

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. Balkar Singh,
S/o Sh. Kundan Singh,
R/o House No. 18, Street No.3,
Model Town, Beas,
Tehsil- Baba Bakala Sahib,
Distt. Amritsar.

Appellant

Versus

Public Information Officer,
O/o Village Development Officer,
Block-Rayya, District: Amritsar.

First Appellate Authority,
O/o Additional Deputy Commissioner (Development),
Amritsar.

Respondents

Appeal Case No.2742/2018

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
19.04.2018	Nil	13.06.2018	Nil	06.08.2018

Present: Sh. Balkar Singh, Appellant in person.
Sh. Chetan Shurma, Tax Clerk, Block Rayya – for Respondents.

Order

The case has been heard through video conferencing.

The appellant had sought to know the provisions governing the reservation of seats for various categories in the elections of sarpanches/panches in the forthcoming panchayat polls.

Sh. Chetan Sharma appearing on behalf of the respondents says that they could not provide the information as the notification at the time of seeking information was not issued. The same has been issued on December 5, 2018 following which the polls were conducted. The notification's copy has been handed over to the appellant on spot. He further says that the Act and the Rules governing such reservations have been mentioned in the notification. The same is available on the internet as well.

As the information has been communicated the Commission does not see requirement of further intervention into the matter.

Disposed.

30.01.2019

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

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Sh. Gurcharan Singh,
S/o Sh. Kirpal Singh,
R/o Vill. Basti Aziz Wali, PO Sandhe Hasham,
Tehsil & Distt. Ferozepur.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Ghall Khurd, Distt. Ferozepur.

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

Respondents

Appeal Case No.2611/2018

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
16.09.2017	Nil	15.01.2018	Nil	17.07.2018

Present: **None on behalf of the Appellant.**
1. Sh. Parampal Singh, V.D.O., and
2. Sh. Ranjit Singh, Assistant, Ghal Khurd, Block – Rayya --- for Respondents.

Order

The Commission could not reach the appellant through video conferencing due to technical glitch.

Sh. Parampal Singh, VDO and Sh. Ranjit Singh, Assistant are present at Commission's office, Chandigarh. Sh. Parampal Singh, VDO, has brought along some of the record pertaining to the works executed under MNREGA. He is directed to transmit it to the appellant immediately. However, he says that he has not been able to provide rest of the record due to frequent transfer of the incumbents. The Commission does not appreciate it. Nonetheless, it directs the respondents to allow him an inspection of the record and provide him the certified copies of the documents identified by him but not beyond one hundred pages free of cost.

To come up on **03.04.2019 at 11.30 A.M. through video conference at Ferozepur.**

30.01.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Gurbachan Singh,
S/o Sh. Gyaan Chand,
R/o Vill. Purewal Jattan,
P.O- Dhariwal,
Tehsil & Distt. Gurdaspur.

Appellant

Versus

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

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

Respondents

Appeal Case No.2613/2018

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
17.01.2018	Nil	01.03.2018	Nil	02.07.2018

Present: Sh. Gurbachan Singh, Appellant in person.
Sh. Yusuf Masih, V.D.O., O/o BDPO, Gurdaspur – for Respondents.

Order

The case has been heard through video conferencing.

The following order was made by this forum on 14.11.2018:

“The video conferencing could not mature because of a technical glitch.

Sh. Yusuf Masih, VDO appearing on behalf of the respondents submits that he has been informed of the application only a couple of days ago and has been asked to personally attend the hearing at Chandigarh. The Commission takes a strong exception to the negligent conduct of the office of BDPO, Gurdaspur. In the notice issued by the Commission it had been specifically directed to join the proceedings through video conferencing facility of PAWAN in Deputy Commissioner Office, Gurdaspur. However, to the grave detriment of the public time and funds a government official has been directed to come all the way to Chandigarh. The BDPO is severely reprimanded for such a lackadaisical attitude. He is directed to be watchful in future failing which such derelict act shall be brought to the notice of the government for proceeding against him.

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Appeal Case No.2613/2018

Sh. Yusuf Masih has brought along the information which obviously could not be handed over on spot. He is directed to deliver it to the appellant within seven days from today under intimation to the Commission."

The case has come up for hearing today. Sh. Yusuf Masih, VDO appearing on behalf of the respondents submits that the information has been handed over to the appellant whereas the appellant complains it to be deficient. It transpires that he has not provided him the details of the expenditure incurred on the various development activities of the village. He is once again directed to part with the certified copies of the same immediately.

The respondent PIO has rendered himself liable for penal consequences. He is also desired to show cause in writing as to why the penalty as envisaged under Section 20(1) of the Act should not be imposed on him.

To come up on **03.04.2019 at 11.30 AM through video conference at Gurdaspur.**

Sd/-

30.01.2019

**(Yashvir Mahajan)
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Smt. Surinder Kaur (Sarpanch),
Village-Bhundian,
PO- Behram Saishta,
Distt. Jalandhar.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block-Bhogpur, Sirwal,
Distt. Jalandhar.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Tehsil Complex, Jalandhar.

