



Sh. Avtar Prithvi Raj,  
S/o Sh. Girdhari Lal,  
VPO, Taragarh,  
Tehsil & Distt.- Pathankot.

Appellant

Versus

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

First Appellate Authority,  
O/o Additional Deputy Commissioner,  
Pathankot.

Respondents

**Appeal Case No.2387/2018**

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
12.09.2017	Nil	16.02.2018	Nil	07.07.2018

**Present:**

**Appellant-** Sh. Avtar Prithvi Raj, in person.  
**Respondents-** Sh. Vipin Kumar, BDPO, Taragarh.

**ORDER**

**The case has been heard through video conferencing.**

The Commission has made the following observations on 02.01.2019:

*The appellant is seeking details about the lease money having been received by the gram panchayat of village Taragarh from one Sh. Prem Kumar for the establishment of a petrol pump on the land belonging to the gram panchayat.*

*Sh. Parampal Singh, DDPO submits that the appellant has been provided. The appellant is not yet satisfied.*

*He may be afforded another opportunity of inspection of record and provision of certified copies of the documents if not already done."*

The case has come up today. The facts are self speaking. The Commission is intrigued to find that no tangible action has been taken so far to recover the lease amount from the lessee nor any action has been taken to have the property of the panchayat vacated. The BDPO, Sh. Vipin Kumar, assures the Commission that the appellant shall be informed with reference to all the points of information sought and the due action required in this case

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**Appeal Case No.2387/2018**

shall also be initiated.

As the undersigned bench shall be demitting its office, the case file is transferred to the Deputy Registrar to put it up before the Hon'ble CIC for allocation to another bench as deemed appropriate.

**Sd/-**

**30.10.2019**

**(Yashvir Mahajan)  
State Information Commissioner**

**CC: The Deputy Registrar, O/o Punjab State Information Commission.**



Sh. Mahinder Kumar,  
S/o Sh. Mamraj,  
VPO-Amarpura, Distt. Fazilka.

Appellant

Versus

Public Information Officer,  
O/o Financial Commissioner,  
Rural Development & Panchayat, Punjab,  
Vikas Bhawan, Sec 62, SAS Nagar (Mohali).

First Appellate Authority,  
O/o Financial Commissioner, Mini Secretariat,  
Rural Development & Panchayat, Punjab,  
Vikas Bhawan, Sec 62, SAS Nagar (Mohali).

Respondents

**Appeal Case No.2345/2018**

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
24.02.2018	Nil	08.04.2018	Nil	

**Present:** Appellant- None.  
Respondents- Ms. Jasvir Kaur, Senior Assistant.

**ORDER**

On 02.01.2019 the Commission had made following observations:

*Sh. Ram Kumar proxy of Sh. Mahinder Kumar is present in the Court at Chandigarh. He submits that Sh. Mahinder Kumar is indisposed and is unable to join the proceedings. He seeks an adjournment. His request is acceded.*

*None is present on behalf of the respondents. While issuing a strict reprimand, the respondents are advised to file a written reply and explain their conduct besides providing the information to the appellant before the next date of hearing positively.*

The case has come up today. The appellant is absent. Ms. Jasvir Kaur, Senior Assistant, is present. She submits that the case relating to the appeal has already been decided by the former CIC vide his order dated 12.02.2019. They have submitted a copy of the order passed by the former CIC also. The appeal in question as such has been

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**Appeal Case No.2345/2018**

filed in repletion. No cognizance is desirable to be taken. It is **disposed** accordingly in terms of order passed by the former CIC on 12.02.2019.

**30.10.2019**

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



Sh. Amardeep Singh  
S/o ShriDarshan Singh,  
R/o Burj Muhar, Teh. Abohar,  
District Fazilka.

Appellant

Versus

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Abohar, District Fazilka

First Appellate Authority  
O/o Distt. Development & Panchayat Officer,  
Fazilka.

