

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

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Sh. Gurbachan Singh s/o Sh. Inder Singh 9988308363
r/o Village Ruri Wala,
Tehsil & District TaranTaran.

....Appellant

Vs

Sh. Tejinder Kumar, Public Information Officer Registered
Block Development and Panchayats Officer,
Naushehra Pannua,
District TaranTaran

First Appellate Authority
o/o District Development and Panchayats Officer,
-cum-Collector of Panchayat Lands,
Mini Secretariat,
TaranTaran.

Public Information Officer
o/o the Director,
Rural Development and Panchayat Punjab,
Vikas Bhawan Sector 62,
Mohali.

Sh. Lal Singh, (Registered)
Block Development and Panchayats Officer
Block Valtoha
District Tarantaran

....Respondents

Appeal Case No. 1465 of 2020
(Video Conference Proceedings)

Present:- Sh.Gurbachan Singh, appellant.
Sh. Tejinder Kumar, 8360893625 Block Development and Panchayats Officer,
on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 30.9.2020.

2. The representative of the respondents states that the complete information has been supplied to the appellant. However, the appellant states that he is satisfied with the information supplied by the respondents and further requested for the compensation due to delay in providing the information and harassment.

3. The perusal of the file shows that in this case, application for information was filed on 13.6.2019 but after a lapse of more than a year, incomplete information was supplied to the appellant. It is a fact on record that a show cause notice was issued to the Block Development and Panchayats Officer, Naushehra Pannua for award of compensation in favour of the appellant due to delay and harassment caused to the appellant. It is, thus apparent from the response of the respondent-PIO that there has been delay in providing the information. Appellant had also suffered financial loss in getting the information. There are systemic deficiencies in the manner of receiving and disposing of applications. The department still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act.

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Appeal Case No. 1465 of 2020

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4. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 5000/- (Rupees Five thousand only) by way of compensation to the Appellant. This amount shall be payable from the State Exchequer before the next date of hearing. As far as the information is concerned, the complete information has been supplied to the appellant, therefore, the case is closed for providing the information.

5. To come up on 1.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Taran Taran/cisco webex.

Dated: 4.11.2020

sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Nirbhai Singh Sidhu
Village Khirnia,
PO Mushakabad,
District Ludhiana

..Appellant

Vs

Public Information Officer,
Block Development and Panchayat Officer,
Block - Machhiwara Sahib,
Distt. - Ludhiana.

First Appellate Authority,
Block Development and Panchayat Officer,
Block - Machhiwara Sahib,
Distt. - Ludhiana.

....Respondents

Appeal Case No. 2297 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- None on behalf of the appellant.

Sh. Ranjit Singh, Panchayat Secretary in person on behalf of the respondents.

ORDER

The RTI application is dated 6.2.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 12.3.2020 and second appeal was filed in the Commission on 25.8.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued for 9.10.2020 to the parties but could not be heard due to administrative reasons and was adjourned for today i.e. 4.11.2020.

2. The representative of the respondents states that the record concerning the RTI application of the appellant was handed over to Sh. Gurcharan Singh, Panchayat Officer in an enquiry but due to his sudden demise now the charge of the same has been given to Sh. Rama Kant, Superintendent. He also states that since the enquiry is going on in the matter concerning the RTI application nothing can be supplied to the appellant at this stage. Furthermore, he states that after the completion of the enquiry, the same will be supplied to the appellant. Copy of the submissions made by the representative of the respondents is taken on record.

3. Since, the appellant is absent, therefore, a copy of the submissions made by the representative of the respondents is **sent with this** order to the appellant for rejoinder, if any, before the next date of hearing.

4. To come up on 2.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana /cisco webex.

sd/

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 4.11.2020

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Sh. Nishan Singh 99156 47517,
Village Manewal,
PO Machhiwara, Teh Samrala,
District Ludhiana

Complainant

Vs

Public Information Officer,
o/o Block Development & Panchayat Officer, Machhiwara,
District Ludhiana

....Respondents

Complaint Case No. 549 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- None on behalf of the appellant.

Sh. Amritpal Singh, in person on behalf of the respondents.

ORDER

The RTI application is dated 6.3.2020 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 20.8.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued for 9.10.2020 to the parties but could not be heard due to administrative reasons and was adjourned for today i.e. 4.11.2020.

