



Sh. Harcharan Singh,
R/o #2631, Phase-7,
SAS Nagar.

Complainant

Versus

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

Respondent

Complaint Case No.329/2019

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
25.02.2019	Nil	Nil	Nil	01.04.2019

Present: Sh. Harcharan Singh, Complainant in person.
Sh. Devinder Singh, ASI on behalf of respondents.

ORDER:

The complainant has sought a copy of the investigation report on the alleged complaint made against him by some vested interests. ASI Devinder Singh appearing on behalf of Respondents submitted that the complainant been duly informed. He has also submitted copy of the information which is reported to have been sent to the complainant. The complainant acknowledges its received to his satisfaction. The Commission does not feel any further requirement of intervention. The complaint is **closed**.

11.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Sudagar Singh,
S/o Sh. Kaka Singh,
R/o Village-Chunni Khurd,
Tehsil-Bassi Pahana,
District-Fatehgarh Sahib.

Complainant

Versus

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

Respondent

Complaint Case No.334/2019

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
07.01.2019	Nil	Nil	Nil	02.04.2019

Present: Sh.Sudagar Singh, complainant in person.
Sh.Pawan Kumar, Junior Assistant O/o D.C. Fatehgarh Sahib.
- For respondents.

ORDER:

The complainant was seeking a copy of the nomination papers of a candidate for the election of Sarpanch of Village Chunni Khurd during the recently held Gram Panchayat elections. The respondents convey that the information has been supplied. The complainant acknowledges its receipt. The respondents regret the delay and attribute it to their pre-occupation in the Parliamentary elections. The complainant is satisfied. The complainant is **disposed**. The respondents are hereby reprimanded to be watchful in future.

11.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Kartorh Singh,
S/o Sh. Didar Singh,
R/o Village-Behk Fattu,
Tehsil-Zira,
District-Ferozepur.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Majitha, Amritsar.

Respondent

Complaint Case No.335/2019

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
07.01.2019	Nil	Nil	Nil	02.04.2019

Present: Sh.Kartorh Singh, Complainant is absent.
Sh.Satinder Singh, Supdt. BDPO Office, Majitha, Distt.Amritsar.

ORDER:

The complainant intends to know the salary and other allowances being enjoyed by one Shri Parminder Singh, Supdt. O/o BDPO Majitha. The respondents have already conveyed him the information on 04.06.2019, copy of which has been endorsed to the State Information Commission also. The Commission presumes with the absence of complainant that he is satisfied with the information provided to him.

Disposed.

11.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Jagtar Singh,
S/o Sh. Roop Singh,
R/o Village-Tangrali,
Tehsil Talwandi Sabo,
District-Bathinda.

Sh. Amandeep Singh,
S/o Sh. Kheta Singh,
R/o Village-Tangrali,
Tehsil Talwandi Sabo,
District-Bathinda

Complainants

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer,
Talwandi Sabo, Bathinda.

Respondent

Complaint Case No.340/2019

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
11.02.2019	Nil	Nil	Nil	04.04.2019

Present: Sh. Jagtar Singh, complainant in person.
Sh. Jagtar Singh, Panchayat Secretary O/o BDOP Talwandi Sabo.

ORDER:

The complainant is seeking information about the income/revenue having been accrued to the Gram Panchayat, Village Tangrali, Teshil Talwandi Sabo, District Bathinda and the expenditure incurred on various development works during the period 2013 to 2018.

Sh. Jagtar Singh, Panchayat Secretary is present on behalf of the respondents. He submits that the record in question has not been handed over to him by the previous incumbent Shri Harbhajan Singh. The BDPO is directed to ensure that the record is procured from the said Sh.Harbhajan Singh and an inspection of record by the complainant is arranged and certified copies of the documents so identified on inspection, not beyond 150 pages are handed over to the complainant free of charge.

To come up on 14.08.2019 at 11.30 AM through Viedo Conference at Bathinda.

11.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Gora Lal Jhanji,
S/o Sh. Manohar Lal Jhanji,
R/o H.No. 1, Street No. 1, Professor Colony,
Sirhind Mandi, District-Fatehgarh Sahib.

