

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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Email: [psic22@punjabmail.gov.in](mailto:psic22@punjabmail.gov.in)

Sh. Kashmir Singh Bhinder,  
S/o Sh. Kartar Singh,  
H.No.2414, Phase XI, Sector – 65,  
S.A.S Nagar.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Kot Isse Khan, Tehsil Dharamkot,  
Distt. Moga.

First Appellate Authority,  
O/o Block Development and Panchayat Officer,  
Kot Isse Khan, Tehsil Dharamkot,  
Distt. Moga.

Respondents

**Appeal Case No.2282/2018**

Date of RTI application: 05.02.2018  
Date of First Appeal : 30.04.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 09.07.2018

**Present: None.**

**ORDER**

None is present on behalf of the Parties.

Vide his letter dated 21.12.2018 the appellant had pointed out certain deficiencies.

The respondents are directed to make it good and inform the appellant expeditiously.

To come up on **07.02.2019 at 11.30 AM.**

**Sd/-**

**01.01.2019**

**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Shingara Singh  
S/o Sh. Hari Singh (Panch),  
Village Lasadi, PO-Nurpur Bedi,  
Tehsil Anandpur Sahib,  
Distt. Ropar.

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Nurpur Bedi, Ropar.

Respondent

**Complaint Case No.731/2018**

Date of RTI application: 06.04.2018  
Date of First Appeal : Nil  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 09.07.2018

**Present:**        **None on behalf of the Complainant.**  
                     **Sh. Surjit Kumar, V.D.O, BDPO Office, Nurpur Bedi – for Respondent.**

**ORDER**

The following order was passed by this forum on 22.11.2018:

*“The respondent is absent on trot. No reply in response to the notice issued by the*

*Commission has been filed.*

*From the perusal of the record it seems that the respondent has violated the provision of Section 7(1) of the Act and has rendered himself liable for penal action under Section 20(1) of the Act.*

*The PIO – cum – BDPO, Nurpur Bedi 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.*

*Contd...page...2*

**Complaint Case No.731/2018**

*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 is being taken up today. Sh. Surjit Kumar, VDO is present on behalf of the respondent. He submits that he has just joined and the previous incumbent has still not handed over the charge to him. He further says that he has been informed by his predecessor that the complainant was duly informed vide a memo under a registered cover. The Commission has gone through the copy of the same. It does not commensurate with the requisition in the application. On being questioned the respondent assures that he shall meet the deficiency quickly. The matter shall be reheard on **01.01.2019 at 11.30 AM.** “*

The case has again been taken up. The complainant is absent. The respondent Sh. Surjit Kumar, VDO has produced a copy of an acknowledgement issued by the complainant in token of having received the information to his satisfaction. The Commission finds that no malafide on the part of the respondent is attributable. The show cause notice issued is filed and the complaint is **disposed.**

**01.01.2019**

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

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Sh. Lakhveer Singh,  
S/o Sh. Jeet Ram,  
Vice President, Dr. Ambedkar Sewa Societies,  
Village Lakhawal Kalan,  
Tehsil-Samrala, Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Block Sri Machhiwara Sahib, Distt. Ludhiana.

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

Respondents

**Appeal Case No.2651/2018**

Date of RTI application: 19.04.2018  
Date of First Appeal : 16.02.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 03.08.2018

**Present:** Sh. Lakhveer Singh, Appellant in person.  
Sh. Ragbir Singh, Panchayat Secretary, Gram Panchayat Lakhawal Kalan,  
Block Sri Machhiwara – for Respondents.

**ORDER**

The following order was passed by this forum on 22.11.2018:

*“The appellant has sought information pertaining to various activities of the gram panchayat of village Lakhawal Kalan, Block Machhiwara.*

*Sh. Ragbir Singh, Panchayat Secretary, who is the custodian of the record, in question says that his predecessor has not handed over the record. He further says that the senior functionaries of the Department are in picture. At their behest a criminal case for the loss/malafidely withholding of the official record has been lodged against him. The Commission would like to see a copy of the FIR thus lodged to proceed further in the matter. The respondent Panchayat Secretary is directed to send it across to the Commission before the next date of hearing. Meanwhile, he shall ensure to recast the record to the extent possible and arrange to provide it to the appellant to the extent possible.”*

The case has come up today. Sh. Ragbir Singh, Panchayat Secretary maintains that the charge has not been handed over to him and as such the information could not be provided.

Contd.....page...2

**Appeal Case No.2651/2018**

He further says that the BDPO, Sri Machhiwara Sahib was to attend the Court in person to explain the case. However, due to a bereavement in the family, she has not been able to join the proceedings.