2. The representative of the respondents states that the record concerning the RTI application of the complainant was handed over to Sh. Gurcharan Singh, Panchayat Officer in an enquiry but due to his sudden demise now the charge of the same has been given to Sh. Rama Kant, Superintendent. He also states that since the enquiry is going on in the matter concerning the RTI application nothing can be supplied to the appellant at this stage. Furthermore, he states that after the completion of the enquiry, the same will be supplied to the appellant. Copy of the submissions made by the representative of the respondents is taken on record.

3. Since, the appellant is absent, therefore, a copy of the submissions made by the representative of the respondents is **sent with this** order to the appellant for rejoinder, if any, before the next date of hearing.

4. To come up on 2.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana /cisco webex.

Dated: 4.11.2020

sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Ashwani Chawla, 9914405765,
2872, Sector 42-C,
Chandigarh.

..Complainant

Vs

Sh. Krishan Rattu, Registered
Public Information Officer
-cum- Joint Director
o/o The Director,
Information & Public Relations, Punjab,
Punjab Civil Secretariat-1,
Chandigarh.

....Respondent

Complaint Case No. 574 of 2020

(Video Conference/Cisco Webex Proceedings)

Present:- Sh. Ashwani Chawla, complainant.
Sh. Manvinder Singh, 9815916179 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 5.10.2020.

2. The appellant states that the orders of the Commission has not been complied with so far by the respondents and no information has been supplied pertaining to Point No. 1 and 4 of the RTI application.

3. The representative of the respondents states that he has joined 15 days back and requested for the adjournment of case. He also states that the information has been supplied to the complainant.

4. After hearing both the parties and going through the case file, it has transpired that the complete information pertaining to Point No. 1 & 4 has not been provided so far in compliance of the orders of the Commission. Viewing the defiance of the orders of the Commission, seriously, Sh. Krishan Rattu, Joint Director, Information and Public Relations, Punjab is, thus, 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 a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing wilful delay/denial of the information to the RTI applicant.

5. 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 next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

6. The respondent-Public Information Officer is also directed to supply the complete information pertaining to Point no. 1 & 4 of the RTI application to the complainant before the next date of hearing.

7. To come up on 26.11.2020 at 12.30 PM and will be heard through cisco webex.

Dated: 4.11.2020

sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Paramjeet Singh S/o Sh. Balvir Singh,

R/o Village - Dhandi Qadim,
Tehsil - Jalalabad (W),
Distt Fazilka.M :9872688284

..Appellant

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

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

....Respondents

Appeal Case No. 2064/2020

(Video conference/Cisco Webex proceedings)

Present:- Sh. Paramjit Singh, on phone
Sh. Harjinder Singh, VDO, 7347255689 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 25.9.2020.

2. The representative of the respondents states that the complete information has been supplied to him. But the appellant states that nothing has been supplied concerning the grant received, expenditure, bank account number in which Panchayat fund is deposited and the balance amount in the said bank.

3. After deliberations, the representative of the respondents assured that the information will be supplied to the appellant within a week and requested for the adjournment of the case.

4. According to the request of the representative of the respondents the case is adjourned with the directions to provide the information as has been mentioned in para 2 above before the next date of hearing under intimation to the Commission.

5. To come up on 13.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilka/cisco webex.

Dated: 4.11.2020

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Smt. Kanchan Lata 9855807261
House No. 1739, Main Bazar,
Mani Majra,
Chandigarh.

....Appellant

Vs

Public Information Officer
o/o Tehsildar, Payal,
District Ludhiana.

First Appellate Authority
o/o Sub Divisional Magistrate,
Payal,
District Ludhiana

....Respondents

Appeal Case No. 2650 of 2020
(Video Conference Proceedings)

Present:- Sh. Gopal Bhalla, in person son of Smt. Kanchan Lata, appellant
Sh. Paramjeet Singh, Registry Clerk on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 26.10.2020.

2. The representative of the appellant states that he has not received the procedure laid down in the office of the respondents pertaining to the Point No. 1 of the RTI application. The appellant also states that no information has been received from the respondents regarding Point No. 6 of the RTI application. The representative of the respondents states that the Public Information Officer-cum-Tehsildar is busy in another meeting and requested for the adjournment of the case and assured that the same will be supplied to the appellant within a week.