Complainant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council, Sirhind,
District-Fatehgarh Sahib.

Respondent

Complaint Case No.344/2019

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
09.01.2019	Nil	Nil	Nil	03.04.2019

Present: Sh. Gora Lal Jhanji, complainant in person.
Shri Ajay Kumar, Junior Engineer, M.C. Sirhind, -for Respondents

ORDER:

The complainant is seeking status of the action taken on a complaint made by him and regarding some development works in a residential area. What transpires is that the complainant has raised a colony in question illegally without its approval from the competent authority in PUDA or the Municipal Council, Sirhind, District Fatehgarh Sahib.

This colony is yet to be regularized, as he has not paid them the requisite fee/charges. In such a situation, the Commission feels that he has no moral authority to seek redressal from the respondents when his own conduct is under cloud.

Even so, he has not asked for any information under the RTI Act. He seeks the execution of some works. The Executive Officer, Municipal Council, Sirhind is directed to look into the matter and ensure that the laws of the land towards regularization of un-authorised colonies are implemented in letter and spirit.

No intervention of the Commission is called for. **Disposed.**

11.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Baljinder Singh,
S/o Sh. Harbhajan Singh (Ex Numberdar),
R/o Ward No. 4, Village-Teona Pujariya,
Tehsil-Talwandi Sabo, District-Bathinda.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Talwandi Sabo, Bathinda.

Respondent

Complaint Cases No.357/2019 and 358 /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
07.01.2019	Nil	Nil	Nil	08.04.2019

Present: Sh. Baljinder Singh, complainant in person.
Sh. Sewa Singh, Panchayat Secretary and
Sh. Jagdev Singh, Supdt., O/o BDOP Talwandi Sabo- for respondents.

ORDER:

The complainant/respondent are the same and the information sought in the complaints is identical, this order shall dispose of both the complaints.

The complainant has sought information on the details of expenditure incurred by the Gram Panchayat, Village Teona Pujariya, Tehsil Talwandi Sabo, District Bathinda.

The respondent Shri Sewa Singh, Panchayat Secretary submits that the information has been sent across to him by registered cover. The complainant denies its receipt. The Commission feels that since this information has been sent a day ago, it should be in transit. A copy has been handed over on spot to the complainant. He points out some deficiencies. The expenditures shown are not supported by the bills/vouchers. The respondents are directed to provide him complete information under intimation to the Commission.

The matter shall be heard on **14.08.2019 11.30 AM** through Video Conference at Bathinda.

11.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Smt. Harpreet Kaur
 W/o Sh.Rajwinder Singh
 R/o H.NO. 849, Sante Majra
 Ward No.16, PO Landran,
 Kharar, District Mohali.

Complainant

Versus

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

Respondent

Complaint Case No.174/2019

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
01.06.2018	Nil	Nil	Nil	12.02.2019

Present: **Smt. Harpreet Kaur, Complainant in person.**
 HC Harwinder Singh on behalf of Respondents.

ORDER

The Commission had made the following order on 23.04.2019:-

"The complainant is aggrieved with the action of the civil authorities and the local Police towards demolition of the wall of her house and her detention by the Police.

HC Surjit Singh appearing on behalf of the respondents says that the Police was deployed for maintaining law & order. The Commission is not convinced with their response. They are directed to file written reply to the notice of the Commission before the next date of hearing.

Today, the complainant is present, but none is present on behalf of the Respondents. The Commission takes serious note of their absence. The PIO 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.

P.S. H.C Harwinder Singh, the representative of Respondent, SHO Police Station, Kharar came present late for the hearing at 1.45 PM. He has produced letter No.2173/5A/PS City Kharar, containing General Diary Details, copy of RTI application, letter of EO, M.C. Kharar to SHO PS Sadar, Kharar to provide Police assistance, notice issued to husband of complainant to remove encroachment etc."

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Complaint Case No.174/2019

The respondents submit that they have accompanied the civil authorities on the orders of District Magistrate to provide Police assistance in the interest of maintenance of law and order. The copies of relevant orders passed by the competent authority have also been submitted. As the copies of the said order are not available with the respondents, copies of the same have been provided to the complainant from Commission's record. The Commission feels that the complainant has been suitably informed. No further action is called for.

