



Shri Surjit Singh,
S/o Shri S. Harbhajan Singh Sidhu,
Village Ekal Gadda, Tehsil Khadoor Sahib,
Distt Tarn Taran.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Khadoor Sahib,
Distt Tarn Taran.

First Appellate Authority,
O/o District and Development and Panchayat Officer,
Tarn Taran.

Respondents

Appeal Case No.2840/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
26.09.2017	Nil	27.03.2018	Nil	23.08.2018

Present: Appellant- None.
Respondents- Sh. Gurminder Singh, Panchayat Secretary;
Sh. Harjeet Singh, Clerk, O/o BDPO, Khadoor Sahib.

ORDER

The following order was passed by the bench on 11.09.2019:
22.05.2019:-

"The appellant had sought an information about the details of grants received and developmental works done from 01.01.2015 to 31.03.2017. He submits that despite his various pursuits he has not been able to procure the information from the respondents. The respondents have neither attended the hearing nor have sent reply to explain the cause.

The PIO – cum – BDPO, Khadoor Sahib is 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 maximum of Rs.25,000/- 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 Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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 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



-2-

Appeal Case No.2840/2018

Commission shall proceed to take further proceedings against him ex parte”.

The appellant is seeking adjournment for having been deployed on election duty. His request is acceded to.”

31.07.2019

“The case has come up today. The respondents are absent. The Commission takes serious view of the same. The perusal of the record suggests that incomplete information without relevant details of the same has been supplied to the appellant. The Commission directs the BDPO Khadur Sahib, District Tarn Taran to allow inspection of the record to the appellant on a mutually agreed date and time; and provide him certified copies of the documents identified by him upto an extent of 200 pages.

The case has again been taken up today. The BDPO seems to be a hard nut to crack. Despite having been issued a show cause notice and afforded a couple of opportunities, the respondent PIO has refused to respond.

*Holding him guilty of the violation of obligation under section 7(1) of the RTI Act, and exercising its authority under section 20 (1) of the RTI Act, the Commission imposes a penalty of Rs. 15,000/- (Fifteen Thousand only) in lump sum on the PIO, to be recovered in three equal installments commencing from the salary of month of October, 2019 onwards. The DDO shall deposit it in the Govt. treasury under the head: - **0070-Other Administrative Services- 60 Other Services- 800 Other Receipts- 86 Fee under RTI Act, 2005.** A copy of the challan shall be sent to the Commission for record immediately.*

Contd...pg...3



-3-

Appeal Case No.2840/2018

By the callous conduct of the PIO, the appellant has been put to a lot of harassment. A compensation to an extent of Rs. 3000/- (Three Thousand only) is awarded to the appellant for the detriment suffered by him in terms of Section 19(8) (b) of the Act. It shall be paid by the public authority from its account by way of demand draft in favor of the appellant within a month of the receipt of the order positively.

The PIO, in the O/o of the BDPO, Khadoor Sahib, is again directed to come in person, failing which his presence shall be ensured by issue of a bailable warrant in exercise of its authority under section 18 (3) (a) of the RTI Act.”

29.10.2019

The case has come up today. The then BDPO, Sh. Rajidner Kumar Gupta, who was holding the charge during the pendency of this appeal was penalized, besides providing compensation to the appellant. However, he remains non-challant and maintains a cavalier attitude to all the directions of the Commission. Taking further cognizance of his conduct, the Commission desires the Director in Department of Rural Development and Panchayats, to issue him a charge sheet under section 20 (2) of the RTI Act and send a copy of the same to the Commission. Meanwhile, he shall ensure that the orders passed by the Commission are complied with being the Head of the Authority.

Contd...pg...4



-4-

Appeal Case No.2840/2018

As the undersigned bench shall be demitting its office, the case file is transferred to the Deputy Registrar to put it up before the Hon'ble CIC for allocation to another bench as deemed appropriate.

29.10.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

- CC: 1. The Director, Department of Rural Development and Panchayats, Sector-62, SAS Nagar.**
- CC: 2. The Deputy Registrar, O/o Punjab State Information Commission, Chandigarh.**

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Sh. Ajay Kumar,
S/o Sh. Santokh Ram,
V.P.O-Khaira,
Tehsil Phillaur, Distt. Jalandhar.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block- Phillaur, Distt. Jalandhar.

