

PUNJAB STATE INFORMATION COMMISSION

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Sh. Partap Singh,
S/o Sh. Sawinder Singh,
VPO: Marar, Tehsil: Batala,
Distt: Gurdaspur.

.....Appellant

Vs

Public Information Officer,
District Education Officer (Elementary),
Distt: Amritsar.

First Appellate Authority,
Director Public Instructions (Elementary),
Punjab, Mohali.

.....Respondents

Appeal Case .No. 2903 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 02.12.2019 vide which last opportunity was afforded to the appellant to appear and send deficiencies in writing to the respondents with a copy to the Commission failing which it will be presumed that the appellant has nothing to say anything and the case would be decided on the merits of the case.

2. The appellant was absent on 10.09.2019, 15.10.2019, 02.12.2019 and today without information.

3. None appears on behalf of the respondents without intimation.

4. After going through the record available on the case file, it is revealed that the respondents have given appropriate reply vide their letter dated 25.09.2019 and 1.10.2019. The appellant remained absent on four consecutive dates and he has not sent any deficiency in the information supplied to him vide their letter dated 25.09.2019 and 1.10.2019. After receipt of the same, the appellant never reverted back to the Commission. Copies of letters dated 25.09.2019 and 1.10.2019 are again sent to the appellant with this order for his perusal with the advice to revert back to the Commission within one month from today, if he finds any deficiency in the reply..In view of the foregoing observations, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 13.12.2019

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

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Sh. Vikram Singh,
983-E, Benipal Colony,
Machhiwara,
Distt: Ludhiana-141115

.....Appellant

Vs

Public Information Officer,
O/o Tehsildar, Samrala,
Distt: Ludhiana.

First Appellate Authority
O/o Sub Divisional Magistrate,
Samrala, District- Ludhiana.

.....Respondents

Appeal Case No. 3082 of 2019
(Through Video Conference Facility)

Present:- Shri Vikram Singh, appellant.

Shri Amanpreet Singh, Reader to Tehsildar, Samrala on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 02.12.2019 vide which the respondent-PIO was directed to supply the information after procuring the same from o/o Deputy Commissioner, Ludhiana.

2. The appellant states that in compliance to the previous order, no information has been supplied to him by the respondents.

3. In compliance to the previous order dated 02.12.2019, the representative of the respondents failed to supply the information after procuring it from the office of the Deputy Commissioner, Ludhiana. In view of the failure in supplying the information after procuring from the Deputy Commissioner, Ludhiana, the Shri Navdeep Singh, Tehsildar-cum-PIO, Samrala is, thus, held responsible and 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 information-seeker under Section 19(8)(b) of the Act for the detriment suffered by him.

Contd.....p/2

-2-

4. 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.

5. To come up on 15.01.2020 at 3.00 P.M. through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 13.12.2019

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

CC

Shri Navdeep Singh,
Tehsildar, Samrala,
District Ludhiana.

Regd.

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Sh. Avtar Singh,
S/o Sh. NanakSingh,
VPO: KarianaKalan,
Tehsil &Distt: Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Gram Panchayat,
Kariana Kalan,
Block Ludhiana-2,
Distt: Ludhiana.

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

.....Respondents

Appeal Case .No. 3114 of 2019 (Video Conference Proceeding)

Present:- Shri Avtar Singh, appellant.

Shri Gurmail Singh, Panchayat Secretary alongwith Shri Sucha Singh, Sarpanch,
on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 02.12.2019 in which it is mentioned that Shri Sukhwinder Singh, Panchayats Secretary has not handed over the charge of panchayat record to Shri Gurmail Singh, Panchayats Secretary. Shri Gurmail Singh, present Panchayat Secretary further stated on the previous date of hearing that inspite of written requests submitted to BDPO, Shri Sukhwinder Singh had not handed over the charge to him. Block Development and Panchayats Officer, Block Ludhaina-2 was also directed to help the present Panchayats Secretary in getting the charge of record from the former Panchayats Secretary-Shri Sukhwinder Singh so that the information sought for by the appellant could be supplied to the appellant and notice was issued to explain why penalty should not be imposed on him and compensation should not be awarded to the appellant.

Contd.....p/2

-2-

2. Today, Shri Gurmail Singh, Panchayats Secretary, appearing before the Commission, states that charge of complete record of the concerned panchayat has been handed over to him. He further states that complete information as per its availability in the record will be supplied to the appellant before the next date of hearing.