Disposed.

11.06.2019

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



Sh. Sanjeev Kumar Birla,
R/o #5473/2, Modern Housing Complex,
Manimajra, Chandigarh - 160101.

Appellant

Versus

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

First Appellate Authority,
O/o Executive Officer,
Municipal Council,
Zirakpur, SAS Nagar.

Respondents

Appeal Case No.3918/2018

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
29.06.2018	Nil	10.09.2018	Nil	15.11.2018

Present: Sh. Sanjiv Kumar Birla, Appellant is absent.
Sh. Lakhbir Singh, Bldg. Inspector, MC office Zirakpur – for Respondents.

ORDER

The following order was passed by this forum on 28.03.2019 and 23.04.2019:-

28.03.2019

“The respondents are absent. Nothing has been heard from them as well. The Commission takes a strong exception and desires the respondents to explain their conduct besides providing the information to the appellant before the next date of hearing positively.”

“Sh. Gurpreet Singh, Building Inspector has come present on behalf of the respondents. Nothing has been heard from the appellant. The respondents have endorsed a copy of the memo addressed to the appellant wherein they have advised that the appellant should attend their office and procure the information by depositing the requisite fee.

The original application was filed on 29.06.2018. The respondents have sent a reply to the appellant on 10.01.2019. There is unexplained delay of five months. The respondents are directed to explain the delay in responding to the original application forthwith. The appellant may like to advert on their reply and file his response before the next date of hearing.”

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Appeal Case No.3918/2018

The case has again come up for hearing today. The status-quo remains. The Commission feels that the information sought is quite voluminous and its dispensation per se shall divert their resources disproportionately. However, on the other hand, the respondents seem to have completely washed their hands under the garb that the information sought is in the shape of a questionnaire. The Commission overrules their contention. They are supposed to inform the information seeker to the extent possible. They are directed to give a point-wise reply to the appellant immediately under intimation to the Commission. They shall also provide him the certified copies of the documents wherever feasible free of cost and shall also explain the delay in providing information.

23.04.2019

"Sh. Lakhbir Singh, Building Inspector, comes present on behalf of the Respondents. He states that in compliance with the order passed by the Commission, reply has been sent to the Appellant. As the Appellant is absent, the Commission feels that an opportunity is desirable to be afforded to him to ascertain his satisfaction with the sufficiency of information"

11.06.2019

The case has come up today. Nothing has been heard from the appellant. He has already received information from the respondents.

The Commission presumes that he is satisfied with the information supplied to him. No more intervention seems to be called for.

Disposed.

11.06.2019

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



Sh. Rajesh Kumar Bharti,
R/o #70/2 Gali No. 15-14 B,
Sawatantar Nagar, Narela, Delhi-40.

Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council,
Zirakpur, Distt. Mohali.
First Appellate Authority,
O/o Additional Director,
Local Government,
Plot No. 3, Dakshin Marg, Sector-35A,
Chandigarh.

Respondents

Appeal Case No.3265/2018

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
15.04.2018	Nil	24.05.2018	Nil	21.09.2018

Present: None on behalf of the Appellant.
Sh. Lakhbir Singh, Building Inspector, MC office, Zirakpur,
On behalf of PIO/ Respondent.

ORDER

The following order was made by the Commission on 23.04.2019:-

"Having failed to procure the information vide his application dated 24.05.2018 and first appeal, the appellant has been constrained to file second appeal with the Commission. He is seeking information primarily relating to the specifications of a road and the encroachments made thereon, if any. The respondents have stone-walled his application for information despite following the proper course.

Sh. Vikas Kumar, Clerk O/o Director, Local Government, Punjab, is present. He says that his application was duly forwarded to the PIO, O/o Municipal Council, Zirakpur. None is present on behalf of the PIO, O/o M.C., Zirakpur nor any written reply has been received to the notice of the Commission.

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Appeal Case No.3265/2018

The Commission takes a very strong exception to such a stoic conduct. Apparently, the PIO has violated the provision of Section 7(1) of the Act and rendered himself liable for penal consequences.

