

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
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Sh. Inderjeet Singh RTI Activist,  
C/o Chamber No. 141-A,  
New Courts, Distt.-Jalandhar.

.....Appellant

**Vs**

Public Information Officer,  
O/o Director Rural Development & Panchayat,  
Pb, Panchayat Bhawan, Sector-62, Mohali.

First Appellate Authority,  
O/o Director Rural Development & Panchayat,  
Pb, Panchayat Bhawan, Sector-62, Mohali. ....Respondents

## **Appeal Case No. 3260 of 2019**

(Video Conference Proceedings )

Present:- Shri Inderjit Singh, appellant..

Shri Ishwar Singh, Reader to Director, Rural Development and Panchayats,  
Punjab, on behalf of the respondents at Chandigarh.

### ORDER

On the previous date of hearing i.e. 04.10.2019, the appellant was advised to send deficiencies to the respondents in writing with a copy to the Commission.

2. The representative of the respondents states that no deficiencies have been received from the appellant in their office.

3. Last opportunity is afforded to the appellant to send deficiencies in the information, so provided by the respondents, within seven days and on its receipt from the appellant, the respondents are directed to remove the same before the next date of hearing, which is fixed for 22.11.2019.

4. To come up on 21.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar. The appellant is advised to appear through Video Conference Facility at Jalandhar and the representative of the respondents at Chandigarh.

Sd/-

Dated : 25.10.2019

( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

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Sh. Inderjit Singh RTI Activist,  
C/o Chamber No.141-A,  
New Court, Jalandhar.

.....Appellant

**Vs**

Public Information Officer,  
O/o Director, Rural Development & Panchayats,  
Mohali.

First Appellate Authority,  
O/o Director, Rural Development & Panchayats,  
Mohali.

.....Respondents

**Appeal Case No. 3284 of 2019**  
(Video Conference Proceedings)

Present:- Shri Inderjit Singh, appellant, in person.

None on behalf of the respondents.

ORDER

In compliance to the previous order, the appellant was advised to send deficiencies in the information so provided to him to the respondents with a copy to the Commission.

2. The appellant states that no information has been received by him till date.
3. After hearing the appellant and going through the record available on the case file, it is revealed that reply from the respondents was received stating that information sought by the appellant relates to third party, which cannot be supplied to him as per the provisions of the RTI Act, 2005. The appellant is advised to send his observations on the information supplied to him within seven days from today.
4. None is present on behalf of the respondents without any intimation. Viewing the absence of the respondent seriously, on receipt of the deficiencies from the appellant, the PIO is directed to send appropriate reply to the appellant before the next

Contd.....p/2

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date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

5. To come up on 25.10.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar. The appellant is advised to appear through Video Conference Facility at Jalandhar and the representative of the respondents at Chandigarh.

Dated : 25.10.2019

Sd/-  
( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

CC

The Director Rural Development and Panchayats, Punjab,  
Vikas Bhawan, Phase VIII, Mohali (by name) for information and to ensure the presence of PIO or his representative during proceedings in future.

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Sh. Gurdeep Singh Dhingi.  
S/o Sh. Harnam Singh,  
# 390, Block-1, Dharpura Mohalla,  
Dhuri, Distt: Sangrur.

.....Appellant

**Vs**

Public Information Officer  
o/o Block Development and Panchayats Officer,  
Malerkotla-1, District Sangrur.

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

PIO/District Revenue Officer,  
Sangrur.

.....Respondents

## **Appeal Case No. 2877 of 2019**

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

### ORDER

This order may be read with reference to the previous order dated 10.10.2019 vide which the respondents were directed to send the information brought by them to be supplied to the appellant through registered post.

2. The appellant is absent without intimation.
3. None is present on behalf of the respondents but they have sent a copy of letter dated 11.10.2019 enclosing receipt given by him stating that the appellant has received information concerning points at Sr. No. 2, 3 and 4. They have further stated in that letter that information concerning point at Sr. No.1 relates to Revenue Department.

