

# PUNJAB STATE INFORMATION COMMISSION

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

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Sh. Narinder Kumar, 9876702642,

S/o Sh. Gopal Krishan,

Vill: Prem Singh Wala,

P.O: Buzark, Tehsil: Samana,

Distt: Patiala

.....Complainant

**Vs**

Public Information Officer, Registered

Panchayat Secretary, Gram Panchayat,

Prem Singh Wala, Block Samana,

c/o Block Development & Panchayat Officer,

Block Samana,

Distt: Patiala.

Sh. Gurmail Singh (Registered)

Block Development and Panchayats Officer,

Block Samana,

District Patiala.

.....Respondent

## **Complaint Case .No. 723 of 2019**

Present:- None on behalf of the complainant.

Sh. Surjeet Singh, VDO on behalf of the respondents at Chandigarh.

### **ORDER**

This order may be read with reference to the previous order dated 25.9.2020.

2. A request has been received from the complainant that he is ill and unable to attend the hearing and requested for the adjournment of the case. However, the representative of the respondents states that he has brought the original record along with him.

3. Since the appellant is absent, one last opportunity is granted to remain present at Chandigarh on the next date of hearing failing which ex-parte decision will be taken. The respondent-Public Information Officer is directed to bring all the original record pertaining to the RTI application of the appellant and remained present during the next date of hearing.

4. To come up on 16.11.2020 at 12.30 PM at Chandigarh.

sd

Dated: 23.10.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

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Sh. Gurmeet Singh 9876269776  
Village Kikar Khera  
Tehsil abohar,  
District Fazilka.

....Appellant

Vs

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

First Appellate Authority  
o/o Addl. Deputy Commissioner (Dev.)  
Sangrur

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

....Respondents

Appeal Case No. 2316 of 2020

(Video Conference/cisco webex Proceedings)

Present:- Sh. Gurmeet Singh, appellant.  
Sh. Uttam Singh, Panchayat Secretary 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 26.8.2020 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 has already sent to the appellant through registered post. A copy of the same has been sent to the Commission vide No. 149-151 dated 19.10.2020, which is taken on record.

3. After going through the letter received from the respondents, it has transpired that the Point No. 1 to 5 relates to the Director, Rural Development & Panchayat Deptt., Pb. and regarding Point No. 6 the information stands provided. With regard to the information pertaining to Point No. 7 the respondent-Public Information Officer has mentioned that the office is unable to supply the information as the official record is not available in the office as the same has not been handed over by Sh. Rampal Gram Sewak and letters have been written to him regarding handing over the charge.

4. It is a serious matter that Sh. Rampal Gram Sewak is not handing over the current record i.e. 2019, he is impleaded as necessary party in this case and the notice is being sent to him through the District Development and Panchayats Officer, Mansa as he is posted now at Budhlada to provide the information/hand over the charge without any delay failing which the penalty provisions will be invoked on the next date of hearing.

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Appeal Case No. 2316 of 2020

-2-

5. With regard to Point No. 1 to 5 of the RTI application, 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. RTI application of the appellant is sent with this order.

6. The Block Development and Panchayats Officer is also directed to place on record the correspondence made with Sh. Rampal, Gram Sewak on the next date of hearing failing which the disciplinary action will be recommended against him to the Government.

7. To come up on 8.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur/cisco webex.

sd

Dated: 23.10.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

Financial Commissioner (by name) Registered  
Government of Punjab,  
Rural Development & Panchayat Deptt.,  
Vikas Bhawan, Sec-62, Mohali

To look into the matter personally and  
ensure compliance of this order.

The Director (By name)  
Rural Development & Panchayat Deptt.,  
Vikas Bhawan, Sector 62,  
Mohali

Registered

-do-

District Development and Panchayats Officer (By name) Registered  
Mansa

With the directions to  
Serve this order to  
Sh.Rampal, Gram Sewak  
and compliance report be  
sent to the Commission.

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Sh. Jagshir Singh S/o Sh. Ajaib Singh,  
R/o Village Jamalgarh,  
PO - Chak Mahanta Wala, Tehsil - Jalalabad,  
Distt Fazilka. M : 8872112243; 9530820359

..Appellant

Vs

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Guruharshai, Distt Ferozepur.

First Appellate Authority  
cum District Development and Panchayat Officer,  
Ferozepur.

....Respondents

Appeal Case No. 1990/2020  
(Cisco Webex proceedings/on phone)

Present:- Sh. Jagshir Singh, appellant.

Sh. Sukhbir Singh, Samiti Patwari on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 23.9.2020.

2. The appellant states that no information has been supplied to him. He also states that he is being harassed by the respondents and he may be compensated along with the information. However, the representative of the respondents states that the information will be supplied before the next date of hearing. He also states that due to unforeseen situation Sh. Kanwaldeep Singh, VDO is not present today and he is present in his place.