Respondents

**Appeal Case No.1558/2019**

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
16.01.2019	Nil	18.02.2019	Nil	24.04.2019

**Present:**

**Appellant:** Sh. Amardeep Singh.

**Respondents:** Sh. Gurvinder Singh, Panchayat Officer, O/o BDPO, Abohar.

**ORDER:**

**The case has been heard through video conferencing.**

The following order was made by the Commission on 04.09.2019:

*"The appellant has sought information relating to various activities of Gram*

*Panchayat of Village Burj Muhar, Tehsil Abohar, District Fazilka for the period commencing from 2013 to 2018. The chronology of the Application and the Appeal figures in the head-note.*

*The respondent states that the information has been sent to the appellant.*

*The appellant points out deficiencies having been conveyed in writing to the respondents. The respondents are directed to make good the same immediately under intimation to the Commission."*

The case has come up today. The respondents are present in the video conference. They submit that an additional information enclosing the copies of the vouchers

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**Appeal Case No. 1558/2018**

comprised in about 294 pages has also been sent to the appellant by registered post. The appellant vaguely suggests that the information is still deficient. Without pointing out of specific deficiency, the statement cannot be taken at its face value. The Commission presumes that his application stands completely addressed. Appeal is **disposed** accordingly.

**30.10.2019**

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



Shri Vivek Baghla,  
H.No.2857, Bank Colony,  
Badha Road, Fazilka

Appellant

Versus

Public Information Officer,  
O/o The Managing Director,  
Punjab health Systems Corporation,  
SAS Nagar (Mohali).

First Appellate Authority,  
O/o The Principal Secretary to Govt. of Punjab  
Department of Health & Family Welfare,  
Punjab Civil Sectt.-2, Sec.9, Chandigarh.

Respondents

**Appeal Case No.23/2019**

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
25.09.2018	Nil	30.10.2018	Nil	13.12.2018

**Present:** Appellant- Sh. Vivek Baghla;  
Respondents- Sh. Amanjit Singh, Senior Assistant, O/o The Director,  
Department of Health and Family Welfare, PB, Chandigarh.

**ORDER**

**The case has been heard through video conference.**

The following order was passed on 21.08.2019:

13.06.2019

*"The appellant has sought information governing the establishment and running of various private Hospitals/Nursing Homes. The respondents are ignorant about such provisions. The Director, Health & Family Welfare, Punjab is hereby directed to file a written reply to the notice of the Commission before the next date of hearing.*

*The appellant has requested for adjournment.*

21.08.2019

*The case has come up today. Sh. Jagtar Singh, Senior Assistant, O/o*

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**Appeal Case No.23/2019**

*Director, Department of Health, is present. He maintains his position of ignorance. The Commission takes a strong exception to the conduct of the respondents. The original application has been filed on 25.09.2018. Even after a lapse of one year, the appellant has not been appropriately informed about a simple question related to the department. The Commission feels that the department is evasive and willfully denying the information.*

*Taking cognizance of callous attitude in violation of provision of section 7 (1) of the RTI Act, 2005, the Commission hereby issues a show cause notice to the PIO in the Directorate of Punjab Health and Family Welfare 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*

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**Appeal Case No.23/2019**

*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 matter has been taken up today. Sh. Amanjit Singh, Senior Assistant, is present. He submits a reply to show cause notice, wherein they have reiterated their stance that as for now there is no provision of law which governs the operation of private hospital in the state. It has been added that an act namely “*The Clinical Establishment Act*” is under consideration of government for enactment. They further say that the appellant was similarly informed on 19.10.2018 also. A copy of which has also been enclosed with their representation. The respondents are advised to endorse the copy of the reply sent to the Commission today to the appellant as well. The Commission presumes that the information available with the respondents has been transmitted to the appellant and there has not been any malafide intent in withholding the information. That being the case, the show cause notice issued is filed and the appeal is **disposed**.

**30.10.2019**

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



Sh. Rakesh Kumar Gupta, Advocate  
R/o 8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police (Rural),  
Jagraon, District Ludhiana.

First Appellate Authority,  
O/o Deputy Inspector General of Police,  
Ludhiana Range, Near Old Courts  
Ludhiana.

