

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING SECTOR-16, MADHYA MARG, CHANDIGARH**  
Tele No.0 172-2864112 FAX No. 0172-2864125 vis us : @www.inforcommpunjab.com  
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Sh. Harbans Singh  
S/o Sh. Mahinder Singh R/o House No.40,  
Aggarsain Colony, Near Greenland School, Bareta Kainchian  
Bareta Tehsil Budhlada Distt. Mansa.

Appellant

Versus

Public Information Officer  
O/o Director,  
Vigilance Bureau, Punjab,  
SCO No.60-61, Sector-17-D, Chandigarh

First Appellate Authority  
O/o Director,  
Vigilance Bureau, Punjab,  
SCO No.60-61, Sector-17-D, Chandigarh

Respondents

**APPEAL CASE NO.162/2018**

Date of RTI application :05.08.2017  
Date of First Appeal :24.11.2017  
Date of order of FAA :Reply 05.09.2017  
Date of 2<sup>nd</sup> Appeal/complainant: 26.12.2017

**Present:** Sh. Harbans Singh, Appellant in person.  
1. SI Avtar Singh, RTI Incharge, Pb. Vigilance Bureau, Chandigarh.  
2. Sh. Jaswinder Singh, Sr. Assistant, Forest Br., Pb. Civil Sectt. 2,  
3. Sh. Karnail Singh, Sr. Assistant, O/oChief Conservator of Forests & Wild Life, Pb.  
– for Respondents.

**ORDER**

The Commission had passed the following order on 23.08.2018:

*"This should be read in continuation of order passed on 17.07.2018 duly endorsed to  
the Chief Conservator of Forests & Wild Life, Punjab.*

*The issue is serious which requires due notice of the concerned Authorities. The  
matter of misconduct and misappropriation after due enquiry by the Punjab Vigilance Bureau had  
been forwarded to the Government. The respondents in the Forest Branch, Pb. Civil Sectt. 2 submit  
that the report of Punjab Vigilance Bureau was inadvertently tagged with another file and could not be  
dealt with. It has further been submitted that the issue has been referred to the Principal Chief  
Conservator of Forests for appropriate comments on the matter within three weeks. Though it is not  
within the domain of this forum to pass any executive instructions yet this inaction cannot be glossed*

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**APPEAL CASE NO.162 /2018**

*over as well. The respondents are required to apprise the Commission as well as the appellant about the status of case before the next date of hearing.”*

The appellant is not present. Nothing has been heard from him also.

SI Avtar singh appearing on behalf of the respondents submits that they have already sent the information to him a copy of which has been endorsed to the Commission as well. As the issue involved is grave it shall be appropriate to afford an opportunity to the appellant to confirm the satisfactory receipt of information.

To come up on **22.11.2018 at 11.30 AM.**

**09.10.2018**

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

- CC:     PIO – cum – Superintendent, Forests Branch, Punjab Civil Sectt., 2, Sector 9, Chandigarh, for n/a.**
- CC:     PIO, O/o Principal Chief Conservator of Forests & Wild Life, Punjab, Forest Bhawan, Mohali, for n/a.**
- CC:     The Additional Chief Secretary to Govt., Punjab, Department of Forests & Wild Life, Punjab Civil Secretariat – 1, Chandigarh for information and n/a.**

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Jathedar Mohan Singh Kartarpur,  
President, Punjab Sikh Council  
Vill. Kartarpur,  
VPO Charason, Patiala.

Complainant

Versus

Public Information Officer,  
O/o Director Education,  
Shiromani Gurudwara Prabandhak Committee,  
Bahadurgarh, Patiala.

Respondent

**COMPLAINT CASE NO. 566/2018**

Date of RTI application:	17.03.2018
Date of First Appeal :	Nil
Date of Order of FAA or Reply:	Nil
Date of 2 <sup>nd</sup> Appeal/complaint:	18.05.2018

**Present:       None.**

**ORDER**

None is present on behalf of the Parties.

