

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
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Sh. Ajay Kumar,
S/o Sh. Santokh Ram,
R/o VPO-Khaira, Tehsil-Phillaur,
District-Jalandhar.

Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat Khaira,
Block-Phillaur, District- Jalandhar.

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

Respondents

Appeal Case No.623/2019

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
13.09.2018	Nil	20.10.2018	Nil	29.01.2019

Present: Sh.Ajay Kumar, Appellant in person.
Shri Gurchetan Ram, Panchayat Secretary, BDPO Office, Phillaur – for Respondents.

ORDER:

The appellant has sought information about the provision of funds and the decision taken to install a multi-gym in the Village by Gram Panchayat, Khaira. The respondents have intimated that the same has been installed by the Department of Sports in the Govt. of Punjab. A copy of the resolution passed in this regard has also been handed over to the appellant on spot. The appellant is satisfied with the information provided. No further action is required.

The appeal is disposed.

09.07.2019

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



Sh. Ajay Kumar,
 S/o Sh. Santokh Ram,
 V.P.O-Khaira,
 Tehsil Phillaur, Distt. Jalandhar.

Appellant

Versus

Public Information Officer,
 O/o Block Development and Panchayat Officer,
 Block- Phillaur, Distt. Jalandhar.

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

Respondents

Appeal Case No.2647/2018

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
07.04.2018	Nil	24.05.2018	Nil	03.08.2018

Present: Sh. Ajay Kumar, Appellant in person.
 Sh. Gurchetan Ram, Panchayat Secretary, BDPO Office, Phillaur – for Respondents.

Order

The following order was passed by this forum on 03.04.2019:

“The appellant had sought basic information about the expenses incurred in the construction of a Sports Club and laying of sewage pipe in the village Khehra, Tehsil Phillaur, Distt. Jalandhar.

The appellant is present in the video conferencing whereas the respondents are absent. He says that a very sketchy information just to dodge him has been given by the concerned Panchayat Secretary. The respondents have failed to file a written reply to the notice of the Commission and provide complete information to the appellant. No tangible action has also been taken by the First Appellate Authority. The PIO has rendered himself liable for penal consequences.

Accordingly, the PIO 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.



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Appeal Case No.2647/2018

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 has come up for hearing today. Both the parties are present and are contradicting each other whereas the respondent says that he has since parted with the record. The appellant has refused its receipt. It is not possible to resolve it in the video conferencing. The matter shall be heard at **Chandigarh on 16.05.2019 at 11.30 AM** and the respondents shall bring along the entire record so as to vindicate their position.*

16.05.2019

"The respondents have made a request for adjournment as they have been deployed on election duty. The request is acceded to.

The matter is differed to be heard on 09.07.2019 at 11.30 AM".

09.07.2019

The matter has been taken up today. Shri Gurchetan Ram, Panchayat Secretary is present. He is unable to prove that the information was transmitted to the appellant as claimed by him. So much so, he could not provide it even on spot on the directions of the Court. A very simple information pertaining to the repair of the sports club of the village and the expenses incurred on the laying of sewerage pipes have been sought. It has already taken more than year to dispense the information. The respondent has failed to give satisfactory reply to the show cause notice issued on 03.04.2019.

The delay is beyond 100 days. Exercising its powers under Section 20(1) of the RTI Act, the Commission imposes a penalty of Rs.10,000/- on Shri Gurchetan Ram, Panchayat Secretary to be deducted from his salary commencing from the month of August, 2019 in two equal installments.

Contd..page..3



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Appeal Case No.2647/2018

The Drawing & Disbursing Officer concerned shall ensure that the amount of penalty is deducted from his salary and deposited in the government treasury under the head given below:

- **0070-Other Administrative Services- 60 Other Services- 800 Other Receipts**
- **86 Fee under RTI Act, 2005**

A copy of the challan shall be sent to the Commission for record immediately.

As the appellant has been put to undue inconvenience and harassment, he is awarded a compensation of Rs.3,000/- which shall be paid to him through a bank draft by the public authority from its own account. As the information has still not been provided, the Commission directs the BDPO to ensure its prompt transmission and come present along with the record in person on the next date of hearing failing which, the Commission shall be constrained to enforce his presence by exercising its authority under section 18(7) of the RTI Act.

