



Sh Mukhtiar Singh, S/o Sh Hukam Singh,  
R/o Basti Kamer Wala, Tehsil Jalalabad,  
Distt Fazilka.

... Complainant

Versus

**Public Information Officer,**  
O/o ADC, (D),  
Fazilka.

...Respondent

**Complaint Case No. 523 of 2019**

**PRESENT: None for the Complainant**  
**Sh.Amarjit Singh, Panchayat Secretary for the Respondent**

**ORDER:** This case should be read in continuation to the previous order.

The case has already been heard on 21.10.2019, 08.01.2020, 10.06.2020, 22.09.2020, & 10.11.2020.

On the date of first hearing on 21.10.2019, the complainant vide email sought exemption stating that he had to cast his vote in Jalalabad Constituency. The PIO was absent.

Having gone through the record, the Commission observed that despite a deposit of the requisite fee by the complainant, the PIO did not provide the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed** to file reply on an affidavit. The PIO was again directed to provide the information within 10 days and send a compliance report to the Commission.

On the date of hearing on **08.01.2020**, the respondent was absent for the 2<sup>nd</sup> consecutive hearing nor did he send any reply to the show cause notice. The respondent also did not provide the information, after which the PIO was given one more opportunity to provide the information and appear before the Commission on the next date of hearing alongwith written reply to the show cause notice on an affidavit.

On the date of hearing on **10.06.2020**, the respondent present from the office of ADC(D) pleaded that since the information relates to BDPO Jalalabad, the RTI application was transferred to them. The respondent further informed that the some of the information has been provided to the complainant by the concerned panchayat secretary. The PIO-BDPO was yet again absent.

On the date of hearing on 22.09.2020, the appellant claimed that the PIO has not provided the information. The BDPO Jalalabad was absent again nor did he send any reply to the show cause notice. The respondent present from MGNREGA informed that due to death of a relative of Panchayat Secretary, the Panchayat Secretary had not appeared.

Given the above, the Commission on that hearing observed that since the appellant to collect the information had to suffer undue inconvenience, for which the PIO-BDPO Jalalabad was directed to pay an amount of **Rs.3000/-** via demand draft as compensation to the appellant and submit proof of having compensated the appellant. The PIO-BDPO was also directed to provide the information to the complainant within 10 days and appear personally on the next date of hearing.

## Complaint Case No. 523 of 2019

On the date of last hearing on **10.11.2020**, the PIO-BDPO-Jalalabad and Panchayat Secretary appeared and informed that in compliance with order of the Commission, the compensation amount of Rs.3000/-(vide draft No.892227 dated 28.09.2020) has been paid to the complainant. As per respondent, the information had also been provided to the complainant. The complainant had received the information and compensation.

The respondent further informed that he joined as BDPO-Jalalabad only on 17.06.2020 and following were the PIO-cum-BDPO Jalalabad from the date of transfer of RTI application from the ADC's office:

Sh.Gurmail Singh	-	09.07.2018 to 20.11.2018
Sh.Bhupinder Singh	-	06.12.2018 to 20.06.2019
Sh.Joga Singh	-	20.06.2019 to 19.09.2019
Sh.Gurvinder Singh	-	19.09.2019 to 14.02.2020
Sh.Ravinder Singh	-	14.02.2020 to 17.06.2020
Sh.Gurjinder Singh	-	17.06.2020 to till date

From the facts above, it was clear that the present BDPO had been the PIO for the maximum period as well as the one who received the order dated 10.06.2020 and 22.09.2020 to provide the complete information after the RTI application was transferred by ADC(D) to BDPO but did not comply the order of the Commission.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-BDPO-Jalalabad was held guilty for not providing the complete information on time and a penalty of **Rs.5,000/-** was imposed upon the PIO-BDPO-Jalalabad with the direction to deposit the same in the Govt. Treasury and submit a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

From the above, it was also observed that when the RTI application was transferred by the ADC(D) to BDPO-Jalalabad(17.09.2018), Sh.Gurmail Singh was the PIO and when the Show cause notice was issued on 21.10.2019, Sh.Gurvinder Singh was the PIO who also received the further order dated 08.01.2020 but did not attend the hearing nor send any reply to the show cause notice.

Since the other PIOs (Sh.Joga Singh and Sh.Ravinder Singh) were the PIOs for short period, the responsibility to provide the information and comply the order of the Commission lay on Sh.Gurvinder Singh, the then PIO, given that he was also held guilty for not providing the complete information on time and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of **Rs.5,000/-** was also imposed upon Sh.Gurvinder Singh, the then PIO-BDPO-Jalalabad and directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

### **Hearing dated 29.01.2021:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The PIO-cum-BDPO Jalalabad and Sh.Gurvinder Singh, BDPO, Patiala(then PIO-BDPO Jalalabad) are absent.

**Complaint Case No. 523 of 2019**

Sh.Amarjit Singh, Panchayat Secretary is present who informed that the penalty amount of Rs.5000/- has been deposited by Sh.Gurvinder Singh, PIO-BDPO, Patiala (then PIO-BDPO Jalalabad in the Govt Treasury and copy of challan is being sent to the Commission but the penalty of Rs.5000/- imposed upon Sh.Gurjinder Singh, present PIO-BDPO is yet to be deposited.

The PIO-BDPO, Jalalabad is given one last opportunity to deposit the penalty and submit a copy of challan as proof of having deposited the same in the Govt Treasury and appear before the Commission on the next date of hearing.

The BDPO-Patiala(then PIO-BDPO Jalalabad) is also directed to send proof of having deposited the amount of penalty in the Govt treasury.

The case is adjourned. To come up for compliance on **17.05.2021** at **11.00 AM** **through video** conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated 29.01.2021**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to 1. PIO-Block Development and Panchayat  
Offier (BDPO), Jalalabad(Pb)**

**2. Sh.Gurvinder Singh,  
BDPO, Patiala  
(Earlier.BDPO-Jalalabad)**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
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Sh Jagdish Lal Monga, S/o Sh Mohan Lal,  
Kothi No-108, Rajgrur Street,  
Near Bhagat Singh Colony,  
Ferozepur City.

... Complainant

Versus

**Public Information Officer,**  
O/o Chief Secretary,  
Local Govt, Sector -35-A,  
Chandigarh.

...Respondent

**Complaint Case No. 528 of 2020**

PRESENT: None for the Complainant  
None for the Respondent

ORDER:

The complainant through RTI application dated 18.06.2020 has sought information regarding posting/transfer of Eos – name,posting/mobile number of officers for filing complaints of Eos and other information concerning the office of Chief Secretary, Local Govt. Pb. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 14.08.2020.

The case has come up for hearing today through video conferencing at DAC Fazilka. Both the parties are absent. The case is adjourned.

To come up for compliance on **17.05.2021** at **11.00 AM through video** conference facility available in the office of Deputy Commissioner, Fazilka. The PIO to appear at Chandigarh.

Chandigarh  
Dated: 29.01.2021

Sd/-  
(Khushwant Singh)  
State Information Commissioner



Sh.Om Prakash, S/o Sh Dev Dutt,  
R/o Village Chuhri Wala Dhanna,  
Tehsil & Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o BDPO,  
Khuaian Sarwar Camp,  
Abohar, Distt Fazilka.

**First Appellate Authority,**  
O/o DDPO,  
DC Complex, Fazilka.

...Respondent

**Appeal Case No. 2401 of 2020**

PRESENT: Sh.Om Parkash as the Appellant  
None for the Respodent

ORDER:

The appellant through RTI application dated 04.06.2020 has sought information regarding advocate Sh.Mahavir Bhatiwala – cases allotted from 2013 to 2018 – cases attended in the courts – fees paid to the advocate alongwith copy of bills – resolution passed for deputing the advocate and other information concerning the office of BDPO Khuia Sarver Cap Abohar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 17.07.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. Both the parties are absent.

The PIO is directed to provide the information to the appellant within 15 days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **17.05.2021 at 11.00AM** through a video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh  
Dated: 29.01.2021

Sd/-  
(Khushwant Singh)  
State Information Commissioner

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: -[psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**  
**Visit us: -[www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh.Aman Kumar Jain, S/o Sh.Bhagwan Dass,  
R/o H NO-2164, Lakar Mandi, Abohar,  
Distt.Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Tehsildar, Abohar,  
Distt.Fazilka.

**First Appellate Authority,**  
O/o SDM, Abohar,  
Distt.Fazilka.

...Respondent

**Appeal Case No. 4426 of 2019**

**PRESENT: Sh.Aman Kumar as the Appellant**  
**Sh.Ram Kishan, Naib Tehsildar, Abohar for the Respondent**

**ORDER:**

The appellant through RTI application dated 30.08.2019 has sought information regarding attachment and stay of property as per DRT Chandigarh – case No.725 of 2000 – copy of register in which the said order was entered and other information concerning the office of Tehsildar Abohar. The appellant was not satisfied with the reply of the PIO dated 03.09.2019 vide which the appellant was asked to clarify number and date on which the application was submitted in the office of Tehsildar Abohar, after which the appellant filed first appeal before the First Appellate Authority on 09.10.2019 which took no decision on the appeal.

The case was last heard on 12.03.2020. The appellant pleaded that they have already mentioned the date and number of the application in the RTI application but the PIO has not provided the information.

The PIO was directed to relook at the RTI application and provide appropriate information to the appellant within 15 days.

On the date of the last hearing on **22.09.2020**, the appellant claimed that the PIO has not provided the information. The respondent stated that the copy of the bank letter is not available in their record and the appellant be asked to provide a copy of that letter. The appellant had provided the copy of the letter to the PIO.

The respondent assured to provide the information within a week. The respondent said that the appellant may collect the information by hand. The appellant had agreed for the same. The respondent was directed to provide the information within a week and send a compliance report to the Commission. The appellant was directed to collect the information by hand from the office of PIO on any working day.

**Appeal Case No. 4426 of 2019**

On the date of last hearing on **10.11.2020**, as per respondent, the information has been provided. The appellant claimed that the PIO has not provided the information.

The Commission received a copy of letter from the PIO through email vide which the PIO had sent following reply to the appellant:

Point-1		To get the information from concerned patwari
Point-2	-	by depositing the requisite fee
Point-3		Information will be provided after receipt of verification from the bank
		To get the information from the Kendra by depositing requisite fee

Since the appellant had asked for information under RTI Act, the PIO was directed to relook at the entire RTI application and provide the information to the clear satisfaction of both the parties under RTI Act.

**Hearing dated 29.01.2021:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present pleaded that the information has been provided to the appellant vide letter dated 25.01.2021 with a copy to the Commission. The appellant is not satisfied.

Hearing both the parties, the PIO is directed to procure the information on point-2 from the concerned bank and provide to the appellant. The PIO is also directed to sort out other discrepancies if any.

To come up for compliance on **17.05.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated: 29.01.2021**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**