

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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Sh. Deepinder Singh,  
S/o Sh. Jaswinder Singh,  
Village Bhullerheri, Tehsil Dhuri,  
District Sangrur.

Appellant

Versus

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Dhuri, District Sangrur.

First Appellate Authority-cum-  
O/o Addl. Deputy Commissioner (Dev.),  
Sangrur.

Respondents

**Appeal Case No.1443/2019**

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
08.01.2019	Nil	16.02.2019	Nil	16.04.2019

**Present:** Sh.Deepinder Singh, Appellant is absent.  
Shri Naresh Kumar, Panchayat Secretary- for Respondents.

**ORDER:**

The following order was passed on 20.06.2019:-

*“The appellant is absent. The respondent says that he has provided the entire information to the appellant, but he has refused to give acknowledgement receipt. The appellant is desired to respond to the Commission to it.”*

The appellant denies having received the information, whereas the respondent reiterates that it has been rather handed over to him twice. However, the appellant has refused to give him receipt. In the scenario, the Commission feels that it shall be in the fitness of things to allow him inspection of record on a mutually agreed date & time in the office of BDPO Dhuri. He shall supervise such inspection. The respondent, thereafter, shall provide him certified copies of the documents which the appellant considers relevant to the cause he seeks to pursue. The maximum number of documents the Commission fixes at 150 pages only.

To come up on **26.09.2019 at 11.30 AM.**

**06.08.2019**

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

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Sh. Jasbir Singh,  
S/o Sh. Harbans Singh  
R/o Village Jalal Khera, PO Sular,  
District Patiala.

Appellant

Versus

Public Information Officer,  
O/o Deputy Commissioner,  
Fatehgarh Sahib.

First Appellate Authority,  
O/o Deputy Commissioner,  
Fatehgarh Sahib.

Respondents

**Appeal Case No.903/2019**

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 Complaint
25.10.2017	Nil	04.01.2019	Nil	06.03.2018

**Present:** Sh. Jasbir Singh, Appellant is absent.  
Sh. Gurpreet Singh, Inspector, O/o Assistant Registrar, Coop. Societies,  
Fatehgarh Sahib - for the Respondents.

**ORDER**

The following order was passed on 02.05.2019 & 20.06.2019:-

02.05.2019

*"The appellant has requested to excuse his absence, as he is busy. His request is acceded to.*

*The Appellant is seeking information with regard to the resolutions passed by the Cooperative Society and the details of the loan waived by the State Govt. for the year 2017-18, of the farmers owning less than 5 acres of land.*

*The respondents have taken the plea that the Appellant is not entitled to the information in terms of the law laid down in the judgment of Hon'ble Supreme Court on 15.10.2013. Seemingly, they are referring to the judgment passed by the Apex Court in matter of Thalappalam Service Coop. Bank Ltd. & ors. Vs. State of Kerala & ors. 2013(4) RCR(Civil) 912 (SC) in Civil appeal No.912. While partially agreeing with the submission made by the respondents, the Commission observes that the Appellant has sought to know the details of the loans waived by the State Government which entails outlay of public funds. The respondents are directed to provide the information in this regard as it shall not attract the dictate of the Supreme Court Judgment".*



**Appeal Case No.903/2019**

20.06.2019

*Shri Sukhwinder Singh, Inspector, O/o A.R.C.S. Fatehgarh Sahib is present. He states that he is acting as a Proxy of Inspector Gurpreet Singh. He has produced before the Commission a letter signed by Gurpreet Singh which is un dated and un numbered and does not lead us anywhere. The Commission takes it as a willful attempt to obstruct the information in violation of Section 7(1) of the RTI Act, 2005. He does not seem to have gone through the order passed by the Commission on 02.05.2019.*

*ARCS is hereby desired to show cause as to why penalty be not imposed under Section 20(1) of RTI Act, 2005 on them for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.*

*In addition to the written reply, the PIO is also given an opportunity under Section 20 (1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte”.*

The respondent, represented by Sh.Gurpreet Singh, Inspector, says that in compliance with the aforesaid order of the Commission, he has sent across the information to the appellant. The Commission has seen the postal receipt and finds that it has been sent on 31.07.2019. It may be in transit. The respondent has brought along a copy of the information pertaining to the crop loan which has been handed over on spot to the appellant. The Commission feels that he has been sufficiently informed. No further action is called for. The respondents are cautioned to be watchful in future. Notice issued is filed.