Contd.....p/2

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4. After going through the record available on the case file, it is ascertained that information concerning the respondents' department has been supplied to the appellant. Information is left to be supplied concerning point No.1. The respondents are directed to transfer point No.1 under Section 6(3) of the Right to Information Act, 2005 under intimation to the appellant with a copy to the Commission. A copy the application dated 23.04.2019 is sent with this order to the PIO/District Revenue Officer, Sangrur for supplying the information. PIO/District Revenue Officer, Sangrur is impleaded as a necessary party with the direction to supply the information before the next date of hearing, which is fixed for 21.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur.

Dated : 25.10.2019

Sd/-  
( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

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Sh. Surjit Singh,  
S/o Sh. Nagala Singh,  
Vill: Bhulrah, P.O: Banbhura,  
Distt: Sangrur.

.....Appellant

**Vs**

PIO/Panchayat Officer,  
o/o Block Development and Panchayats Officer,  
Malerkotla-1, District Sangrur.

First Appellate Authority,  
District Development and Panchayat Officer,  
District-Sangrur.

.....Respondents

## **Appeal Case No. 2912 of 2019**

Present:- Shri Beant Singh on behalf of the appellant.

None on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 25.10.2019 vide which the absence of the Ms. Amandeep Kaur, BDPO, Malerkotla-1-cum-PIO was viewed seriously and she was directed to take appropriate action on the application of the appellant under the provisions of RTI Act, 2005 and supply the information to the appellant failing which punitive action will be initiated against her.

2. The representative of the appellant states that till date no information has been provided by the respondents.

3. Ms. Amandeep Kaur, PIO-cum-Block Development and Panchayats Officer, Malerkotla-1 was issued hearing notice to supply the sought for information to the appellant and appear personally or through her representative, but no person on her behalf appeared on 13.09.2019, 10.10.2019 and today without intimation. From perusing the file, it has come to the notice that she transferred the case to Shri Joginder Singh, Panchayat Officer, Block Development and Panchayat Officer, Malerkotla-1 on 22.2.2019 for supply of information. A

Contd.....p/2

**-2-**

show cause notice was issued to Ms. Amandeep Kaur, Block Development and Panchayats Officer, Malerkotla-1-cum-PIO to appear before the Commission and supply the information to the appellant. Even on receipt of SCN from the Commission, PIO being Officer-Incharge of the block, she has not directed Shri Joginder Singh, Panchayat Officer to appear before the Commission. Ms. Amandeep Kaur, Block Development and Panchayats Officer, Malerkotla-1 is cautioned to be careful in future while dealing with the RTI cases failing which strict action will be initiated. Shri Joginder Singh, Panchayat Officer is impleaded as a necessary party with the direction to supply the information and appear personally on the next date of hearing failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. To come up on 21.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur.

Dated : 25.10.2019

Sd/-  
( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

**CC**

1. Shri Joginder Singh,  
Panchayat Officer,  
o/o Block Development and Panchayats Officer,  
Malerkotla-1.
2. Ms. Amandeep Kaur,  
Block Ddevelopment and Pancdhayats Officer,  
Malerkotla-1, District Sangur
3. The Deputy Commissioner, Sangrur (by name) for information and to ensure the presence of PIO or his representative during the Video Conference proceedings in future.

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Sh. Beant Singh,  
S/o Sh. Baldev Singh,  
VPO: Khan, Banbhora  
Tehsil: Malerkotla,  
Distt: Sangrur.

.....Appellant  
**Vs**

Public Information Officer,  
Naib Tehsildar,  
Amargarh,  
Distt: Sangrur.

First Appellate Authority,  
Sub Divisional Magistrate,  
Malerkotla.

.....Respondents

## **Appeal Case No. 2907 of 2019** **(Through Video Conference Proceedings)**

Present:- Shri Beant Singh, appellant.

None on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 10.10.2019 vide which the absence of the respondents was viewed seriously and PIO was directed to take appropriate action on the application of the appellant under the provisions of RTI Act, 2005 and supply the information to the appellant failing which punitive action will be initiated against him.

