

# PUNJAB STATE INFORMATION COMMISSION

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

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Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Sh. Harpal Singh Sirohi, S/o Sh. Pritam Singh, Advocate,  
House No 239, Sector 21 A,  
Chandigarh.M : 9417317700

....Appellant

Vs

Sh. Pardeep Bains, **Registered**  
Distt Revenue Officer-cum-  
Public Information Officer ,  
O/o Deputy Commissioner,  
Ludhiana.

First Appellate Authority  
O/o Deputy Commissioner,  
Ludhiana.

Public Information Officer **Registered**  
o/o Joint Sub Registrar,  
Sahnewal, District Ludhiana

...Respondents

## Appeal Case No. 990/2021

Present:- Sh. Harpal Singh Sirohi, appellant on telephone.  
None on behalf of the respondents. 9888466876

### ORDER

This order may be read with reference to the previous order dated 9.9.2021.

2. No compliance report regarding order of the Commission dated 9.9.2021 has been received from the respondent-Public Information Officer o/o Deputy Commissioner, Ludhiana. Also the respondent-Public Information Officer is absent without intimation. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, the Sh. Pardeep Bains, Distt. Revenue Officer-cum-Public Information Officer o/o Deputy Commissioner, 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 willful delay/denial of the information to the RTI applicant. 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 the imposition of such penalty on the next date of hearing. He may take a 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.

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**Appeal Case No. 990/2021**

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The respondent-Public Information Officer is also directed to send the compliance report as per the order of the Commission dated 9.9.2021 reproduced below before the next date of hearing:-

“The appellant state that he has filed the complaints to the Deputy Commissioner, Financial Commissioner as well as to the Sub Registrar Sahnewal (where the sale deed was registered) to release the sale deed and to sanction the mutation. Furthermore the appellant states that the copy of sale deed has already been supplied to the appellant on 17.4.2021 after filing the RTI application but till date he has not been supplied the action taken on the complaints filed by him. He also states that one copy of the legal notice was sent by the Deputy Commissioner, Ludhiana to the Joint Sub Registrar Sahnewal but no action was taken by the Kanugo/Patwari halqa to sanction mutation on the basis of sale deed. He also requested that a stern action be taken against the respondent-Public Information Officer.

3. The representative of the respondents on behalf of the Public Information Officer o/o Deputy Commissioner, Ludhiana and the representative of the respondents on behalf of the Joint Sub Registrar Sahnewal, Ludhiana did not given any satisfactory reply.

4. The perusal of the file shows that in this case, application for information was filed by the appellant on 13.02.2020 but after lapse of more than one and a half year, incomplete information has been given to the appellant so far. It is, thus apparent from the response of the respondent-Public Information Officer 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.

5. I am, therefore, of the view that ends of justice would be met by awarding a sum of Rs. 10000/- (Rupees Ten Thousand only) by way of compensation to the Appellant. This amount shall be payable from the State Exchequer and has to be paid by the Public Information Officer o/o Deputy Commissioner, Ludhiana before the next date of hearing as the RTI application was addressed to him and the action has to be taken by the Deputy Commissioner office on the legal notices as well as on the reference sent by the Financial Commissioner, Revenue, Punjab which is being sought by him.

6. Also the respondent-Public Information Officer o/o Deputy Commissioner, Ludhiana is directed to file the reply/supply the specific information as has been sought by the appellant before the next date of hearing. Also the Public Information Officer o/o the Joint Sub Registrar, Sahnewal is directed to file the reply/supply the information on the legal notice sent to him by the office of the Deputy Commissioner, Ludhiana before the next date of hearing failing which the punitive action will be initiated on the next date of hearing.”

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Appeal Case No. 990 of 2021

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5. To come up on 2.11.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

Dated: 5.10.2021

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

CC

Sh. Varinder Sharma, IAS  
Deputy Commissioner,  
District Ludhiana

(Registered) To look into the matter personally and  
ensure compliance of this order.

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Sh. Surinder Kumar 9465313956

r/o VPO Bareka,

Tehsil & District Fazilka.

....Appellant

Vs

Public Information Officer, **Registered**

o/o Panchayat Secretary, Gram Panchayat, Bareka,

c/o Block Development and Panchayats Officer,

Block Khuhian Server,

District Fazilka.