Respondents

Appeal Case No.2637/2018

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
12.02.2018	Nil	13.04.2018	Nil	11.07.2018

Present: Smt. Surinder Kaur, Appellant in person.
Superintendent, O/o BDPO, Block – Bhogpur – for Respondents.

Order

The case has been heard through video conferencing.

The appellant had sought an information relating to various development works executed during the period from 04.07.2017 to 31.12.2017 and the connected information thereto.

The respondent says that she has been provided the information. During the course of hearing it transpires that only the copies of the proceedings have been provided. Seemingly, the respondents are intentionally avoiding the information. They are directed to provide her the copies of the measurement book and various bills and vouchers associated with the aforesaid works before the next date of hearing failing which the penal consequences shall follow. Meanwhile, the BDPO shall file a written reply to the Commission as to why he failed to provide the information during the stipulated period.

To come up on **03.04.2019 at 11.30 AM through video conference at Jalandhar.**

Sd/-

30.01.2019

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State Information Commissioner

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Sh. Ajay Kumar,
S/o Sh. Santokh Ram,
V.P.O-Khaira,
Tehsil Phillaur, Distt. Jalandhar.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block- Phillaur, Distt. Jalandhar.

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

Respondents

Appeal Case No.2647/2018

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
07.04.2018	Nil	24.05.2018	Nil	03.08.2018

Present: Sh. Ajay Kumar, Appellant in person.
None on behalf of the Respondents.

Order

The case has been heard through video conferencing.

The appellant had sought basic information about the expenses incurred in the construction of a Sports Club and laying of sewage pipe in the village Khehra, Tehsil Phillaur, Distt. Jalandhar.

The appellant is present in the video conferencing whereas the respondents are absent. He says that a very sketchy information just to dodge him has been given by the concerned Panchayat Secretary. The respondents have failed to file a written reply to the notice of the Commission and provide complete information to the appellant. No tangible action has also been taken by the First Appellate Authority. The PIO has rendered himself liable for penal consequences.

Accordingly, the PIO is issued a show cause notice to explain in a self-attested

Appeal Case No.2647/2018

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.

To come up on **03.04.2019 at 11.30 AM through video conference at Jalandhar.**

30.01.2019

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

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Sh. Sukhchain Singh,
S/o Sh. Karnail Singh,
R/o Village Kallah,
Block Khadur Sahib,
Distt. Tarn Taran.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block-Khadur Sahib,
Distt. Tarn Taran.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Distt. Tarn Taran.

Respondents

Appeal Case No.2707/2018

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
08.12.2017	Nil	25.01.2018	Nil	08.08.2018

Present: Sh. Sukhchain Singh, Appellant in person.
None on behalf of the Respondents.

Order

The case has been heard through video conferencing.

None is present on behalf of the respondents. The Commission takes a serious note of the conduct of the respondents. The PIO, O/o BDPO, Block Khadur Sahib 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.

To come up on **03.04.2019 at 11.30 AM through video conference at Tarn Taran.**

30.01.2019

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Sh. Love Kumar Dua,
House No. 125, Model Town, Samrala Road
Khanna, Distt. Ludhiana.

Appellant

Public Information Officer
O/o Executive Officer,
Municipal Council,
Khanna.

First Appellate Authority,
O/o Deputy Director,
Local Bodies, Ludhiana.

Respondents

Appeal Case No.1070/2018

Date of RTI application:	15.12.2017
Date of Reply :	05.01.2018
Date of First Appeal :	15.01.2018
Date of Order of FAA :	Nil
Date of 2 nd Appeal/complaint	22.03.2018

Present: **None on behalf of the Appellant.**
Sh. Amar Pal Singh, Inspector, MC office, Khanna – for Respondents.

Order

The case has been heard through video conferencing.

The Commission had made the following order on 26.09.2018:

“Point No. 1 of the original application refers to a Policy letter of the Government. The respondents are advised to provide him a copy of the same. The information with reference to Point No. 4 should be materially available with them and it should be supplied.

Point No. 2 and 3 are vague and in the shape of questions. The Commission is not inclined to enforce its requisition.

The respondents should inform the appellant within seven days from today failing which penal action shall be taken. Be it noted that no further notice shall be issued.”

“Sh. Amarpal Singh, Inspector appearing on behalf of the respondents says that in compliance with the directions of the Commission the requisite information has been provided to the appellant. As its copy has not reached the Commission it is not possible to assess its adequacy. The respondents are advised to send it by post immediately. Meanwhile, the appellant, if has any observation on the same, he should convey it to the respondents under intimation to the Commission.”

Appeal Case No.1070/2018

The case has again come up for hearing today. In compliance with the order of the Commission the respondents submit that the appellant was informed vide their letter dated 22.11.2018. A copy of it has been endorsed to the Commission as well. The Commission has perused it and feels that the appellant has been sufficiently informed.

The appellant had sought an adjournment as he is unable to attend the proceedings. The case is a long standing one and the information having been transmitted the Commission feels that it will not serve any purpose to keep the case pending.

Disposed.

