

PUNJAB STATE INFORMATION COMMISSION

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Sh. Amrinder Singh Sidhu,
r/o H.No.2, Street No.19,
Shaheed Bhagat Singh Nagar,
Near Leon House, Dhandra Road,
Ludhiana.

Vs

.....Appellant

Public Information Officer,
O/o District Development and Panchayats Officer,
Ludhiana.

FAA-o/o
District Development and Panchayats Officer,
Ludhiana..

.....Respondents

Appeal Case No. 99/2019
(Video Conference Proceedings)

ORDER

Due to technical problem in the Video Conference Facility, the case could not be heard. Now the case is adjourned to 11.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated:27.2.2020

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

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Sh. Dilbag Chand,
S/o Sh. Ramji Das,
R/o Hayatpur, PO- Hambowal,
Tehsil- Samrala, Distt. Ludhiana.

Vs

.....Appellant

Public Information Officer,
O/o Deputy Commissioner,
Administrative Complex,
District- Ludhiana.

First Appellate Authority,
O/o Deputy Commissioner,
Administrative Complex,
District- Ludhiana.

PIO/Block Development and Panchayats Officer,
Machhiwara, District Ludhiana.

.....Respondents

Appeal Case No. 4269 of 2019
(Video Conference Proceedings)

ORDER

Due to technical problem in the Video Conference Facility, the case could not be heard. Now the case is adjourned to 11.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 27.2.2020

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

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Sh. Amin Chand,
s/o Sh. Tek Chand,
r/o H.No. 205, Ghumar Mandi,
Ludhiana.

Vs

.....Appellant

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

First Appellate Authority,
O/o Deputy Commissioner,
Administrative Complex,
District- Ludhiana.

.....Respondents

Appeal Case No. 3562 of 2019
(Video Conference Proceedings)

ORDER

Due to technical problem in the Video Conference Facility, the case could not be heard. Now the case is adjourned to 11.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 27.2.2020

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

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Sh. Sukhwinder Singh

S/o Sh. Jarnail Singh,

R/o Village- Roshanwala, PO – Nashirawala,

District – Moga.

.....Appellant

Vs

Shri Parpinder Singh,

Public Information Officer-cum-

Panchayats Secretary, Roshanwala,

C/o Block Development & Panchayat Officer,

Block- kot Ise Kha, Distt. Moga.

(Regd.)

First Appellate Authority,

O/o Block Development & Panchayat Officer,

Block- Kot Ise Khan, District Moga.

Respondents

.....Respondents

Appeal Case No. 3567 of 2019

(Video Conference Proceedings)

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

ORDER

This order may be read with the previous order dated 10.2.2020.

2. The appellant states that he has received the complete information pertaining to the Panchayat Secretary, Shri Parpinder Singh. He further states that the information related to the MANREGA is incomplete which has to be provided by Shri Jagdeep Singh i.e. the income and expenditure from 2013 to 2018 related to the village Roshanwala as per his request under the RTI Act.

3. As none is present on behalf of the respondents, the directions are issued to Shri Jagdeep Singh to provide the complete information pertaining to the MANREGA as per the RTI request of the appellant before the next date of hearing. Also the last opportunity is granted to the respondent Public Information Officer Shri Parpinder Singh to file the reply of Show Cause Notice issued to him on 15.1.2020 and remain present during the next hearing failing which ex-parte decision will be taken.

4. To come up on 11.3.2020 at 3 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Moga.

sd/-

Dated: 27.2.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Shri Jagdeep Singh (Registered)
c/o Block Development and Panchayats Officer,
Block Kot Ise Kha,
District Moga.
M- 9855432883

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Sh. Harbinder Singh S/o Sh. Lal Singh,
R/O Village- Phide Khurd, (8284817878)
PO –Wandar Jatana,
Tehsil – Kot kapura,
District – Faridkot.

Vs

.....Appellant

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block –kot kapura,
District – Faridkot.

First Appellate Authority,
O/o Block Development & Panchayat Officer,
Kot kapura, District Faridkot.

.....Respondents

Appeal Case No. 4551 of 2019
(Video Conference Proceedings).

Present:- None on behalf of the appellant.
Shri Dharamvir Singh, Village Development Officer, on behalf of the respondents.

ORDER

This order may be read with the previous order dated 3.2.2020.

2. The representative of the respondents states that the complete information has been provided to the appellant. None is present on behalf of the appellant nor any submissions have been received from him. He was also absent during the last two hearings, which transpires that he is satisfied with the information so provided to him by the respondents. Accordingly, the case is disposed of and closed.

