

# PUNJAB STATE INFORMATION COMMISSION

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

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Sh. Manjit Singh 8427498620,  
Village Manemajra,  
Teh. Chamkaur Sahib,  
Roopnagar

Appellant

Vs

Public Information Officer,  
o/o Managing Director,  
Punjab Infrastructure Dev. Board,  
Sector 34-A, Chandigarh

First Appellate Authority,  
o/o Managing Director,  
Punjab Infrastructure Dev. Board,  
Sector 34, Chandigarh

....Respondents

Appeal Case No. 2299 of 2020

(Cisco Webex proceedings)

Present:- Sh. Manjit Singh, appellant, on phone.  
Ms Pooja Makkar, 9888804549 on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 30.10.2020.

2. The appellant states that the respondents are not providing the complete information. However, the representative of the respondents states that more than 1200 pages have already been supplied to the appellant with regard to his RTI application. She further states that the information as available on record has already been supplied.

3. After deliberations, both the parties are directed to remain present in person along with the information supplied on the next date of hearing.

4. To come up on 21.12.2020 at 12.30 PM at Chandigarh.

sd/

Dated: 26.11.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Sh. Gurdeep Singh Kahlon S/o Late Sh. Boorh Singh,  
C/o Kahlon Association,  
Opposite Gurudwara Sri Kutia Sahib,  
Jamalpur,  
Chandigarh Road,  
Ludhiana-141010.  
M : 9779508115

Complainant

Vs

Public Information Officer,  
O/o Chief Minister, PB,  
Chandigarh.

....Respondents

Complaint Case No. 646 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- None on behalf of the complainant.

Sh. Jasbir Singh, Sr. Asstt on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 13.11.2020.

2. The office tried to contact the complainant on phone but his number is switched off.
3. After deliberations with the respondent party, the sought information primarily relates to the Department of Home Affairs and Justice and the respondent-Public Information Officer is transferring the RTI application under Section 6(3) of the RTI Act, 2005.
3. Accordingly, the Public Information Officer o/o the Additional Chief Secretary to Govt. of Punjab, Department of Home Affairs and Justice is impleaded as necessary party in this case and is directed to file the reply/supply the information before the next date of hearing to the appellant with a copy to the Commission. A copy of the RTI application is **sent** with this order.
4. To come up on 14.01.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/Cisco Webex.

sd/

Dated: 26.11.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

cc

**Additional Chief Secretary,  
Govt. of Punjab,  
Department of Home and Justice,  
Punjab, Chandigarh**

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Sh. Ashwani Chawla, 9914405765,  
2872, Sector 42-C,  
Chandigarh.

..Complainant

Vs

Sh. Krishan Rattu, Registered  
Public Information Officer  
-cum- Joint Director  
o/o The Director,  
Information & Public Relations, Punjab,  
Punjab Civil Secretariat-1,  
Chandigarh.

....Respondent

Complaint Case No. 574 of 2020  
(Video Conference/Cisco Webex Proceedings)

Present:- None on behalf of the parties.

## ORDER

This order may be read with reference to the previous order dated 4.11.2020.

2. A letter bearing No. 428509 has been received from the respondent-Public Information Officer in which it has been requested to adjourn the case due to positive Corona cases to the concerned officer(s). Accordingly, the appellant has been informed telephonically not to appear in this case. A request has also been received from the appellant in which it has mentioned that the respondent-Public Information Officer is not supplying the complete information.

3. From the perusal of the file, it has transpired that the show cause notice was issued to Sh. Krishan Rattu, Joint Director but neither he has submitted the written reply nor he has provided the complete information to the appellant.

4. Therefore, Sh. Krishan Rattu, Joint Director-cum-Public Information Officer o/o the Director, Information and Public Relations, Punjab, Chandigarh is directed to remain present along with the complete information and reply of the show cause notice issued to him, if any.

5. To come up on 21.12.2020 at 12.30 PM at Chandigarh.

sd/

Dated: 26.11.2020

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

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Sh. Nathu Ram Sihag S/o Shri Mahavir ,  
R/o Village - Taja Patti,  
Tehsil Abohar,  
Fazilka. M : 9463822000

....Appellant

Vs

Public Information Officer,  
O/o Director,  
Rural Development and Panchayat Department, PB,  
Mohali.