3. The RTI application of the appellant is 16.3.2020 and the respondents are not providing the information on the one hand since March, 2020 and requests for the adjournment of the case on the other.

4. Viewing the attitude in dealing with the RTI application of the appellant Sh. Sarabjeet Singh Brar, 7009019165 Public Information Officer o/o the Block Development and Panchayats Officer is thus issued a show cause notice to explain in a self-attested affidavit as to why a compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005 may not be awarded.

5. In addition to the written reply, the Public Information Officer is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before awarding the compensation on the next date of hearing. He may take a note that in case he does not file his written reply and do not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

6. One last opportunity is granted to the respondent-Public Information Officer to supply the complete information to the appellant before the next date of hearing under intimation to the Commission failing which the case will be recommended for disciplinary proceedings as well as the penalty provisions will be invoked on the next date of hearing. The respondent-Public Information Officer is also directed to send a copy of the information so supplied to the appellant to the Commission before the next date of hearing.

7. To come up on 7.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/Cisco Webex.

sd

Dated: 23.10.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

CC

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Financial Commissioner (by name) Registered  
Government of Punjab,

To look into the matter personally and  
ensure compliance of this order.

Rural Development & Panchayat Deptt.,  
Vikas Bhawan, Sec-62, Mohali

The Director (By name)  
Rural Development & Panchayat Deptt.,  
Vikas Bhawan, Sector 62,  
Mohali

Registered

-do-

District Development and Panchayats Officer, (By name) (Registered)  
Mini Secretariat,  
Ferozepur.

-do-

Block Development and Panchayats Officer, (By name) (Registered)  
Block Guruharshai, District Ferozepur

-do-

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Shri Boota Singh Bairagi(Advocate)

Chamber no. 176 Distt. Judicial Court Complex.

Moga . M 9814280346.

..Complainant

Vs

Public Information Officer,

o/o Deputy Commissioner, Moga

..Respondent

Complaint Case no. 614 of 2020

(Video Conference proceedings)

Present:

Shri Boota Singh, Complainant (at Chandigarh)

Sh. Pardeep o/o the Deputy Commissioner, Moga 9988110640 on behalf of the respondent.

Order

The RTI application is dated 3.2.2020 vide which the complainant has sought three points information but due to non satisfaction with the reply of the respondents, a complaint was filed in the Commission on 3.9.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today to be heard through video conference facility available in the office of the Deputy Commissioner, District Ludhiana.

2. The complainant states that he is not satisfied with the reply given by the respondents in this regard. However, the respondent-Public Information Officer has placed on record a copy of letter No. 3104 dated 13.3.2020, which is taken on record. Regarding the 1<sup>st</sup> point of the RTI application the respondent-Public Information Officer has mentioned that no tehsil wise entry is being made in the record of the office and the complainant may inspect the record with which the complainant agreed to. With mutual understanding the date of inspection has been fixed as 27.10.2020 at 11.00 AM MA Branch o/o the Deputy Commissioner, District Ludhiana. With regard to the point No. 2 of the RTI application the reply is accepted as given by the respondent-Public Information Officer which is reproduced below:-

”ਆਰ.ਟੀ.ਆਈ. ਦੇ ਰੂਲਾਂ ਮੁਤਾਬਕ ਕੋਈ ਵੀ ਸੂਚਨਾ ਕਰੀਏਟ (create) ਕਰਕੇ ਨਹੀਂ ਦਿੱਤੀ ਜਾ ਸਕਦੀ।”

Regarding Point No.3 the respondents-Public Information Officer states that the information relates to the 3<sup>rd</sup> party so the information cannot be shared with the complainant as per the provisions of the RTI Act.

3. After deliberations, the appellant is advised to visit the office of the respondent-Public Information Officer and inspect the record pertaining to Point No. 1 of the RTI application. Regarding Point No. 3 of the RTI application i.e. certified copies of the licences issued to the person doing business of money lending in Tehsil Jagraon, the respondent-Public Information Officer is directed to reconsider the reply filed in accordance with the supply of similar information in a separate case by the office of the Deputy Commissioner, Moga of this appellant from which it has transpired that no personal information has been mentioned in the said licence. Copy of licence issued by the office of the Deputy Commissioner, Moga is sent with this order.

4. To come up on 7.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana/cisco webex.

sd

(Suresh Arora)

Dated: 23.10.2020

Chief Information Commissioner,  
Punjab.

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Smt Varinder Kaur,  
# 490, Urban Estate,  
Phase-1,  
Jalandhar. M : 9501456703; 8837536544

..Appellant

Vs

Public Information Officer  
O/o Deputy Commissioner,  
Amritsar.

First Appellate Authority  
O/o Deputy Commissioner,  
Mini Secretariat,  
Amritsar.

....Respondents

Appeal Case No. 2138/2020

(Cisco Webex/Video conference proceedings)

Present:- Smt. Varinder Kaur, appellant  
Sh. Harpreet Singh o/o Sub Divisional Magistrate on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 16.9.2020.