Sd/-

30.01.2019

**(Yashvir Mahajan)
State Information Commissioner**

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Sh. Rajbinder Singh,
S/o Sh. Gurdev Singh,
Tehsil-Raikot, Chak Bhai Ka,
Ludhiana.

Complainant

Versus

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

Respondent

Complaint Case No.859/2018

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 Complaint
23.02.2018	Nil	Nil	Nil	07.08.2018

Present: None on behalf of the Complainant.
Sh. Jaswinder Singh, Superintendent, DDPO Office, Ludhiana – for Respondent.

Order

The case has been heard through video conferencing.

Sh. Jaswinder Singh, Superintendent is present. He says that the copy of the enquiry conducted by the BDPO along with the statements on the subject and other connected information has been sent to the complainant. A copy is also endorsed to the Commission. The Commission feels that the complainant has been sufficiently informed. No further intervention is called for.

Disposed.

30.01.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Jagjit Singh Sekhon (Rtd. BDPO),
Civil Line, Now M.C Colony, Fazilka.

Complainant

Versus

Public Information Officer,
O/o Deputy Secretary,
Rural Development and Panchayat Department,
Sector 62, S.A.S Nagar.

Respondent

Complaint Case No.860/2018

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 Complaint
04.05.2018	Nil	Nil	Nil	09.08.2018

Present: Sh. Jagjit Singh Sekhon, Complainant in person.
Sh. Harjinder Singh, Clerk, O/o Director, O/o Director, Rur. Dev. & Panchayats,
Pb. – for Respondent.

Order

The following order was passed by the Commission on 14.11.2018:

“The video conferencing could not mature because of a technical glitch.

Sh. Inderjeet Singh, Sr. Assistant is present on behalf of the respondent in the Court at Chandigarh. He submits that the respondent could not lay hand on the record being old. Seemingly, according to him it has been soiled in flooding of their basement or lost in the transfer of their office from Chandigarh to Mohali. The viewpoint of the complainant could not be accessed due to the failure of video conferencing.

The Commission finds that the record is not that old to have been lost or soiled as claimed by the respondent. They are directed to look into the case more intently and arrange to provide the information before the next date of hearing.”

The case has come up today. The complainant is aggrieved on account of the failure of the respondent to revise his pension which is due to him from the year 2006 onwards. Though it is

Contd..... page...2

Complaint Case No.860/2018

not within the ambit of this forum to pass any executive directions yet it is inclined to observe that the department should be sensitive to the genuine grievance of a senior citizen and retired official of the department. Hopefully, the Director, Rural Dev. & Panchayats, Punjab, shall look into the matter and endeavour to redress his grievance expeditiously.

Disposed.

Sd/-

30.01.2019

**(Yashvir Mahajan)
State Information Commissioner**

Cc: The Director, Rural Dev. & Panchayats, Punjab, Vikas Bhawan, Sector – 62, SAS Nagar (Mohali), for n/a.

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Sh. Sona Singh,
S/o Sh. Sucha Singh,
R/o Village Sohna Sandar,
Tehsil Jalalabad, Distt Fazilka.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Jalalabad, Distt Fazilka.

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

Respondents

Appeal Case No.3547/2018

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/ Complaint
28.05.2018	Nil	27.06.2018	Nil	06.10.2018

Present: Sh. Sona Singh, Appellant in person.
1. Sh. Charanjit Singh, Panchayat Secretary, O/o BDPO, Jalalabad,
2. Sh. Rakesh Kumar, Clerk, DDPO office, Fazilka – for Respondents.

Order

The case has been heard through video conferencing.

The appellant had sought certified copies of the entire record relating to the execution of various activities of the Panchayat. The respondents say that he has already been sufficiently informed. The appellant is still not satisfied. The Commission feels that it shall be wastage of papers to allow an indiscriminate Xeroxing of a copious record. The respondents should allow him an inspection and give him certified copies of the documents identified by him but not beyond fifty pages free of cost under intimation to the Commission.

With these observations, the matter is **disposed**.

Sd/-

30.01.2019

(Yashvir Mahajan)
State Information Commissioner

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Sh. Hardeep Singh,
S/o Shri Tarsem Lal,
R/o Village Noorpur, Tehsil Banga,
Distt SBS Nagar.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block Aur, Distt SBS Nagar.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Distt SBS Nagar.

Respondents

Appeal Case Nos.3559 and 3561 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/ Complaint
02.06.2018/16.05.2018	Nil	17.07.2018/26.06.2018	Nil	23.10.2018

Present: Sh. Hardeep Singh, Appellant in person.
Sh. Deepinder Singh, Panchayat Secretary, O/o BDPO, Aur – for Repspondents.

Order

The case has been heard through video conferencing.

Since the appellant and the respondents are the same and the information sought for is almost identical, the single order shall dispose both the appeals.

The appellant is present in the video conferencing and conveys that he is in receipt of the information to his satisfaction. Sh. Deepinder Singh on being questioned regrets the delay and ensures the Commission to be watchful in future.

Disposed.

Sd/-

30.01.2019

(Yashvir Mahajan)
State Information Commissioner