First Appellate Authority

o/o District Development and Panchayats Officer,

District Administrative Complex,

Fazilka

Sh. Gyan Singh, VDO **Registered**

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server, Fazilka

Sh. Varinder Kumar 8968652368, **Registered**

Public Information Officer

c/o Block Development and Panchayats Officer

Khuhian Server, Fazilka

Public Information Officer

**Registered**

o/o Regional Deputy Director,

Local Fund Accounts,

(Local Audit),

Bathinda

.....Respondents

Appeal Case No. 1896 of 2020

Present:- Shri Aman Kumar s/o Sh. Surinder Kumar, appellant & Sh. Dalip Kumar on behalf of the appellant.

Sh. Varinder Kumar 8968652368 & Sh. Gyan Singh, Panchayat Secretary on behalf of the respondents, M 9914400517

ORDER

This order may be read with reference to the previous order dated 7.9.2021.

2. The representative of the appellant states that he has not received the compensation amount, refund of excessive amount charged in lieu of fee i.e. Rs.2560/- and the remaining information i.e. audit report and audit note of Village Panchayat Bareka from 1.1.2013 to 6.11.2019 till date. However, the respondent-Public Information Officer-cum-Block Development and Panchayats Officer Sh. Varinder Kumar requested for the

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Appeal Case No. 1896 of 2020

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adjournment of the case to pay the compensation amounting to Rs.10,000/- and refund of Rs.2560/- charged from the appellant. Regarding the remaining information i.e. copy of audit report and audit note of Vilalge Panchayat Bareka from 1.1.2013 to 6.11.2019, he states that in spite of the best effort the same could not be traced in the office. He has also placed on record a letter written to the Public Information Officer o/o the Regional Deputy Director, Local Fund Accounts (Local Audit), Bathinda, who is impleaded as necessary party in this case. A copy of the RTI application of the appellant is being **sent** along with this order.

4. Sh. Gian Singh VDO has sent the written reply regarding show cause notice issued to him, which is taken on record.

5. However, on the request of the representative of the respondents Dy. Director (Rural) on 7.9.2021 requested for the adjournment of the case and assured that the complete information will be supplied to the appellant before the next date of hearing along with the compensation amount as has been awarded in this case.

6. The perusal of the file shows that in this case, application for information was filed on 8.11.2019 but even after a lapse of more than one and a half year, the appellant is being harassed and he has to travel around 600 Kms to attend the hearing. Also the copies of the orders of the Commission have been sent to the Director, Rural Development and Panchayats, Punjab through registered post. It is, thus apparent from the response of the respondent-Public Information Officer 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.

5. I am, therefore, of the view that ends of justice would be met by enhancing the compensation from Rs.10,000 (Rupees Ten thousands to Rs.15,000/- (Rupees Fifteen thousands only) by way of compensation to the Appellant. This amount shall be payable from the State Exchequer before the next date of hearing.

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Appeal Case No. 1896 of 2020

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6. Also a copy of this order is also being **sent** to Sh. MS Chhatwal, IAS, Director, Rural Development & Panchayat, Pb., to look into the matter and ensure compliance of this order and make sure that responsible person be deputed to attend the hearing in future.

7. Sh. Varinder Kumar, Block Development and Panchayats Officer is also directed to make an effort to trace the remaining information i.e. audit report/audit note of Village Panchayat Bareka from 1.1.2013 to 6.11.2019 and supply the same, else file an affidavit regarding non availability of the audit note/audit report before the next date of hearing. He is also directed to pay the compensation amounting to Rs.15,000/- along with the amount Rs.2560/- as per the assurance given by him.

7. Accordingly, the case is adjourned.

8. To come up on 2.11.2021 at 12.30 PM at Chandigarh.

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

Dated: 5.10.2021

CC

Financial Commissioner Government of Punjab, Rural Development & Panchayat Deptt., Vikas Bhawan, Sec-62, Mohali	Registered	To look into the matter personally and ensure compliance of this order.
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Sh. MS Chhatwal, IAS The Director (By name) Rural Development & Panchayat Deptt., Vikas Bhawan, Sector 62, Mohali.	Registered	-do-
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Sh. Sanjeev Garg, Dy. Director (Rural), o/o Director, Rural Development & Panchayat, Pb., Vikas Bhawan, Sector 62, Mohali	<b>Registered</b>
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Sh. Ashok Kapoor 9855556210

# 8C, Kichlu Nagar,

District Ludhiana.

....Appellant

Vs

Sh. Joginder Singh,

Distt. Revenue Officer-cum-

Public Information Officer

(H.R.C. Branch)

o/o Deputy Commissioner,

Mini Secretariat, District Ludhiana.