First Appellate Authority  
cum Secretary,  
Rural Development and Panchayat Department, PB,  
Mohali.

....Respondents

Appeal Case No. 2701 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- Sh. Nathu Ram Sihag, appellant.  
Smt. Jasveer Kaur 8968600664 on behalf of the respondents.

## ORDER

The RTI application is dated 11.3.2020 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 9.7.2020 and second appeal was filed in the Commission on 17.9.2020 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. An email has been received from the respondents vide which the response has been filed pertaining to the RTI application of the appellant, which is taken on record. The representative of the respondents states that the matter regarding the sought information is under enquiry with the District Development and Panchayats Officer Fazilka and the report is still awaited. She also states that till the enquiry is complete nothing can be supplied to the appellant. A copy of the letter dated 26.11.2020 received from the respondent-Public Information Officer is **sent** with this order to the appellant with the advise to go through the same and point out deficiency, if any, before the next date of hearing to the respondent-Public Information Officer with a copy to the Commission.

3. To come up on 21.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/Cisco webex.

sd/

Dated: 26.11.2020.

(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

Sh. Uttam Singh, Public Information Officer  
-cum-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

(Video Conference/Cisco Webex/phone proceedings)

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

## ORDER

This order may be read with reference to the previous order dated 21.10.2020.

2. The appellant states that he has received the remaining information pertaining to Point No. 3,5,6 and 7 of the RTI application through whatsapp. With regard to Point No. 3,5 and 6 of the RTI application the appellant states that he will go through the same and will point out deficiencies, if any, to the respondent-Public Information Officer. He also states that the information pertaining to Point No. 7 of the RTI application relates to the Deputy Commissioner of Police, Fazilka as has been mentioned in the said letter issued by the respondent-Public Information Officer so he may be impleaded as necessary party in this case.

3. The respondent-PIO is absent without intimation. The office contacted the Block Development and Panchayats Officer Sh. Shavinder Singh on phone who assured that someone will definitely attend the hearings today but none attended the hearing. Video Conference Facility/cisco webex facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, the Sh. Uttam Singh, Panchayat Secretary, 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 wilful 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.

Contd..P/2

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Appeal Case No. 1400 of 2020

-2-

3. The respondent-Public Information Officer is directed to transfer the RTI application of the appellant to the Deputy Commissioner of Police, Fazilka for the information pertaining at Point No. 7.

4. Accordingly, the Public Information Officer o/o the Deputy Commissioner of Police, Fazilka is impleaded as necessary party in this case to file the reply/supply the information pertaining to the Point No. 7 of the RTI application, which is **sent** with this order. Also the appellant is advised to go through the information so supplied by the respondents pertaining to Point No. 3,5 and 6 of the RTI application and point out deficiency, if any, before the next date of hearing to the respondent-Public Information Officer.

5. The respondent-Public Information Officer is also directed to remain present at Chandigarh on the next date of hearing along with the original record pertaining to the RTI application of the appellant.

6. To come up on 14.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/Sangrur/Cisco Webex.

sd/

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

Dated: 26.11.2020

CC

Public Information Officer  
o/o the Deputy Commissioner of Police,  
Fazilka.

Sh. Shavinder Singh,  
Block Development and Panchayats Officer  
Block Andana at Munak,  
Sangrur.

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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.  
Sh. Shavinder Singh,  
Block Development and Panchayats Officer  
Block Andana at Munak,  
Sangrur.

....Respondents

Appeal Case No. 1393 of 2020  
(Cisco Webex/phone proceedings)

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

## ORDER

This order may be read with reference to the previous order dated 21.10.2020.

