

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. Ajay Nand/ Ajay Kumar Mehta,
#C 118, East Mohan Nagar,
Chamrang Road,
District-Amritsar.

Appellant

Versus

Public Information Officer
o/o Sub Divisional Magistrate,
Amritsar-1.
Amritsar.

First Appellate Authority
O/O Deputy Commissioner,
Amritsar

Public Information Officer **Registered**
o/o Municipal Corporation,
Amritsar

Respondents

Appeal Case No. 1627 of 2021 **(Video Conference/Telephone Proceedings)**

Present:- None on behalf of the parties.
9464852900

ORDER

This may be read in continuation to the previous order dated 10.08.2021 vide which the case was adjourned to be heard today i.e. 10.09.2021.

2. The case could not be heard due to non availability of the video conference facility. Therefore, the case is adjourned.

3. To come up on **11.10.2021 at 12.30 PM through video conferencing facility available in the office of the Deputy Commissioner, Amritsar.**

SD

Dated: 9.09.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab

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Sh. Rajwinder Singh, S/o Sh. Swaran Singh,
R/o H No 149, Street No 6,
Guru Nanak Nagar,
Village Gill, Ludhiana.
Mob. No. 9878619019

Appellant

Vs

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

First Appellate Authority
O/o Deputy Commissioner,
Ludhiana.

Respondents

Appeal Case No. 1929/2021
(Video Conference/Telephone Proceedings)

Present:- Sh. Rajwinder Singh, appellant on telephone.
Sh. Sandeep7873500007 7009314442 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 12.8.2021.

2. The representative of the respondents requested for the adjournment of the case and assured that the response will be filed before the next date of hearing in this case.
3. According to the assurance given by the respondent, the case is adjourned with the directions to file the reply/supply the information before the next date of hearing failing which the punitive action will be initiated on the next date of hearing.
4. To come up on 5.10.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana.

SD

Dated: 9.9.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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

....Appellant

Vs

Sh. Joginder Singh, **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.
Sh. Lalit Sr. Asstt _____ and Sh. Manjinder Singh, Sr. Asstt.
9888466876 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 10.8.2021.

2. 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.

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Appeal Case No. 990/2021

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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.

5. To come up on 5.10.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana

Dated: 9.9.2021

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. Harjot Singh s/o Sh. Avtar Singh
r/o 78, New Preet Nagar,
Batala Road, Near Sun City Park,
District Amritsar 9877747146

..Complainant

Vs

Public Information Officer
o/o Deputy Commissioner,
District Amritsar

Public Information Officer
o/o Superintending Engineer,
Water Supply and Sanitation Circle,
District Amritsar

Public Information Officer **Registered**
o/o the Commissioner,
Municipal Corporation,
Amritsar.

....Respondents

Complaint Case No. 729 of 2021
(Video Conference Proceedings)

Present:- None on behalf of the complainant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 9.8.2021.

2. The case could not be heard due to non availability of the video conference facility. Therefore, the case is adjourned. However, the letter has already been received from the Superintending Engineer, Water Supply and Sanitation Circle, Amritsar vide which the RTI application of the appellant has further been transferred to the Municipal Corporation, Amritsar as the sought information relates to the said office. Accordingly, the Public Information Officer o/o the Municipal Corporation, Amritsar is impleaded as necessary party in this case to file the reply/supply the information. A copy of the RTI application is being **sent** along with this order.

3. To come up on 11.10.2021 at 12.30 PM through video conferencing facility available in the office of the Deputy Commissioner, Amritsar.

sd

Dated: 9.09.2021

(Suresh Arora)
Chief Information Commissioner,

PUNJAB STATE INFORMATION COMMISSION

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Punjab

Sh. Vikul Puri 9888588282
377, Puda Colony,
Malout 152107

....Appellant

Vs

Public Information Officer
o/o Chief Minister, Punjab,
Chandigarh.

First Appellate Authority
o/o Chief Minister, Punjab,
Chandigarh.

....Respondents

Appeal Case No. 3714 of 2020
(Cisco Webex/Telephone proceedings)

Present:- Sh. Vikul Puri, appellant, on telephone.
Sh. Gaurav, on telephone 9463120146, on behalf of the respondents

ORDER

This order may be read with reference to the previous order dated 11.8.2021.

