

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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Email:psic22@punjabmail.gov.in

Sh. Raj Kumar Sethi,  
#71-D, Rajguru Nagar,  
Ludhiana

Appellant

Versus

Public Information Officer  
O/o Executive Officer,  
Nagar Improvement Trust, Ludhiana

First Appellate Authority  
O/o Addl. Chief Secretary to Govt. of Punjab,  
Department of Local Govt. Plot No.3, Sector-35-A,  
Sathanik Sarkar Bhawan, Chandigarh.

Respondents

**APPEAL CASE NO.105/2018**

Date of RTI application :14.09.2017  
Date of First Appeal :03.11.2017  
Date of order of FAA : Reply 04.10.2017  
Date of 2<sup>nd</sup> Appeal/complainant:23.12.2017

**Present:** **Sh. Raj Kumar Sethi, Appellant in person.**  
1. **Sh. Jagdeep Singh, PIO – cum – Estt. Officer officiating Superintendent, Trust Service Cell, O/o Director, Local Govt., Punjab,**  
2. **Sh. Paramjeet Singh, Sr. Assistant, Trust Service Cell, O/o Director, Local Government, Punjab – for Respondents.**

**ORDER**

On the request of the Parties the matter is adjourned to be heard on **10.01.2019** at

**11.30 AM.**

**29.11.2018**

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

**CC:** **The PIO – cum – Superintendent, Trust Service Cell, O/o Director of Local Government, Punjab, Sathanik Sarkar Bhawan, Plot No. 3 A, Sector 35 A, Chandigarh, for n/a.**

**CC:** **The Director of Local Govt., Punjab, Sathanik Sarkar Bhawan, Plot No. 3-A, Sec.35 A, Chandigarh, for n/a.**

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Sh. Hardyal Singh,  
S/o Sh. Sher Singh,  
R/o VPO- Dhablan,  
Tehsil & Distt. Patiala.

Appellant

Versus

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

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Patiala.

Respondents

**Appeal Case No.1821/2018**

Date of RTI application:	08.01.2018
Date of First Appeal :	22.08.2018
Date of Reply :	11.01.2018
Date of Order of FAA :	Nil
Date of 2 <sup>nd</sup> Appeal/complaint:	02.07.2018

**Present:** **Sh. Hardyal Singh, Appellant in person.**  
**Sh. Harinder Singh, Panchayat Secretary, O/o BDPO, Block Patiala – for Respondents.**

**ORDER**

The following order was made by the Commission on 16.10.2018:

*“The appellant is aggrieved with the action of the Panchayat in recommending an action against him to settle some personal scores. He is seeking copy of documents thus entailed and the rules under which action has been proposed by the Block Development & Panchayat Officer. The respondents are directed to file a written submission in the Commission on this score besides providing him the available information.”*

Sh. Harinder Singh, Panchayat Secretary appearing on behalf of the respondents says that the available record with him has been provided. Rest of the record is available in the office of the BDPO, Patiala. The Block Dev. & Panchayat Officer, Patiala is directed to file a written reply with regard to the aforesaid submissions before the next date of hearing.

To come up on **10.01.2019 at 11.30 AM.**

**29.11.2018**

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

**CC:** The Block Development & Panchayat Officer, Patiala, for n/a.

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Sh. Gursewak Singh,  
S/o Sh. Harbhajan Singh,  
Village- Bathoi Kalan, P.O Dakaala,  
Teh. & Distt.- Patiala (Punjab)

Appellant

Versus

Public Information Officer,  
O/o Pepsu Road Transport Corporation,  
Head Office, Nabha Road,  
Patiala (Punjab).

First Appellate Authority,  
O/o Pepsu Road Transport Corporation,  
Head Office, Nabha Road,  
Patiala (Punjab).

Respondents

**Appeal Case No.1892/2018**

Date of RTI application:	06.03.2018
Date of First Appeal :	10.04.2018
Date of Reply :	Nil
Date of Order of FAA :	Nil
Date of 2 <sup>nd</sup> Appeal/complaint:	02.07.2018

**Present:** **Sh. Gursewak Singh, Appellant in person.**  
**Sh. Gian Chand, Sr. Assistant, PRTC Office, Patiala – for Respondents.**

**ORDER**

The following order was made by this forum on 16.10.2018:

*“The respondents are absent despite issue of notice. The Commission takes a strong exception to the apathy shown by the respondents. The PIO is hereby directed to file a written reply to the application of the appellant besides providing the information failing which serious view shall be taken.”*

The case has come up today. The information sought is personal in nature and exemption under clause 1(j) of Section 8 of the RTI Act has been invoked. However, keeping in view the allegations that the officer in consideration has procured the government job by submitting forged documents, the respondents are directed to provide him the information in larger public interest.

