

# PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

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Shri Gurmeet Singh s/o Shri Lal Singh  
r/o Village Kikkar Khera,  
Tehsil Abohar,  
District Fazilka.

....Appellant

Vs

Public Information Officer  
o/o Block Development and Panchayats Officer,  
Block Munak at Andana,  
Tehsil Khanauri,  
District Sangrur.

First Appellate Authority  
o/o Block Development and Panchayats Officer,  
Munak,  
District Sangrur.

....Respondents

Appeal Case No. 1393 of 2020  
(Cisco Webex/phone proceedings)

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

## ORDER

This order may be read with reference to the previous order dated 5.8.2020

2. A letter bearing No.100 dated 9.9.2020, which is taken on record, has been received vide which the respondents have requested to adjourn the case as Sh. Shavinder Singh, Block Development and Panchayats Officer having tested corona positive. However, the submissions have been received from the appellant, which are taken on record.

3. Accordingly, the copy of the submissions so received from the appellant is sent with this order to the respondent-Public Information Officer with the directions to file the reply/supply the complete information before the next date of hearing.

4. To come up on 21.10.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur.

Dated:9.9.2020

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

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Shri Gurmeet Singh s/o Shri Lal Singh  
r/o Village Kikkar Khera,  
Tehsil Abohar,  
District Fazilka.

....Appellant

Vs

Public Information Officer,  
Assistant program officer, MGNREGA,  
c/o Block Development and Panchayats Officer,  
Block Munak at Andana,  
Tehsil Khanauri,  
District Sangrur.

First Appellate Authority  
o/o Block Development and Panchayats Officer,  
Munak,  
District Sangrur.

....Respondents

Appeal Case No. 1398 of 2020  
(Cisco Webex/phone proceedings)

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

## ORDER

This order may be read with reference to the previous order dated 5.8.2020

2. A letter bearing No.100 dated 9.9.2020, which is taken on record, has been received vide which the respondents have requested to adjourn the case as Sh. Shavinder Singh, Block Development and Panchayats Officer having tested corona positive. However, the submissions have been received from the appellant, which are taken on record.

3. Accordingly, the copy of the submissions so received from the appellant is sent with this order to the respondent-Public Information Officer with the directions to file the reply/supply the complete information before the next date of hearing.

4. To come up on 21.10.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur.

Dated:9.9.2020

Sd/  
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Shri Gurmeet Singh s/o Shri Lal Singh  
r/o Village Kikkar Khera,  
Tehsil Abohar,  
District Fazilka.

....Appellant

Vs

Public Information Officer  
o/o Panchayat Secretary, Gram panchayat Bhulan,  
c/o Block Development and Panchayats Officer,  
Block Munak at Andana,  
Tehsil Khanauri,  
District Sangrur.

First Appellate Authority  
o/o Block Development and Panchayats Officer,  
Munak,  
District Sangrur.

....Respondents

Appeal Case No. 1400 of 2020  
(Cisco Webex/phone proceedings)

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

## ORDER

This order may be read with reference to the previous order dated 5.8.2020

2. A letter bearing No.100 dated 9.9.2020, which is taken on record, has been received vide which the respondents have requested to adjourn the case as Sh. Shavinder Singh, Block Development and Panchayats Officer having tested corona positive. However, the submissions have been received from the appellant, which are taken on record.

3. Accordingly, the copy of the submissions so received from the appellant is sent with this order to the respondent-Public Information Officer with the directions to file the reply/supply the complete information before the next date of hearing.

4. To come up on 21.10.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur.

Sd/

Dated:9.9.2020

(Suresh Arora)  
Chief Information Commissioner,  
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Sh. Ramesh Kumar s/o Sh. Sukhdev Singh 7015576550  
r/o Village Bhulan,  
Tehsil Munak,  
District Sangrur.

....Appellant

Vs

Public Information Officer  
o/o Block Development and Panchayats Officer,  
Block Munak,  
District Sangrur.

First Appellate Authority  
o/o District Development and Panchayats Officer,  
Mini Secretariat,  
Sangrur.

Prithvi Singh, Panchayat Secretary,  
Gram Panchayat, Bhulan  
c/o Block Development and Panchayats Officer,  
Block Munak,  
District Sangrur.

....Respondents

Appeal Case No. 1911 of 2020  
(Cisco Webex/phone proceedings)

Present:- Sh. Ramesh Kumar, appellant.  
None on behalf of the parties.

## ORDER

The RTI application is dated 21.01.2020 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) dated NIL and second appeal was filed in the Commission on 20.7.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant states that no information has been supplied by the respondents so far.

3. Notice of hearing dated 14.8.2020 was issued to the respondent-Public Information Officer o/o Block Development and Panchayats Officer, Munak but a letter bearing No. 93 dated 4.9.2020 has been received according to which the same has been transferred to Sh. Prithvi Singh, Panchayat Secretary, Gram Panchayat, Bhulan. The office tried to contact the respondent-Public Information Officer sh. Prithvi Singh but could not be contacted.

4. Accordingly, the respondent-Public Information Officer Sh. Prithvi Singh is directed to file his reply/supply the information before the next date of hearing failing which the provisions relating to compensation and penalty would be invoked.

5. To come up on 21.10.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur.

Sd/

Dated: 9.9.2020

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Sh. Harjinder Singh S/o Mahil Singh 9855032675

Address - Anshika Samosa Corner,  
Near Char Khambe Akalsar Road,  
Moga.