3. After hearing the representatives of the respondents and going through the record available on the case file, it is found that no information has been provided to the appellant till date. The respondents are directed to supply the attested information as per its availability in the record and give in writing that no more information, as per application of the appellant for seeking information, is left which could be supplied to him. They are further directed to bring complete record of the Gram Panchayat for perusal of the Commission at Chandigarh. The respondent-BDPO is directed to file his explanation to the Show Cause Notice issued to him before the next date of hearing failing which further necessary action as per RTI Act, 2005 will be initiated on the next date of hearing.

4. To come up on 15.01.2020 at 11.00 A.M. at Chandigarh.

Dated : 13.12.2019

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

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Sh. M.S. Toor (Advocate)
Chamber No.2004, New Courts,
Ludhiana.

.....Appellant

Vs

Public Information Officer,
o/o Sub Registrar/Tehsildar (West),
Ludhiana.

First Appellate Authority,
o/o Sub Divisional Magistrate,
Ludhiana (West)

.....Respondents

Appeal Case No. 2562 of 2019 and Appeal Case No.2563/2019
(Video Conference Proceedings)

Present:- None on behalf of the appellant.

Shri Rajeev Bhardwaj, Superintendent on behalf of the Municipal Corporation,
Ludhiana.

ORDER

This order may be read with reference to the previous order dated 02.12.2019 vide which the respondent-Municipal Corporation, Ludhiana was asked to explain regarding less supply of 40 pages and charging Rs.208/- on the supply of only 64 pages. The respondents were further directed to send compliance report to the Commission before 13.12.2019.

2. The appellant is absent without any intimation.

3. In compliance to the previous order the respondent-Municipal Corporation, Ludhiana has sent reply stating that the appellant has been provided information consisting of 208 pages (104 pages in each case) after charging Rs.208/- only in one case. He further states that Rs.208/- are due to be recovered from the appellant instead of refund of Rs.80/-.

4. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that complete information consisting of 208 pages has been provided to the appellant and nothing has been left, which could be supplied to him as per his RTI application for seeking information under the provisions of RTI Act, 2005. They have complied the previous order and filed their explanation regarding refund of Rs.80/- or short supply of 40 pages. In view of the submission, the present case is disposed of and closed.

Dated : 13.12.2019

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

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Sh. Ranjit Singh,
S/o Sh. Sadhu Singh,
Village- Moga, P.O: Bhogpur,
District- Jalandhar.

.....Appellant

Vs

Public Information Officer,
DDPO, Jalandhar.

.....Respondent

Complaint Case .No. 670 of 2019
(Through Video Conference Facility)

Present:- None on behalf of the complainant.
Shri Ramji Dass, SPIO, on behalf of the respondents.

ORDER

This order may be read with reference to the previous orders dated 06.11.2019 vide which Shri Amar Pal Singh, Panchayats Secretary o/o BDPO, Bhogpur, District Jalandhar and Shri Ram Lubhaya, BDPO, Bhogpur, District Jalandhar were impleaded as necessary parties and Show Cause Notice was issued to them for imposition of penalty on 2.12.2019 for their absence and for non-supply of information to the complainant.

2. The appellant is absent but he has sent an email stating that one adjournment may be afforded to him as he is not feeling well.

3. Shri Ramji Dass, SPIO states that Shri Amar Pal Singh, Panchayats Secretary has been transferred from this panchayat. He further states that information sought by the complainant may be available with the office of District Development and Panchayats Officer, Jalandhar, which could be sought after applying through Suvridha Centre.

4. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that the complainant has sought information from the right respondent-PIO. Shri Ramji Dass, SPIO is directed to supply the requisite information after procuring it from the o/o DDPO, Jalandhar before the next date of hearing. It is also found that no explanation has been received from Shri Amar Pal Singh, Panchayat Secretary and Shri Ram Lubhaya, BDPO, Bhogpur. They are directed to file their explanation before the next date of hearing failing which recommendation for taking disciplinary action will be made to the concerned higher authority.

5. To come up on 15.01.2020 at 3.00 P.M. to be heard through Video Conference Facility Available in the office of the Deputy Commissioner, Jalandhar.