To come up on **10.01.2019 at 11.30 AM.**

**29.11.2018**

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

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Sh. Sukhvir Singh,  
S/o Sh. Karnail Singh,  
R/o Village Dhianpur, Tehsil Chamkaur Sahib,  
Distt. Ropar.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Block-Morinda.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Ropar.

Respondents

**Appeal Case No.2640/2018**

Date of RTI application:	26.12.2017
Date of First Appeal :	19.03.2018
Date of Reply :	23.01.2018
Date of Order of FAA :	Nil
Date of 2 <sup>nd</sup> Appeal/complaint:	03.08.2018

**Present:** **Sh. Sukhvir Singh, Appellant in person.**  
**Sh. Lal Chand, Panchayat Officer, O/o BDPO, Morinda – for Respondents.**

**Order**

The following order was made by this forum on 18.10.2018:

*“The appellant had sought information about the revenue generated, expenses incurred and resolutions passed by the Gram Panchayat, Village Dhianpura, Block Morinda from the year 2013 onwards.*

*Sh. Jagmohan Singh, Panchayat Secretary a deemed PIO says that the information could not be provided because of the confusion over the name of the applicant and his signatures. Obviously, it is a typographical error and should not have been taken as a ruse to withhold the information. Nonetheless he has brought along the information and assures to provide it to the appellant after getting its zerox copies and certifying them. Better, he does it today itself. Any further laxity shall invite serious consequences towards imposition of penalty and awarding of compensation to the appellant.”*

*“The case has come up today. Sh. Lal Chand, Panchayat Secretary appearing on*

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**Appeal Case No.2640/2018**

*behalf of the respondents submits that Sh. Jagmohan Singh, PIO – cum – Panchayat Secretary of village Dhianpura was duly communicated under Section 5(4) of the RTI Act to provide the information to the appellant. The aforementioned order of the Commission is also self-speaking. Sh. Sukhvir Singh appellant says that despite the express order of the Commission the respondent Panchayat Secretary Sh. Jagmohan Singh while talking disparagingly about the Commission has refused to part with the information. The Panchayat Secretary's brazenness and defiance is reprehensible. Obviously he has rendered himself liable for the penal consequences.*

*Accordingly, Sh. Jagmohan Singh, Panchayat Secretary 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 Appellant 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 again come up today. Despite the express orders, couple of reminders and issue of show cause notice, Sh. Jagmohan Singh, PIO – cum – Panchayat Secretary has failed to respond. His culpability of violation of Section 7(1) is established. The delay is substantial and beyond 100 days.

Exercising its authority under Section 20(1) of the RTI Act, the Commission imposes a penalty of Rs.25,000/- (Rupees Twenty Five Thousand only) @ Rs.250/- per day for 100 days on Sh. Jagmohan Singh, PIO – cum – Panchayat Secretary, Vill: Dhianpura, O/o Block Dev. & Panchayat Officer, Morinda, which shall be recovered from his salary in five equal installments

**APPEAL CASE NO.2640/2018**

commencing from the month of January, 2019.

The Block Development & Panchayat Officer. Morinda who is the Drawing & Disbursing Officer shall ensure that the amount of penalty is deducted from his salary and deposited in the government treasury under 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.

The appellant has been pursuing the matter relentlessly in vain. He is accordingly awarded a compensation of Rs.5,000/- (Rupees Five Thousand only) under Section 19(8) (b) of the RTI Act for the detriment suffered by him. The public authority will compensate the appellant out of its own funds.

Sh. Jagmohan Singh, PIO – cum – Panchayat Secretary has shown scant regards to the provision of law and the directions issued by this forum. Such an indiscipline and arrogant conduct should not go un-punished. His appointing authority is desired to take disciplinary action by charge-sheeting him under intimation to the Commission. Meanwhile, the Block Development & Panchayat Officer, Morinda shall ensure that the information is procured and arranged to be provided to the appellant forthwith.

To come up on **22.01.2019 at 11.30 AM.**

**29.11.2018**

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

**CC: The Director of Rural Development and Panchayats, Punjab, Sector – 62, SAS Nagar (Mohali). He is requested to take necessary action within fifteen days of the receipt of this order under intimation to the Commission.**

**CC: The Block Dev. & Panchayat Officer, Block Morinda, Distt. Ropar for n/a.**

**CC: The District Development & Panchayat Officer, Ropar for n/a.**

**CC: Sh. Jagmohan Singh, Panchayat Secretary, Vill: Dhianpura, O/o Block Dev. & Panchayat Officer, Morinda, for n/a.**

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Sh. Nahar Singh,  
S/o Sh. Mukhtiar Singh,  
R/o Village Sangatpura,  
Tehsil Nabha, Distt. Patiala.

