Development and Panchyat Officer,

Gidharbaha, District Sri Muktsar Sahib.

..Respondents

Appeal Case No. 995 of 2020

(Video Conference Proceedings)

Present: Shri Ranjit Singh, appellant.

Shri Sukhwant Singh Panchayat Secretary (M 9814803010) through Cisco Webex on behalf of the respondents.

Order

This order may be read with the previous order dated 22.6.2020.

2. The representative of the respondents – Shri Sukhwant Singh, Panchayat Secretary states that the proceeding book from 15.8.2013 to 18.7.2015 has been traced from the record and the copy of the same will be handed over personally, to the appellant today positively duly attested. With regard to the copy of proceeding book from 19.7.2015 to 15.7.2018, he states that the record is available with Shri Bhupinder Singh (M-7888643955), who has been transferred to the office of Chief Executive Officer, Anandpur Sahib. The appellant shows his satisfaction with the submissions of the representative of the respondents.

3. A copy of the letter No. 1441 dated 10.7.2020 written to Shri Bhupinder Singh, Panchayat Secretary received from the Public Information Officer o/o Block Development and Panchayats Officer, Kot Bhai at Gidderbaha, with a copy to the Commission, which is taken on record.

4. After going through the record and submissions of the respondent, it transpires that Shri Bhupinder Singh, Panchayat Secretary is deliberately not handing over the record i.e. proceeding book from 19.7.2015 to 15.7.2018 to enable the present Panchayat Secretary – Shri Sukhwant Singh to supply the information. Thus Sh. Bhupinder Singh, Panchayat Secretary now posted in the office of the Chief Executive Officer, Anandpur Sahib, 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 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 appellant under Section 19 (8) (b) of the Act for the detriment suffered by him and to explain for non supply of record to his predecessor Sh. Sukhwant Singh, Panchayat Secretary.

5. 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.

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Appeal Case No. 995 of 2020

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6. Shri Bhupinder Singh, Panchayat Secretary is also directed to hand over the record to the present Panchayat Secretary – Shri Sukhwant Singh before the next date of hearing and Shri Sukhwant Singh is directed to transmit the copy of the proceeding book to the appellant on its receipt from Shri Bhupinder Singh.

7. To come up on 18.8.2020 at 11.30 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sri Muktsar Sahib.

Sd/

Dated: 20.7.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Sh. Amrit Pal Singh, (7710294404)  
Village Hothian, Tehsil Kadhoor Sahib,  
District TaranTaran.

..Appellant

Vs

Public Information Officer,  
o/o Director, Rural Development and Panchayat Deptt., Pb.  
Punjab, Vikas Bhawan,  
Sector 62, Mohali

Public Information Officer,  
Cum-Panchayat Secreatary, Hothian  
c/o Block Development and Panchayat Officer,  
Block Khadoor Sahib,  
Distt. TaranTaran.

First Appellate Authority,  
o/o District Development and Panchayat Officer,  
Mini Secretariat, TaranTaran.

..Respondent

Appeal Case No. 966 of 2020  
(Video Conference Proceedings)

Present: Sh. Amritpal Singh, appellant.  
None on behalf of the respondents.

Order

This order may be read with reference to the previous order dated 22.6.2020 vide which the Director, Rural and Development and Panchayat Department, Punjab was impleaded as necessary party in this case and was directed to file the action taken on the recommendation of the District Development and Panchayats Officer, TaranTaran to take the disciplinary action against Sh. Gurbinder Singh, Panchayat Secretary now posted at Tarsika District Amritsar before the next date of hearing. It was further directed that Director, Rural Development and Panchayat should ensure that the concerned record be handed over by Sh. Gurbinder Singh to the present Panchayat Secretary Sh. Gurminder Singh so that he could discharge his obligations under the Right to Information Act, 2005. The case was adjourned to 20.7.2020.

2. The appellant states that he has not received information so far pertaining to his RTI application dated 8.1.2019.

3. The respondents are absent today without any intimation to the Commission.

4. After hearing the appellant and going through the record, it is revealed that neither any action taken has been sent by the Director, Rural Development and Panchayat Department, Punjab, Mohali. regarding the letter No. 4956-58 dated 24.12.2019 written by the District Development and Panchayats Officer, Taran Taran nor anything about the handing over the charge to the present Panchayat Secretary Sh. Gurminder Singh. The

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-2-

Director, Rural Development and Panchayat Department Punjab is directed to submit the same before the next date of hearing.

5. With regard to the handing over the record by Shri Gurbinder Singh, Panchayat Secretary, it has been revealed that no record has been handed over by him to the present Panchayat Secretary, Sh. Gurminder Singh inspite of the fact that a copy of the order dated 22.6.2020 has been sent to the Block Development and Panchayats Officer, Khadoor Sahib. Since, nothing has been received from the Block Development and Panchayats Officer, Khadoor Sahib, hence, the Block Development and Panchayats Officer, Khadoor Sahib is impleaded as necessary party in this case. The Commission takes a serious view regarding the non supply of the information pertaining to the RTI application dated 8.1.2019. Thus Sh. Gurmeet Singh, Block Development and Panchayats Officer, Khadoor Sahib, 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 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.

6. 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 a 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.

7. The respondents are also directed to file their reply/supply the information before the next date of hearing.

8. To come up on 18.8.2020 to be heard through video Conference facility in the office of the Deputy Commissioner, TaranTaran/ Cisco Webex.

Sd/

Dated: 20.7.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

cc

Director, (By name) ( REGD)

Rural Development and Panchayat, Department, Punjab, To comply with the above said orders.

Vikas Bhawan, Sector 62,  
Mohali

District Development and Panchayat Officer,(Regd)  
Mini Secretariat,  
TaranTaran

-do-

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Sh. Gurmeet Singh, (Regd.)  
Block Development and Panchayats Officer,  
Block Khadoor Sahib,  
Distt. TaranTaran.

Block Development and Panchayat Officer, (Regd)  
Block Tarsika,  
Distt. Amritsar.

-do-

Sh. Gurbinder Singh, Panchayat Secretary, (Regd)  
C/O Block Development and Panchayats Officer,  
Block Tarsika  
Distt, Amritsar.

Sh. Gurminder Singh, Panchayat Secretary (Regd.)  
c/o Block Development and Panchayats Officer,  
Block Khadoor Sahib,  
Distt. TaranTaran.

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Sh. Sandeep Kumar Maluja S/o Sh. Om Parkash,  
R/o Street No. 2, (96465-46613),  
Near shaniDevMandir Patel Nagar,  
Malout, District Sri Muktsar Sahib.

.....Appellant

Vs

Public Information Officer,  
O/o Assistant Programmer Officer, MGNREGA,  
Block Development and Panchayats Officer, -Malout,  
District Sri Muktsar Sahib.

First Appellate Authority,  
O/o Block Development and Panchayat Officer,  
Block- Malout, District Sri Muktsar Sahib.

..... Respondents

## Appeal Case No. 455 of 2020

Present:- None on behalf of the parties.

### ORDER

This order may be read with the previous order dated 22.6.2020.

2. An email has been received from the appellant that he has seen the relevant record and is satisfied. Also the office has contacted the appellant, who states that he is satisfied with the information and his case may be disposed of.

3. According to the satisfaction of the appellant, the case is disposed of and closed.

Sd/

Dated:20.7.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.