

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

Shri Kashmir Singh Bhinder,
R/o 2414, Phase-11,
SAS Nagar.

Appellant

Versus

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

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

Respondents

Appeal Case Nos.3208 and 3209 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
01.05.2018	Nil	26.06.2018	Nil
07.05.2018	Nil	09.07.2018	Nil

Present: Sh. Kashmir Singh Bhinder, Appellant in person.
Rana Partap Singh Sidhu, BDPO, Kot Isse Khan – for Respondents.

Order

Rana Partap Singh Sidhu, BDPO, Kot Isse Khan has come present. He has brought along the information which has been handed over on spot to the appellant. He is satisfied with the same.

He has requested to close his appeals. His request is acceded.

Disposed.

04.12.2018

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Ram Kumar,
S/o Sh. Ram Partap,
R/o Village Daulatpura,
Tehsil-Abohar, Distt. Fazilka.

Appellant

Versus

Public Information Officer,
O/o District Development and Panchayat Officer,
Fazilka, Punjab.

First Appellate Authority,
O/o Deputy Commissioner,
Fazilka, Punjab.

Respondents

Appeal Case No.3210/2018

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
21.05.2018	Nil	19.07.2018	Nil

Present: **Adv. Viney Kumar Gupta, Counsel for the appellant.**
 Sh. Guljeet Singh, Panchayat Secretary, Vill. Daulatpura – for Respondents.

Order

The appellant has sought information about developmental and allied activities of the gram panchayat of Village Daulatpura, Block Khuian Sarwar, Tehsil Abohar, District Ferozepure.

Sh. Guljeet Singh, Panchayat Secretary appearing on behalf of the respondents has brought along information comprised in about 1000 pages. The appellant intends to go through it. He may like to do so and pin-point any deficiency, if so, in writing before the next date of hearing.

To come up on **20.02.2019 at 11.30 AM through video conference at Fazilka.**

Sd/-

04.12.2018

(Yashvir Mahajan)
State Information Commissioner

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Sh. Gurnam Singh,
S/o Sh. Bachitar Singh,
R/o #10, Muhalla Mehtian wala,
Banur, Distt. SAS Nagar.

Appellant

Versus

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

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

Respondents

Appeal Case No.3212/2018

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
30.06.2018	Nil	02.08.2018	Nil

Present: **Adv. Iqbal Singh, Counsel for the Appellant.**
None on behalf of the Respondents.

Order

Having failed to receive the information against an original application and first appeal filed on 30.06.2018 and 02.08.2018 respectively, the appellant has been constrained to file a second appeal with the Commission.

A simple and terse information has been sought. The respondents are absent. No written reply has been filed by them to the notice issued by the Commission nor the information has been supplied till date.

The Commission takes strong exception to it. The Block Development & Panchayat Officer, Sudhar, Distt. Ludhiana 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.

To come up on **15.01.2019 at 11.30 AM.**

04.12.2018

Sd/-
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State Information Commissioner

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Sh. Roop Kishor Soni,
S/o Sh. Shi Narayan Soni,
Distt. Jail, Rupnagar.

Appellant

Versus

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

First Appellate Authority,
O/o Inspector General of Police,
Zonal-1, Punjab Patiala.

Respondents

Appeal Case No.3228/2018

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
01.06.2018	Nil	16.07.2018	Nil

Present: **None on behalf of the Appellant.**
1. **ASI Ravinder Singh, RTI Incharge, SSP Office, SAS Nagar,**
2. **Sh. Gurbinder Singh, Sr. Assistant, I.G. Office, Ropar – for Respondents.**

Order

The appellant had conveyed in writing that the information sought by him about the movement and holding of nakas of Police in the jurisdiction of Police Station, Mullanpur Garibdass on specified dates has been provided to him to his satisfaction. The Commission does not see any requirement to keep the case alive.

The appeal is **disposed**.

04.12.2018

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Sushil Kumar,
S/o Sh. Bhoop Ram,
District Jail, Rupnagar.

Appellant

Versus

Public Information Officer,
O/o Superintendent of Police (S.T.F.),
RTI Cell, Phase – 4, SAS Nagar (Mohali).

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

Respondents

Appeal Case No.3229/2018

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
06.06.2018	Nil	16.07.2018	Nil

Present: Sh. Sushil Kumar, Appellant in person.
ASI Ravinder Singh, RTI Incharge, SSP Office, SAS Nagar,

Order

The appellant is a dismissed employee of Punjab Police. He had sought copies of the DDR and jimneys made in the investigation of a case registered under FIR No.04 dated 04.08.2017.

ASI Ravinder Singh, RTI In charge, SSP Office, Mohali is present. He submits that the issue pertains to the STF Wing of the Government who have desired the District Police to represent the case. The respondents have refused information taking the plea that they are out of the ambit of the provisions of RTI Act by virtue of a notification dated 16.04.2018 issued by the Department of Administrative Reforms in the Government of Punjab.

The appellant submits that he stands incarcerated in jail for the last one and half year approximately. His services have been dispensed with under Article 311 of the Constitution of India. He claims innocence and alleges that he has been framed by the authorities that be.

A citizen is entitled to defend himself which is his basic and fundamental right. In such a scenario according to him the notification of exemption does not hold good. Before a call is taken on the issue the Respondents, PIO – cum – Superintendent of Police, (S.T.F.), RTI Cell, Phase – 4, SAS Nagar (Mohali) are directed to respond to the aforesaid submissions of the appellant before the next date of hearing positively.