2. The appellant states that no information has been provided by the respondents so far. However, the representative of the respondents states that sought information may be available in the Establishment Branch of the office of the Deputy Commissioner as the custodian of the personal file.

3. Since, the Public Information Officer o/o the Deputy Commissioner, Amritsar has transferred the RTI application under Section 6(3) of the RTI Act, 2005 to the Tehsildar, Amritsar-2 but nothing has been received from him regarding the sought information.

4. The respondent-PIO is absent without intimation. Video Conference Facility/cisco webex facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent and dealing with the RTI application seriously Sh. Manjeet Singh, Tehsildar-Amritsar-2 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 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 application and to issue show cause for compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005.

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 next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

5. The Public Information Officer o/o the Deputy Commissioner, Amritsar is directed to file his reply/supply of information in case the same is available in the Establishment Branch of the office of the Deputy Commissioner, Amritsar else give an undertaking that the record concerning FIR/suspension of Sh. Arvinder Singh Sandhu Reader Tehsildar Amritsar-2 is not available on record.

Contd..P/2

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**Appeal Case No. 2138/2020**

**-2-**

6. Also the Public Information Officer-cum-Tehsildar, Amritsar-2 is directed to provide the record concerning FIR/suspension of Sh. Arvinder Singh Sandhu Reader Tehsildar Amritsar-2 in case the same is available on the official record else given an undertaking that the same is not available in the official record.

7. After the hearing is over an email has been received from the Tehsildar, Amritsar-2 mentioning that request/application for adjournment please find an attachment but no such request has been attached with the email, copy of which is taken on record.

8. 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, Amritsar/cisco webex.

Dated: 23.10.2020

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.



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Sh. Dilbagh Singh S/o Sh. Karnail Singh,  
Village - Thathian, PO - Sathiala,  
Tehsil Baba Bakala Sahib,  
Amritsar. M : 8968394466; 8968568400

..Appellant

Vs

Public Information Officer,  
O/o Addl. Deputy Commissioner (D),  
Amritsar.

First Appellate Authority  
O/o Deputy Commissioner  
Amritsar.

Public Information Officer  
o/o the Assistant Executive Engineer,  
Punjab State Power Corporation Limited,  
Jandiala Guru, Amritsar

....Respondents

Appeal Case No. 2074/2020  
(Video Conference/phone Proceedings)

Present:- Sh. Dilbagh Singh, appellant.

Sh. Sukhbaj Singh o/o Addl. Deputy Commissioner (Dev.) on behalf of the  
respondents.

## ORDER

This order may be read with reference to the previous order dated 23.9.2020 vide which the decision relating to the 3<sup>rd</sup> party was kept pending in view of the larger public interest and before taking the decision on the matter the respondent-Public Information Officer was directed to place on record the copy of orders/directions to keep the record under sealed cover along with the instructions of the State Election Commission etc. in this regard before the next date of hearing. The case was adjourned for 23.10.2020.

2. A letter has been received from the respondents vide which a copy of rule 38 to 41 of Punjab Panchayat Election Rules 1994 has been sent to the Commission, which is taken on record. The respondents have also sent a letter mentioning that the sought record is one year old and after one year as per Rule 39 of the Punjab Panchayat Election Rules 1994 it is liable to be destroyed.

3. Accordingly, the respondent-Public Information Officer o/o the Assistant Executive Engineer, Punjab State Power Corporation Limited, Jandiala Guru, Amritsar is directed to place on record whether the record has been destroyed and in case it is not destroyed then the copy of the same be supplied to the appellant being in larger public interest before the next date of hearing.

4. To come up on 7.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar /cisco webex.

sd

Dated: 23.10.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Sh. Surinder Pal s/o Sh. Yamna Dass,  
r/o VPO Malout,  
District Sri Muktsar Sahib.

..Complainant

Vs

Public Information Officer  
o/o Block Development and Panchayats Officer,  
Block Malout,  
District Sri Muktsar Sahib.

....Respondent

Complaint Case No. 616 of 2020  
(Video Conference Proceedings)

Present:- Sh. Vikul on behalf of the complainant.  
Sh. Swaran Singh, Panchayat Secretary on behalf of the respondents.

## ORDER

The RTI application is dated 6.7.2020 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 3.9.2020 under Section 18 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 complainant states that no information has been provided by the respondents so far. However, the representative of the respondents states that the complete information has been sent to the complainant through registered post and a copy of the postal receipt has been sent to the Commission, which is taken on record.

3. Accordingly, the complainant is advised to go through the same on its receipt and point out deficiency within 10 days to the respondent-Public Information Officer with a copy to the Commission and the respondent-Public Information Officer is directed to remove the same in case any deficiency is pointed out by him before the next date of hearing.

4. To come up on 7.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sri Muktsar Sahib/cisco webex.

Sd/

Dated: 23.10.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.