Respondents

**Appeal Case No.2597/2019**

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
06.07.2019	Nil	11.07.2019	Nil	15.07.2019

**Present:**

**Appellant- None.**

**Respondents- SI Sh. Karamjit Singh, Police Station Dakha.**

**ORDER**

**The case has been heard through video conference.**

The following order was passed on 24.09.2019:

02.08.2019

*"As the instant case relates to details of investigation which is still being done, the appeal is being taken in routine.*

*The appellant has sought information under proviso to Section 7(1) of RTI Act relating to Life & Liberty of an individual. The respondents have brought along the information which has been handed over on spot to the appellant. The appellant intends to know the action having been taken on the complaints made against some persons who had tried to harm him bodily. The appellant submits that the information provided to him is incomplete. He is advised to go through and intimate the respondents about the deficiencies which shall be made good by them within 7 days."*

24.09.2019

*The case has come up today. The appellant states that the information about*

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**Appeal Case No.2597/2019**

*the action having been taken with reference to his complaints filed by him on 08.05.2019 as mentioned in his RTI application has not been given the respondents. The respondents submit that the complaint was forwarded to the jurisdictional Police Station. However, the response from it is still awaited. The respondents are directed to take immediate requisite action forthwith."*

The case has come up today. The appellant is absent. The respondents represented by SI Sh. Karamjit Singh submits in writing vide letter no. 534 dated 23.09.2019 that the information comprised in about 79 pages was sent to him on 02.08.2019. as no communication has been received from the appellant coupled by his absence, the Commission presumes that he is satisfied with the information thus stated to have been provided to him. No further action seems to be called for. The appeal is **disposed**.

**30.10.2019**

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



Sh. Rakesh Kumar Gupta, Advocate  
R/o 8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police (Rural),  
Jagraon, District Ludhiana.

First Appellate Authority,  
O/o Deputy Inspector General of Police,  
Ludhiana Range, Near Old Courts  
Ludhiana.

Respondents

**Appeal Case No.2602/2019**

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
03.07.2019	Nil	11.07.2019	Nil	16.07.2019

**Present:**

**Appellant- None.**

**Respondents- SI Sh. Karamjit Singh, Police Station Dakha.**

**ORDER**

**The case has been heard through video conference.**

The following order was passed on 24.09.2019:

02.08.2019

*"This application has been filed under Life & Liberty clause. Taking cognizance of the facts, the appeal is taken in routine.*

*The appellant has sought copies of the complaints received by the respondent in matter of FIR No.90 registered at Police Station, Dakha on 01.06.2019 and information relating to the action having been taken thereon. The respondents are directed to file a written reply to the Commission after taking appropriate action towards providing information to the appellant.*

24.09.2019

*The case has come up today. The respondents represented by ASI Harpreet Singh, say that the matter is under investigation with the SP Headquarters (Rural) Ludhiana.*

*He further states that the appellant shall be informed on completion of the same. They have*



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**Appeal Case No.2602/2019**

*simultaneously asked for an adjournment. Their request is accepted with an advice that the matter shall be looked into expeditiously as the same relates to the serious offence of IPC. It may be relevant to add that the appellant is apprehending serious threat to his life by some notorious elements and appropriate action should visibly be initiated to quell his doubts and secure his life."*

The case has come up today. The appellant is absent. The respondents represented by SI Sh. Karamjit Singh submits that the investigation is still under process. Seeking exemption from revelation of information under Section 8 (1) (h) of the RTI Act, the respondents say that disclosure shall impact the investigation adversely. The appellant may like to comment on the same.

Since the undersigned Commissioner shall be demitting his office soon on completion of his tenure, the file is sent to the Deputy Registrar for allocation of this appeal to another Bench after seeking the orders from Ld. CIC.

**30.10.2019**

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

**CC: The Deputy Registrar, O/o Punjab State Information Commission.**



Sh.Rakesh Kumar Gupta, Advocate,  
R/o 8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana.

