

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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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:** **Sh. Kashmir Singh Bhinder, Appellant in person.**  
**None on behalf of the Respondents.**

**ORDER**

This should be read in continuation of earlier interim order passed on 22.11.2018. The appellant says that he had pointed out deficiencies in the information provided to him by the respondents. However, the same has not been dealt with so far.

None is present on behalf of the respondents. The Commission understands that the weather is quite inclement today and refrains from a tangible action on the absence of the respondents. The respondents shall ensure that the complete information is provided before the next date of hearing under intimation to the Commission. Be it noted that the Block Dev. & Panchayat Officer is already under show cause notice.

To come up on **12.03.2019 at 11.30 AM.**

**07.02.2019**

**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. Raghbir Singh, Panchayat Secretary, Gram Panchayat Lakhawal Kalan,**  
                  **Block Sri Machhiwara – for Respondents.**

**ORDER**

The following order was passed by this forum on 01.01.2019:

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

*Sh. Raghbir 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. Raghbir 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."*

Sh. Ragbir Singh, Panchayat Secretary appearing on behalf of the respondents says that the department is holding an enquiry into the matter. He has brought along information to the extent of 300 plus pages which has been handed over on spot to the appellant. The appellant finds it to be deficient. He should point-out the deficiency in writing to the respondents who shall make it good by providing the rest of the information before the next date of hearing.

To come up on **12.03.2019 at 11.30 AM.**

**07.02.2019**

**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.**  
                    **1. ASI Kewal Singh, PS (City), Kharar,**  
                    **2. Constable Maninder Singh, RTI Br., O/o SSP, Mohali – for Respondent.**

**ORDER**

The following order was passed by the Commission on 01.01.2019:

*“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.”*

Contd...page...2

**Complaint Case No.864/2018**

The case has again come up today. ASI Kewal Singh has come present. He has brought along a copy of the compromise reached between the Parties which has been handed over on spot to the complainant.

Though the complainant is aware of the communication sent by him to the respondent, he is insisting on its copy from the record. The respondent is again advised to provide him copy of the same expeditiously. The Commission further observes that the complainant is trivially utilizing this forum to settle a personal score. There is nothing in it that concerns a public cause. The complaint is **disposed**.

**07.02.2019**

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

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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 is present on behalf of the Appellant.**  
1.   **Constable Maninder Singh, RTI Br., SSP Office, Mohali,**  
2.   **HC Ashok Kumar, PS: Zirakpur, Police Chowki, Baltana – for Respondents.**

**ORDER**

The Commission had passed an order on 22.11.2018 as under:

*“Since the appellant, the respondents and information is almost identical single order shall dispose of the above appeals.*

*The respondents are absent. A communication has been received from them in both the appeals that the information was sent to him by registered post on 21.08.2018. The appellant denies having received such information. The respondents are directed to produce the proof of having dispatched the information and bring along the copy of such information sent to him on the next date of hearing in the Court itself.”*

*Contd....page...2*

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

*“The case has come up today. The respondents have produced a copy of the letter addressed to the appellant. It purports to say that the matter is still under enquiry and no information as such can be provided. The appellant may like to comment on the same after which the suitable call on the fate of the appeal shall be taken.”*

The case has again come up today. The respondents have supplied a copy of an acknowledgement memo issued by the appellant in token of receipt of information with reference to AC:2784 of 2018. They have also brought along the information with reference to AC:2785 of 2018 which they are desired to send it by post to him. The Commission does not see any further reason to protract the matter and **disposes** of the appeals accordingly.

**Sd/-**

**07.02.2019**

**(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.

1. Sh. Jagdeep Bansal, PIO – cum – Deputy Director, O/o Examiner, Local Fund Accounts, Punjab,
2. Smt. Paramjeet Kaur, APIO – cum – Section Officer, O/o Examiner, Local Fund Accounts, Pb., Chandigarh – for Respondents.