2. The representative of the appellant states that till date no information has been provided by the respondents.

3. None was present on behalf of the respondents on the previous date of hearings i.e. 13.09.2019, 10.10.2019 and today without intimation.

4. The perusal of the file and the conduct of Shri Jagdeep Inder Singh, Naib Tehsildar-cum-PIO, Amargarh compelled the Commission to issue him a formal show cause notice as to why action under Section 20(1) of the RTI Act 2005 should not be taken against him and he was also provided an opportunity to file him written reply and also make use of this opportunity of personal hearing under the principles of natural justice.

Contd.....p/2



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5. Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO-Shri Jagdeep Inder Singh, Naib Tehsildar, Amargarh is hereby held responsible for not providing the information on time as prescribed under Section 7, which is within 30 days of the receipt of the request, and for repeated and willful defiance of the Commission's order.

5. It has been further established from his conduct that he has failed to provide the information even after the issue of formal show cause notice from the Commission. This speaks volumes as to how much respect & regard he has in his mind for the provisions of the RTI Act, which mandates that all public authorities will ensure that the RTI Act, 2005 is duly implemented by them. In view of the facts mentioned herein, I am of the considered view that Shri Jagdeep Inder Singh, PIO should be penalised for his negligence in discharge of his statutory duty prescribed under the RTI Act. His past and present conduct in this case makes the Commission believe that his sheer neglect to perform his duties will improve only after he is duly taken to task.

5. After giving thoughtful consideration and due perusal of the facts of the case and as per record on file, I have come to the conclusion that Shri Jagdeep Inder Singh has failed to perform his duty as per the mandate of the RTI Act which requires the public servant to ensure due transparency and accountability in its functioning. It has also come out that he has not only failed to perform his duty at his own level but also has shown his casual approach in complying with the explicit order of the Commission.

6. Under these circumstances, I am left with no other option but to decide the question of imposition of penalty and quantum thereof upon Shri Jagdeep Inder Singh PIO as per the provisions of the RTI Act i.e Section 20(1) which provides that any delay on the part of the respondent-PIO beyond 30 days is to be penalized @ 250/- per day and to the maximum of Rs. 25000/-. In this case the intervening period is too large, the respondent-PIO failed to comply with the order of the Commission. Accordingly, a penalty of Rs. 5000/- is imposed on him.

7. The amount of penalty i.e. Rs. 5000/- should be deducted from his salary and be

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deposited in the Government treasury under head "**0070-Other Administrative Services-60-Other Services-800-Other Receipts-86-Fees under the Right to Information Act**". The District Revenue Officer, Sangrur shall ensure that this amount of penalty is deducted from the salary of the above said defaulting officer from the month of November, 2019 and deposited in the Treasury under the relevant head and sent compliance report to the Commission..

8. Further the Commission is of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant under Section 19(8)(b) of the RTI Act. The Public Authority is directed to pay an amount of Rs.5000/- through demand draft drawn through Government Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The Public Authority is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

9. The case is adjourned to 21.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Sangrur.

Sd/-

Dated : 25.10.2019

**( Suresh Arora )**  
Chief Information Commissioner  
Punjab

**CC**

1. Shri Jagdeep Inder Singh,  
PIO-cum-Naib Tehsildar, Amargarh.  
District Sangur
2. District Revenue Officer,  
Sangrur (By name)
3. The Deputy Commissioner, Sangrur (by name) for information and to ensure the presence of PIO or his representative during the Video Conference proceedings in future.

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Sh. Surjit Singh Aujla,  
Vill: Aujla Dhak, P.O: Lidar Kalan,  
District Jalandhar.

.....Appellant  
**Vs**

Public Information Officer,  
Panchayat Secretary, Gram Panchayat  
Aujla Dhak, Block Phillaur,  
Distt: Jalandhar.

First Appellate Authority,  
Additional Deputy Commissioner (Development),  
Jalandhar. ....Respondents

**Appeal Case .No. 2886 of 2019**  
(Video Conference Proceeding)

Present:- None is present on behalf of the parties.