The matter shall be reheard on **22.11.2018 at 11.30AM.**

**09.10.2018**

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

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Sh. Ankit Jain  
S/o Sh. Yashpal Jain,  
#1006, Morni Wala Khoo,  
Dera Bassi, S.A.S.Nagar

Complainant

Versus

Public Information Officer,  
O/o Nagar Council, Dera Bassi,  
S.A.S.Nagar.

Respondent

**COMPLAINT CASE NO.168/2018**

Date of RTI application : 06.11.2017  
Date of First Appeal : Nil  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint : 29.01.2018

**Present:**        **Sh. Ankit Jain, Complainant in person.**  
                     **Sh. Sarbjeet Singh, Building Inspector, NC Off., Dera Bassi – for Respondent.**

**ORDER**

The following order was passed by this forum on 11.09.2018:

*“This should be read in continuation of order passed by this forum on 09.08.2018.*

*Sh. Sarbjeet Singh, Building Inspector appearing on behalf of the respondent has brought along the information as was directed by the Commission. He is directed to provide the copies of the documents to the appellant. The complainant is desired to pin-point deficiency, if any, before the next date of hearing.”*

The case has come up today. Sh. Sarbjeet Singh submits that the complainant refused to accept the certified copies of the documents which were arranged to be provided to him in person. He has brought along the same in the Court itself. Even at the behest of this bench the complainant has refused to accept the documents on the ground that they do not meet his requirement even without looking at it.

The Commission finds the complainant to be a cantankerous one. Reportedly he

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**COMPLAINT CASE NO.168/2018**

is involved in a dispute with his neighbour and couple of criminal cases stand registered against him. He alludes its reasons to the public authority in question. In order to settle his scores he is seeking indiscriminate and voluminous information vexatiously. The complainant has failed to prove malafide on the part of respondent to deny information to him. His complaint is accordingly filed. The SCN issued to the PIO is filed.

**Disposed.**

**09.10.2018**

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

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Sh. Kuldeep Singh,  
S/o Sh. Charan Singh,  
R/o Vill. Bhukhari,  
Tehsil Kharar, SAS Nagar

Complainant

Versus

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

First Appellate Authority,  
O/o District Dev. & Panchayat Officer,  
SAS Nagar.

Respondents

**COMPLAINT CASE CONVERTED INTO AC: NO.637/2018**

Date of RTI application:	06.02.2018
Date of First Appeal :	Nil
Date of Order of FAA or Reply:	Nil
Date of complaint:	12.06.2018

**Present:**        **None on behalf of the Complainant/Appellant.**  
                     **Sh. Harmesh Singh, VDO, O/o BDPO, Kharar – for Respondents.**

**ORDER**

The following order was passed by this forum on 11.09.2018:

*“The information sought vide application dated 06.02.2018 is very simple. He intends to know the amount spent by the gram panchayat for laying a pipeline from the shamlat land to the village pond. Having approached the District Development & Panchayat Officer, Mohali, also he failed to procure the information.*

*The respondents are absent. The Commission takes a strong view of the apathy on the part of the respondents. It directs them to part with the information forthwith and explain the delay in writing in the shape of an affidavit before the next date of hearing positively.”*

*“The case has come up today. Sh. Harmesh Singh, VDO is present. He says that he*

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**COMPLAINT CASE CONVERTED INTO AC: NO.637/2018**

*has recently joined and assures to provide the information before the next date of hearing positively.*

*The respondents shall ensure that the information is transmitted to the appellant within ten days from the receipt of this order positively otherwise the penal provisions shall be invoked.”*

The respondents have produced an acknowledgement from the complainant/appellant having received the information to his satisfaction. He does not intend to further pursue the issue. His request is acceded and the complaint/appeal is **disposed**.