Appellant

Versus

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

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Patiala.

Respondents

**Appeal Case No.2645/2018**

Date of RTI application:	09.04.2018
Date of First Appeal :	10.05.2018
Date of Reply :	Nil
Date of Order of FAA :	Nil
Date of 2 <sup>nd</sup> Appeal/complaint:	03.08.2018

**Present:** **Sh. Nahar Singh, Appellant in person.**  
**Sh. Sukhwinder Singh, Panchayat Secretary, Gram Panchayat Sangatpura – for Respondents.**

**Order**

The following order was made by this forum on 18.10.2018:

*“The appellant is seeking copies of the record connected with the various grants received, revenue generated and expenditure incurred by the gram panchayat of village Sangatpura, Distt. Patiala from the respondents. Having failed to procure it in stipulated period he has filed a second appeal with the Commission.*

*Sh. Sukhwinder Singh, Panchayat Secretary appearing on behalf of the respondents says that the record sought is quite voluminous. The appellant was timely desired to make a payment of Rs.6,000/- as a cost of providing information. As the appellant has not deposited the cost he is not entitled to the information.*

*The appellant denies the receipt of such communication. The appellant submits that the communication received by him is unsigned and obviously has no legal standing. He adds that as the respondents have failed to communicate the cost of information in time they should be directed to provide him the complete information free of cost. The commission takes the plea of appellant with a grain of salt. The respondents have produced a postal receipt for the dispatch of the information. The Commission believed that the cost of providing such a massive information has been duly*

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**Appeal Case No.2645/2018**

conveyed to the appellant.

*The Commission observes that the provision of the information constituting thousands of pages is wastage of resources. It is desirable that the record is allowed to be inspected. An appropriate time and date for it shall be intimated by the respondents to the appellant not later than fifteen days from the receipt of the order. The BDPO, Nabha shall ensure the arrangement of inspection and provide him certified copies of documents but not beyond two hundred pages. In case the appellant is not satisfied with the numbers, he shall convince the Commission with the reasons for further requisition."*

*"The case has come up today. There seems a communication gap between the appellant and the Public Authority due to which the inspection could not mature. The Commission holds that the inspection of the record shall be held on 08.11.2018 at 11.00 AM in the o/o the Block Development & Panchayat Officer, Nabha. The concerned Panchayat Secretary shall ensure that the record is made available. The BDPO shall monitor that this order is complied. The rest of the directions as passed in the aforesaid order shall also be complied."*

The appellant is not present. Sh Sukhwinder Singh, Panchayat Secretary appearing on behalf of the Respondents has produced an acknowledgement in which the appellant has expressed his satisfaction over the information received by him. No further intervention of the Commission is called for.

**Disposed.**

**Sd/-**

**29.11.2018**

**(Yashvir Mahajan)  
State Information Commissioner**

**CC: The Block Development and Panchayat Officer, Nabha, Distt. Patiala.**



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Prof. Kirtypal Singh,  
R/o 29, VPO Rajpur Bhaian,  
Distt. Hoshiarpur, Punjab.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Block-II, City Hoshiarpur.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Block-II, City Hoshiarpur.

Respondents

**Appeal Case Nos.3277 and 3278 of 2018**

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
25.07.2018 27.07.2018	Nil	15.08.2018 04.08.2018	Nil	25.08.2018 24.08.2018

**Present:** Prof. Kirtypal Singh, Appellant in person.  
Sh. Sukhwinder Singh, Superintendent, BDPO Office, Block – 2, Hoshiarpur – for Respondents.

**Order**

The proxy of the respondents Sh. Sukhwinder Singh submits that the information has been sent to him under registered cover. He has shown a copy of the receipt to the Commission as well. The appellant denies it. Probably, the information is in transit. Nonetheless, he has brought a copy of the same which has been handed over on spot to him. The respondent has described the delay due to their occupation with the Block Samiti and Zila Parishad Elections. Though such an excuse is not admissible, however taking in view the short-handedness in the government offices and the importance of the elections, the delay is condoned with the caution to them to be watchful in future. Any laxity in future shall invite serious consequences.

**Disposed.**

**29.11.2018**

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