First Appellate Authority,
O/o District Development and Panchayat Officer,
District- Jalandhar.

Respondents

Appeal Case No.2647/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
07.04.2018	Nil	24.05.2018	Nil	03.08.2018

Present:
Appellant- Sh. Ajay Kumar.
Respondents- Sh. Ranjit Singh, BDPO;
Sh. Gurchetan Ram, Panchayat Secretary.

ORDER

The following order was passed by the bench on 17.09.2019:

03.04.2019

"The appellant had sought basic information about the expenses incurred in the construction of a Sports Club and laying of sewage pipe in the village Khehra, Tehsil Phillaur, Distt. Jalandhar.

The appellant is present in the video conferencing whereas the respondents are absent. He says that a very sketchy information just to dodge him has been given by the concerned Panchayat Secretary. The respondents have failed to file a written reply to the notice of the Commission and provide complete information to the appellant. No tangible action has also been taken by the First Appellate Authority. The PIO has rendered himself liable for penal consequences.

Accordingly, the PIO is 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 maximum of Rs.25,000/- 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.

Contd..page..2



Appeal Case No.2647/2018

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 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.

*The case has come up for hearing today. Both the parties are present and are contradicting each other whereas the respondent says that he has since parted with the record. The appellant has refused its receipt. It is not possible to resolve it in the video conferencing. The matter shall be heard at **Chandigarh on 16.05.2019 at 11.30 AM** and the respondents shall bring along the entire record so as to vindicate their position.*

16.05.2019

"The respondents have made a request for adjournment as they have been deployed on election duty. The request is acceded to.

The matter is differed to be heard on 09.07.2019 at 11.30 AM".

09.07.2019

"The matter has been taken up today. Shri Gurchetan Ram, Panchayat Secretary is present. He is unable to prove that the information was transmitted to the appellant as claimed by him. So much so, he could not provide it even on spot on the directions of the Court. A very simple information pertaining to the repair of the sports club of the village and the expenses incurred on the laying of sewerage pipes has been sought. It has already taken more than year to dispense the information. The respondent has failed to give satisfactory reply to the show cause notice issued on 03.04.2019.

The delay is beyond 100 days. Exercising its powers under Section 20(1) of the RTI Act, the Commission imposes a penalty of Rs.10,000/- on Shri Gurchetan Ram, Panchayat Secretary to be deducted from his salary commencing from the month of August, 2019 in two equal installments. The Drawing & Disbursing Officer concerned shall ensure that the amount of penalty is deducted from



Appeal Case No.2647/2018

his salary and deposited in the government treasury under the head given below:

- 0070-Other Administrative Services- 60 Other Services- 800 Other Receipts**
- 86 Fee under RTI Act, 2005**

A copy of the challan shall be sent to the Commission for record immediately.

As the appellant has been put to undue inconvenience and harassment, he is awarded a compensation of Rs.3,000/- which shall be paid to him through a bank draft by the public authority from its own account. As the information has still not been provided, the Commission directs the BDPO to ensure its prompt transmission and come present along with the record in person on the next date of hearing failing which, the Commission shall be constrained to enforce his presence by exercising its authority under section 18(7) of the RTI Act.

*The case has again come up today. The aforementioned order is self-speaking. The appellant is present. Nothing has been heard from the respondents. The BDPO and Panchayat Secretary seemingly have maintained a defiant conduct. Such an arrogance, disregard to the rule of law and contemptuous conduct cannot be taken lying down. While exercising its authority under section 18 (3) of the RTI Act, a **bailable warrant** of Sh. Ranjit Singh, BDPO, in the sum of Rs. 20,000/-, are issued to ensure his presence in the court as well as compliance of the aforementioned orders.”*

The case has again come up today. Sh. Ranjit Singh, BDPO, is present. The respondents say that they have resent the available information with them. The Commission has seen the copy of information. The penalty imposed has also been deposited. The compensation should be deposited in due course. No further intervention of the Commission is desired.

Disposed.

29.10.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Sh. Jaswant Singh,
S/o Sh. Gurdeep Singh,
R/o Village-Gorsian Peeran,
Tehsil-Phillaur, Distt. Jalandhar.