Dated : 13.12.2019

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

CC

Shri Amar Pal Singh,
Panchayat Secretary
o/o Block Development and Panchayats Officer,
Bhogpur Block, District Jalandhar.

Regd.

Shri Ram Lubhaya,
Block Development and Panchayats Officer,
Bhogpur Block, District Jalandhar.

Regd.

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Shri Sarabjeet Singh Gill,
#60-35-P-376-1,
Street No.8, Maha Singh Nagar,
P.O. Dhandari Kalan,
District Ludhiana.

.....Appellant

Vs

Public Information Officer,
Tehsildar (Central),
Ludhiana.

First Appellate Authority,
Tehsildar (Central),
Ludhiana.

.....Respondents

Appeal Case No. 2580 of 2019

Present:- None on behalf of the appellant.

Shri Krishan Gopal, Reader to Tehsildar (Central), Ludhiana on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 02.12.2019 in which it is mentioned that information has been provided to the appellant during the hearing and the appellant was advised to peruse the same and revert back to the authorities, in case of deficiencies, in the information so provided to him..

2. The appellant is absent but he has sent an e-mail requesting for an adjournment. He further states that he has sent deficiencies in the information to the Commission.

3. The respondent-PIO has sent his affidavit stating that he has been given additional charge of Tehsildar, Ludhiana (Central) only on 30.10.2019 only and information has been supplied to the appellant on 2.12.2019. He has tendered an unconditional apology for unintentional delay in supply of the information and he undertakes to obey the orders within stipulated time in future.

4. In view of the affidavit sent by the Tehsildar (Central), Ludhiana show cause notice issued to him is withdrawn with the direction to supply the information to the information-seeker within stipulated period in future. A copy of the deficiencies sent by the appellant is forwarded to the respondent to intimate the appellant with a copy to the Commission after taking appropriate action on it before the next date of hearing..

5. To come up on 15.01.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 13.12.2019

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

DA: As above.

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Shri Jarnail Singh Mitke,
Vice President Malwa Zone, Indian National Trade Union Congress,
r/o H.No.318, Near Baba Manjil Gurudwara
Hambran Road, Partap Singh Wala,
Tehsil Lodhi West, Ludhiana.Appellant

Vs

Public Information Officer,
o/o Block Development and Panchayats Officer-1,
Ludhiana.

First Appellate Authority,
o/o Block Development and Panchayats Officer-1,
Ludhiana.Respondents

Appeal Case No. 2635 of 2019
(Video Conference Proceedings)

Present:- Shri Jarnail Singh Mitke alongwith Shri R.P. Singh.
Shri Jagroop Singh, Panchayat Secretary on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 02.12.2019 vide which the respondents were directed to supply complete information as per its availability in the record otherwise give in writing to the appellant that no more information is available except which has already been supplied to him.

2. The appellant states that information provided to him is not attested and is without forwarding letter.

3. The respondent-PIO states that he has brought another copy of information duly attested with forwarding letter.

4.. The respondents are directed to supply attested copy of the information alongwith forwarding letter to the appellant during the hearing. On the request of the appellant one more last opportunity is afforded to him to peruse the same and to revert back to the authorities in case of deficiencies in the information so provided to him otherwise the case will be decided exparte.

5. To come up on 15.01.2019 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 13.12.2019

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

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Shri Dilbagh Chand (Naib Subedar Retired)
s/o Shri Ramji Dass, Village Hayatpur,
PO Hambowal, Tehsil Samrala,
District Ludhiana.

.....Appellant

Vs

Public Information Officer,
o/o Financial Commissioner Rural Development and
Panchayats, Punjab,
Panchayats Bhawan, Sector 62, Mohali.

o/o Financial Commissioner Rural Development and
Panchayats, Punjab,
Panchayats Bhawan, Sector 62, Mohali.

PIO/District Development and Panchayats Officer,
Ludhiana.

.....Respondents

Appeal Case No. 3789 of 2019

Present:- Shri Dilbagh Chand, appellant..

Shri Gurcharan Singh, Panchayat Secretary, Machhiwara Block on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 2.12.2019 vide which it is mentioned that Director Rural Development and Panchayats Punjab, SAS Nagar has transferred the complaint of the appellant under Section 6(3) of the RTI Act, 2005, in this case, to the District Development and Panchayats Officer, Ludhiana for providing the action taken on his complaint. The District Development and Panchayats Officer, Ludhiana is impleaded as a necessary party for providing the action taken on the complaint of the appellant before the next date of hearing.