Appellant

Versus

**Public Information Officer,**  
O/o Senior Superintendent of Police (Rural),  
Jagraon, District Ludhiana.

**First Appellate Authority,**  
O/o Deputy Inspector General of Police,  
Ludhiana Range, Near Old Courts  
Ludhiana.

Respondents

**Appeal Case No.2603/2019**

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
04.07.2019	Nil	11.07.2019	Nil	16.07.2019

**Present:**

**Appellant- None.**

**Respondents- SI Sh. Karamjit Singh, Police Station Dakha.**

**ORDER**

**The case has been heard through video conference.**

The following order was passed on 24.09.2019:

02.08.2019

*“The appellant seeks to know the guidelines governing the provision of security guards to the vulnerable persons. The respondents are directed to look into the same and provide the information expeditiously.*

24.09.2019

*The case has come up today. The respondents say that the information sought relates to Security Wing of Punjab Police. According to the notification issued by the Department of Home Affairs and Justice, Punjab, on 23.02.2006, the Security wing is exempted from the provisions of the RTI Act in terms of Section 24 (4). The appellant may like to respond on the same.”*

The case has come up today. No comments have been received from the appellant. A final opportunity is afforded to him to put forward his viewpoint, if any, failing



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**Appeal Case No.2603/2019**

which it shall be presumed that he has nothing more to say and the matter shall be disposed accordingly

Since the undersigned Commissioner shall be demitting his office soon on completion of his tenure, the file is sent to the Deputy Registrar for allocation of this appeal to another Bench after seeking the orders from Ld. CIC.

**30.10.2019**

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

**CC: The Deputy Registrar, O/o Punjab State Information Commission.**



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

Appellant

Versus

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

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

Respondents

**Appeal Case No.99/2019**

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
20.08.2018	13.09.2018	24.09.2018	Nil	05.11.2018

**Present:** Appellant- None.  
Respondents- None.

**ORDER**

None is present. The matter shall be reheard on **03.12.2019 at 11.30 AM** in

the office of the Commission at Chandigarh.

**30.10.2019**

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





Sh. Gurmukh Singh,  
S/o Sh. Jagat Ram,  
Village- Maira, P.O-Kot Maira,  
Tehsil-Garhshankar, Distt. Hoshiarpur.

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Garhshankar, Distt. Hoshiarpur.

Respondent

**Complaint Case No.1258/2018**

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
16.04.2018	Nil	Nil	Nil	04.12.2018

**Present:** Complainant- Sh. Gurmukh Singh.  
Respondents- None.

**ORDER**

The respondents are absent despite issue of notice by the Commission. The original application was filed by the information seeker on 16.04.2018. The Commission has been made to understand that the respondents are willfully sitting over the information.

The PIO in office of the BDPO, Garhshankar, is hereby 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 does



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**Complaint Case No.1258/2018**

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 **26.11.2019 at 11.30 AM through video conference at Hoshiarpur.**

**30.10.2019**

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



Sh. Sukhvir Singh,  
S/o Sh. Dilbag Singh,  
VPO-Sadiq,  
Distt.- Faridkot.

Appellant

Versus

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

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

Respondents

**Appeal Case No.2340/2018**

Date of RTI application: 10.01.2018  
Date of First Appeal : 07.03.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 09.07.2018

**Present:** Appellant- Sh. Sukhvir Singh.  
Respondents- Sh. Gursahib Singh, Panchayat Secretary.

**ORDER**

**The case has been heard through video conferencing.**

The Commission had made following observations on 21.08.2019:

03.10.2018

*“The appellant vide his application dated 10.01.2018 had asked for an information relating to various activities of the gram panchayat during its tenure from 2013 to 2018. An appeal was filed with the First Appellate Authority in March, 2018 as well. Having failed to procure the information the appellant has been constrained to file the second appeal with the Commission.*

*Sh. Gursahib Singh, Panchayat Secretary appearing on behalf of the respondents submits that the then jurisdictional Panchayat Secretary had proceeded on ex.India Leave without giving the charge to anybody. That he has been entrusted with the charge in the last 7 – 8 days and assures to provide the information expeditiously.*

*The BDPO, Faridkot should have given the charge to someone in the absence of Panchayat Secretary. The appellant was to be furnished with the information in the stipulated time.*

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**Appeal Case No.2340/2018**

*Having failed to do so, he has rendered himself liable for penal consequences.*

*Sh. Ashok Kumar who reportedly is holding the charge of the post of Block Development & Panchayat Officer, Faridkot and is PIO in the instant case 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.*