Sh. Kuldip Singh,
S/o Sh. Gurbachan Singh,
R/o Village-Gorsian Peeran,
Tehsil-Phillaur, Distt. Jalandhar.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Nurmahal, Jalandhar.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Jalandhar.

Respondents

Appeal Case No.1640/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
28.01.2019	Nil	01.03.2019	Nil	01.05.2019

Present: Appellant- Sh. Jaswant Singh.
Respondents- None.

ORDER

09.07.2019 The Commission has made following order on 24.09.2019:

“The information has reportedly been dispatched under registered cover by the respondents vide their letter dated 05.07.2019. The appellant denies having received it. Obviously, it should be in transit. The Commission hopes that the appellant will soon get it. The appellant may like to go through the information when it is received and report deficiency, if any.”

13.08.2019

The case has come up today. None is present on behalf of respondents. The respondents have sent a reply with an endorsement to the Commission, which entails therein details of the expenses incurred by the Gram Panchayat. The appellant is keen to procure its details with a copy of measurement books. The respondents are advised to do the needful before the next date of hearing. The appellant also complains about the deficiency and

Contd...pg...2



-2-

Appeal Case No.1640/2019

incomplete submission of information with reference to the copies of the resolutions passed by it. The appellant should pinpoint missing resolutions, if any, which the respondents shall respond to by providing the complete information. The respondents are required to explain the delay in providing the information as well as their absence from the hearing.

13.08.2019

The case has again come up today. The status quo ante remains. The respondents have not so far provided him the copies of measurement books, the vouchers, the bills expended on various development works and the utilization certificates. Such an evasive attitude tantamount to violation of provisions of Section 7 (1) of the RTI Act.

Sh. Amritpal Singh, Panchayat Secretary, who is a deemed PIO in the case is issued a show cause notice issued to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- 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 Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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 note that in case he does not file his written reply and

Contd...pg...3



-3-

Appeal Case No.1640/2019

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.

The Junior Engineer shall be considered as a deemed PIO with reference to the information contained in the measurement books relevant to the village under issue.”

The case has come up today. The respondents are absent. The copy of the measurement book as well as the cash book has still not been provided. A final opportunity is afforded to the incumbent BDPO to ensure that the information asked for is provided. The explanation of the defaulting officials should also be sent across by the incumbent BDPO only.

As the undersigned bench shall be demitting its office, the case file is transferred to the Deputy Registrar to put it up before the Hon'ble CIC for allocation to another bench as deemed appropriate.

29.10.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: Deputy Registrar, PSIC, Chd.

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email: psic22@punjabmail.gov.in



By Registered Post

Sh. Jatin Kumar Gupta,
Room No. 3, New Bar Complex,
Punjab and Haryana High Court,
Chandigarh.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Guruharsahai.

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

Respondents

Appeal Case No.2165/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
22.12.2017	Nil	29.01.2018	Nil	

Present: Appellant- Sh. Jatin Kumar Gupta.
Respondents- None.

ORDER

The following order was passed by the bench on 03.09.2019:

This is a long standing case. Due to non availability of internet connectivity on the last couple of hearings, the case could not be taken up. The original application was filed way back on 22.12.2017.

Sh. Sukhdeep Singh, Panchayat Secretary, was duly advised by the Block Development Officer, Shri Guruharsahai, to take appropriate action. He seems to have stonewalled the flow of information.

Neither he is present nor has he filed any reply to the notice of the Commission. The appellant has sought an information pertaining to the proceedings of Gram Panchayat of the Village-Chak Sawah Wala, Block- Guruharsahai for the period commencing from 01.04.2014 to 31.10.2017 besides the record of the auctions held to lease the

Contd...pg...2



-2-

Appeal Case No.2165/2018

Panchayati land during the aforesaid period. A CD of the videography, if it all held, has also been sought. The respondents are maintaining a studied silence. The Commission is inclined to believe that the respondent is willfully sitting on the information. Apparently, he has violated the provisions of section 7(1) of the RTI Act, 2005 and rendered himself liable for penal consequences.

Sh. Sukhdeep Singh, Panchayat Secretary – cum- 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 maximum of Rs.25,000/- 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 Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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 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.”

The matter has come up today. It is strange that scant regard has been shown by the respondents to the various directions issued to them. The Commission is convinced that the respondent PIO is malafidely sitting over the information.