2. The representative of the respondents states that complete information was given on 29.05.2019 to the appellant of his RTI application dated 16.4.2019. Now he is providing another copy of the information to the appellant during the hearing to the appellant who seeks time for perusal.

3. On the request of the appellant, one more opportunity is given to the appellant to peruse the information provided to him during the hearing and revert back to the authorities in case of deficiencies in the information otherwise give in writing that no more information is available in their record as per his application for seeking information under the provisions of RTI Act, 2005.

5. To come up on 15.01.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated : 13.12.2019

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

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Sh. Sukhwinder Singh
S/o Sh. Jarnail Singh,
R/o Village- Roshanwala, PO – Nashirawala,
District – Moga.

.....Appellant

Vs

Public Information Officer,
O/o Panchayat Secretary, Roshanwala,
C/o Block Development & Panchayat Officer,
Block- kot Ise Kha, Distt. Moga.

First Appellate Authority,
O/o Block Development & Panchayat Officer,
Block- kot Ise Kha, Distt. Moga.

.....Respondents

Appeal Case No. 3567 of 2019
(Video Conference Proceedings)

Present:- Shri Sukhwinder Singh, appellant.
Shri Jagjit Singh, APIO, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 27.11.2019 vide which last opportunity was afforded to the appellant to send deficiencies in the information already provided to him within seven days. On receipt of the deficiencies, the respondents were directed to remove the same before the next date of hearing.

2. The representative of the respondents states that information remaining to be provided has also been given to the appellant, who seeks some time to peruse the same.
3. On the request of the appellant, one more last opportunity is afforded to peruse the same and revert back to the authorities in the information so provided to him within seven days from today otherwise it will be presumed that the appellant has nothing to say and the case will be disposed of.
4. To come up on 15.01.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Moga.

Dated: 13.12.2019.

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

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Sh. Kuldeep Jindal,
S/o Sh. Dev Raj Jindal,
R/o Roopnagar, Ward No.19,
Gidderbaha-152101

.....Appellant

Vs

Public Information Officer,
Block Development and Panchayat Officer, Gidderbaha,
Distt: Sri Muktsar Sahib.

First Appellate Authority,
District Development and Panchayat Officer,
Sri Muktsar Sahib.

.....Respondents.

Appeal Case .No. 2655 of 2019
(Through Video Conference Facility).

Present:- None on behalf of the appellant.
Ms. Surjit Kaur, BDPO, Gidderbaha at Chandigarh and Shri Jagmeet Singh, GRS
through Video Conference Facility at Sri Mukatsar Sahib.

ORDER

This order may be read with reference to the previous order dated 27.11.2019 vide which show cause notice was issued to Ms. Surjit Kaur, Block Development and Panchayats Officer, Gidderbaha for her absence and for not supplying the information to the appellant within stipulated period.

2. The appellant is absent without intimation.

3. The respondent-PIO places a copy of the information supplied to the appellant. She further states that complete information has been sent to the appellant on 12.12.2019 and nothing has been left which could be provided to him according to his RTI application. She further states that on each and every date his representative was present but on one date he has not received the information regarding adjournment of the case.

4. After hearing the representatives of the respondents and going through the record available on the case file, it is revealed that complete information was provided to him except MANREGA. Now respondent-PIO has submitted complete information regarding MANREGA on 12.12.2019 and nothing has been kept pending which could be supplied to him according to his application for seeking information under the provisions of RTI Act, 2005. Accordingly the present case is disposed of and closed with the advice to the appellant to go through the same and revert back to the Commission within one month in case of deficiencies in the information so provided. In view of the request of the respondent-PIO, show cause notice issued to her is dropped with the direction to be careful, in future, while dealing with the application under the provisions of RTI Act, 2005.

Dated : 13.12.2019

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

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Sh. Raman Kumar,
S/o Sh. Darshan Kumar,
14/547, Guru Arjan Dev Nagar,
Dilawari Street, Putlighar,
Distt: Amritsar.

.....Appellant

Vs

Public Information Officer,
Sub Registrar -1,
Distt: Amritsar.