First Appellate Authority

o/o Deputy Commissioner,

Mini Secretariat, Ludhiana.

Sh. Jagdish Singh Sra, **Registered**

Sub Registrar(West)-cum-

Public Information Officer

District - Ludhiana.

....Respondents

Appeal Case No. 3328 of 2020

Present:- Sh. Ashok Kapoor, appellant, in person.

Sh. Suresh Kumar, 9815271696, Sh.Sukhpal Singh 9876332933 in person on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 8.9.2021.

2. The representative of the office of Sub Registrar West, Ludhiana states that he has supplied the complete information to the appellant as available on record. Also the representative of the respondents o/o Deputy Commissioner, Ludhiana states that he has brought the original file pertaining to the RTI application of the appellant and requested that the appellant may inspect the same and the copies, if any, is identified the same will be supplied to him. After inspection of the file, the appellant requested for a copy of the complete file with which the representative of the respondents agreed to. The representative of the respondents further states that the copy of the complete file will be supplied to the appellant duly certified before the next date of hearing. Regarding the compensation amounting to Rs.20,000/-, the representative of the respondents o/o Sub Registrar (West) Ludhiana also assured that the same will be paid to the appellant before the next date of hearing.

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Appeal Case No. 3328 of 2021

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3. Also, Sh. Jagsir Singh Sra, Sub Registrar-cum-Public Information Officer has filed the reply regarding show cause notice issued to him, which is taken on record and the decision on the same will be taken on the next date of hearing.

4. Accordingly, the case is adjourned.

5. To come up on 2.11.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

sd

Dated: 5.10.2021

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

CC

Sh. Varinder Kumar, IAS  
Deputy Commissioner,  
Ludhiana

**Registered**



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Sh. Brichh Bhan 9876101698  
H.No. 33, Kahangarh Road,  
Patran, Patiala

....Appellant

Vs

Sh. Rajneesh Garg, 7986875019, **Registered**  
Public Information Officer  
o/o the Executive Officer,  
Block Samiti, Patran, Patiala.

First Appellate Authority  
o/o the Executive Officer,  
Block Samiti, Patran, Patiala.

....Respondents

Appeal Case No. 2930 of 2020  
(Video Conference/Telephone Proceedings)

Present:- Sh. Brichh Bhan, appellant.  
Sh. Kashmir Singh on behalf of the respondents. 7986875019 9463880287  
6280769005 9815758505

## ORDER

This order may be read with reference to the previous order dated 8.9.2021.

2. The appellant states that he has received the complete information and is satisfied with the same. He also states that no compensation amount, as has been awarded by the Commission, has been paid to him. However, the representative of the respondents requested for the adjournment of the case and assured that the compensation amounting to Rs.10,000/- will be paid to the appellant before the next date of hearing as the same was delayed due to non posting of the Block Development and Panchayats Officer. He also states that Sh. Rajneesh Garg, is presently working as Block Development and Panchayats Officer.

3. Accordingly the respondent-Public Information Officer-cum-Block Development and Panchayats Officer Sh. Rajneesh Garg, is directed to pay the compensation amount as stated above before the next date of hearing failing which the penalty provisions will be invoked on the next date of hearing.

4. To come up on 1.11.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

sd

Dated: 5.10.2021

(Suresh Arora)  
Chief Information Commissioner, Punjab.

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Ms Jotsna d/o Sh. Gurcharanjit 7355688321  
# 1307, St. No. 5, Shimlapuri, Gill Road,  
District Ludhiana

....Appellant

Vs

Sh. Navdeep Bhogal, **Registered**  
Public Information Officer  
o/o Tehsildar East,  
District Ludhiana

First Appellate Authority  
o/o Deputy Commissioner,  
District Ludhiana

....Respondents

Appeal Case No. 2691 of 2021  
(Video Conference Proceedings)

Present:- Ms Jotsna, appellant.  
None on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 8.9.2021.

2. The appellant states that she has received the complete information through whatsapp but she has not received the hard copy of the same duly certified. She also states that no compensation amount has been paid to her by the respondent-Public Information Officer.

3. The respondent-Public Information Officer is absent without intimation. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, Sh. Navdeep Bhogal, Tehsildar East, Ludhiana, 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 willful delay/denial of the information to the RTI applicant. 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.

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Appeal Case No. 2691 of 2021

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He is also directed to send the information to the appellant through registered post before the next date of hearing.

4. To come up on 1.11.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

sd

Dated: 5.10.2021

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.