2. An email has been received from the appellant, in which, it has mentioned that the respondent-Public Information Officer is delaying the information and he may be directed to supply the same. The appellant also states that his representative has gone to the office of the respondents to inspect the record as per the last orders of the Commission but no record has been shown to him by the respondents. However, a letter has been received from the respondent-Public Information Officer in which it has mentioned that the representative of the appellant came to the office but no record has been shown to him as the representative of the appellant was not having any authority letter. It has also mentioned in the said letter that the representative of the appellant has not shown any interest to inspect the record although the concerned Panchayat Secretary was ready for inspection of the record.

3. The respondent-PIO is absent without intimation. The office contacted the Block Development and Panchayats Officer Sh. Shavinder Singh on phone who assured that someone will definitely attend the hearings today but none came to attend the hearing. Video Conference Facility/cisco webex facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, Sh. Shavinder Singh, Block Development and Panchayats Officer, 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 wilful 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.

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Appeal Case No. 1393 of 2020

-2-

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.

4. The respondent-Public Information Officer is also directed to remain present on the next date of hearing along with the original record at Chandigarh.

5. To come up on 14.1.2021 at 12.30 PM at Chandigarh.

Dated: 26.11.2020

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



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Smt. Kamaldeep Kaur D/o Sh. Pritpal Singh,  
VPO - Gumtala,  
Opp. Govt. Dispensary,  
Ward No 5,  
Amritsar. M : 9872139640

Appellant

Vs

Public Information Officer,  
O/o Deputy Commissioner,  
Amritsar.

First Appellate Authority  
O/o Deputy Commissioner,  
Amritsar.

....Respondents

AC No. 2120 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- Ms Kamaldeep Kaur, appellant.  
Sh. Shivraj, 9646102666 on phone on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 30.10.2020.

2. The appellant states that she is not satisfied with the information so supplied by the respondents pertaining to Intkal No. 40067 dated 21.3.2017 done by Kalamdeep Kaur d/o S. Pritpal Singh in favour of Rajpal Siongh, jaspal Singh s/o Kirpal Singh, Mandeep Kaur d/o Kirpal Singh. However, the respondent-Public Information Officer has sent a response vide no. 236-37 dated 16.11.2020 vide which it has mentioned as follows:-

“....ਪ੍ਰਾਰਥੀ ਵਲੋਂ ਮੰਗ ਕੀਤੀ ਜਾ ਰਹੀ ਹੈ ਕਿ ਤਬਦੀਲ ਮਲਕੀਅਤ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੋ ਕਿ ਫਾਈਲ ਵਿੱਚ ਮੌਜੂਦ ਨਹੀਂ ਹੈ। ਪਾਰਥੀ ਨੂੰ ਇਸ ਸਬੰਧੀ ਦੱਸਿਆ ਜਾ ਚੁੱਕਾ ਹੈ ਕਿ ਤਬਦੀਲ ਮਲਕੀਅਤ ਦੀ ਕਾਪੀ ਸਬ ਰਜਿਸਟਰਾਰ ਦੇ ਦਫਤਰ ਪਾਸੋਂ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜਾਣੀ ਹੈ। ਤਬਦੀਲ ਮਲਕੀਅਤ ਦੀ ਕਾਪੀ ਲੈਣ ਲਈ ਕਿਸ ਦਿਨ ਤਬਦੀਲ ਮਲਕੀਅਤ ਹੋਈ ਹੈ ਉਸਦੀ ਮਿਤੀ ਕਿਸ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਹੈ ਵਸੀਕਾ ਨੰਬਰ ਅਤੇ ਜਿਲਦ ਨੰਬਰ ਦੱਸ ਕੇ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜਾ ਸਕਦੀ ਹੈ”

3. Accordingly, the respondent-Public Information Officer is directed to transfer the RTI application of the appellant to the Public Information Officer o/o Sub Registrar, Amritsar under Section 6(3) of the RTI Act, 2005. Therefore, Sh. Parampreet Singh, Sub Registrar, Amritsar is impleaded as necessary party in this case with the directions to file the reply/supply the information pertaining to Intkal No. 40067 dated 21.3.2017 done by Kalamdeep Kaur d/o S. Pritpal Singh in favour of Rajpal Siongh, jaspal Singh s/o Kirpal Singh, Mandeep Kaur d/o Kirpal Singh before the next date of hearing. A copy of the RTI application of the appellant is **sent** with this order.4. To come up on 14.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Amritsar/cisco webex.