Dated: 27.2.2020

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

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Sh. Malkit Singh
s/o Sh. Niranjn Singh
r/o VPO Khanpur, Tehsil Malerkotla,
District Sangrur.

.....Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Malerkotla-1,
District Sangrur.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, Sangrur

.....Respondents

Appeal Case No. 4275 of 2019

Present:- Shri Malkit Singh, appellant in person.
None on behalf of the respondents.

This order may be read with previous order dated 6.2.2020 vide which show cause notice was issued to Shri Harjit Singh, Panchayats Secretary for not supplying the information within stipulated period.

2. The appellant states that the fee amounting to Rs.5400/- of 2700 pages was demanded by the respondent but they were informed that the amount will be deposited in shape of cheque/cash at the time of receiving the information. He further states that inspite of the orders issued by the Commission for inspection, only 150 pages have been shown by Shri Harjit Singh, Panchayat Secretary that also do not relates to the information sought for. In addition to it he further states that no information has been provided to him so far and requests to penalize the respondent-Public Information Officer and also he may be compensated for the harassment caused to him as per the provisions of the RTI Act. Nobody is present on behalf of the respondents and the record of the Commission reveals that the respondents are not providing the complete information as per the RTI request of the appellant and also the respondent-Public Information Officer is absent without intimation and even during the last hearing also a Show Cause Notice was issued to the respondent – Public Information Officer but no reply has been received.

3. Thus Shri Harjit Singh, Panchayats Secretary, failed to supply the sought for information till date. Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO-Shri Harjit Singh, Panchayats Secretary o/o Block Development, Malerkotla-1, Sangrur, he is hereby held guilty for not providing the information on time as prescribed under Section 7, which is within 30 days of receipt of the request for seeking information and for repeated and willful defiance of the Punjab State Information Commission's orders. Such kind of failure on the part of the respondent-PIO is totally unacceptable. It is pertinent to mention here that RTI Act has been enacted to ensure participative nature of management between the public & the public authorities and also to know as to what is happening behind the closed doors with regard to the government affairs of the public authorities and their functioning.

4. After giving thoughtful consideration and due perusal of the facts of the case and the material available on record, I have come to the conclusion that he has failed to perform his duty as per the mandate of the RTI Act which requires the public servant to ensure due transparency and accountability in its functioning. It has also come out that he has not only failed to perform his duty at his own level but also has shown his casual approach in complying with the explicit order of the Commission.

5. It has been further established from his conduct that he has failed to provide the information even after getting the formal show cause notice from the Commission. This speaks volumes as to how much respect & regard he has in his mind for the provisions of the RTI Act, which

Contd..P/2

-2-

mandates that all public authorities will ensure that the RTI Act, 2005 is duly implemented by them whenever any citizen approaches the public authority to get any public information for which they have right to ask for as per the provisions of RTI Act.

6. Further the Commission is of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant under Section 19(8)(b) of the RTI Act.

7. The PIO-Shri Harjit Singh, Panchayats Secretary is hereby directed to pay an amount of Rs.10,000/- via demand draft drawn through Government Treasury as compensation to the appellant, shri Malkit Singh for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant before the next date of hearing failing which the penalty proceedings will be initiated on the next date of hearing.

8. Also the directions are issued to the respondents to provide the complete information as per the RTI request of the appellant.

9. To come up on 11.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur.

Dated: 27.2.2020

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

Shri Harjit Singh, Panchayat Secretary, (Regd.)
o/o Block Development and Panchayats Officer,
Malerkotla-1, Sangrur

Ms Amandeep Kaur, (Regd.)
Block Development and Panchayats Officer,
Malerkotla-1, Sangrur

District Development and Panchayats Officer,
(By Name)
Sangrur

To ensure the compliance of this order.

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Sh. Jaspal Singh S/o Sh. Uttam Singh,
R/o Village –Dangerian, (9914188067)
Block –Khera, Tehsil & District Fatehgarh Sahib.Complainant
Vs

Shri Tara Chand,
Panchayats Secretary,
c/o Block Development and Panchayats Officer,
Khera, District Fatehgarh Sahib.

Public Information Officer,
O/o District Development & Panchayat Officer,
Mini Secretariat, Fatehgarh Sahib.Respondents

Complaint Case .No. 1067 of 2019

Present:- Shri Jaspal Singh, complainant.
Shri Tara Chand, Panchayat Secretary, Public Information Officer on behalf of
the respondents.