**Disposed.**

**06.08.2019**

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



Sh. Sher Singh S/o Sh.Babu Ram  
R/o Village Jainti Majri  
Tehsil Kharar, District Mohali.

Complainant

Versus

Public Information Officer,  
O/o Tehsildar, Kharar,  
Distt. Mohali.

Respondent

**Complaint Case No.237 & 238/2019**

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
15.01.2019	Nil	Nil	Nil	11.03.2019

**Present:** Sh. Sher Singh, Complainant.  
Sh.Harmesh Kumar O/o Tehsildar, Kharar- for Respondent.

**ORDER**

The following order was passed on 02.05.2019 & 20.06.2019:-

02.05.2019

*"Since the Appellant and the Respondent in both the above appeals is the same, these shall be disposed by a single order.*

*The Complainant has sought a copy each of Mutation No.9889 and 26370 sanctioning the transfer of land situated in Village Karoran, Tehsil Kharar, District Mohali following a compromise arrived between the interested parties.*

*The respondents are absent. The Commission takes serious note as the Respondents have neither given any reply to the notice of the Commission nor have arranged to provide information to the Complainant. The respondents are advised to do the needful forthwith, failing which, penal consequences shall follow".*

20.06.2019

*The case has come up today. The respondents have neither filed reply to the complaint nor have complied with the order reproduced above. Apparently, the Tehsildar, Kharar has rendered himself liable for imposition of penalty. He is hereby desired to show cause as to why penalty be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the complainant.*



**Complaint Case No.237 & 238 /2019**

*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 a 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.*

06.08.2019

The issue is taken up today. Shri Harmesh Kumar O/o Tehsildar, Kharar has brought along a copy of the mutation No.26370 which has been sanctioned on the basis of registered sale deed. Certified copy has been handed over to the complainant on spot. The Commission takes a strong view of the fact that despite show cause notice having been issued to the Tehsildar, he has not bothered to take due cognizance of the orders of Commission. Copy of the compromise deed on the basis of which mutation No.9889 was sanctioned has still not been provided to the complainant. He is directed to do the same without further delay. Meanwhile, he shall submit his explanation in writing on the show cause notice already issued to him. The Commission would like to stress that no further opportunity shall be afforded and the penal consequences shall be imposed on the basis of facts on record.

To come up on **12.09.2019 at 11.30 AM.**

**06.08.2019**

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



Sh. Jarnail Singh,  
S/o Late Sh. Gurdial Singh,  
R/o 2738-A, 1st Floor, MIG Super,  
Sector – 70, S.A.S Nagar(Mohali)

Appellant

Versus

Public Information Officer,  
O/o Sr. Superintendent of Police,  
S.A.S. Nagar (Mohali).

First Appellate Authority,  
O/o Sr. Superintendent of Police,  
S.A.S. Nagar (Mohali).

Respondents

**Appeal Case No.980/2019**

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
06.08.2018	Nil	13.09.2018	Nil	28.02.2019

**Present:** **Sh. Jarnail Singh, Appellant**  
**HC Sehjpreet Singh, PS Mataur, Distt. Mohali - for Respondents.**

**ORDER**

The following order was passed on 20.06.2019:-

*“Having failed to receive any response from the respondents on their application dated 03.09.2018, the complainant has been constrained to approach the Commission. It transpires that the issue was earlier adjudicated by Commission vide order dated 30.08.2019. Though it is not desirable to reopen or review the matter, yet, as an additional information with regard to Narco test of the accused in FIR No.213 of 2015 has been made, the same is being entertained. The respondents are advised to make good the same. The respondents are advised to provide them the certified copies of the documents along with the ‘untraced report’ sent by them to the judicial court”.*

*The case has come up today. On the request of the parties, the matter is adjourned.”*

06.08.2019

The respondent represented by Sehajpreet Singh, H.C. who is present in the court, states that jurisdictional Police Station Authority has sent the untraced report in the FIR under consideration, to the senior officers for its approval so as to file it before the Court. He seeks some time to do the needful. The respondents are directed to send the information quickly to the appellant under intimation to the Commission. They shall also intimate in writing, as stated by them, that no narco test has been conducted in the case.