To come up on **17.09.2019 at 11.30 AM.**

09.07.2019

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

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Sh. Balraj Singh,
S/o Sh. Balwant Singh,
R/o Village-Bish Nandi,
Tehsil-Jaiton, Distt. Faridkot.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Jaiton, Faridkot.

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

Respondents

Appeal Case No.1634/2019

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
01.02.2019	Nil	12.03.2019	Nil	30.04.2019

Present: **Shri Balraj Singh, appellant in person.**
Shri Gurmeet Singh, Panchayat Secretary O/o BDPO Jaito, Distt. Faridkot

ORDER:

Both the parties are present. The respondent says that the information has been sent to the appellant by post. The appellant denies having received it. The Commission finds that it has only been despatched yesterday. It should be in transit. The appellant may like to go through on its receipt and report deficiencies, if any.

The matter shall be re-heard on **13.08.2019 at 11.30 AM.**

09.07.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Ms. Neeru Khanna,
Owner of 379, 1BHK, GBM Apartments,
Kharar, District Mohali.
(Residing at Ambala)

Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
SAS Nagar (Mohali).

First Appellate Authority,
O/o Deputy Commissioner,
SAS Nagar (Mohali)

Respondents

Appeal Case No.1040/2019

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 2 nd appeal
03.12.2018	01.01.2019	20.01.2019	18.02.2019	18.03.2019

Present: Ms. Neeru Khanna, Appellant in person.
Sh.Santokh Singh, Clerk, O/o D.C. Mohali.
– for Respondents.

Order

The following order was passed on 21.05.2019

"The appellant has asked for a certified copy of Jamabandi carrying particulars about the part of her ownership in the revenue estate of Village Khanpur. The respondents have provided her a hand-written certified copy. However, she submits that there is discrepancy in the remarks column of the information give to her and one which figures in the computerized land record of the village. The respondents represented by Mrs. Monika assure that they shall have it looked into and arrange to provide the certified computerized copy of Jamabandi after correcting the deficiencies/discrepancies, if any"

Today, the respondents have given the corrected version of *Jamabandi* dated 09.07.2019 which has been handed over to the appellant in the court itself to her satisfaction. The Commission feels that no further intervention is required. **The appeal is disposed.**

09.07.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Gurkirat Singh,
S/o Sh. Gursharan Singh,
V.P.O-Malwala,
Tehsil-Malout, Distt. Muktsar.

Appellant

Versus

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

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Malout, District- Sri Muktsar Sahib.

Respondents

Appeal Case No.1642/2019

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
01.02.2019	Nil	13.03.2019	Nil	01.05.2019

Present: Shri Gurkirat Singh, Appellant is absent.
Shri Jatinder Singh, Panchayat Secretary, O/o BDPO Malout,(Sri Muktsar Sahib)

ORDER:

The appellant is absent. Shri Jatinder Singh, Panchayat Secretary submits that the entire record pertaining to the various activities of the Gram Panchayat, Malwala for the period 2008 to 2018 has been given to the appellant. The Commission feels that the record would have been massive. The better course should have been to get the record inspected and provide him the reasonable number of copies which would be of significance to them. They should resort to it now and provide certified copies of the documents not beyond 50 pages.

To come up on **04.09.2019 at 11.30 AM through Video Conference at Sri Muktsar Sahib.**

09.07.2019

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

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Sh. Gurkirat Singh,
S/o Sh. Gursharan Singh,
V.P.O-Malwala,
Tehsil-Malout, Distt. Muktsar.

Appellant

Versus

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

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Malout, District- Sri Muktsar Sahib.

Respondents

Appeal Case No.1643/2019

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
01.02.2019	Nil	13.03.2019	Nil	01.05.2019

Present: Shri Gurkirat Singh, Appellant is absent.
Shri Jatinder Singh, Panchayat Secretary, O/o BDPO Malout,(Sri Muktsar Sahib)

ORDER:

The appellant is absent. Shri Jatinder Singh, V.D.O.-cum- PIO, Gram Panchayat, Malwala is present. He submits a letter dated 08.07.2019 from the BDPO, Malout addressed to the Commission vide which it has been reported that the audit report and audit note, as asked for by the appellant, are not available.

The BDPO, Malout is directed to file an affidavit before the Commission to the effect that the audit report and audit note for the period 01.01.2008 to 30.12.2018 have never been received in the office of the BDPO or the Panchayat Secretary.

To come up on **04.09.2019 at 11.30 AM through Video Conference at Sri Muktsar Sahib.**

09.07.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



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 No.1086 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 is absent.
None on behalf of the Respondent.

