

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: pcic20@punjabmail.gov.in Visitus: www.infocommpunjab.com



Sh. Balwinder Singh Kaler S/o Sh. Sardara Singh,
R/o Village Amargarh Kaler, (98728-04926)
Tehsil Jagraon,
District Ludhiana.

.....Appellant

Vs

Public Information Officer,
Panchayat Secretary,
O/o Block Development & Panchayat Officer,
Block -Jagraon, Distrcit Ludhiana.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, Ludhiana.

.....Respondent

Appeal Case No. 4410 of 2019 (Video Conference Proceeding)

Present:- Shri Balwinder Singh, appellant at Chandigarh.
Shri Harjinder Singh, Panchayat Secretary (M 9855104947) on behalf of the
respondents.

ORDER

This order may be read with reference to the order dated 11.6.2020 vide which both the parties were directed to appear with the record before the Commission at Chandigarh and the case was adjourned to 2.7.2020.

2. The appellant states that he has received 316 pages of the information from the respondents without certifying the record.

3. The representative of the respondents states that he has supplied the complete information whatever is in the record related to the RTI application of the complainant. He also states that he has brought along with him the three photocopies of the utility certificates duly attested recently issued and he handed over the same to the complainant during the course of hearing. The copies of the Utilization certificates and the covering letter vide which information has been supplied submitted by the respondent-Public Information Officer is taken on record.

4. After hearing both the parties, the complainant is hereby, directed to revert back to the authorities in case of deficiencies, if any, in the information so supplied by the respondent. With regard to certify the record, the complainant is advised to visit the office of the respondent and the respondent will provide the complete document, in case of deficiency and certify all the documents before the next date of hearing under intimation to the Commission.

5. To come up on 31.7.2020 at 11.30 A.M. to be heard through the Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 2.7.2020

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

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Smt Karamjit Kaur W/o Sh. Gurcharan Singh
R/o Village –Bhagta BhaiKa,
Tehsil –Phul, District –Bathinda.

.....Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block – Bhagta Bhai Ka, Bathinda.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Bathinda.

Public Information Officer
o/o Executive Officer,
Nagar Panchayat, Bhaika, District Bathinda.

..... Respondents

Appeal Case No. 4324 of 2019

(Video Conference Proceedings)

Present:- Shri Gurjeet Singh (M 95923441836) on the behalf of the appellant.
Sh. Gurdeep Singh Clerk Nagar Panchayat Bhagta Bhaika M 9478163120 on
behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.6.2020 vide which respondent was directed to supply the legible copies of the documents to the appellant before the next date of hearing and the case was adjourned to 2.7.2020.

2. The representative of the appellant states that the respondents have supplied 125 pages of information but it is irrelevant and illegible information. He states that he has sought the information pertaining to his ward no. 7 - Nihal Singh Nagar Khana Pati.

3. The representative of the respondents states that he has supplied the complete information whatever is in the record. Further, the representative of the respondents states that the appellant was further approached number of times to get the files inspected but he never turned up. He submits that in case the appellant visit the office, he will get the official record inspected and will supply the complete information again for the satisfaction of the appellant. He further states that the record is not segregated ward wise but the record is having the details of other ward(s) also and it cannot be segregated ward wise as per the provisions of the RTI Act.

4. After going through the record available in the case file and hearing the parties, it is revealed that the respondent-Public Information Officer has supplied the information of 125 pages but the appellant is not satisfied. The respondents are directed to give an undertaking that record is not maintained in the office ward wise as per the RTI request of the appellant especially ward no. 7. A copy of this undertaking may be supplied to the appellant through registered post under intimation to the Commission before the next date of hearing. However, the appellant is still advised that in case he wants to get the record inspected, he may approach the respondent-Public Information Officer and the respondent-Public Information Officer is bound to make available the record for inspection and whatever documents will be identified, the copies of the same will be provided by the respondents.

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Appeal Case No. 4324 of 2019

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5. To come up on 7.7.2020 at 11.30 A.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Bathinda.

sd/

Dated 2.7.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

Cc: Executive Officer, (By Name) (REGD)
Nagar Panchayat, Bhaika,
District Bathinda.

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Sh. Jasvir Singh S/o Joginder Singh,
R/o Village – Megha Panjgrain Hithar,
Panje Ke Uttar,
Ferozepur.

.....Appellant

Vs

Public Information Officer,
O/o District Development and Panchayat Officer,
Mini Secretariat,
Ferozepur.