**09.10.2018**

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

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Sh. Inderjeet Singh, Advocate  
R/o Sunder Nagar, St.No.3, 1<sup>st</sup> Crossing  
Hanumangarh Road, Abohar.  
Distt. Fazilka.

Sh. Vishal Singh Chauhan, Advocate,  
H.No.127, Sector 10 – A, Chandigarh.

Appellants

Versus

Public Information Officer,  
O/o Special Secretary to Govt. of Punjab,  
Department of Home Affairs & Justice,  
Punjab Civil Sectt.- 1, Chandigarh

Public Information Officer,  
O/o Judicial - 1 Branch,  
Department of Home Affairs and Justice, Govt. of Punjab,  
Punjab Civil Sectt. – 1, Chandigarh.

First Appellate Authority  
O/o Secretary to Govt. of Punjab  
Department of Home Affairs & Justice,  
Punjab Civil Sectt.-1, Chandigarh.

Respondents

**APPEAL CASE NOs. 2559/2017, 938 and 939 of 2018**

Date of RTI application : 03.07.2017/30.08.2017/17.07.2017  
Date of First Appeal : 03.08.2017/27.10.2017/31.08.2017  
Date of Order of FAA : 06.09.2017/12.01.2018Reply27.09.2017/04.08.2017  
Date of 2<sup>nd</sup> Appeal/complaint :11.09.2017/12.03.2018/06.03.2018

**Present:** **Sh. Inderjeet Singh, Advocate, Appellant in person.**  
**Sh. P. S. Bajwa, Additional Advocate General, Punjab for Respondents.**

**ORDER**

The following order was passed by this forum on 18.09.2018:

“This is in continuation of interim orders passed earlier on these appeals.

The following order was made by this forum on 07.08.2018:

*“As the respondents are the same and the issues involved, by and large, are identical these appeals shall be decided with a common order.*

*Having heard the issue it transpires that mandatory requirement of Section 19(4) of the RTI Act has not been met with. The Commission understands that its non-compliance shall vitiate the proceedings. To pass a valid order it shall be in the fitness of things to afford hearing to the third party concerned. The PIO is*

*Contd...page...2*



**APPEAL CASE NOS. 2559/2017, 938 and 939 of 2018**

*directed to inform the individuals to whom information relates well in advance as per requirement under Section 19(4) of the Act to present their cause if any.*

*Meanwhile, the appellant in appeal case No.938 and 939 of 2018 may file a rejoinder to the submissions made by the respondents which have been handed over to him on spot."*

*"The case has come up today. Adv. Saurav Dhir, the proxy for one of the appellants is present and seeks more time to file a rejoinder to the written statements filed by the respondents. Some of the private respondents as mentioned in the head note are present in person while few have authorized others with their Power of Attorneys. The common refrain is that the copy of the appeal is not available which should be supplied to them to defend their cause. The appellants are directed to supply a copy of the appeal to the private respondents sufficiently in advance before the next date of hearing."*

*"It transpires that the copies of the appeals in question have so far not been provided to the affected parties. It is once again desired that the needful be done by the appellants to meet the requirement of statute. The Commission would like to observe that these are the long standing cases and further adjournment on procedural matters shall defeat the avowed purpose of the RTI Act. The appellants shall ensure that the requisite copies are delivered on the affected parties through PIO – cum – Superintendent, Judicial – 1 Br., Department of Home Affairs & Justice, Punjab Civil Secretariat – 1 immediately who shall submit their replies/submissions, if any, before the next date of hearing positively. No adjournment on this score shall be afforded."*

On the request of Sh. Inderjeet Singh, appellant in one of the appeals, this case was preponed. It has come up today. He has filed an affidavit with the plea that he is no more interested to pursue his appeal and intends to withdraw it. The appeal accordingly quo him is dismissed as withdrawn. However, the other two appeals in the bench shall be heard as listed earlier.

**Dismissed.**

**09.10.2018**

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