2. The appellant has sent the submissions which are taken on record. However, the representative of the respondents has also filed the response, which is taken on record, and he also reiterated the same during the hearing.
3. A copy of the response filed by the respondent is being **sent** to the appellant along with this order to go through the same and file a rejoinder, if any. Also a copy of the response is being sent to the appellant through whatsapp.
4. To come up on 30.9.2021 at 12.30 P.M. to be heard through vide Conference Facility available in the office of the Deputy Commissioner, Ludhiana/Cisco Webex.

Sd/

Dated: 9.9.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Tejinder Singh Advocate
Civil Court, Cabin No. 602,
Tehsil Complex,
Backside Sanjh Kender
Phillaur 144410 9041004313

....Appellant

vs

Public Information Officer
o/o Naib Tehsildar-cum-Joint Sub Registrar,
Sahnawal, District Ludhiana

Registered

Sh. Baljinder Singh 8146100702
First Appellate Authority-cum-
S.D.M. (East) District Ludhiana

Registered

Public Information Officer
o/o Deputy Commissioner,
Ludhiana

Registered

....Respondents

Appeal Case No. 1025 of 2021

(Video Conference/Cisco Webex/Telephone Proceedings)

Present:- None on behalf of the appellant.

Sh. Lalit _____ on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 13.9.2021.

2. The appellant has sent the message that he is not well and also requested for the information. However, the submissions made by the respondent is not tenable, therefore, the directions are issued to the respondent-Public Information Officer o/o the Naib Tehsildar-cum- Joint Sub Registrar and Public Information Officer o/o the Deputy Commissioner (HRC Branch) to file the reply as per the order dated 12.8.2021 before the next date of hearing.

3. To come up on 13.10.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

sd

Dated: 9.9.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Jagshir Singh 8195800345
9/20, Mansi Mullanpur,
District Ludhiana 141101

....Appellant

Vs

Sh. Dilbag Singh,
Public Information Officer **Registered**
o/o Block Development and Panchayats Officer,
Ghal Khurd, Ferozepur.

First Appellate Authority
o/o District Development and Panchayats Officer,
Ferozepur

Sh. Rajinder Kumar, Panchayat Secretary
-cum-Public Information Officer,
Gram Panchayat Khanpur, Block Ghalkhurd,
o/o Block Development and Panchayats Officer,
Ghal Khurd, Ferozepur.

....Respondents

Appeal Case No. 3388 of 2020

(Video Conference/Telephone/Cisco Webex Proceedings)

Present:- Sh. Jagshir Singh, appellant, on telephone.
None 9041823362. 9914419600 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 9.8.2021.

2. The appellant has sent the submissions that the orders of the Commission dated 7th June 2021 has not been complied with by the respondent as no inspection was allowed to him by the respondent so far. He further states that he is being harassed by not supplying the information in time. However respondent is absent without intimation although the orders of the Commission were sent to Shri Dilbag Singh, Block Development and Panchayats Officer through registered post. Also the show cause notice was issued to him on the last date of hearing dated 9th August 2021. Neither the respondent-Public Information Officer-cum-Block Development & Panchayats Officer is present nor is the order of the Commission has been complied with.

3. The perusal of the file shows that in this case, application for information was filed on 17.06.2020 but after lapse of more than one year, incomplete information has been given to the appellant so far. It is, thus apparent from the response of the respondent-Public

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Appeal Case No. 3388 of 2020

-2-

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.

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 by the office of the Block Development and Panchayats Officer before the next date of hearing.

5. Sh. Dilbag Singh, Public Information Officer-cum-Block Development and Panchayats Officer is also directed to remain present on the next date of hearing at Chandigarh along with the original record. A copy of this order is being sent to the Director, Rural Development and Panchayat, Punjab to look into the matter and ensure compliance of this order.

6. To come up on 13.10.2021 at 12.30 PM at Chandigarh.

sd

Dated: 9.9.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab.

CC

Sh. MS Chhatwal, IAS Registered
Director,
Rural Development & Panchayat Officer,
Vikas Bhawan, Sector 62
Mohali.