First Appellate Authority,
O/o Director,
Rural Development and Panchayat Department,
Vikas Bhawan,
Punjab, Mohali.

..... Respondent

Appeal Case No. 574 of 2020
(Video Conference Proceedings)

Present:- Sh. Jasveer Singh, appellant.
Sh. Surinder Singh, Clerk (M 9914559044) o/o District Development and
Panchayats Officer, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.6.2020 vide which a last opportunity was afforded to the respondent-PIO to take appropriate action on the RTI application of the appellant before the next date of hearing failing which the punitive action will be initiated against him under the provision of RTI Act 2005. The case was adjourned to 2.7.2020.

2. The appellant has sent a letter dated 1.6.2020, which has been received in the Commission on 4.6.2020, which is taken on record. He states that he has made a complaint and the action taken on the said complaint has been sought from the respondents. He further state that he has joined the investigation and also made the statement before the District Development and Panchayats Officer, Ferozepur. But the respondent has not provided any information to him so far.

3. The representative of respondents states that the complaint received from the appellant is under enquiry with District Development and Panchayats Officer, Ferozepur and the same will be informed to the appellant.

4. After going through the record available in the case file and hearing both the parties, it is transpired that the appellant filed the RTI application on 16.10.2019 but respondent-Public Information Officer has not supplied the information so far. Even during the hearing, the respondent-Public Information Officer never attended the hearings in the Commission i.e. on 18.3.2020 and 4.6.2020, nor any submissions have been made. Viewing the absence and non implementation of the orders of the Commission by Shri Harjinder Singh, District Development and Panchayat Officer-cum-Public Information Officer, Ferozpur, seriously, the PIO 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 and why the compensation be not awarded to the appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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Appeal Case No. 574 of 2020

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 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 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.

6. The respondent-Public Information Officer is also directed to supply the information to the appellant through registered post under intimation to the Commission.

7. The case is adjourned to 31.7.2020 at 11.30 AM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ferozpur.

Dated 2.7-2020

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

Cc

Sh. Harjinder Singh, (REGD.)

District Development and Panchayats Officer,

District Administrative Complex,

Ferozpur.

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Sh. Mander Singh,
R/o Ghunas, (75891-36911)
Tehsil Tappa,
District Barnala. 148108

.....Complainant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Sehna, District Barnala.

.....Respondent

Complaint Case No. 954 of 2019

(Video Conference Proceedings)

Present:- Shri Mander Singh, complainant.
None on behalf of the respondent-PIO.

ORDER

This order may be read in reference to the previous order dated 4-6-2020 vide which the last opportunity was afforded to the complainant to go through the information and point out deficiencies, if any, to the respondent within 7 days from the issue of this order under intimation to the Commission and the respondent-Public Information Officer was directed to remove the deficiency, in case the same was pointed out by the complainant. It has also mentioned in the order that the case will be decided on merit, in case no deficiency is pointed out by the appellant, on the next date of hearing.

2. The complainant states that information is comp.

lete but it has not been attested by the respondent.

3. The respondent-Public Information Officer is absent today without any intimation.

4. According to the submissions of the complainant and going through the record of the case file, it is transpired that the information sought by the complainant as per his RTI application dated 22.4.2019 has been supplied by the representative of the respondent but the same is not attested with seal. **Viewing the absence during the hearing and non supply of certified information Ms Sukhpal Kaur, Panchayat Secretary-cum-Asstt. Public Information Officer o/o Block Development and Panchayats Officer office, Block Sehna, District Barnala, seriously, the APIO 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 her for causing wilful delay/denial of the information to the RTI applicant**

In addition to the written reply, the APIO 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. She may take a note that in case, she does not file his written reply and does not avail herself of the opportunity of personal hearing on the date fixed, it will be presumed that she has nothing to say and the Commission shall proceed to take further proceedings against her ex parte.

5. The appellant is hereby, directed to revert back to the respondent-Public Information Officer to get the record attested within 10 days from today's hearing and the respondents are directed to remove the deficiencies in the information so supplied to the complainant, if any, and get the copies attested with seal, if any and the compliance report be sent to the Commission before the next date of hearing.

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Complaint Case .No. 954 of 2019

6. To come up on 31.7.2020 at 11.30 A.M. to be heard through Video Conference Facility available in the office of Deputy Commissioner, Barnala/CISCO webex.

Dated 2.7.2020

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

CC

Ms Sukhpal Kaur, Panchayat Secretary
c/o Block Development and Panchayats Officer,
Block Sehna ,
District Barnala

REGD