**Order**

On the request of the Parties the matter is adjourned to **12.03.2019 at 11.30 AM.**

**07.02.2019**

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:       None.**

**Order**

None is present on behalf of the Parties.

Sh. Bhupinder Singh has sent a letter to the Commission acknowledging the receipt of information to his satisfaction.

The complaint is **disposed**.

**07.02.2019**

**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**

The following order was passed by this forum on 20.11.2018:

*“The appellant is alleging misappropriation of MGNREGA funds by the Gram Panchayat by fudging the record and muster rolls in cahoot with the departmental authorities. She has sought the record relating to preparation of the job cards of the workers in the village by the concerned authority.*

*The respondents submit that the jurisdictional Panchayat Secretary was duly directed to attend the proceedings along with the original record. However, due to notice of an unscheduled hearing in the Hon’ble Punjab & Haryana High Court, Chandigarh he is unable to attend the proceedings in the Commission. As the application has been duly forwarded to Sh. Gurkanwal Singh Sandhu, Panchayat Secretary under Section 6(3) of the Act he is directed to file a written*

Contd...page...2

**Appeal Case No.2593/2018**

*statement and explain his failure in providing the information. Meanwhile he shall ensure that the sought for information is transmitted to the appellant without further loss of time.”*

*The case has come up today. Despite the express order of the Commission the respondents have failed to provide the information. No written reply has been filed also. The respondents are absent. The Commission takes a strong exception to their conduct and brazenness. The respondents render themselves liable for penal consequences.*

*The Block Development & Panchayat Officer, Bassi Pathana and Sh. Gurkanwal Sandhu, Panchayat Secretary, O/o BDPO, Bassi Pathana are issued 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 them 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 her.*

*In addition to the written reply, they are 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. They may take note that in case they do not file their written reply and do not avail themselves of the opportunity of personal hearing on the date fixed, it will be presumed that they have nothing to say and the Commission shall proceed to take further proceedings against them ex parte.*

*Meanwhile Sh. Gurkanwal Sandhu, Panchayat Secretary is directed to bring along the entire record in the Commission on the next date of hearing failing which the Commission shall be*

**Appeal Case No.2593/2018**

*constrained to invoke its authority under Section 18(3) to coerce his presence in the Commission.”*

*“The case has come up today. The respondents say that they had sent the information by speed post, but it was refused to be received as intimated by postal authorities. They have brought it along in the court itself. It has been delivered to the appellant. She has found it to be in order except that the copy of original application filed by her for enrolment as a worker and issue of a job card is not tagged along. The respondents say that the record in question is not available with them as most likely it has been intentionally withheld by the appellant or her family who were in custody of the same. Be that as it is the respondents are desired to file an affidavit in this regard about the non-availability of the aforesaid application.”*

The case has again come up for hearing today. Sh. Gurkanwal Singh Sandhu, Panchayat Secretary was desired to file an affidavit to the effect that the record which has not been supplied is actually missing and is not available. However, he has failed to do so. It has further been brought to the notice of the Commission that the respondents are misleading the Commission by withholding the information with reference to the payments released to the job card holders. It has been reflected in a copy of the muster roll that one Smt. Parwinder Kaur and others are being credited with the wages into their accounts maintained in the State Bank of Patiala whereas the copy of the passbook furnished to the appellant concerns the Punjab & Sind Bank only. While directing Sh. Gurkanwal Singh Sandhu, Panchayat Secretary to provide the appellant the details of all the remunerations credited into the account of Smt. Parwinder Kaur the Commission holds Sh. Gurkanwal

**Appeal Case No.2593/2018**

Singh Sandhu, Panchayat Secretary responsible for the same. He will file a written explanation as to why the show cause notice issued to him earlier should not be enforced for violation of the provisions of the RTI Act on his part and his department be not asked to proceed disciplinarily against him.

To come up on **12.03.2019 at 11.30 AM.**

**07.02.2019**

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

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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**

This should be read in continuation of order passed on 01.01.2019.