**To come up on 26.09.2019 at 11.30 AM.**

**06.08.2019**

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



Ms. Yachika D/o Sh.Jodhbir Sharma  
R/o #615/15, Sharma Cottage,  
Guru Nanak Colony, Patti,  
District- Tarn Taran..

Complainant

Versus

Public Information Officer,  
O/o Station House Officer,  
Police Station, Daba,  
District Ludhiana.

Respondent

**Complaint Case No.197/2019**

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
31.12.2018	Nil	Nil	Nil	20.02.2019

**Present:** Complainant Ms. Yachika –absent

None for the respondents.

**ORDER:**

The following order was passed on 20.06.2019:-

*“The case has been committed to this Bench on demission of office by the Chief Information Commissioner. On the last date of hearing on 03.04.2019, the respondents had neither submitted any reply nor were present. The Commission takes very strong exception to the dismal conduct of the respondents towards ignoring the application and couple of orders of the Commission as well. Apparently, it is a willful defiant and suppression of information. The Station House Officer, Police Station, Daba, Ludhiana is hereby issued show cause notice to show cause as to why penalty be not imposed under Section 20(1) of RTI Act, 2005 on them for causing willful delay / denial of the information to the RTI applicant.*

*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.”*



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**Complaint Case No.197/2019**

06.08.2019

As mentioned above, show cause notice was issued to the SHO, Police Station, Daba, District Ludhiana. No reply has been received. The Commission affords another opportunity to the respondent to file reply to the show cause notice failing which, the proposed action shall be taken without any further reference to the respondents.

To come up on **26.09.2019 at 11.30 AM.**

**06.09.2019**

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





Ms. Yachika D/o Sh.Jodhbir Sharma  
R/o #615/15, Sharma Cottage,  
Guru Nanak Colony, Patti,  
District- Tarn Taran..

Complainant

Versus

Public Information Officer,  
O/o Registrar of Marriages,  
Ludhiana.

Superintendent-cum-PIO  
O/o Sub Divisional Magistrate(West)  
Ludhiana.

Respondent

**Complaint Case No.202/2019**

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
14.12.2018	Nil	Nil	Nil	21.02.2019

**Present:** Complainant Ms. Yachika -absent  
Sh.Amanpreet Singh, Reader /Tehsildar - for respondents.

**ORDER:**

The following order was passed on 20.06.2019:-

*"The case has been committed to this Bench on demission of office by the Chief Information Commissioner. On the last date of hearing on 03.04.2019, the respondents had neither submitted any reply nor were present. The Commission takes very strong exception to the dismal conduct of the respondents towards ignoring the application and couple of orders of the Commission as well. Apparently, it is a willful defiant and suppression of information. The PIO, Marriage Registrar, Ludhiana is hereby issued show cause notice to show cause as to why penalty be not imposed under Section 20(1) of RTI Act, 2005 on them for causing willful delay / denial of the information to the RTI applicant.*

*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."*



**Complaint Case No.202 /2019**

06.08.2019

Shri Amanpreet Singh, representing the respondents, submits that the complainant has not mentioned the date of performance of marriage and other particulars relevant for the identification and provision of certificate. Even though, they told him to procure it from the District Sewa Kender which caters to such requisitions. The Commission partially agrees with the respondents. They are duty bound to provide the information available with them in case asked for under RTI Act. Nonetheless, the date of marriage is very vital for identification of the information and its provision. The Commission, as such, is not in a position to assist the complainant.

**Disposed.**

**06.08.2019**

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