First Appellate Authority,
Sub Divisional Magistrate, Amritsar-1,
Distt: Amritsar.

.....Respondents

Appeal Case .No. 2514 of 2019

Present:- None on behalf of the appellant.
Shri Paras Dhawan, clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 27.11.2019, in which it is mentioned that the appellant has denied to receive the information. He is seeking voluminous information from the respondents. He was advised to inspect the record and get the copies of the copies of the documents identified by him on the spot.

2. The respondent-PIO sent their replies vide their letter dated 6,11,2019, 8.11.2019 and 25.11.2019, which are taken on the record of the case file. He further states that complete information has been provided to the appellant after taking receipt of the appellant.

3. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that complete information has been given to the appellant on 11.12.2019 to his satisfaction. Accordingly, the present case is disposed of and closed with the direction to the appellant to approach the respondents with a copy to Commission, if he wants more information as per his application seeking information within one month from today. In case, the appellant approaches the respondents, the respondents are directed to take appropriate action as early as possible under the provisions of the RTI Act, 2005. Copies of the order be sent to the parties.

Dated : 13.12.2019

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

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Sh. Surjit Singh
s/o Shri Daya Singh, Village Rauwal,
PO Fatehgarh Panjtoor,
Moga.

.....Complainant.

Vs

Public Information Officer,
O/o Financial Commissioner to Govt. of Punjab,
Department of Rural Development and Panchayats,
Mohali.

.....Respondent

Complaint Case No. 821 of 2019 (Through Video Conference Facility)

Present:- Shri Surjit Singh, complainant.
Shri Malkit Singh, Panchayat Secretary, on behalf of the respondent-PIO

ORDER

This order may be read with reference to the previous order dated 27.11.2019 vide which absence of the respondent-PIO was viewed seriously and he was directed to supply the information failing which punitive action will be initiated against him.

2. In view of the previous order, the complainant has been informed on various dates about action taken on his complaint. He states that his application was transferred to the Director Rural Development and Panchayats, Punjab, SAS Nagar which was further transferred by him to the District Development and Panchayats Officer, Ferozpur.

3. After hearing both the parties and going through the record available on the case file, it is revealed that the complainant has sought information regarding action taken on his complaint dated 24.07.2019. The complainant was informed about action taken on his application for seeking information under the provisions of RTI Act, 2005 and nothing more can be done beyond this. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 13.12.2019

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

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Sh. Sukhdev Raj,
Village Betu Quadim, P.O. Khunder Uttar,
District Ferozepur. Appellant..

Vs

Public Information Officer,
O/o Block Development and Panchayats Officer,
Mamdot, District Ferozepur.

FAA-Deputy Commissioner,
Ferozepur. Respondents

Appeal Case No. 3546 of 2019
(Through Video Conference Facility)

Present:- Shri Surkhdev Raj, appellant.
None on behalf of the respondent-PIO

ORDER

This order may be read with reference to the previous order dated 27.11.2019 vide which last opportunity was afforded to both the parties to satisfy each other with the information sought or supplied before the next date of hearing.

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

3. Video Conference Facility was introduced for convenience of general public and for government officials. Viewing the absence of Shri Dilbagh Chand, Panchayat Secretary-cum-PIO, 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 his for causing willful delay/denial of the information to the RTI applicant and why the compensation be not awarded to the information-seeker under Section 19(8)(b) of the Act for the detriment suffered by him.

4. 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.

4. The PIO is directed to supply the information before the next date of hearing which is fixed for hearing on 15.01.2020 at 3.00 P.M. through Video Conference Facility available in the office of the Deputy Commissioner, Ferozepur.

Dated : 13.12.2019

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

CC
Shri Dilbagh Chand,
Panchayats Secretary,
O/o Block Development and Panchayats Officer,
Mamdot, District Ferozepur.

(Regd)

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Sh. Jagwant Singh Bains

s/o Shri Major Singh, r/o Jawahar Singh Wala,

Tehsil Nihal Singh Wala,

Distt. Moga.

..... Appellant..

Vs

Public Information Officer,

O/o Block Development and Panchayats Officer,

Nihal Singh Wala, District- Moga.

FAA-District Development and Development Authority,

Moga.

..... Respondents

Appeal Case No. 3460 of 2019 (Through Video Conference Facility)

Present:- Shri Jagwant Singh Bains, appellant.