It is very intriguing that the Block Development & Panchayat Officer, Sri Muktsar Sahib is maintaining a silence even after issue of a show cause notice. Logically, he should have been penalized today with other collateral damages. However, in view of the extreme inclement weather today which might have prevented him from travelling, the Commission affords him a last opportunity to show cause as to why the proposed penalty should not be imposed. Meanwhile he shall ensure that the sought for information is supplied without further loss of time.

The matter shall be reheard on **12.03.2019 at 11.30 AM.**

**07.02.2019**

Sd/-  
(Yashvir Mahajan)  
State Information Commissioner

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Sh. Ashwani Kumar Prashar,  
S/o Sh. Satya Parkash,  
# 704, GV Towers, Old Ambala Road,  
PO Dhakoli, Distt Zirakpur.

Appellant

Versus

Public Information Officer,  
O/o Assistant Commissioner,  
Excise & Taxation, Mohali.

First Appellate Authority,  
O/o Deputy Commissioner,  
Excise & Taxation, Mohali.

Respondents

**Appeal Case No.3633/2018**

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
20.06.2018	Nil	24.08.2018	Nil	29.10.2018

**Present:**       None on behalf of the Appellant.  
Inspector Harjinder Singh, Excise & Taxation Department, Mohali – for Respondents.

**ORDER**

Primarily the apapellant had sought to know as to whether the GST charged by a builder in allotment of his house has been passed on to the respondents.

Inspector Sh.Harjinder Singh appearing on behalf of the respondents says that the available information on the subject has been provided to him. He has also shown us the screenshot of an e.mail acknowledging the receipt of information.

The appellant is absent. Nothing has been heard from him also. In the scenario the Commission presumes that he is satisfied with the information stated to have been provided to him. No malafide for the delay has been suggested. The appeal is **disposed**.

**07.02.2019**

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

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Sh. Ashwani Kumar Prashar,  
S/o Sh. Satya Parkash,  
# 704, GV Towers, Old Ambala Road,  
PO Dhakoli, Distt Zirakpur.

Appellant

Versus

Public Information Officer,  
O/o Assistant Commissioner,  
Excise & Taxation, Mohali.

First Appellate Authority,  
O/o Deputy Commissioner,  
Excise & Taxation, Mohali.

Respondents

**Appeal Case No.3632/2018**

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
12.07.2018	Nil	23.08.2018	Nil	29.10.2018

**Present:** None on behalf of the Appellant.  
Inspector Harjinder Singh, Excise & Taxation Department, Mohali – for Respondents.

**ORDER**

The following order was made by this forum on 03.01.2019:

*“The respondents say that his application duly responded vide letter dated 20.09.2018 which was sent to appellant by registered post. The appellant denied having received it. A photocopy of it has been handed over on spot to the appellant. He may like to go through and revert back. The matter shall be reheard on 07.02.2019 at 11.30 AM.”*

The matter has again come up for hearing today. The appellant is absent. Nothing has been heard from him also. The respondents represented by Inspector Harjinder Singh reiterate that the complete information available with them has been provided. The silence on the part of the appellant suggests that he is satisfied with the information thus provided. The Commission does not see any reason to further intervene.

The appeal is **disposed**.

Sd/-

**07.02.2019**

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



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Sh. Bikram,  
S/o Sh. Raj Kumar,  
Ward No 16, Kurali, Distt. Mohali.

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Municipal Council,  
Kurali, Distt Mohali.

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

Respondents

**Appeal Case No.3689/2018**

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
01.05.2018	13.06.2018	10.07.2018	Nil	30.10.2018

**Present:**       **Sh. Bikram, Appellant in person.**  
                  **Sh. Ashok Kumar, Works Supervisor, MC Office, Kurali – for Respondents.**

**ORDER**

Sh. Ashok Kumar appearing on behalf of the respondents has brought along the information comprised in about 60 pages. The same has been handed over on spot to the appellant.

Sufficient information has been provided. No further action seems called for. The appeal is **disposed**.

**07.02.2019**

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