## ORDER

This order may be read with reference to the previous order dated 13.09.2019 vide which the information was supplied to the appellant by the respondents and the appellant had sought some time to peruse the same and revert back to the authorities within three days, in case of deficiencies. On 10.10.2019, the appellant was absent without intimation and he was given last opportunity to send deficiencies in the information supplied to him within three days to the respondents with a copy to the Commission.

2. The appellant is absent today without intimation.

3. After perusing the record available on the case file, it is ascertained that the appellant failed to respond to the previous order dated 10.10.2019 in sending deficiencies in the information. From this, it appears that complete information has been supplied to the appellant and he does not want to pursue the matter any further. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 25.10.2019

Sd/-  
( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

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Shri Manjinder Singh  
# 2469, Sunny Enclave,  
Sector-125, Kharar,  
Distt: Mohali-140301

.....Appellant

**Vs**

Public Information Officer,  
Secretary, Regional Transport Authority,  
Jalandhar.

First Appellate Authority,  
State Transport Commissioner,  
Punjab, Chandigarh.

.....Respondents

Appeal Case No. 2890 of 2019  
(Through Video Conference Facility)

Present:- Shri Manjinder Singh, appellant, in person at Chandigarh.

Ms. Ambika, Section Officer alongwith Shri Balwant Singh, Senior  
Assistant, on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 10.10.2019 vide which last opportunity was provided to the PIO to show cause in writing or through an affidavit under Section 20(1) of the RTI Act for her absence and not supplying the information within the stipulated period.

2. The representative of the respondents states that they have sent in writing to the appellant on 13.06.2019 stating that information is not available in the form in which the appellant has sought. She states that she was on medical leave on previous dates due to illness. She further states that she has been recently appointed as PIO. She further states that in view of the medical leave, the Show Cause Notice issued to her for imposition of penalty be withdrawn.

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3. The appellant stated in his letter dated 13.10.2019 stating that on 08.07.2019, he sent Shri Sukhchain Singh (his authorized representative) for inspecting the record. He met Ms. Manreet Kaur, clerk, who told him to wait till PIO-cum-Secretary, RTA, Jalandhar-Ms. Nain Bhullar's return. He visited the cabin of Shri Balwant Singh, Senior Assistant, who was the custodian of the record and asked for inspection, he left the cabin and did not respond. He tried to contact the PIO on mobile four times but she did not pick the call/respond.

4. After hearing the parties and going through the letter dated 25.10.2019 received through e-mail, it is ascertained that Ms. Manreet Kaur has reported that no hearing notice for appearance was received in their office. Non-receipt of the hearing notice is the main reason for their absence. In view of the Medical Leave and non-receipt of hearing notice, SCN issued to Ms. Ambika is dropped. The appellant is advised to visit their office on 13.11.2019 at 12.00 P.M. for inspecting the concerned record and the respondents are directed to supply copies of the documents identified by the information-seeker on the spot. Ms. Ambika assures that she will do the same.

5. To come up on 21.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Jalandhar.

Dated : 25.10.2019

Sd/-  
( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

cc

Ms. Ambika,  
Section Officer  
o/o Regional Transport Authority,  
Jalandhar.

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Smt. Prabha Vati,  
# 1479, Guru Nanak Colony,  
Block-D, Opposite Sarvhitkari School,  
Hoshiarpur Road,  
Distt: Sangrur

.....Appellant

**Vs**

Public Information Officer,  
Director Public Instructions (Secondary),  
Mohali.

First Appellate Authority,  
Secretary, Education Department,  
Mohali.

.....Respondents

## **Appeal Case No. 2893 of 2019** (Video Conference Proceeding)

Present:- Ms. Prabha Vati, appellant, at Sangrur.

None on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 10.10.2019 vide which the respondents were directed to send the information by him to be handed over to the appellant. On receipt of the reply/information from the respondents, the appellant was advised to go through the same and revert back to the authorities, in case of deficiencies, and respondents were directed to remove the deficiencies on its receipt before 25.10.2019.