21.08.2019

*The matter has come up today. Sh. Gursahib Singh, Panchayat Secretary, submits that he has been able to lay hand to the record only today, which informally has already been shown to the appellant. The Commission directs the respondents to have it duly inspected by the appellant and provide him the certified copies of the documents, which*

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**Appeal Case No.2340/2018**

*should be relevant to the information seeker, but not beyond one hundred pages. He should also ensure that the documents related to the muster roll as mentioned in his application shall also be arranged to be provided immediately.”*

The case has come up today. The respondents represented by the Panchayat Secretary submit that he has been repeatedly asking him to collect the record, which the appellant has been refusing. He has brought along the entire record comprised in about more than 1200 pages, which has been arranged to be handed over on spot to the information seeker. The appellant suggests that it is deficient. The Commission is not inclined to accept his version. When the complete record has been provided, there is no question of deficiency. The Commission believes that the appellant has sufficiently been provided with the information. No further action is called for. The appeal is **disposed**.

**30.10.2019**

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



Sh. Gurmail Singh,  
S/o Sh. Mahinder Singh,  
R/o #68/1, Village-Jaito Dihati,  
Tehsil Jaiton, Distt. Faridkot.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Bathinda Road, Jaiton, Distt. Faridkot.

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

Respondents

**Appeal Case No.2288/2018**

Date of RTI application: 27.03.2018  
Date of First Appeal : 01.05.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 28.06.2018

**Present:** Appellant- Sh. Gurmail Singh.  
Respondents- Sh. D.C Singh, Panchayat Secretary.

**ORDER**

**The case has been heard through video conferencing.**

The Commission had made following observations on 14.08.2019:

03.10.2018:

*“The appellant had sought to know the details of the grants received by the gram panchayat of village Kothe Dihati Jaito for a period commencing from January, 2013 to April, 2018.*

*Sh. D.C.Singh, Panchayat Secretary appearing on behalf of the respondents submits that the information as was not collected by the appellant in person has been dispatched to him through registered post. The appellant seeks time to go through the same and represent the case by his counsel who is away.”*

*The case has come up today. The appellant denies having received the*

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**Appeal Case No.2288/2018**

*information despite the communication of BDPO, Jaiton. The Panchayat Secretary namely Sh. Charanjit Singh is not present, despite having been directed by the BDPO. He is desired to explain his conduct and provide proof of having dispatched the information to information seeker before next date of hearing.”*

The case has come up today. The Panchayat Secretary submits that the complete information has been provided. The appellant is still not satisfied. However, the appellant has not come up with valid objection. The Commission feels that the conduct of the appellant is motivated by the political rivalry in the village. The information as asked for seemingly has been provided to him. No further intervention of the Commission is desirable.

The appeal is **disposed**.

**30.10.2019**

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

**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](http://www.infocommpunjab.com)  
Email:psic22@punjabmail.gov.in



Sh.Mangal Singh,  
S/o Kandhara Singh,  
Vill. & PO Bhangala,  
Tehsil Patti,  
Distt Tarn Taran.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Patti, Distt. Tarn Taran.

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

Respondents

**Appeal Case No.2012&2047/2018**

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
18.11.2017	Nil	27.11.2017	Nil

**Present:** Appellant- Sh. Mangal Singh.  
Respondents- Sh. Harjit Singh, Panchayat Secretary.

**ORDER**

**The case has been heard through video conference.**

The Commission had made following order on 14.08.2019

*“As the appellant and the respondents are the same and the information sought essentially is identical, the single order shall dispose both the appeals.*

*Due to technical reasons, the video conference could not mature. Sh. Mangal Singh is present in the court itself. He denies having received any information despite his follow up for last two years.*

*The BDPO, Patti, District-Tarn Taran, is advised to arrange an inspection of the record pertaining to the incumbency of last two Sarpanches by giving him a notice in writing defining the date, time and venue; and provide him the certified copies of the documents identified by him but not beyond 150 pages. In case, the appellant seeks the delivery of more documents, he shall have to come up with proper justification of its requirement in public interest and the BDPO shall take a suitable call on the same.”*

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**Appeal Case No.2012&2047/2018**

The case has come up today. Both the parties are present. They are making their contradictory submission. Whereas, the respondents say that the entire record has already been got inspected with the certified copies of the documents provided, the appellant denies its receipt. The Commission feels that the issue cannot be resolved in video conference. The parties are directed to come present in the court at Chandigarh with respective submissions duly supported by the documents.

