

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864101, Fax 0172-2864110 Helpline 0172-2864100

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189



Sh. Yash Pal Shori 9041008200

H.No. 851, Shori Gali, Adrash Nagar,

Islamabad, District Amritsar

....Appellant

Vs

Public Information Officer (By name)

o/o Block Development and Panchayats Officer

Tarsika, District Amritsar

....Respondent

Appeal Case No. 2936 of 2020 & Complaint Case No. 657 of 2020

(Video Conference/Cisco Webex Proceedings)

Present:- Sh. Yash Pal Shori, appellant

Sh. Palwinder Singh, Supdt. 8198012292 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 5.3.2021 vide which the case was adjourned 20.4.2021 but due to administrative reasons the case was further adjourned for today i.e. 27.5.2021.

2. The appellant has sought the following information:-

- a) Certified copy of letter written by BDPO Tarsika bearing despatch non 583 dated 5.6.2020 to SHO Police station Mattewal asking him to restrain any body to plough and cultivate 4 acrs Sham Lat Land of Taharpur Village.
- b) Certified copy of letter written by Gram Panchyat village Taharpur asking BDPO Tarsika to restrain anybody to plough and cultivate 4 acrs land of vilage Taharpur on the basis of which BDPO wrote letter no 583 dated 5.6.2020 to SHO P.S Mattewal.
- c) copy of proceeding of enquiry if any conducted by BDPO before writing letter to SHO PS Mattewal.
- d) Detail of revenue record checked/verified by BDPO Tarsika before writing letter no 583 dated 5.6.2020 to SHO PS Matewal in which be mentoned 4 acrs of land as SHAMLAT.
- e) Detail of provisions of Panchyati Raj Act, rules and circulars ,instructions issued by director and secretary /FC rural development and Panchyat Govt.of Punjab,which empowers BDPO to write such a letter as written by him mentioned at serial no 1.
- f) Procedure that is to be followed as per Panchyat Act and departmental guidelines for auction of Panchyati Land of Village.
- g) Is presence of Govt.nominee or BDPO or representative of BDPO is necessary in the meeting of Panchyat for auctioning of land of Gram Panchyat of Villa
4. I state that information sought does not fall within the restrictions contained in section 8 and 9 of Act and to the best of my knowledge it pertain to your office.
5. I also state that I am a citizen of india and I am eligible to seek information under the Right to Information Act 2005.
6. A postal order of Rs. 50/- bering no.96G 279070 dated 16.6.2020 enclosed herewith for Rs. 10 as RTI Fees + for Rs.25 for postal nexpensive + Rs 15/- for coping fees

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3. The appellant states that he has received the complete information in these cases and is satisfied with the same. He also insisted to penalize the respondent-Public Information Officer in accordance with the provisions of the RTI Act, 2005, as he has supplied the information late. However, the representative of the respondents states that the office is functioning with 50% staff as per the instructions issued by the Government of Punjab due to Covid 19 pandemic. He also states that the officials are also assigned the additional duties to cope up with the Covid 19 pandemic situation in the block and requested to close the case as the complete information has already been supplied to the appellant. Sh. Sitara Singh, Block Development and Panchayats Officer has also filed the written reply regarding show cause notice issued to him, which is taken on record.

4. It is a fact on record that the appellant sought the information from the Public Information Officer o/o the Block Development and Panchayats Officer Tarsika vide application dated 16.6.2020 along with the application fee vide postal order bearing No. 96 G 279070. Since the appellant, respondent parties and the information remained the same, therefore, the cases of the appellant were clubbed. It has also transpired that the appellant filed two separate cases i.e. appeal case on dated 5.10.2020 and complaint case on dated 15.9.2020 in the Commission on the same RTI application. It is also a fact that the postal order in shape of an application fee with the RTI application, in both the cases remained the same. Furthermore, the appellant filed the certificate before the Commission in both the cases that the matter which is under appeal or complaint, have not been previously filed, pending or decided by any of the State Information Commission, Punjab.

5. That the complete information has already been supplied to the appellant and he is satisfied with the same. In view of the facts mentioned in Para 3 above, the plea taken by the respondents in these cases is accepted. As far as the submissions to penalize the respondent-Public Information Officer due to delay is concerned, it is a fact on record that the respondent-Public Information Officer replied vide No. 65 dated 16.9.2020. It is also a fact that due to Covid 19 pandemic, there was a curfew from 23rd March, 2020 to Mid of May, 2020 followed by the lock down in the state and thereafter the Government of Punjab issued time to time directions to work with 50% staff. Keeping in view the curfew/lock down/instructions of the Government of Punjab to deal with the on-going Corona pandemic, the show cause notice issued to Sh. Sitara Singh, Block Development and Panchayats Officer is hereby withdrawn. Therefore, the Commission observes that no further action is required to be taken in these cases. Hence, the cases are disposed of and closed.

SD

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Dated: 27.5.2021.

CC
Director Rural Development and Panchayat Deptt.
Punjab
Vikas Bhawan, sector 2, Mohali