

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

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Sh. Major Khan s/o Sh. Dial Khan,
VPO Hoshiarpur,
Tehsil Kharar, Mohali

....Appellant

Vs

Public Information Officer
o/o Block Development and Panchayats Officer,
Block Majri,
District Mohali.

First Appellate Authority
o/o District Development and Panchayats Officer,
Mini Secretariat, Mohali

...Respondents

Appeal Case No. 1039 of 2020

Present:- Sh. Major Khan, appellant at Chandigarh.
Sh. Surinderpal Singh, Panchayat Secretary, Hoshiarpur Block Majri
9814820893 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 30.9.2020.

2. After point wise deliberations, the appellant states that he is satisfied with the information so supplied by the respondents except Point No. 4,6,8, 9 and 10. However, the respondent-Public Information Officer assured and gave an undertaking that the same will be supplied to the appellant within three days. Accordingly, the directions are issued to the respondent-Public Information Officer to file the specific reply/supply the information which is as follows else give in writing specifically that the same is not available on record:-

Point No. 4 – The copy bills has been provided but the same is not entered in the cash book.

Point No. 6 – The complete information pertaining to this point may be supplied

Point No. 8 – The copy of bill of the Jee Sports, Zirakpur regarding purchase of sports material for the Gym has been entered in the Cash Book but no bill has been supplied;

Point No. 9 – The complete information pertaining to this point may be supplied

Point No. 10 - The complete information pertaining to this point may be supplied

3. As per the undertaking given by the respondent-Public Information Officer, the case is adjourned with the directions to supply the information else give an undertaking that the same is not available as has been enumerated in Para 2 above.

4. Viewing the attitude in dealing with the RTI application of the appellant Sh.Surinderpal Singh, Panchayat Secretary-cum-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, which has to be drawn from the State Treasury, 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

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Appeal Case No. 1039 of 2020

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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.

7. To come up 11.11.2020 at 12.30 PM at Chandigarh.

sd

Dated: 27.10.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

CC

District Development and Panchayats Officer,
(By name) (Regd)
Mini Secretariat,
Mohali.

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

Block Development and Panchayats Officer,(By name) (Registered)
Block Majri, District Mohali

-do-

Sh. Surinderpal Singh, Panchayat Secretary, (Registered)
c/o Block Development and Panchayats Officer,
Block Majri, District Mohali.

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Sh. Hardeep Singh s/o sh. Tarsem lal M 9814847273
Village Nurpur,
Block Aur, Tehsil Banga
Distt. SBS Nagar.

....Appellant

Vs

Public Information Officer
o/o the Director,
Rural Development & panchayat Punjab,
Vikas Bhawan Sector 62,
Mohali.

First Appellate Authority
o/o Director,
Rural Development and Panchayat Deptt., Punjab
Vikas Bhawan Sector 62,
Mohali.

Appeal Case No. 2358 of 2020
(Video Conference Proceedings)

Present:- Sh. Hardeep Singh, appellant.
Sh. Lehambar Dass, Superintendent on behalf of the respondents.

ORDER

The RTI application is dated 23.1.2020 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 6.3.2020 and second appeal was filed in the Commission on 28.8.2020 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 case may be adjourned and he assured that the complete information will be supplied to the appellant before the next date of hearing.

3. According to the assurance given by the representative of the respondents the case is adjourned with the directions to supply the complete information and the appellant is advised to go through the same on its receipt and point out deficiency, if any, before the next date of hearing.

4. 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, SBS Nagar/cisco webex.

Dated: 27.10.2020

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Gagandeep Singh Threeke,
R/o SCO -26, (97804-00680)
Shant Park, Main Sua Road, Threeka,
District –Ludhiana.Appellant

Vs

Public Information Officer,
O/o Tehsildar, (West),
District -Ludhiana.