The case is adjourned to be heard on **07.02.2019 at 11.30 AM.**

**01.01.2019**

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

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Sh. D.R Singla,  
R/o House No. 3987,  
Sector-56, Chandigarh.

Complainant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police,  
District Administrative Complex, Sector-76,  
SAS Nagar.

Respondent

**Complaint Case No.864/2018**

Date of RTI application: 26.06.2018  
Date of First Appeal : Nil  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 10.08.2018

**Present:**        **Sh. D.R.Singla, Complainant in person.**  
                      **None on behalf of the Respondent.**

**ORDER**

The following order was passed by the Commission on 22.11.2018:

*"Heard. It transpires that a complaint has been filed by the complainant with the jurisdictional police following an altercation with a colleague in a meeting. The S.H.O. of Police Station, Kharar has intimated in writing that a counter complaint has also been received. The issue is being endeavoured to be resolved between the contesting parties. He has sought a period of thirty days to clinch the issue and inform the complainant.*

*The complainant says that his original application on perusal of the record has been found to be missing. The respondent is directed to look into it and arrange to send a copy of the same."*

The case has come up today. The respondent is absent. The Commission takes strong exception to it. The PIO is directed to ensure the provision of information positively before the next date of hearing failing which the penal consequences shall follow.

To come up on **07.02.2019 at 11.30 AM.**

**01.01.2019**

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

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Jathedar Mohan Singh Kartarpur,  
President, Punjab Sikh Council  
Vill. Kartarpur,  
VPO Charason, Patiala.

Complainant

Versus

Public Information Officer,  
O/o Director Education,  
Shiromani Gurudwara Prabandhak Committee,  
Bahadurgarh, Patiala.

Respondent

**COMPLAINT CASE NO. 566/2018**

Date of RTI application: 17.03.2018  
Date of First Appeal : Nil  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 18.05.2018

**Present:** None on behalf of the Complainant.

1. Sh. Prabhjeet Singh, PIO, O/o Director Education, SGPC, Bahadurgarh, Patiala.
2. Dr. Jitender Singh Sidhu, FAA, O/o Director Education, SGPC, Bahadurgarh, Patiala.

**ORDER**

The following order was made by this forum on 22.11.2018:

*"The respondent is absent on trot. The Commission takes a serious note of the non-chalant and lackadaisical attitude of the respondent. Having failed to respond to the application the Commission takes it as a violation of Section 7(1) of the Act and issues a show cause notice to the Respondent PIO as to why a penalty as set forth in Section 20(1) of the RTI Act should not be imposed and the applicant may not be awarded compensation for the detriment suffered by him. If he fails to show any cause besides providing the information it shall be presumed that he has nothing to say on the matter and the appropriate decision as per provision of law shall be taken."*

The case has come up today. PIO is present. He states that the detailed information and the connected documents have been sent across to the complainant under registered cover. A copy has also been submitted to the Commission which has been taken on record. Its perusal

contd..page....2

**COMPLAINT CASE NO. 566/2018**

suggests that the original application has been appropriately addressed.

The complainant is absent. The Commission presumes that he is satisfied with the information thus sent across to him. The respondent further submits that the delay is attributable to the fact that the information had to be collected and collated from the various institutions affiliated with the Directorate. They did not have any intension to needlessly withhold the information. The Commission agrees with their explanation and senses no malafide on their part. The complaint is **filed and disposed** accordingly.

**Sd/-**

**01.01.2019**

**(Yashvir Mahajan)  
State Information Commissioner**

**PS: After the order was dictated and case was disposed, Jathedar Mohan Singh Kartarpur, complainant has reported at 2.00 PM. He states that the information provided at Point No. 9 is deficient as the details of the qualifications of the contenders have not been provided. The respondent is advised to make good this information to the complainant also with in 15 days the receipt of this order.**



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Sh. Mukesh Kumar,  
R/o House No. 4518,  
Mauli Jagran Complex, Chandigarh.

Appellant

Versus

Public Information Officer,  
O/o Superintendent of Police (Headquarters),  
Nodal Officer, RTI Branch,  
District Administrative Complex, Sector-76,  
SAS Nagar.

First Appellate Authority,  
O/o Superintendent of Police (Headquarters),  
Nodal Officer, RTI Branch,  
District Administrative Complex, Sector-76,  
SAS Nagar.

Respondents

**Appeal Case Nos.2784 and 2785 of 2018**

Date of RTI application:	14.11.2017
Date of Reply :	Nil
Date of First Appeal :	29.01.2018
Date of Order of FAA :	Nil
Date of 2 <sup>nd</sup> Appeal/complaint:	20.08.2018

**Present:       None.**

**ORDER**

None is present on behalf of the Parties.

The matter is deferred to be heard on **07.02.2019 at 11.30 AM.**

**01.01.2019**

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

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Sh. Sanjeev Goyal,  
R/o #148, Model Town,  
Phase I, Near T.V Tower,  
Bathinda.

Appellant

Versus

Public Information Officer,  
O/o Commissioner,  
Excise and Taxation Department,  
Patiala.

First Appellate Authority,  
O/o Director (Training),  
Excise and Taxation Department, Punjab,  
Civil Lines, Patiala.

Respondents

**Appeal Case No.2551/2018**

<b>Date of RTI Application</b>	<b>Date of Reply, if any of SPIO</b>	<b>Date of First Appeal made, if any</b>	<b>Date of order, if any of FAA</b>	<b>Date of Second Appeal</b>
13.04.2018	Nil	19.05.2018	Nil	30.07.2018

**Present:**        **Sh. Madan Lal on behalf of the Appellant.**  
                      **Sh. Ram Singh, ETO, Patiala – for Respondents.**

**Order**

The respondents have submitted a written reply in which they have maintained that no data/information about the defaulters in payment of VAT has been maintained in their office. As such they are not in position to provide the information in a form in which he has sought the information. The Commission understands that the department can provide the information which materially exists. No intervention of the Commission is required.

**Disposed.**

**01.01.2019**

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

**CC:    The Assistant Excise & Taxation Commissioner, Bathinda (Pb.)**

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Shri Nirbhai Singh Sidhu,  
R/o Village Khirnian, PO Mushkabad,  
Tehsil Samrala, Distt Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Panchayat Officer,  
Block-Sri Machhiwara Sahib, Distt Ludhiana.

First Appellate Authority,  
O/o Block Development Panchayat Officer,  
Block-Sri Machhiwara Sahib, Distt Ludhiana.

Respondents

**Appeal Case No. 3187/2018**

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
21-05-2018	Nil	12.07.2018	Nil	14.09.2018

**Present:** Sh. Nirbhai Singh Sidhu, Appellant in person.  
Sh. Sanjeev Kumar, Panchayat Secretary, O/o BDPO, Sri Machhiwara Sahib – for Respondents.

**Order**

The following order was made by this forum on 20.11.2018:

*“The appellant is interested to know as to whether the Sarpanch of his village is authorized to sell the silt of the village and if so, is he not obliged to account for the same. He complains that the chunk sold to him has not been duly accounted for. Sh. Gurcharan Singh, Panchayat Officer, the respondent has sent a memo requesting for an adjournment of the matter as he has to attend the proceedings in the Civil Court, Samrala. His request is accepted. Meanwhile he is directed to file a written reply to the notice and observations made by the Commission.”*

The case has come up today. Sh. Sanjeev Kumar, Panchayat Secretary appearing on behalf of the respondents has brought along a written reply from the BDPO, Sri Machhiwara

Contd....page..2

**Appeal Case No. 3187/2018**

Sahib, a copy of which has been handed over to the appellant. Its perusal suggests that the transactions alluded to, do not figure on record. Thus, no material information is available with them on the subject.

The respondents say that they are not obliged to reply to the queries made by the appellant. The Commission understands that no material information with reference to the original application is available with the respondents. They have filed a written reply, a copy of which has been given to the appellant. The Commission does not find any infringement on the part of respondents. The appeal is **disposed**.

**01.01.2019**

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

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Shri Harwinder Singh,  
S/o Late Shri Gurdev Singh,  
# 200 (Ground Floor), Sector 41 A, Chandigarh.

Appellant

Versus

Public Information Officer,  
O/o Examiner,  
Local Fund Accounts,  
Yojna Bhawan, Sector 33-A, PB, Chandigarh.

First Appellate Authority,  
O/o Secretary (Expenditure),  
Punjab Civil Secretariat, Sector 1, Chandigarh.

Respondents

**Complaint Case Converted into Appeal Case No. 977/2018**

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
24-05-2018	25.05-2018	25.06.2018	Nil	24.08.2018

**Present:** Sh. Harwinder Singh, Appellant in person.  
Sh. Jagdeep Bansal, PIO – cum – Deputy Director, O/o Examiner, Local Fund Accounts, Punjab, Chandigarh.