..Appellant

Public Information Officer,  
o/o Deputy Chief Executive Officer,  
Zila Parishad,  
Moga.

First Appellate Authority,  
o/o Director,  
Rural Development and Panchayat Department, Pb.,  
Mohali.

....Respondents

Appeal Case No. 1909/2020  
(Cisco Webex proceedings)

Present:- None on behalf of the appellant.

Sh. Sunil Kumar 87288 99000 and Sh. Paramprit Singh 99148 50088 on behalf  
of the respondents.

## ORDER

The RTI application is dated 19.10.2019 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 17.12.2019 and second appeal was filed in the Commission on 20.7.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant has sought the information concerning Sh. Gurprit Singh, s/o Sh. Sukhwant Singh, Superintendent. Accordingly, the notice of hearing was issued to the Public Information Officer o/o Dy. Chief Executive Officer, Zila Parishad Roopnagar. In compliance with the notice of hearing the Dy Chief Executive Officer, Moga has sent a written submissions vide no. 1491 dated 9.9.2020, which are taken on record. The representative of the respondents Sh. Paramprit Singh states that Sh. Gurprit Singh joined the Zila Parishad, Moga on 11/2001 after transfer from Panchayat Samiti, Dharamkot at Kot Ise Khan. He was further transferred to Panchayat Samiti, Roopnagar on 15.7.2014 and the concerned record was sent to the Panchayat Samiti vide No. 4957 dated 29.8.2014. The representative of the respondents also placed on record a letter dated 10.12.2019 vide which the RTI application of the appellant has been transferred under Section 6(3) of the RTI Act to the Panchayat Samiti Roopnagar as his personal file, ACR file and service book from (1 to 196) has already been sent to the said office.

3. The representative of the respondents from the office of the Zila Parishad, Roopnagar Sh. Sunil Kumar states that the RTI application has been transferred under Section 6(3) of the RTI Act, to Dy. Chief Executive Officer, Zila Parishad Ludhiana vide No.2222 dated 4.11.2019. Copy of the said letter is taken on record.

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Appeal Case No. 1909/2020

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4. The office of the Zila Parishad, Ludhiana has further transferred the said RTI application of the appellant under Section 6(3) of the RTI Act, 2005, to the Dy. Chief Executive Officer, Zila Parishad, Moga vide No. 59 RTI dated 19.11.2019, copy of the said letter is taken on record.

5. The office of the Dy. Chief Executive officer, Zila Parishad, Moga has written a letter to the appellant dated 8.9.2020, copy of which is taken on record, that the office has already transferred the said record to the Panchayat Samiti, Roopnagar.

6. The office of the Public Information Officer o/o Chief Executive Officer, Panchayat Samiti, Roopnagar vide No. 346 RTI dated 20.12.2019 transferred the said RTI application under Section 6(3) of the RTI Act to the Chief Executive Officer, Panchayat Samiti, Shaheed Bhagat Singh Nagar.

7. To deal with the matter it will be appropriate to consider the case in accordance with the provisions of Section 6(3) of the RTI Act, 2005 which provides as under:-

*“Section 6(3) Where an application is made to a public authority requesting for an information,—*

*(i) which is held by another public authority; or*

*(ii) the subject matter of which is more closely connected with the functions of another public authority,*

*the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer:*

*Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application”*

But contrary to the provisions of the RTI Act, 2005, the various respondent authorities are shuttling the RTI application and taking the time to transfer the application under Section 6(3) of the RTI Act, 2005 which is as follows:-

	Receipt of Application	Date of transfer under Section 6(3) of the RTI Act.
Date of RTI application to Public Information Officer, Dy CEO Ropar	19.10.2019	Vide No. 2222 dt. 4.11.2019
Dy. CEO Ludhiana	4.11.2019	Vide No. 59 RTI dt.19.11.2019
Dy. CEO Moga	19.11.2019	Vide No. 1003 dt.10.12.2019
CEO, Panchayat Samiti Ropar	10.12.2019	Vide No.346 RTI dt.20.12.2019
CEO Panchayat Samiti SBS Nagar	20.12.2019	

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It is evident from the above that the RTI application is being dealt with very casually and in non-serious manner.

8. It is also pertinent to mention that Sh. Gurprit Singh, Superintendent is presently posted in the office of Block Development and Panchayats Officer, Majri, District Mohali.

9. After going through the submissions of the representative of the respondents the Commission is of the view that the Public Information Officer o/o the Director, Rural Development & Panchayat Deptt., Pb. be impleaded as necessary party in this case so as to take the matter to its logical end. Also the directions are issued to the Public Information Officer o/o the Director, Rural Development & Panchayat Deptt., Pb. to look into the matter personally and file the reply/supply the information to the appellant with a copy to the Commission before the next date of hearing failing which the penalty provisions will be invoked on the next date of hearing. A copy of the RTI application along with the letters sent to the Commission regarding transfer of RTI application by various public authorities under Section 6(3) of the RTI Act, is sent with this order.

10. To come up on 19.10.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Moga/ Cisco Webex

Dated: 9.9.2020

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

Director, (By name)	(Registered)	To look into the matter
Rural Development & Panchayat Deptt., Pb.		personally.
Vikas Bhawan, Sector 62,		
Mohali		

Public Information Officer	Registered	(along with the RTI application)
o/o the Director,		
Rural Development & Panchayat Deptt., Pb.,		
Vikas Bhawan, Sector 62,		
Mohali		