ORDER

This order may be read with the previous order dated 3.2.2020.

2. The respondent-Public Information Officer states that the complete information pertaining to the Panchayat has been provided and nothing remains pending which could be provided to the appellant and the appellant states that he is satisfied with the information so provided by the Panchayat Secretary but he states that he is not satisfied with the information so relates to MANREGA and the information has to be provided by Ms Navjeet Kaur, APO.

3. According to the submissions of the appellant, Ms. Narjeet Kaur, APO is directed to provide the complete information to the appellant before the next date of hearing and remain present during the next date of hearing failing which the punitive action will be initiated against her.

4. To come up on 11.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fatehgarh Sahib.

sd/-

Dated:27.2.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

Ms. Narjeet Kaur, APO
o/o Block Development and Panchayats Officer,
Block Khera,
Fatehgarh Sahib.

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Sh. Ajaib Singh S/o Late Sh. Bhinder Singh,
R/o Village –Bhishanpura, (98728-50944)
PO- Gajevs,
Tehsil – Samana,
District –Patiala.

.....Complainant

Vs

Public Information Officer,
O/o Director, Rural Dev. & Panchayat Deptt, Pb.,
Vikas Bhawan, Sector- 62, SAS Nagar.

.....Respondent

Complaint Case .No. 1045 of 2019 **(Video Conference Proceeding)**

Present:- Shri Ajaib Singh, complainant.
None on behalf of the respondent-PIO.

ORDER

This order may be read with the previous order dated 3.2.2020.

2. The appellant states that no information has been provided to him so far by the respondents. Last opportunity was afforded to Ms Ravinder Kaur Buttar, Additional Director-cum-Public Information Officer to take appropriate action on the application of the complainant for seeking information and intimate the complainant but neither any response has been sent by the respondent-Public Information Officer to the Commission nor to the appellant.

3. One more last opportunity is granted to Ms Ravinder Kaur Buttar, Additional Director-cum-Public Information Officer to take appropriate action on the RTI application before the next date of hearing failing with the penalty provisions will be initiated.

4. Accordingly, to come up on 11.3.2020 at 11.00 A.M. at Chandigarh.

sd/-

Dated: 27.2.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Ms. Ravinder Kaur Buttar, (Registered)
Additional Director –cum- PIO,
Directorate of Rural Dev. and Panchayats, Pb.,
Vikas Bhawan, Phase VIII, SAS Nagar

Director (Registered) To ensure the compliance of this
Rural Dev. and Panchayats, Pb., order before the next date of hearing
Vikas Bhawan, Phase VIII, SAS Nagar

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Sh. Balwan Gagat S/o Sh. Bachna Ram,
R/o Ward No. 5, Kahangarh Road, (98760-48427)
Anand Basti, Patran,
District –Patiala. 147105

.....Complainant

Vs

Public Information Officer,
O/o Director,
Rural Development & Panchayat Department,
Vikas Bhawan, Sector- 62,
SAS Nagar.

.....Respondent

Complaint Case No. 1077 of 2019 **(Video Conference Proceeding)**

Present:- None on behalf of the complainant.
Shri Avtar Singh, Senior Assistant, on behalf of the respondent-PIO.

ORDER

This order may be read with the previous order dated 3.2.2020.

2. The representative of the respondents states that the complainant has not deposited the requisite fee pertaining to 415 pages i.e. Rs.830/- and he further states that during the last hearing the complainant stated that the demand draft of Rs.830/- has been sent through registered post but no such draft has been received in the office so far. As the complainant is absent without any intimation, an attempt has been made to call on his mobile number but his mobile is switched off.

3. As the complainant is not present, he is advised to send the demand draft of Rs.830/- to the respondents with a copy to the Commission in case he has already sent, copy of the same be sent to the Commission for information before the next date of hearing and the representative of the respondents are directed to provide the information pertaining to the RTI application to the complainant on receipt of the demand draft as stated above before the next date of hearing.

4. To come up on 11.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala for the convenience of the complainant and the respondents are directed to remain present at Chandigarh.

Dated: 27.2.2020

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

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Smt. Dimple W/o Late Sh. Suresh Kumar Walia,
R/o VPO Bhangala,
Tehsil Mukerian, 144306
District Hoshiarpur.

.....Appellant

Vs

Shri Jaspal Singh, Superintendent Grade-1-cum-
Public Information Officer,
O/o Director, Rural Development & Panchayat Department, Punjab,
Vikas Bhawan, Sector- 62, SAS Nagar.

First Appellate Authority,
O/o Financial Commissioner,
Rural Development & Panchayat, Department,
Vikas Bhawan, Sector- 62, SAS Nagar

.....Respondents

Appeal Case No. 4546 of 2019
(Video Conference Proceeding)

Present:- Shri Tejinder Singh Walia on behalf of the appellant.
None on behalf of the respondents.

ORDER

This order may be read with the previous order dated 3.2.2020.

2. The appellant states that he has not received any information after the last order i.e. dated 3.2.2020. Since, none is present on behalf of the respondents today and the previous two hearings also. It has come to the notice of the Commission that earlier Public Information Officer-cum-Dy. Secretary Mrs Kamlesh Bhatia has been transferred and Smt. Manjit Kaur, Under Secretary has taken over the charge, hence, one more last opportunity is granted to the respondent-Public Information Officer to provide information regarding appointments made on compassionate ground from the employees of Samities/Zila Parishad to Government-side before the next date of hearing and if the information is not available then give in writing that the information is not available in their record, failing which punitive action will be initiated against her.

3. To come up on 11.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Hoshiarpur and the respondents are directed to remain present at Chandigarh.

sd/-

Dated: 27.2.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

CC

Financial Commissioner,
Rural Development & Panchayat, Department,
Vikas Bhawan, Sector- 62, SAS Nagar
Mohali

To ensure compliance of this order.

Director, Rural Dev. & Panchayat Deptt., Punjab,
Vikas Bhawan, Sector- 62, SAS Nagar
Mohali

To ensure compliance of this order.

Ms. Manjit Kaur,
Under Secretary-cum-Public Information Officer,
o/o Financial Commissioner,
Rural Development & Panchayat Deptt.
Vikas Bhawan, Sector 62, SAS Nagar
Mohali

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Smt Narinderjeet Kaur Sarpanch, (98144-52090)

R/o Gram Panchayat Thekreewal,

Block Kahnuwan,

District Gurdaspur.

.....Complainant

Vs

Public Information Officer,

O/o Gram Panchayat Thekreewal,

Block Kahnuwan,

District Gurdaspur.

.....Respondent

Complaint Case .No. 1080 of 2019

(Video Conference Proceeding)

Present:- Smt. Narinder Kaur, appellant alongwith his husband.

Sh. Om Parkash, Public Information Officer.

ORDER

This order may be read with reference to the previous order dated 3.2.2020.

2. The appellant states that she has not received any information pertaining to her RTI application. However, the respondent-Public Information Officer states that the information has already been sent to the complainant through registered post. He further states that he is having the copy of information which has been sent to her. The respondent-Public Information Officer handed over the copy of the information to the complainant during the course of hearing. On receipt of the information, the complainant states that next date may be given to go through the information.

3. According to the request of the complainant, she is advised to go through the information so provided by the respondent-Public Information Officer and revert back to the respondent in case of deficiency and the respondent-Public Information Officer is directed to remove the deficiencies in case of submissions by the complainant.

4. To come up on 11.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Gurdaspur.

sd/-

(Suresh Arora)

Chief Information Commissioner,
Punjab

Dated: 27.02.2020

CC

Shri Om Parkash,

(Regd.)

Village Development Officer,

Block Kahnuwan, District Gurdaspur.

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Sh. Rupinderjit Singh S/o Sh. Bawa Singh,
R/o Village –Bahiluwal, (95928-30632)
PO Govt. Political College,
Tehsil Batala, District Gurdaspur.

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block Quadian, District Gurdaspur.

.....Respondent

Complaint Case .No. 1051 of 2019 **(Video Conference Proceeding)**

Present:- Shri Rupinderjit Singh, appellant.
None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 3.2.2020.

2. The appellant states that he has just received the information pertaining to Point No. 1 and 2 and he is awaiting the rest of the information as per his RTI request.

3. As nobody is present on behalf of the respondent-Public Information Officer today and the previous hearing. Last opportunity is granted to the respondent-Public Information Officer to take appropriate action on the RTI application of the appellant failing which the punitive action will be initiated on the next date of hearing and also directed to remain present during the next date of hearing.

4. To come up on 11.3.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Gurdaspur.

sd/-

Dated:27.2.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

CC

Block Development and Panchayats Officer,
Block Quadian,
District Gurdaspur

To ensure compliance of this order
before the next date of hearing.

District Development and Panchayats Officer,
Mini Secretariat,
District Gurdaspur.