First Appellate Authority,
O/o District Revenue Officer,
Mini Secretariat, Ludhiana. Respondents

Appeal Case No. 496 of 2020

(Video Conference Proceedings)

Present:- Sh. Gagandeep Singh Threeke, appellant.
Sh. Navdeep Singh, Patwari, Sh. Amanpreet Singh, Reader 9417000060 on
behalf of the respondents.

ORDER

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

2. The appellant states that the incomplete information has been supplied to him by the respondents. However, the representative of the respondents states that the complete information whatever on record has been supplied to him pertaining to the RTI application of the appellant.

3. After deliberations, both the parties are directed to remain present at Chandigarh along with the information supplied/original record to take the matter to its logical end.

4. To come up on 25.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana /cisco webex.

Dated: 27.10.2020

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Neta Singh s/o Sh. Lal Singh 9501709211
Village Kot Bhai (Near 66 K.V. Grid)
Tehsil Gidderbaha.
Distt. Sri Muktsar Sahib

..Complainant

Vs

Public Information Officer
o/o District Development and Panchayats Officer,
Mini Secretariat,
Bathinda

Sh. Harmanjeet Singh, A.E. Registered
Public Information Officer
o/o the Executive Engineer,
Canal Division, Bathinda

..Respondent

Complaint Case No. 576 of 2020
(Video Conference Proceedings)

Present:- Sh. Neta Singh, complainant.
Sh. Harmanjeet Singh, A.E. 9872443642 on behalf of the respondents.

ORDER

The RTI application is dated 9.3.2020 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 26.8.2020 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 respondents states that the complete information has already supplied to the complainant. On the other hand, the complainant states that he is not satisfied with the information so supplied by the respondent-Public Information Officer.

3. After deliberations and with the mutual understanding the respondent-Public Information Officer is directed to submit the following as per the assurance given by him before the next date of hearing:-

“ਬੁਰਜੀਆਂ ਦੀ ਲੰਬਾਈ ਫੁੱਟਾ ਵਿੱਚ ਕਿੰਨੀ ਹੈ ਅਤੇ ਤਿੰਨ ਟੇਲਾਂ ਵਿੱਚ ਬੁਰਜੀ ਨੰਬਰ ਦੱਸਿਆ ਜਾਵੇ।”

4. To come up on 4.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Bathinda /cisco webex.

Dated: 27.10.2020

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Avtar Singh, S/o Late Sh. Diwan Singh,
VPO - Khokhar Faijian,
Tehsil - Batala,
Distt Gurdaspur.M : 9876436088

..Complainant

Vs

Ms Amandeep Kaur, **Registered**
Public Information Officer,
O/o Block Development and Panchayat Officer,
Batala,
Distt Gurdaspur.

....Respondents

Complaint Case No. 495/2020
(Video Conference/Cisco Webex Proceedings)

Present:- Sh. Avtar Singh, appellant.
Sh. Sukhwinder Masih, GRS 7986566096, 9872119005 on behalf of the
respondents.

ORDER

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

2. The complainant states that incomplete information has been supplied by the respondents. He has also sent the deficiencies in the supplied information to the Commission, which is taken on record. On the other hand the representative of the respondents states that the complete information has been sent to the complainant through registered post on 26.10.2020.

3. During the hearing it has come to notice that in spite of the orders of the Commission on 25.9.2020, the respondent-Public Information Officer has sent a registered letter a day before the date of hearing from which it has appeared that the respondent-Public Information Officer has taken very lightly regarding compliance of the orders of the Commission. Viewing the attitude of the respondent-Public Information Officer seriously, the Ms. Amandeep Kaur, 9391000008 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 her for causing willful delay/denial of the information to the RTI applicant.

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. She may take note that in case she does not file her written reply and does not avail herself of the opportunity of personal hearing on the next date, it will be presumed that she has nothing to say and the Commission will proceed ex-parte.

4. The complainant is advised to go through the same on its receipt and point out deficiency, if any, before the next date of hearing to the respondent-Public Information Officer with a copy to the Commission. Also the respondent-Public Information Officer is directed to remove the same before the next date of hearing failing which the disciplinary action will also be recommended against him.

5. To come up on 25.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Gurdaspur /cisco webex.

Sd/

Dated:27.10.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Sardool Singh S/o Sh. Sukhchain Singh,
R/o Vill. -Ghumiara, (98150-41837)
Tehsil –Malout, 151211
District –Sri Muktsar Sahib.

.....Complainant

Vs

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

Sh. Sukhjinder Singh, **(Registered)**
Public Information Officer,
O/o Panchayat Secretary, Ghumiara,
C/o Block Development & Panchayat Officer,
Block –Lambi, Tehsil -Malout,
District- Sri Muktsar Sahib.

Sh. Harjinder Singh, Public Information Officer, **(Registered)**
O/o Panchayat Secretary, Ghumiara,
C/o Block Development & Panchayat Officer,
Block –Lambi, Tehsil -Malout,
District- Sri Muktsar Sahib.

Public Information Officer –cum- (By name)
Block Development and Panchayats Officer, **(Registered)**
Lambi, District Sri Muktsar Sahib.

PIO/Water Supply and Sanitation Department, Punjab,
Malout, District Sri Muktsar Sahib.Respondents

Complaint Case .No. 995 of 2019

(Cisco Webex proceedings/on phone)

Present:- Sh. Sardool Singh, appellant.
Sh. Sanjiv Garg, Deputy Director, on phone, Sh. Rakesh Bishnoi 9872588865
Block Development and Panchayats Officer, Lambi and Sh. Vas Dev,
Panchayat Secretary on behalf of the respondents.

ORDER

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

2. The appellant states that no information has been provided by the respondents so far. The respondent-Public Information Officer o/o the Director, Rural Development and Panchayat Punjab informed the Commission that Sh. Sukhjinder Singh, Panchayat Secretary has joined the headquarter and the penalty amount will be deducted from his salary and the Commission will be informed accordingly.

3. The Block Development and Panchayats Officer, Lambi has sent a letter dated 26.10.2020 i.e. day before the hearing, written to the Director, Rural Development and Panchayat Punjab recommending disciplinary action against Sh. Sukhjinder Singh, Panchayat

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Complaint Case .No. 995 of 2019

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Secretary due to the reason that he has not handed over the official record related to the Village Ghumiara to the present incumbent to enable him to supply the information in the instant case.

4. After hearing both the parties, one more opportunity is granted to the Block Development and Panchayats Officer, Lambi to place on record the name, present posting and mobile number of the Public Information Officer o/o the Block Development and Panchayats Officer, Lambi from the date of RTI application i.e. 11.1.2019 along with the action taken on the RTI application failing which the penalty provisions will be invoked on the next date of hearing. The Block Development and Panchayats Officer is also warned to be cautious in future as the orders of the Commission dated 25.9.2020 has been taken very lightly and a day before hearing in compliance a letter had been written to the Director, Rural Development and Panchayat Punjab recommending disciplinary action against the Panchayat Secretary to the Director, Rural Development and Panchayats Punjab.

5. The Public Information Officer o/o the Director, Rural Development and Panchayat Punjab is directed to place on record the action taken on the letter dated 26.10.2020 written by the Block Development and Panchayats Officer, Lambi. The Public Information Officer o/o the Director, Rural Development and Punjab is also directed to ensure that all the concerned officers/officials to remain present during the next date of hearing failing which the matter will be taken up with the concerned authorities for initiating the 'Disciplinary Proceedings' against the erred officers/officials in this regard on the next date of hearing.

6. In addition, the Public Information Officer o/o the Director, Rural Development and Panchayats Punjab is also directed to inform the Commission regarding the status of penalty amount which has to be recovered/deducted from the salary of Sh. Sukhjinder Singh, Panchayat Secretary. He is also directed to ensure that the complete record is handed over to the present Panchayat Secretary Sh. Harjinder Singh and supply the complete information to the appellant as per his RTI application before the next date of hearing.

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, Sri Muktsar Sahib/cisco webex.

Dated: 27.10.2020

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.