As the undersigned bench shall be demitting its office, the case file is transferred to the Deputy Registrar to put it up before the Hon'ble CIC for allocation to another bench as deemed appropriate

**30.10.2019**

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

**CC: The Deputy Registrar, O/o Punjab State Information Commission.**



**By Registered Post**

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:**

**Appellant- Sh. Sukhchain Singh.**  
**Respondents- Sh. Prabhjit Singh, Panchayat Secretary.**

**ORDER**

**The case has been heard through video conferencing.**

The Commission has made following observations on 03.09.2019:

30.01.2019:

*"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."*

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03.04.2019

*The matter is being taken up today. Sh. Rajinder Kumar Gupta, BDPO, Khadur Sahib submits that he has joined recently. It transpires that the information sought was conveyed to the appellant through a registered post during the month of November, 2018. The appellant submits that the same was deficient and uncertified.*

*The Commission feels that the information sought is quite huge and voluminous and providing the Zerox copies of the entire record shall disproportionately divert their resources. It shall be fair if BDPO arranges an inspection of the record in his office by the appellant on a prefixed date and time and provides him certified copies of the documents identified by him to an extent of one hundred pages besides the ones already provided to the appellant. Meanwhile he shall arrange the certification of the documents which had earlier been sent to the appellant.*

*The case has taken up today. The Commission notes it with regret that the BDPO has ignored the directions even though a show cause notice stands already issued to him. As a measure of final opportunity, the BDPO is once again directed to ensure the compliance of the orders reproduced above.*

*Sh. Prabhjit Singh, Panchayat Secretary, who is present in person, submits that he is not in a position to certify the copies in the absence of the original record, which has not been handed over to him on his joining following the death of then Sarpanch. The BDPO shall look into it also and arrange to procure the record from the successors of the then Sarpanch and hand it over to the current incumbent.*

*The appellant alleges that there have been grave irregularities in the execution of MNREGA works. The record pertaining to which has not been furnished. The BDPO, Khadur Sahib, is*

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*once again desired to ensure that the record on the above score is arranged to be delivered to the appellant under intimation to the Commission. Be it noted that no further opportunity shall be afforded and the Commission shall go ahead to penalize the noticee on basis of the record available on file.”*

The case has come up today. The status quo remains. Despite the clear directions to Shri Rajinder Gupta, the then BDPO and issue of Show Cause Notice, no action has been taken.

The Commission observes that he has violated the provisions of Section 7 (1) of the RTI Act willfully and with impunity. Taking cognizance of the same and 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) on the then BDPO (the delay being beyond hundred days) to be recovered from his salary at the rate of Rs. 5,000/- per month commencing from the salary of the month of December, 2019 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 positively.

The above official has shown grave indiscipline and disregard to the directions of the statutory authority. He has, therefore, also rendered himself liable for disciplinary

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action. The Director, Department of Rural Development and Panchayats, is hereby desired to issue a charge sheet to him as envisaged in Section 20 (2) of the RTI Act and send a copy of the same to the Commission within a month of the receipt of this order.

Meanwhile, the incumbent BDPO, Smt. Davinderjeet Kaur, is directed to comply with the aforesaid order and report compliance, failing which similar action shall be initiated against her.

**30.10.2019**

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

**CC: The Director, Department of Rural Development and Panchayat, Sector-62, SAS Nagar.**

**CC: The Deputy Registrar, O/o Punjab State Information Commission.**



Sh. Sukhvir Singh,  
S/o Sh. Bachna Ram,  
R/o Village Basti Bazigar (Ahiapur),  
Block Tanda, Tehsil Dasuya, Distt Hoshiarpur.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Tanda, Tehsil Dasuya, Distt Hoshiarpur.