ORDER

None is present. The matter shall be heard on 13.08.2019.

Meanwhile, the respondents are advised to file written reply to the show cause notice issued to them. It is underlined that no further opportunity shall be afforded.

To come up on **13.08.2019 at 11.30 AM.**

09.07.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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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 No.1089 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 is absent.
None on behalf of the Respondent.

ORDER

None is present. The matter shall be heard on 13.08.2019.

Meanwhile, the respondents are advised to file written reply to the show cause notice issued to them. It is underlined that no further opportunity shall be afforded.

To come up on **13.08.2019 at 11.30 AM.**

09.07.2019

**Sd/-
(Yashvir Mahajan)
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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 No.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 is absent.
None on behalf of the Respondent.

ORDER

None is present. The matter shall be heard on 13.08.2019.

Meanwhile, the respondents are advised to file written reply to the show cause notice issued to them. It is underlined that no further opportunity shall be afforded.

To come up on **13.08.2019 at 11.30 AM.**

09.07.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Amarjit Singh,
S/o S. Ajmer Singh,
Village-Burj Hari Singh (Patti-Jhallian),
Tehsil-Raikot, District-Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Raikot, District-Ludhiana.

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Raikot, District-Ludhiana.

Respondents

Appeal Case No.1587/2019

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
04.01.2018	Nil	28.03.2018	Nil	25.04.2019

Present: Sh.Amarjit Singh, Appellant in person.
None is present on behalf of the respondents.

ORDER:

Feeling aggrieved for having not received the information against his application dated 04.01.2018 and filing 1st appeal, the appellant has been constrained to file second appeal with the Commission. The Commission has gone through the application. He intends to seek elaborate information about the activities of the Gram Panchayat ranging from the period 2013 to 2018. The Commission feels that it shall be a massive record and its transmission in such quantum may erode the resources of the public authority. The Commission directs the PIO to allow him inspection of the record on a pre-fixed date and provide him certified copies of the document so identified by him upto an extent of 50 pages only.

The appellant may like to justify the demand in public interest beyond the above stipulated number. Meanwhile the respondents shall explain their conduct in writing for the inordinate delay in providing the information.

The matter shall come up again on **13.08.2019 at 11.30 AM.**

09.07.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Mohit Bansal,
C/o Bansal Provision Store,
Village-Adial, PO-Shapur Kandi Township,
Tehsil & District-Pathankot.

Appellant

Versus

Public Information Officer,
O/o Station House Officer,
Police Station-Zirakpur, Mohali.

First Appellate Authority,
O/o Senior Superintendent of Police,
Mohali.

Respondents

Appeal Case No.1590/2019

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
18.01.2019	Nil	28.02.2019	Nil	26.04.2019

Present: Sh.Varun Bansal, Advocate on behalf of Sh.Mohit Bansal, Appellant.

Shri Ajit Singh, ASI, Police Station, Zirakpur, Distt. Mohali.

ORDER:

The parties are present. The appellant had sought a copy of the compromise deed arrived at between the parties in fray and the DDR recorded on 15.05.2019. The respondents have brought along the aforesaid document which has been handed over on spot to the appellant. Having perused and being satisfied with the same, the Commission does not feel further requirement of any intervention in the matter.

The appeal is disposed.

09.07.2019

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

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Sh. Jaswant Singh,
S/o Sh. Gurdeep Singh,
R/o Village-Gorsian Peeran,
Tehsil-Phillaur, Distt. Jalandhar.

Sh. Kuldip Singh,
S/o Sh. Gurbachan Singh,
R/o Village-Gorsian Peeran,
Tehsil-Phillaur, Distt. Jalandhar.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Nurmahal, Jalandhar.

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

Respondents

Appeal Case No.1640/2019

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
28.01.2019	Nil	01.03.2019	Nil	01.05.2019

Present: Shri Jaswant Singh, Appellant is present.
Sh.Amritpal Singh, Panchayat Secretary, O/o BDPO Nurmahal (Jalandhar).

ORDER:

The information has reportedly been dispatched under registered cover by the respondents vide their letter dated 05.07.2019. The appellant denies having received it. Obviously, it should be in transit. The Commission hopes that the appellant will soon get it. The appellant may like to go through the information when it is received and report deficiency, if any.

The matter shall be re-heard on **13.08.2019 at 11.30 AM.**

09.07.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner