



Sh. Harjinder Singh,
S/o Sh. Mewa Singh,
R/o Gunike, Tehsil Nabha,
Distt. Patiala.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Nabha, Distt. Patiala

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

Respondents

APPEAL CASE NO.2132/2018

Date of RTI application: 15.03.2018
Date of First Appeal : 08.05.2018
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 22.06.2018

Present: Sh. Harjinder Singh, Appellant in person.
None on behalf of the Respondents.

ORDER

The following order was made by this forum on 21.02.2019:

"The appellant had sought the information about the grants and the income that has accrued to the gram Panchayat of village Gunike and the amount spent on the various development works during the period from the year 2013 to 2018. The respondents have brought the entire record comprised in about 700 pages which has been handed over on spot to the appellant. The appellant points out that the copy of the record pertaining to the water supply is not included in the same.

The Commission has been made to understand that the above record is being maintained by the XEN, Rural Water Supply & Sanitation, Patiala. He is directed to provide him the information asked for before the next date of hearing. The respondents in the appeal shall duly intimate him about the above order of the Commission sufficiently in advance also of the next date of hearing."

"The case has come up today. Despite notice the respondents in the Department of Rural Water Supply & Sanitation, Punjab, has neither provided the information nor filed a written reply. The Commission takes a serious view of it. The XEN, Rural Water supply & Sanitation, Patiala is once again directed to provide the information asked for by him else he shall be proceeded against for imposition of penalty as per provision of the RTI Act."

"The case has again come up for hearing today. The XEN, Div. No. 1, Rural Water Supply & Sanitation, Patiala has failed to reply to the notice of the Commission and provide the requisite information to the

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APPEAL CASE NO.2132/2018

appellant. The Commission has taken serious note of it. Sh. Baljit Singh, PIO – Executive Engineer, Water Supply & Sanitation, Division No. 1, Nabha Road, Patiala, 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.

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 is being taken up today. It is very intriguing that despite issue of show cause notice by name to the Executive Engineer, Rural Water Supply and Sanitation, Division No. 1, he has maintained a studied silence. His conduct seemingly is disdainful and defiant to the directions of the Commission. He has already rendered himself liable for imposition of penalty. However, in the interest of fair play a final opportunity is afforded to him to provide the information to the appellant and reply to the Commission before the next date of hearing positively. He may take a note that he is already under show cause notice and no further opportunity shall be afforded and the issue shall be decided on merit based on the information on record.

To come up on **16.05.2019 at 11.30 AM.**

Sd/-

04.04.2019

**(Yashvir Mahajan)
State Information Commissioner**

CC: Sh. Baljit Singh, Executive Engineer, Rural Water Supply & Sanitation, Division No. 1, Nabha Road, Patiala, for n/a.

CC: The Block Dev. & Panchayat Officer, Nabha, for n/a.



Sh. Rakesh Kumar Gupta, Advocate,
R/o 8/237, Jagraon Road,
Mandi Mullanpur, Distt. Ludhiana.

Appellant

Versus

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

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

Respondents

Appeal Case No.3231/2018

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
27.05.2018	Nil	27.07.2018	Nil

Present: None on behalf of the Appellant.
Sh. Balkar Singh, Superintendent, BDPO Office, Amlloh – for Respondents.

Order

It shall be relevant to reproduce the order passed on 05.03.2019:

“The appellant is not present. Sh. Balkar Singh, Superintendent appearing on behalf of the Respondents submits that they have since sent him the information comprised in 692 pages under a registered post. The appellant is directed to respond to the submissions of the respondents failing which it shall be presumed that he is satisfied with the information provided and the matter shall be closed.

The appellant is absent on trot.

The respondents on the other hand says that complete information has been provided as comprised in more than 600 pages as mentioned above.

In view of the request of the appellant the Commission is inclined to afford another opportunity to him to pinpoint any deficiency failing which it shall be presumed that he has nothing more to say and the matter shall be decided on the basis of record on file.”

“The matter has come up today. The respondents are not present. The appellant says that though he has been provided with copious record, but the same is not relevant to his application.

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Appeal Case No.3231/2018

The appellant has failed to pinpoint any deficiency in writing despite having been given a couple of opportunities. He is again desired to convey to the respondent the specifics of the information not found in the information already supplied to him under intimation to the Commission."

The case has again been taken up today. The appellant is not present. He has sent a communication through e.mail wherein he still denies the receipt of definite information. He has mentioned that he intends to know the expenses incurred by the gram panchayat on drainage and plantation of trees which is within the boundary wall of the house of one Sh. Balbir Singh S/o Sh. Parkash Singh.

Sh. Balkar Singh, Superintendent appearing on behalf of the respondents says no such specific information is available with them. The information provided to him earlier entailed the entire gamut of expenses made by it. The copies of cash books, vouchers, MBs, resolutions passed and other allied information has been dispensed. The Commission does not find the mention of the house of Sh. Balbir Singh S/o Sh. Parkash Singh in his original application. Even so if it does not figure materially in the record it cannot be provided.

The Commission feels that the appellant cannot seek fresh application during the course of proceedings. The information originally sought by him seemingly has been provided and it shall be of no use to further keep the issue alive.

Disposed.

Sd/-

04.04.2019

**(Yashvir Mahajan)
State Information Commissioner**



Sh. Rakesh Kumar Gupta, Advocate,
R/o 8/237, Jagraon Road,
Mandi Mullanpur, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Fatehgarh Sahib.

First Appellate Authority,
O/o Inspector General of Police,
Roop Nagar Range, Roopnagar, Pb.

Respondents

Appeal Case No.3233/2018

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
27.05.2018	30.06.2018	27.07.2018	Nil

Present: None on behalf of the Appellant.
1. ASI Ranjit Singh, PS: Bassi Pathana,
2. ASI Surjit Chand, Incharge RTI, SSP Office, Fatehgarh Sahib,
3. Sh. Gurvinder Singh, Sr. Assistant, IG Office, Roopnagar Range,
Roopnagar– for Respondents.

Order

The Commission had made the following observations on 05.03.2019:

“ASI Ranjit Singh, appearing on behalf of the respondents submits that the information is a personal information’ of third parties who have asked the Public Authority not to reveal it. Even so, the respondent says that they had requested the appellant to inspect the record to which he did not respond. They have requested to dismiss the appeal.

The appellant is not present. Another opportunity is afforded to him to respond to the submissions of the respondent, if any failing which it shall be presumed that he has nothing to say on the issue and the matter shall be finalized as per record on file.”



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Appeal Case No.3233/2018

The issue has been taken up today. The appellant says that he is asking for an information to safeguard the interest of one of his clients, who allegedly has been harassed by jurisdictional police. The respondents take the plea of a third party's personal information. Such a blanket defence cannot be taken at its face value. They are directed to file a written statement and justify exemption in the light of the provisions of law.

The case has come up for hearing. The respondents have filed a detailed reply in which they have taken a plea that the copies of the roznamcha en block for various dates cannot be provided as it attracts exemption under Section 8(1) (h) and (j) of the RTI Act. The Commission finds that a copy of the reply has also been endorsed to the appellant. He may like to react on the same.

To come up on **16.05.2019 at 11.30 AM.**

Sd/-

04.04.2019

**(Yashvir Mahajan)
State Information Commissioner**

PUNJAB STATE INFORMATION COMMISSION
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Sh. Sawinder Singh,
S/o Shri Bal Singh,
PO Shutrana, Tehsil Patran,
Distt Patiala. 147105.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Patran, Distt Patiala.

Respondent

Complaint Case Nos.1089, 1086 and 1092 of 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
03.07.2018	Nil	Nil	Nil	15.09.2018

Present: Sh. Sawinder Singh, Complainant in person.
None on behalf of the Respondent.

ORDER

Since the complainant and the respondent are the same, and the information sought for is almost identical, single order shall dispose of the above complaints.

None is present on behalf of the respondent. The Commission understands that the new incumbent in the office of the BDPO, Patran has joined. He is directed to file written reply to the Commission after going through the facts of the cases and specifically interim orders passed earlier by the Commission and arrange to provide the information if any still has not been passed on to the complainant.

To come up on **16.05.2019 at 11.30 AM.**

Sd/-

04.04.2019

**(Yashvir Mahajan)
State Information Commissioner**



Sh. Ranjit Singh,
S/o Sh. Rewal Singh,
R/o #63, Phase-3B-1,
SAS Nagar. 160059.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block Nadala,
Distt. Kapurthala.

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

Respondents

Appeal Case No.647/2019

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
08.10.2018	Nil	09.11.2018	Nil	08.02.2019

Present: Sh. Ranjit Singh, Appellant in person.
Sh. Yusuf Masih, Panchayat Secretary, Block Nadala – for Respondents.

ORDER

The appellant had sought an information about the resolutions passed, the streets and drains constructed from a grant of Rs. 8 lakh received by the gram panchayat of Village Saintpur, Block Nadala, District Kapurthala and other connected information.

Sh. Yusuf Masih, Panchayat Secretary appearing on behalf of the respondents, denies having received any such grant. The appellant refutes his contention. He has produced a document duly attested by the BDPO, Nadala which refers to a grant of Rs. 8 lakh in respect of the aforesaid village. However, in what context this figure appears, is not clear. The respondents allude it to a demand forwarded to the Government which as yet has not fructified. They are advised to file a written reply in this regard.

The Commission feels that in case no grant has been received obviously the rest of the information sought is redundant and cannot be provided. The appellant may like to advert in writing on the submissions made by the respondents before the next date of hearing.

To come up on **16.05.2019 at 11.30 AM.**

Sd/-

04.04.2019

**(Yashvir Mahajan)
State Information Commissioner**



Sh. Gurmukh Singh,
S/o Late Sh. Pritam Singh,
R/o Village-Peer Sohana,
PO-Roorkee Pukhta,
Tehsil-Kharar, SAS Nagar.

Complainant

Versus

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

Respondent

Complaint Case No.153/2019

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
11.10.2018	Nil	Nil	Nil	07.02.2019

Present: None on behalf of the Complainant.
Smt. Paramjit Kaur, APIO – cum – Superintendent, BDPO Office, Kharar – for Respondent.

ORDER

The complainant in fact is aggrieved with the action of the Department towards making a complaint against him for allegedly felling the trees illegally from the Panchayati land. He is putting some questions and posers to the Department. The Commission feels that his complaint does not lie with the Commission as it cannot be referred to as an information as defined under Section 2(f) of the RTI Act. The authorities concerned should take appropriate action as per law.

The Complaint is **closed**.

Sd/-

04.04.2019

(Yashvir Mahajan)
State Information Commissioner

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Sh. D.R Singla,
R/o #4961, Sector-38 (West),
Chandigarh.

Complainant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Mohali.

Respondent

Complaint Case No.170/2019

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
26.11.2018	Nil	Nil	Nil	22.01.2019

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

ORDER

The complainant who takes out a journal had made a complaint to the Sr. Superintendent of Police, Mohali on being threatened by some dubious characters. He intends to know the outcome of the same.

None is present on behalf of the respondent. No written reply has also been filed by them. The respondent is directed to inform the complainant about the outcome of his complaint and file a written reply to the Commission before the next date of hearing.

To come up on **21.05.2019 at 11.30 AM.**

Sd/-

04.04.2019

**(Yashvir Mahajan)
State Information Commissioner**

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Sh. Harnek Singh Bhari,
R/o HE 155, Phase 1,
Mohali.

Complainant

Versus

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

Respondent

Complaint Case No.146/2019

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
30.11.2018	Nil	Nil	Nil	05.02.2019

Present: None is present on behalf of the Complainant.
Sh. Balwinder Singh, Gram Sewak, BDPO Office, Majri – for Respondent.

ORDER

The complainant is not present. Sh. Balwinder Singh, Gram Sewak appearing on behalf of the respondent says that he has already sent him the information asked for. He has produced before the Commission a copy of the same. It appears to be in order on its perusal. The Commission feels that he has been furnished the information. No further action is called for. His complaint, thus, is **disposed**.

Sd/-

04.04.2019

(Yashvir Mahajan)
State Information Commissioner