Shri Harpreet Singh, Panchayats Secretary alongwith Shri Harjinder Singh, GRS Manrega, on behalf of the respondent-PIO

ORDER

In compliance to the previous order dated 27.11.2019 in which it is mentioned that complete information has been supplied to the appellant to his satisfaction by the respondents and nothing has been left which could be supplied to him as per his RTI application dated 10.1.2019. On the request of the appellant the case was adjourned to 13.12.2019 for perusing the same.

2. The appellant states that he has received the information to his satisfaction and does not want to pursue the matter any further.

3. In view of the statement of the appellant, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 13.12.2019

Sd/-

(**Suresh Arora**)

Chief Information Commissioner
Punjab

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Madhya Marg, Sector 16, Chandigarh.

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Sh. Balram Singh Parhar S/o Sh. Ram Rakha,
R/o VPO- Karnana,
Tehsil –S.B.S. Nagar, 144513
District- S.B.S. Nagar.

.....Appellant

Vs

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block- Banga,
District- S.B.S. Nagar.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat,
District- S.B.S. Nagar.

..... Respondents.

Appeal Case No. 3678 of 2019
(Video Conference Proceedings)

Present:- Shri Balram Singh Parhar, appellant.
Shri Sarabjit Singh, Panchayat Secretary on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 29.11.2019 vide which the respondents were directed to provide the information which is available on the record otherwise give an affidavit stating that no information is available as sought by the appellant in their record except already provided to him before the next date of hearing.

2. The respondent-PIO has given an affidavit on oath stating that complete information has been provided to the appellant and nothing has been left which could be supplied to him as per his RTI application under the provisions of RTI Act, 2005. He sent an affidavit stating that complete information has been provided as per its availability in the record and except this no information is available in their record.

3. After hearing both the parties and going through the record available on the case file it is ascertained that complete information as per its availability in the record has been given to the appellant. He further given an affidavit stating that except the information already provided, no information is available in their record. Accordingly, the case is disposed of and closed. Copies of the order be sent to the parties.

Dated: 13.12.2019.

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

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Sh. Ram Pal S/o Sh. Naranjan Dass,
R/o Village- Kanon,
Tehsil and District- S.B.S. Nagar.

.....Appellant

Vs

Public Information Officer,
O/o Village Development Officer,
Gram Panchayat, Kanon,
C/o Block Development & Panchayat Officer,
District- S.B.S. Nagar.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Mini Secretariat, District- S.B.S. Nagar.Respondents

Appeal Case No. 3735 of 2019
(Video Conference Proceeding).

Present:- Shri Ram Pal, appellant.
Shri Mukhtiar Singh, Panchayat Secretary, on behalf of the respondents.

ORDER

On the previous date of hearing, the absence of the respondents was viewed seriously and they were directed to supply the information before the next date hearing failing which punitive action will be initiated against them on the next date of hearing.

2. The representative of the respondents states that complete information regarding income and expenditure of Panchayat has been provided to the appellant from the year 2013 to 2018, free of cost, as per the record available in their office to the satisfaction of the appellant and nothing has been left, which could be supplied to him as per his RTI application.

3. After hearing both the parties and going through the record available on the case file, it is revealed that complete information has been provided to the appellant free of cost to his satisfaction and nothing has been kept pending which could be supplied to the appellant as per application for seeking information under the provisions of RTI Act, 2005. Accordingly, the present case is disposed of and closed. Copies of the order be sent to the parties.

Dated : 13.12.2019

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

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Shri Kulwinder Singh
s/o Shri Bhag Singh
r/o Village Patti Sadik,
Tehsil Abohar, Distt. Fazilika.

.....Appellant.

Vs.

Public Information Officer
o/o Block Development and Panchayats Officer,
Abohar district Fazilika.

FAA-District Development and Panchayats Officer,
Fazilika.

.....Respondents.

Appeal Case No.2917 of 2019 (Video Conference Proceedings)

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

Shri Raja Singh, Samiti Patwari, on behalf of the respondents.

Order

This order may be read with reference to the previous order dated 29.11.2019 vide which the representative of the respondents stated that complete information has been provided to him regarding Patti Sadiq Panchayat and remaining information regarding pensions etc. is available with District Social Security Officer, Fazilika. DSSO, Fazilika was impleaded as a necessary party with the direction to supply the information before the next date of hearing.