To ensure compliance of this
order

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Sh. Gurdas Singh,
R/o Village Bajewala,
Block Ghal Khurd.

Appellant

Versus

Sh. Dilbag Singh, **Registered**
Public Information Officer-cum-
O/o Block Development and Panchayat Officer,
Ghal Khurd, Tehsil & Distt. Ferozepur.
9041823362

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

Sh. Gurpreet Singh,
Panchayat Secretary,
C/o Block Development and Panchayats Officer,
Ghal Khurd, Ferozepur.

Sh. MS Chhatwal, IAS **Registered**
Public Information Officer (By Name)
O/o Director,
Rural Development & Panchayat Deptt. Pb.
Vikas Bhawan, Sector-62, Mohali.

Respondents

Appeal Case No. 3049 of 2020

(Video Conference/Telephone Proceedings)

Present:- Sh. Sukhdev Singh s/o Sh. Gurdas Singh, on telephone, on behalf of the
appellant.

None on behalf of the respondents 9914400049.

ORDER

This may be read in continuation to the previous order dated 10.08.2021 vide which
the case was adjourned to be heard today i.e. 09.09.2021.

2. The representative of the appellant states that his father is unable to attend the
hearing due to illness and requested for the adjournment of the case. Also none is present
on behalf of the respondent.

3. The RTI application was filed by the appellant on 30.6.2020 to the Block
Development and Panchayats Officer and after filing the 1st appeal, he has filed the 2nd
appeal with the Commission on 14.10.2020. Since then the respondent-Block Development

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Appeal Case No. 3049 of 2020

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and Panchayats Officer is stating that the record is not being handed over by Sh. Rajwant Singh, former Panchayat Secretary. The representative of the respondents also stated during the last hearing that an FIR has also been recommended against him and the directions were issued to send a copy of the said letter in support of his statement. But no documentary evidence has been placed by the respondent-Public Information Officer-cum-Block Development and Panchayats Officer so far in this regard.

4. That Sh. Dilbag Singh who is presently posted as Public Information Officer-cum-Block Development and Panchayats Officer, is absent without intimation. Video Conference Facility/cisco webex facility was introduced for convenience of general public and for government officials. Viewing the absence of the respondent seriously, the Sh. Dilbag Singh, Block Development and Panchayats Officer, 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 application and to issue show cause for compensation to the appellant for detriment suffered by him under section 19(8) of the RTI Act,2005.

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 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.

He is also directed to place on record the documentary evidence initiating legal action with regard to missing official record..

Also a copy of this order is being sent to Sh. Rajwant Singh, Panchayat Secretary who is presently posted at Block Development and Panchayats Officer, Moga-1.

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Appeal Case No. 3049 of 2020

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5. Also the Public Information Officer o/o the Director, Rural Development and Panchayat Department, Punjab was impleaded as necessary party in this case but none is appearing on behalf of him to file the reply in this case. One opportunity is granted to him to file the reply in this case failing which **Sh. MS Chhatwal, IAS, Director, Rural Development and Panchayat Punjab will be directed to remain present on the next date of hearing.** It is also pertinent to mention that the Block Development and Panchayats Officer office has also sent a letter bearing No. 760 dated 24.3.2021 from which it has transpired that Sh. Rajwant Singh, Panchayat Secretary has not deposited the auction amount of Panchayat Land in the accounts of the Gram Panchayat. He is also directed to take appropriate action to recover the official record from Sh. Rajwant Singh at the earliest and place on record the documentary evidence in this regard before the next date of hearing. He is also directed to ensure that the respondent-Public Information Officer-cum-Block Development and Panchayats Officer, Ghal Khurd is present on the next date of hearing along with the original record concerning the RTI application of the appellant and the action taken to recover the official record from the concerned Panchayat Secretary.

6. The matter is adjourned to be heard on **11.10.2021 at 12.30 PM at Chandigarh.**

sd

Dated: 9.9.2021

(Suresh Arora)
Chief Information Commissioner,
Punjab

CC

Sh. Rajwant Singh,
Panchayat Secretary,
c/o Block Development and Panchayats Officer
Moga-1,
Moga.