sd/

Dated: 26.11.2020

(Suresh Arora)

cc

Chief Information Commissioner, Punjab

Sh. Parampreet Singh, Sub Registrar Amritsar

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Sh. Gurpreet Singh Lapran,  
VPO Lapran,  
Tehsil Payal,  
Distt Ludhiana-141421.M : 9915299199

..Appellant

Vs

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

First Appellate Authority  
O/o Block Development and Panchayat Officer,  
Block Doraha, Ludhiana.

....Respondents

Appeal Case No. 2043/2020

(Video conference/Cisco Webex/on phone proceedings)

Present:- Sh. Gurpreet Singh Lapran, appellant  
Sh. Nitin 8054540919 Panchayat Secretary on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 24.9.2020.

2. The representative of the respondents states that the sought information is being enquired by the Divisional Deputy Director, Panchayats, Patiala. The respondent-Public Information Officer has also sent a reply in this regard, which is taken on record. He also states that nothing can be supplied till the enquiry is complete. However, the appellant has also made the submissions and referred the decision as follows:-

“Decision No. CIC/SG/A/2010/000954/10990, Appeal No. CIC/SG/A/2010/000954 ਹੈ Central Information Commission Mr.C N Murthy vs University Of Delhi on 15 January, 2011 ਜਿਸ ਦੀ ਜੱਜਮੈਂਟ ਅਨੁਸਾਰ “The respondent had refused to disclose the information claiming that the matter was under investigation and hence claimed exemption under Section 8(1)(h) of the RTI Act. Section 8(1)(h) of the RTI Act exempts, "information which would impede the process of investigation or apprehension or prosecution of offender." To claim exemption under Section 8(1)(h) the PIO has to establish how the process of investigation would be impeded. A mere conjecture that investigation would be impeded is not enough to deny information. Right to Information is a fundamental right of citizens and denial of information can only be if can be justified strictly in terms of Section 8(1) of the RTI Act. The PIO is warned not to refuse information unless it can be clearly established that the exemption under Section 8(1) of the RTI Act are applicable. Decision:The Appeal is allowed. The PIO is directed to give the information to the Appellant before 30 January 2011 This decision is announced in open chamber. Notice of this decision be given free of cost to the parties. Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi Information Commissioner 15 January 2011 (In any correspondence on this decision, mention the complete decision number.)(GJ) ”

Contd..P/2

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Appeal Case No. 2043/2020

-2-

3. After hearing both the parties, the respondent-Public Information Officer is directed to file the reply as to how the supply of sought information would impact the enquiry being conducted by the Divisional Deputy Director, Panchayats, Patiala else the information be supplied to the appellant before the next date of hearing.

4. To come up on 21.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

Dated: 26.11.2020

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

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Sh. Surinder Singh S/o Sh. Jagga Singh,  
Village - Pakka Chisti,  
PO -Karni Khera,  
Tehsil & Distt Fazilka.  
M : 9464207692

....Appellant

Vs

Public Information Officer,  
O/o Divisional Deputy Director,  
Rural Development and Panchayat Department,  
Ferozepur.  
First Appellate Authority cum  
Director,  
Rural Development and Panchayat Department, PB,  
Mohali.

....Respondents

Appeal Case No. 2705 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- Sh. Surinder Singh, appellant.

Sh. Malkiat Singh, Superintendent 98762 64851 on behalf of the respondents.

## ORDER

The RTI application is dated 24.6.2020 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 6.8.2020 and second appeal was filed in the Commission on 17.9.2020 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 he has brought the information along with him comprising 6 pages. He handed over the same to the appellant during the course of hearing. After going through the same, the appellant requests for the adjournment of the case.

3. Accordingly, the case is adjourned with the advice to the appellant to go through the same and point out deficiency, if any, before the next date of hearing to the respondent- Public Information Officer with a copy to the Commission.

4. To come up on 21.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Dated: 26.11.2020

sd/  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab