



Sh. Kartorh Singh,
S/o Sh. Didar Singh,
R/o Village-Behk Fattu,
District Ferozepur.

Complainant

Versus

Public Information Officer,
O/o Director,
Rural Development & Panchayat Department,
SAS Nagar (Mohali)

Respondent

Complaint Case No.320/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
04.12.2018	Nil	Nil	Nil	27.02.2019

Present:

Complainant- Sh. Kartorh Singh;
Respondent- Sh. Avtar Singh, Senior Assistant, O/o Director, Rural Development & Panchayat Department, Mohali.

ORDER

The following order was passed on 16.07.2019:

“The complainant is seeking information about the personnel matters of one Shri Parminder Singh Randhawa, Supdt. O/o BDPO, Makhu. Most of the points of RTI application relate to his personal information. However, the complainant is alleging misuse of office. There have been instances of dereliction of duty as well. The Commission finds that substantial information has already been transmitted to the complainant. The respondents may also provide him the number of the leaves availed by him during last couple of years.”

The case has again come up today. The respondent submits that they have already communicated to the Executive Officer, Panchayat Smiti, Makhu, Distt. Ferozepur. The Commission considers the EO as a PIO in this aspect and directs him to inform the

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complainant about the number of casual leaves availed by him from the year 2017 till date.

Any dereliction shall entail penal consequences. The matter shall again be taken on

03.10.2019 at 11.30 AM.

29.08.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: Executive Officer, Panchayat Samiti, Makhu, Faridkot.



By registered post

Sh. Mukhtiar Singh,
S/o Sh. Sewa Singh,
R/o Village Jionpura (Dugal),
Tehsil-Patran, Distt. Patiala.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Patran, Distt. Patiala.

Respondent

Complaint Case No.70/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
26.07.2018	Nil	Nil	Nil	15.01.2019

Present: Complainant- None;
Respondent- None.

ORDER

It shall be prudent to reproduce an order passed on 11.04.2019:

14.03.2019:

"The appellant vide an application dated 26.07.2018 had sought an information about the grants received by the gram panchayat of Village Jeunpura Duggal, Tehsil Patran and the development works having been undertaken by it.

The respondents are absent. No written reply has also been filed to the notice of the Commission. The Commission takes a serious view of the same. Another opportunity is afforded to the respondent to provide him the information and explain their conduct having failed to provide the information within the stipulated time."

11.04.2019

"The respondent is absent consecutively. Neither information has been supplied nor has a written reply been filed to the notice of the Commission. The Commission believes that the respondent is willfully denying the information to the complainant.



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Complaint Case No.70/2019

The PIO – cum – BDPO, Patran 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 maximum of Rs.25,000/- 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 applicant and why the compensation be not awarded to the Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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 note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.”

The case has come up today. None is present. Despite having been offered couple of opportunities, the PIO has failed to file any written explanation for violation of provisions of the Act. His culpability is established.

The Commission holds the PIO guilty under Section 7(1) of the RTI Act. Exercising its authority under section 20 (1) of the RTI Act, the Commission imposes a penalty of Rs10,000/- (Rupees Ten thousand only) in lump sum on BDPO, Patran, District Patiala, which shall be recovered from his salary in two equal installments commencing from

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Complaint Case No.70/2019

the month of September, 2019. His Drawing & Disbursing Officer shall ensure that the amount of penalty is deducted from his salary and deposited in the government treasury under the head given below:

- 0070-Other Administrative Services- 60

Other Services - 800 Other Receipts- 86 Fee under RTI Act, 2005

A copy of the challan shall be sent to the Commission for record immediately.

Disposed.

29.08.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: The Director, Department of Rural Development and Panchayat, Mohali, for necessary action.

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email: psic22@punjabmail.gov.in



Sh. Tejinder Singh, (Advocate)
R/o Village-Bholpur,
P/o Ramgarh, Chandigarh Road,
Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Assistant Superintendent,
Central Jail, Ludhiana.

First Appellate Authority,
O/o Superintendent,
Central Jail, Ludhiana.

Respondents

Appeal Case No.1712/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
01.02.2019	Nil	04.03.2019	Nil	08.05.2019

Present:

Appellant- None;

**Respondents- Sh. Jaswinder Singh, APIO, Asstt. Superintendent,
Central Jail, Ludhiana.**

ORDER

The Commission has perused the reply of the respondents. It is not satisfied with it. The application has summarily been dismissed on the plea that it is a questionnaire and they are not obliged to give the answers. The Commission disagrees with this response. The appellant is simply asking as to whether the canteens operating in the Jail Complex have been registered under GST or not. The information relates to a fact and does not seek any explanation. Section 7(9) of the RTI Act reads as under:

“An information shall ordinarily be provided in the form in which

it is sought unless it would disproportionately divert the resources

of the public authority or would be detrimental to the safety or

preservation of the record in question.”

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Appeal Case No.1712/2019

Since information sought is handy and easily available, this should be communicated to the appellant forthwith. Any further delay shall warrant initiation of action towards imposition of penalty.

To come up on **03.10.2019 at 11.30 AM.**

29.08.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**