2. The appellant states that she sent deficiencies vide her letter dated 21.10.2019, in which she has mentioned that her file had been cleared by three officers only on one day i.e. 08.11.2018 and now her case is pending with Deputy Controller (Finance and Accounts) since 11.09.2019 and action under Section 20 of the RTI Act, 2005 be taken against him for not providing information.

Contd.....p/2

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3. After hearing the appellant and going through the record available on the case file, it is ascertained that complete information, as available in the record of the respondents, has been provided to her and nothing has been left, which can be supplied to her. Only her grievance is that DCFA has not cleared his file since 11.09.2019. It is not the forum to direct the DCFA to take action on her file. The appellant is advised to file representation to DCFA and his senior officers for taking required decision. As complete information has been supplied to the appellant and nothing has been left to be supplied. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 25.10.2019

Sd/-  
( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

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Sh. Kewal Singh  
s/o Shri Gurcharan Singh,  
Village Kot Khurd, .  
PO Binaheri, Tehsil Nabha,  
District Patiala.

.....Appellant  
**Vs**

Public Information Officer,  
o/o Block Development and Panchayats Officer,  
Nabha.

FAA-District Development and Panchayats Officer,  
Patiala. ....Respondents

## **Appeal Case No. 2628 of 2019** **(Through Video Conference Facility)**

Present:- Shri Kewal Singh, appellant.

Shri Vinod Kumar, Panchayat Secretary, on behalf of the respondents at Chandigarh..

### ORDER

This order may be read with reference to the previous order dated 10.10.2019 vide which the representative of the respondents were directed to send the same to the appellant through registered post with a copy to the Commission. On receipt of the information from the respondents, the appellant was advised to go through the same and revert back to the authorities as early as possible and the respondents were directed to remove the same on its receipt from the appellant before the next date of hearing.

2. The appellant states that partial information has been provided to him.
3. Shri Vinod Kumar, Panchayat Secretary appearing on behalf of the respondents states that he has provided complete information relating to him. The

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remaining information concerning MANREGA is available on the website “manrega.nic.in” and the appellant can download the same. If he still faces any problem then he can contact Mr. Amrik Singh, Assistant Project Officer (M.No.99148-10480) and Shri Tirath Singh, GRS (M. No.98143-34055).

4. After hearing both the parties, it is ascertained that no deficiencies has been received from the appellant, in the information so provided to him, as advised on the previous date of hearing. The appellant is again advised to visit the said website and download the information as per its availability, if the said information is not available then send deficiencies, in writing, to the respondents and contact the custodian of the record for getting the information as per his application for seeking information under the provisions of the RTI Act, 2005. The respondents are directed to remove the deficiencies, if any, on its receipt from the appellant as per his RTI application before the next date of hearing.

4. To come up on 21.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated : 25.10.2019

Sd/-  
( **Suresh Arora** )  
Chief Information Commissioner  
Punjab

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Sh. Balvir Singh,  
S/o Sh. Attama Singh,  
VPO: Mandauli, Tehsil: Rajpura,  
Distt: Patiala.

.....Appellant

**Vs**

Public Information Officer,  
O/o Divisional Forest Officer,  
Near Thapar College,  
Opposite Central Jail,  
District: Patiala.

First Appellate Authority,  
O/o Conservator of Forests, South Circle,  
District: Patiala.

.....Respondents.

## **Appeal Case No. 2879 of 2019**

Present:- Shri Balvir Singh appellant.  
Shri Paramjit Singh, clerk, on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 21.10.2019 vide which both the parties were directed to appear in the office of the Commission with original record. On that date, the appellant stated that he has received 346 pages (big size) and 1098 pages of A/4 size.

2. Both the parties appeared at Chandigarh with original record.

3. The Commission found that some pages still are missing after comparing the original record brought by the parties. The respondents are directed to supply copies of remaining pages after getting the record inspected from the appellant. The representative of the respondents assures that he will supply the same before the next date of hearing, which is fixed for 18.11.2019.

5. To come up on 28.11.2019 at 3.30 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Patiala.

Dated: 25.10.2019.

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