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

Respondents

**Appeal Case No.3528/2018**

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
04.06.2018	Nil	20.07.2018	Nil	07.09.2018

**Present:**

**Appellant- None;**  
**Respondents- Sh. Ravinder Singh, Panchayat Secretary.**

**Order**

**The case has been heard through video conference.**

The Commission had made following observations on 21.08.2019:

09.01.2019:

*"Heard.*

*The information sought pertains to a period of 11 years. Apparently it shall amount to a massive record. The Commission feels that it shall not be in overall public interest to ask the respondents to take on such a tall job to Xerox thousands copies. It is desirable that inspection of the record should be resorted to at a mutually convenient date and time to both the parties. The appellant shall identify the documents but not beyond 200 pages which has been agreed upon by both parties and respondents shall arrange to provide certified copies within fifteen days from today positively under intimation to the Commission.*

*The matter shall be reconsidered on **13.03.2019 at 11.30 AM through video conferencing at Hoshiarpur.**"*

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**Appeal Case No.3528/2018**

*The case has come up today. Sh. Ravinder Singh, Panchayat Secretary, submits that the appellant has been repeatedly requested to come and inspect and the record, but he did not turn up. Nonetheless, having spoken with him he had dispatched 200 pages which he deemed appropriate to his request. The appellant is once again desired to comment on the above submissions.”*

The matter has again been taken up today. Sh. Ravinder Singh, Panchayat Secretary, is present. As was desired, no comments have been received from the appellant. The Commission feels that he has been adequately informed. No further intervention is desired.

**Disposed.**

**30.10.2019**

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



**By Registered Post**

Sh. Raj Kumar Ahuja  
S/o Sh.Bhagwan Chand,  
R/o Village Gram Panchayat, Neola  
Tehsil and District Fazilka.

Appellant

Versus

Public Information Officer,  
O/o The District Social Welfare Officer,  
Fazilka.

First Appellate Authority,  
O/o District Social Welfare Officer  
Fazilka. .

Respondents

**Appeal Case No.3210 /2017**

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
01.12.2015	Nil	10.02.2016	Nil	16.05.2017

**Present:** Appellant- None;  
Respondents- None

**Order**

**The case has been heard through video conference.**

The following order was passed on 21.08.2019:

13.06.2019:

*"This is a very old case. The original application was filed on 0.12.2015. Having gone through the rigmarole of First and Second appeal, the appellant is still in the dark. The information sought relates to the pensions sanctioned by the State Government in the Department of Social Security of Women and Child Welfare, Punjab.*

*The Commission takes very strong exception to the conduct of the respondents and directs the District Social Welfare Officer to arrange to provide information before the next date of hearing positively. It is underlined that regardless of the fact as to who is the PIO/custodian of the record, it shall be the responsibility of the District Social Welfare Officer, by name, to comply with these orders, being the head of the Public Authority in the district. The compliance should be conveyed to the Commission well before the deferred date.*

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**Appeal Case No.3210 /2017**

*The case has come up today. The respondents are absent. No action in compliance of the aforementioned order has been taken. The Commission finds it as a violation of the section 7 (1) of the RTI Act, 2005.*

*Taking cognizance of the same, the PIO in the office of the District Social Security Welfare Officer is hereby 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. No satisfactory reply so far has been sent by the PIO in the office of District Social Security Welfare.

The Commission observes that the PIO in the office in the office of District



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**Appeal Case No.3210 /2017**

Social Security Welfare has failed to meet the obligation under Section 7 (1) of the RTI Act and thus, has rendered himself for a imposition of penalty. Therefore exercising its authority under section 20 (1) of the RTI Act, the Commission imposes a penalty of Rupees 10000/- (Rupees Ten Thousand only) in lump sum on the PIO on the District Social Security Officer, Fazilka (By name). The Drawing & Disbursing Officer is directed to deposit the amount of penalty in the government Treasury in two equal installments from his salary from the month of January, 2020 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.

As the appellant has been put to undue inconvenience and harassment, he is awarded a compensation of Rs.3,000/- which shall be paid to him through a bank draft by the public authority from its own account.

The next date of hearing shall be intimated in due course.

**30.10.2019**

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

**CC: 1. The District Social Security Officer, Ferozepur Road, Gandhi Nagar, Fazilka.  
2. Principal Secretary, Deptt. Of Social Welfare, Punjab.**