Contd...pg...3



Appeal Case No.2165/2018

Having violated the provisions of the Section 7 (1) of the RTI Act, he has rendered himself liable for imposition of penalty. Exercising its authority under section 20 (1), a penalty of Rs. 25,000/- (Rupees Twenty Five Thousand only) is imposed upon him a delay which beyond 100 days, is unexplained. The Drawing & Disbursing Officer is directed to deposit the amount of penalty in the government Treasury in five equal installments from his salary from the month of November, 2019 under head given below:

- 0070-Other Administrative Services
- 60 Other Services
- 800 Other Receipts
- 86 Fee under RTI Act, 2005

A copy of the challan shall be sent to the Commission positively.

As the appellant has been put to undue inconvenience and harassment, he is awarded a compensation of Rs. 4,000/- which shall be paid to him through a bank draft by the public authority from its own account.

As the information has yet not been provided the matter cannot be allowed to rest as such. The Panchayat secretary is directed to come present with original record on next date of hearing. Failing which his presence shall be ensured by issue of bailable warrant in exercise of the authority under section 18 (3) (a) of the Right to Information Act.

Since the undersigned bench shall be demitting its office, the case file is transferred to the Deputy Registrar to put it up before the Hon'ble CIC for allocation to another bench as deemed appropriate.

29.10.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: The Director, Department of Rural Development and Panchayat, Sector-62, SAS Nagar.

CC: Deputy Registrar, PSIC, Chd.



Sh. Jagdev Singh,
S/o Sh. Gurmail Singh,
C/o Nikhil Batta, Advocate,
Chamber No. 543, Yadvindra Complex,
Patiala.

Complainant

Versus

Public Information Officer,
O/o Director,
Technical Education & Industrial Training Department,
Government of Punjab,
Sector-36, Chandigarh.

Respondent

Complaint Case No.138/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
18.10.2018	04.01.2019	Nil	Nil	29.02.2019

Present:

Complainant- Sh. Jagdev Singh.
Respondents- Sh. Rupinder Singh, Deputy Director;
Sh. Avtar Singh, Assistant Director;
Sh. Sukhraj Singh, Junior Assistant.

ORDER

The following order was passed by the bench on 03.10.2019:

14.05.2019

"The complainant has sought information of leasing out the properties of the respondent for the establishment of ITIs and some allied information. He is alleging irregularities and misappropriation in the aforesaid exercise.

The respondents say that the information has been provided to the complainant. The complainant says that there are deficiencies on many scores. The respondents assure the Commission to make good the deficiencies. They are directed to ensure that complete information in all respects with reference to the application is provided to the complainant within 15 days positively.

Contd...pg...2



Complaint Case No.138/2019

02.07.2019

The matter has come up today i.e. 02.07.2019 at 11.30 AM. The status quo ante remains. It seems that the respondents are trying to evade the issue rather than being specific in providing the information. The crux is as to whether any recovery has been made from the lessees or not and what is the status of action being taken against them. The query is being stone-walled

The Commission takes it as a willful attempt to conceal the information. Final opportunity is afforded to them to be candid in informing the appellant on the subject, failing which, penal consequences shall follow.”

20.08.2019

“The case has come up today. The respondents are absent. No information has been provided by them to the appellant. The PIO is 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 maximum of Rs.25,000/- 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 Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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 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.



-3-

Complaint Case No.138/2019

The respondents have brought along the additional information which has been handed over on spot to the representative of the appellant. He intends to go through it and file his comments, if any. Acceding to his request, an opportunity is afforded to him.”

The case has come up today. The Commission regrets to observe that despite having issued the instructions in the aforementioned orders, the respondents have failed to apprise the complainant of the current status of the issue. A final opportunity is afforded to them to convey to the complainant the amount of recovery pending with the concessionaires and the action having been taken by them for the expeditious recovery of the same before the next date of hearing, failing which penal consequences shall follow without further notice.

Since the undersigned bench shall be demitting its office, the case file is transferred to the Deputy Registrar to put it up before the Hon'ble CIC for allocation to another bench as deemed appropriate.

29.10.2019

CC: Deputy Registrar, PSIC, Chd.