3. After hearing both the parties, the respondent-Public Information Officer is directed to supply the same as pointed out in para 2 above before the next date of hearing as per the assurance given during the course of hearing.

4. To come up on 11.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana /cisco webex.

Dated: 4.11.2020

sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Karamvir Singh s/o Sh. Fakira Ram &
Sh. Ajmer Singh s/o Sh. Mola Ram,
r/o Andana Tehsil Munak,
District Sangrur

..Complainant

Vs

Public Information Officer
o/o Financial Commissioner,
Rural Development and Panchayat Deptt, Pb.
Vikas Bhawan, Sec 62, Mohali.

Sh. Joginder Kumar,
Deputy Director (L.D.) o/o the Director,
Rural Development & Panchayat Deptt., Pb.
Vikas Bhawan, Sec- 62, Mohali

Sh. Gagandeep Singh,
Divisional Deputy Director-cum-PIO, Registered
Rural Development and Panchayats Punjab,
District Administrative Complex,
Patiala.

....Respondent

Complaint Case No. 78 of 2020
(Cisco Webex proceedings)

Present:- None on behalf of the respondents.

Sh. Joginder Singh, Dy. Director (On phone), Sh. Gagandeep Singh, Divisional
Dy. Director and Sh. Gurpiar Singh (in person), on behalf of the respondent-
Public Information Officer.

ORDER

This order may be read with reference to the previous order dated 14.10.2020.

2. Sh. Joginder Singh, Dy. Director (LD) states that the information has to be supplied by the Divisional Deputy Director, Patiala in this case. The Divisional Deputy Director states that the enquiry is going on regarding the complaint sent by the complainant. He also states that the complainant is not attending the enquiry regularly as the letters have also written to him. A copy of the written submissions made by the Divisional Deputy Director is taken on record. Sh. Joginder Singh, Dy. Director (LD) and Sh. Gagandeep Singh, Divisional Deputy Director also made the verbal submissions regarding the show cause notice(s) issued to them and reasons for delay in providing the information to the appellant.

3. According to the verbal submissions made by Sh. Joginder Singh, Dy. Director (LD) and Sh. Gagandeep Singh, Divisional Deputy Director show cause notice issued to them on 14.10.2020 is hereby withdrawn.

4. As the complainant is absent, the submissions made by the respondent-Divisional Deputy Director **is sent with this order** to file the rejoinder, if any, before the next date of hearing.

5. To come up on 23.11.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala/cisco webex.

sd/

Dated: 4.11.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Mall Singh s/o Sh. Guljar Singh 9914032831
r/o Village Smalsar,
Tehsil BaghaPurana,
District Moga.

....Appellant

Vs

Sh. Jagjit Singh Registered
Public Information Officer
o/o District Development and Panchayats Officer,
Mini Secretariat, Moga

First Appellate Authority
o/o Deputy Commissioner,
Mini Secretariat,
Moga.

....Respondents

Appeal Case No. 1377 of 2020

(Video Conference/Cisco Webex proceedings)

Present:- Sh. Mall Singh, appellant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 28.9.2020.

2. The appellant has sent the submissions, which are taken on record. The appellant states that he is being harassed by the respondent-Public Information Officer by not providing the information.

4. Viewing the attitude in dealing with the RTI application of the appellant and not providing the sought information, Sh Jagjit Singh, Public Information Officer-cum- District Development and Panchayats Officer, Moga is thus issued a show cause notice to explain in a self-attested affidavit as to why a compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act, 2005 may not be awarded.

5. In addition to the written reply, the Public Information Officer is also given an opportunity under Section 20(1) proviso thereto, for a personal hearing before awarding the compensation on the next date of hearing. He may take a note that in case he does not file his written reply and do not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

6. One last opportunity is granted to the respondent-Public Information Officer to supply the complete information to the appellant before the next date of hearing under intimation to the Commission failing which the penalty provisions will be invoked on the next date of hearing. A copy of the submissions made by the appellant **is sent with this order.**

7. To come up 2.12.2020 at 12.30 PM on to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Moga/Cisco Webex.

Dated: 4.11.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.