**Order**

The following order was passed by this forum on 20.11.2018:

*“Smt. Paramjeet Kaur, APIO, submits that file is in process and seeks an adjournment enabling them to file an appropriate reply. The Commission takes strong exception to such a lackadaisical attitude. The stipulated period of providing the information has since elapsed. The PIO is desired to provide appellant the complete information and explain his conduct of having violated the provisions under section 7 (1) of the Right to Information Act, 2005. Be it noted that no further opportunity shall be granted and the penal provisions shall be invoked in the event of failure to comply.”*

The case has come up today. It transpires that the sought for record is quite old and according to the respondents, is not traceable. The appellant suspects some foul play. He agrees that

Contd....page....2

**Complaint Case Converted into Appeal Case No. 977/2018**

he will be satisfied if some connected information is provided. The appellant shall convey in writing about the specifics of the aforesaid information to the respondents who shall endeavor to provide it at the earliest.

The matter shall be reheard on **07.02.2019 at 11.30 AM.**

**01.01.2019**

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

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Shri Bhupinder Singh,  
S/o Shri Jagdish Singh,  
Village Kurara, Distt Mohali.

Complainant

Versus

Public Information Officer,  
O/o Block Development Panchayat Officer,  
Kharar, Distt Mohali.

Respondent

**Complaint Case No. 994/2018**

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 Complaint
19.06.2018	Nil	Nil	Nil	17.09.2018

**Present:**        **Sh. Bhupinder Singh, Appellant in person.**  
                      **Sh. Harmesh Singh, Panchayat Secretary-for respondent**

**Order**

Sh. Harmesh Singh, Panchayat Secretary has brought along the information which has been handed over on spot to the complainant. He may like to go through it and point out the deficiencies, if any, to the respondent under intimation to the Commission. The respondent shall make good the deficiencies thus pointed out within a week from the date of its intimation.

The matter shall be re heard on **07.02.2019 at 11.30 AM.**

**01.01.2019**

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

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Ms. Baljeet Kaur,  
D/o Sh. Jang Singh,  
R/o House No. 369,  
Sector 10 A, Surjit Nagar,  
Mandi Gobindgarh, Distt. Fatehgarh Sahib.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Bassi Pathana, Distt. Fatehgarh Sahib.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Distt. Fatehgarh Sahib.

Respondents

**Appeal Case No.2593/2018**

Date of RTI application:	24.10.2017
Date of First Appeal :	25.05.2018
Date of Reply :	Nil
Date of Order of FAA :	Nil
Date of 2 <sup>nd</sup> Appeal/complaint:	01.08.2018

**Present:**        **Smt. Baljeet Kaur, Appellant in person.**  
                     **Sh. Jarnail Singh, Gram Rozgar Sahayak, MNREGA, BDPO Office, Block-Bassi**  
                     **Pathana – for Respondents.**

**Order**

This is in continuation of order passed on 20.11.2018:

Sh. Jarnail Singh, GRS is present. He submits that most of the record as asked for is available online. Copy of the record available in material form has already been provided to her. Besides, no other record is available with them. It also transpires that the documents supplied earlier were uncertified. The respondents are directed to certify them. She should be provided an online access to the record in office after mutually agreed date and time.

To come up on **07.02.2019 at 11.30 AM.**

**01.01.2019**

Sd/-  
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Shri Gurinder Singh Sekhon,  
S/o Shri Ram Singh Sekhon,  
R/o Village Chibranwali,  
PO Khunan Kalan, Tehsil & Distt Sri Muktsar Sahib.

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Sri Muktsar Sahib.

Respondent

**Complaint Case No. 997/2018**

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 Complaint
10.10.2017	Nil	Nil	Nil	18.09.2018

**Present:** Shri Gurinder Singh Sekhon, Appellant in person.  
None is present on behalf of respondent.

**Order**

The following order was made by the Commission on 20.11.2018:

*“The complainant had sought to know the detail concerning revenue generated by the Gram Panchayat of village Chibranwali, Tehsil & Distt. Sh. Muktsar Sahib and the expenditure incurred on various development works having been undertaken by it from year 2017 onwards besides other connected information.*

*The respondent is absent. No reply has been filed by him. The Commission takes serious note of the lackadaisical attitude on part of PIO and directs him to provide him the information immediately and explain the inordinate delay in having failed to provide it so far.”*

The case has come up today. The Commission had expressed its displeasure in the aforementioned observation. However, the respondents have shown scant regard to the same. BDPO apparently has rendered himself liable for penal consequences.

The Block Development and Panchayat Officer, Sri Muktsar 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

**Complaint Case No. 997/2018**

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.

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.

To come up on **07.02.2019 at 11.30 AM.**

**01.01.2019**

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