2. The District Social Security Officer, Fazilika has given copies of APRs relating to pensions etc. which is available in their record.

3. The appellant states that there is embezzlement in disbursement of pensions to the beneficiaries and deposit of undisbursed pensions back to the Government Treasury (who are dead and left the village) and other receipts and expenditure of panchayats. He requests for one more adjournment to peruse the same.

4. After hearing both the parties and going through the record available in the case file, it is revealed that complete information has been provided to the appellant. Regarding embezzlement in panchayat fund and deposit of undisbursed pensions in the Government Treasury, the appellant is advised to approach the higher authorities or Vigilance Department for taking appropriate action against the persons who are responsible for the same. On the request of the appellant, the case is adjourned to 15.1.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Fazilika.

Dated: 13.12.2019.

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

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Madhya Marg, Sector 16, Chandigarh.

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Shri Kulwinder Singh
s/o Shri Bhag Singh
r/o Village Patti Sadik,
Tehsil Abohar, Distt. Fazilika.

.....Appellant.

Vs.

Public Information Officer
o/o Block Development and Panchayats Officer,
Abohar district Fazilika.

FAA-District Development and Panchayats Officer,
Fazilika.

PIO/District Social Security Officer,
Fazilika.

.....Respondents.

Appeal Case No.2918 of 2019
(Through Video Conference Facility)

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

Shri Raja Singh, Samiti Patwari, on behalf of the respondents.

Order

This order may be read with reference to the previous order dated 29.11.2019 vide which the appellant was advised to go through the information provided to him and revert back to the authorities in case of deficiencies within seven days from today. The respondents were further directed to provide the information complete, in all respects, in case any information is not available in their record then they were directed to give an affidavit stating that information sought by the appellant is not available.

2. The appellant states that bills provided to him are not as per amount incurred.

3. Shri Antarpreet Singh, Gram Sewak-cum-PIO has given in writing that complete information as per the record available in Gram Panchayat has been given to the appellant except for voucher files, account register, stock register and muster-rols.

4. After hearing both the parties and going through the record available on the case file, it is revealed that complete information has been provided to the appellant except which is not available in their record. Further, the respondent-PIO has given in writing that voucher files, account registers, stock register and muster-rolls are not available in their record. According to the provisions of RTI Act, 2005 complete information has been provided as per its availability in the record of the respondents, nothing more can be done. If the appellant has any grievance then he is advised to approach higher authorities or Vigilance Department for redressal of his grievance. Accordingly the present case is disposed of and closed.

Dated: 13.12.2019.

sd/-

(Suresh Arora),
Chief Information Commissioner,
Punjab.

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Sh. Amin Chand
S/o Sh. Tek Chand,
R/o H.No.205, Ghumar Mandi,
Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Tehsildar, Ludhaina (East).

First Appellate Authority,
O/o Deputy Commissioner,
Ludhaina.

.....Respondents

Appeal Case No. 3562 of 2019
(Video Conference Proceedings)

Present:- Shri Amin Chand, appellant.
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 27.11.2019 vide which the representative of the respondents stated that they sent the requisite information to the appellant through registered post on 22.11.2019. A copy of the same was also handed over to the appellant during the hearing.

2. The appellant states that nothing has been done on his application regarding entering the names of legal heirs of Shri Tek Chand in Jambandi.

3. The respondents are absent without intimation.

4. After hearing both the parties and going through the record available on the case file, it is revealed that information sought by the appellant has been supplied to him on 22.11.2019 through registered post. After perusal of the same, it is ascertained that the respondent has stated to get a copy of Farad after paying fee under the Revenue Act. The respondents are directed to provide a copy of Farad after charging fee under RTI Act, 2005 and not under the Revenue Act, as the information-seeker has sought the requisite information under RTI Act, 2005. Hon'ble Supreme Court of India has held in case titled as Institute of Company Secretaries of India vs. Paras Jain reported as CA/5665/2014 that Right to Information Act, 2005 is above all the Acts prevailing at the appropriate time and the information asked under the RTI Act, 2005 should be supplied to the information-seeker charging fee under the RTI Act, 2005 only and not under the Revenue Act

5. To come up on 15.1.2020 at 3.00 P.M. to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

Dated: 13.12.2019.

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