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**



Smt Gurjeet Kaur,
W/o Shri Prabhdyal Singh,
R/o VPO Khamra, Jalandhar.
M: 9914552002

Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat, Khamra,
Distt Jalandhar.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Jalandhar.

Respondents

Appeal Case No. 2815/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
19.02.2018	Nil	27.04.2018	Nil	14.08.2018

Present: Appellant- Adv. Sh. Ravinder Kumar, Counsel.
Respondents- None.

ORDER

The following order was passed by the bench on 12.09.2019:

Sh. Mahesh Kumar, BDPO, submits that Sh. Charanjeet Singh, Panchayat Secretary, has fallen sick and is unable to attend the proceedings. The medical certificate issued by a doctor has also been taken on record. He further states that it is in his knowledge that a bank draft for the amount to be refunded to the appellant has already been made and since the Panchayat Secretary is indisposed, that could not be transmitted to the appellant. He assures the Commission that he shall monitor it and arrange to get it delivered quickly. He further submits that he has recently joined and undertakes to arrange inspection of entire record in contention and provide the appellant certified copies of the requisite information

Contd....pg...2



-2-

Appeal Case No. 2815/2018

without further delay.

The case has come up today. The respondents are absent. The Commission takes a serious exception about the indifferent conduct of the respondents. The incumbent PIO is advised to furnish the compliance report before the next date of hearing. Else his disciplinary authority shall be asked to proceed against him disciplinarily and his presence shall be ensured by the Commission by exercise of its authority under section 18 (3) of the RTI Act.

To come up on **03.12.2019 at 11.30 AM.**

29.10.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: The BDPO, Jalandhar (East) for necessary action.

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Sh. Amarjit Singh,
S/o S. Ajmer Singh,
Village-Burj Hari Singh (Patti-Jhallian),
Tehsil-Raikot, District-Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Raikot, District-Ludhiana.

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Raikot, District-Ludhiana.

Respondents

Appeal Case No.1587/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
04.01.2018	Nil	28.03.2018	Nil	25.04.2019

Present: Appellant- Sh. Amarjit Singh.
Respondents- Sh. Jaswant Singh, Panchayat Secretary.

ORDER

The following order was passed by the bench on 24.09.2019:

09.07.2019

“Feeling aggrieved for having not received the information against his application dated 04.01.2018 and filing 1st appeal, the appellant has been constrained to file second appeal with the Commission. The Commission has gone through the application. He intends to seek elaborate information about the activities of the Gram Panchayat ranging from the period 2013 to 2018. The Commission feels that it shall be a massive record and its transmission in such quantum may erode the resources of the public authority. The Commission directs the PIO to allow him inspection of the record on a pre-fixed date and provide him certified copies of the document so identified by him upto an extent of 50 pages only.

The appellant may like to justify the demand in public interest beyond the above stipulated number. Meanwhile the respondents shall explain their conduct in writing for the inordinate delay in providing the information.”

Contd...pg...2



-2-

Appeal Case No.1587/2019

13.08.2019

“The case has come up today. The respondents are neither present nor any communication about compliance of the order has been made. The appellant reiterates that respondents have refused to provide access to the record as advised by the Commission. The Commission understands that the respondents have violated the provisions of section 7(1) of RTI Act, 2005. The BDPO, Raikot is hereby 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 maximum of Rs.25,000/- 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 Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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 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.”

The case has been taken up today. The respondents say that the record has been provided to the appellant. However the appellant states that it has been delivered to him

Contd...pg...3



-3-

Appeal Case No.1587/2019

only yesterday and he has not been able to examine it completely. He seeks some time to go through it and file its adequacy with reference to his application.

*The matter shall be heard on **29.10.2019 at 11.30 AM**. Meanwhile the respondents shall ensure that any deficiency pointed by him is met before the next date of hearing.”*

The case has come up today. Whereas, the respondents say that the complete information available with them has been provided, the appellant still denies it to be deficient. No cognizance can be taken of a vague statement of deficiency; the appellant may specifically point out the deficiency in the information provided to him in writing to the respondents with a copy to the Commission so that appropriate notice of the issue can be taken.

Since the undersigned bench shall be demitting its office, the case file is transferred to the Deputy Registrar to put it up before the Hon'ble CIC for allocation to another bench as deemed appropriate.

29.10.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: Deputy Registrar, PSIC, Chd.