To come up on **15.01.2019 at 11.30 AM.**

Sd/-

04.12.2018

(Yashvir Mahajan)
State Information Commissioner

CC: PIO, O/o Senior Superintendent of Police, SAS Nagar, Mohali, for n/a.

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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,
Amloh, 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.**

- 1. Sh. Balkar Singh, Superintendent, BDPO Office, Amloh**
- 2. Sh. Khushbinder Singh, Panchayat Secretary, BDPO Office, Amloh – for Respondents.**

Order

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 matter shall be reheard on **15.01.2019 at 11.30 AM.**

04.12.2018

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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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.**
ASI Ranjit Singh, Incharge, RTI Br., SSP office, Fatehgarh Sahib – for Respondents.

Order

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.

To come up on **15.01.2019 at 11.30 AM.**

04.12.2018

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Sh. Ram Phal,
S/o Sh. Dull Chand,
R/o #404-H, Badal Colony, Zirakpur,
Distt. SAS Nagar.

Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council, Zirakpur,
Distt. SAS Nagar.

First Appellate Authority,
O/o Deputy Director,
Local Government, Mini Secretariat,
Patiala.

Respondents

Appeal Case No.3244/2018

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
17.10.2017	Nil	21.04.2018	Nil

Present: **Sh. Ram Phal, Appellant in person.**
 None on behalf of the Respondents.

Order

The appellant had sought information about the opening of a street which earlier used to be a culdesac. It is allegedly causing inconvenience to him. The respondents are absent and nothing has been heard from them. The Commission takes serious note of it. They are advised to file written reply to the notice issued by the Commission before the next date of hearing positively.

To come up on **15.01.2019 at 11.30 AM.**

04.12.2018

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Sh. Navdeep Gupta,
R/o K. No. 455, Gillco Valley,
Kharar, Distt. Mohali, Punjab.

Complainant

Versus

Public Information Officer,
O/o Incharge, Police Chowki,
Sunny Enclave, Kharar,
S.A.S Nagar.

Respondent

Complaint Case No.1084/2018

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
16.09.2018	Nil	Nil	Nil

Present: None on behalf of the Parties.

Order

None is present on behalf of the Parties.

The matter shall be reheard on **15.01.2019 at 11.30 AM.**

Sd/-

04.12.2018

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Sh. Navdeep Gupta,
R/o K. No. 455, Gillco Valley,
Kharar, Distt. Mohali, Punjab.

Complainant

Versus

Public Information Officer,
O/o Incharge, Police Chowki,
Sunny Enclave, Kharar,
S.A.S Nagar.

Respondent

Complaint Case No.1116/2018

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
20.09.2018	Nil	Nil	Nil

Present: None on behalf of the Parties.

Order

None is present on behalf of the Parties.

The matter shall be reheard on **15.01.2019 at 11.30 AM.**

04.12.2018

Sd/-
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Sh. Avtar Singh,
S/o Sh. Gurmail Singh,
V.P.O Jand Mangholi, Tehsil-Rajpura,
Patiala.

Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat,
Jand Mangoli, Block-Ghanaur, Patiala.

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Block-Ghanaur, Patiala.

Respondents

Appeal Case No.2592/2018

Date of RTI application:	09.02.2018
Date of First Appeal :	28.03.2018
Date of Reply :	02.04.2018
Date of Order of FAA :	Nil
Date of 2 nd Appeal/complaint:	02.07.2018

Present: Sh. Avtar Singh, Appellant in person.

1. Sh. Akbar Ali, BDPO, Ghanour,
2. Sh. Gurmeet Singh, Panchayat Secretary, BDPO Office, Block Ghanaur – for Respondents.

Order

The following order was passed by this forum on 18.10.2018:

“The appellant intends to know the expenses incurred over a period of last fifteen years to get an area of about 3 – 4 sq.ft. of Khasra No.1348 evicted which allegedly is in the possession of the appellant. The appellant is alleging a continuous harassment by the respondents. Be that as it is, the respondents have not filed a written reply to the notice of the Commission. The BDPO, Block Ghannaur is hereby desired to file a written statement before the next date of hearing. Meanwhile he shall ensure that the available information is provided to the appellant.”

“The case has come up today. As directed the statement has been filed by the respondents. Instead of providing the information forthwith the BDPO has shifted the onus on the Panchayat Secretary who reportedly has recently joined. The conduct of the Block Dev.& Panchayat Officer has been apathetic and non-chalant. It further transpires that the respondents have received Rs.1,500/- on demand from the appellant as cost of providing

Contd...page...2

Appeal Case No.2592/2018

information. The Commission finds that the provision of the RTI Act has been observed in violation rather than in compliance. He has rendered himself liable for penalty and award of compensation to the appellant.

Sh. Akbar Ali, Block Dev. & Panchayat Officer, Ghanaur, 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 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 case has again come up today. Sh. Akbar Ali, BDPO, is present. He submits that he had joined only on 30.08.2018 and was not aware of the matter. Having received the order of the Commission he had sorted out the matter and provided the information to the appellant to his satisfaction. The appellant acknowledges it. The show cause notice issued to Sh. Akbar Ali, PIO – cum – BDPO, Ghanaur is dropped. No further intervention seems called for. The matter is **disposed**.

Sd/-

04.12.2018

**(Yashvir Mahajan)
State Information Commissioner**

CC: Sh. Akbar Ali, Block Dev. & Panchayat Officer, Ghanaur, Distt. Patiala.