The jurisdictional PIO – cum – Executive Officer, Municipal Council, Zirakpur 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.”

“The matter has again been taken up today. Sh. Girish Verma, PIO – cum – EO, MC, Zirakpur was issued a show cause notice. Neither he has come present nor has he filed a written explanation. His proxy is seeking an adjournment. The matter shall be reheard on 28.03.2019 at 11.30 AM.”

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Appeal Case No.3265/2018

28.03.2019

The matter has again come up today. It seems that the Executive Officer, M.C., Zirakpur is defiant and disdainful to the Commission's orders/directions. He is hereby directed to appear in person on the next date of hearing along with an affidavit explaining his conduct and the original record pertaining to the information sought. The Commission underlines that he will further ignore these orders at the cost of serious consequences."

23.04.2019

Today, the Appellant is absent. On behalf Respondents, Sh. Lakhbir Singh, Building Inspector comes present. He states that they have not received the orders stated to have been passed by the Commission. He seeks adjournment to supply the requisite information. The matter shall be taken up on 11.06.2019 at 11.30 AM".

11.06.2019

The case has come up today. The matter is adjourned.

To come up for hearing **on 08.08.2018 at 11.30 AM.**

11.06.2019

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

Sh. Bharpur Singh,
S/o Sh. Sarwan Singh,
R/o Village Lubhana Teku, Tehsil Nabha,
District- Patiala.

Appellant

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer,
Nabha, District Patiala.

First Appellate Authority,
O/o District Development & Panchayat Officer,
Patiala.

Respondents

Appeal Case No.3140/2018

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	17.07.2018	Nil	17.09.2018

Present: Sh. Bharpur Singh, Appellant in person.
None on behalf of Respondents.

ORDER

The Commission had made the following order on 23.04.2019:-

"This should be read in continuation of order passed by this forum on 13.11.2018.

The case has come up today. Sh. Baljit Singh, Panchayat Secretary appearing on behalf of the respondents says that he has recently joined and assures to provide the information expeditiously. While accepting his request the Commission directs him to part with the information and file an explanation in writing for the delay before the next date of hearing failing which it shall be presumed that he has nothing to say and the order shall be passed on the appraisal of facts on record.

"The matter has been taken up today. Mrs. Kamaljit Kaur, Superintendent, is present on behalf of the respondents. She has brought along the information which has been handed over on spot to the appellant. The appellant alleges serious irregularities on the part of the gram panchayat in cahoot with the Panchayat Secretary. Be that as it is the appellant may like to go through the information provided and convey in writing the deficiency, if any, before the next date of hearing."

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Appeal Case No.3140/2018

The matter has again come up today. The appellant is still dissatisfied as the information provided, according to him, is unattested. Sh. Baljit Singh, Panchayat Secretary appearing on behalf of the respondents undertakes to attest it here and now only. It also transpires that the copies of Measurement Book being maintained by the J.E. for execution of works have not been provided. The J.E. is directed to provide him the copies of the M.B. as asked for in the original application. The BDPO shall monitor it. The J.E. shall be deemed as PIO and is directed to comply with the aforesaid instructions."

Today, the respondents are absent. No written reply has been filed. The Commission takes strong exception of their negligent and cavalier conduct. In the aforesaid order, the J.E. was directed, in no uncertain terms, to provide to the Appellant the copies of the Measurement Book maintained by him during the execution of works. However, the directions of the Commission have gone abegging. The Appellant alleges that the Panchayat has embezzled a hefty sum from the amount of Rs.70.00 lacs drawn by them by fudging the record. In the scenario, the conduct of the respondents raises some serious questions of propriety. The BDPO and Junior Engineer on whom the onus was put by the Commission to provide the information, are hereby issued show cause notice to explain in a self- attested affidavit as to why a penalty of Rs.25,000/-, 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 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. The Junior Engineer is neither present nor he has provided the information to the information seeker. The issue is serious. Huge sum is involved. While exercising its authority under Section 18(3) of the RTI Act, the Commission issues **Bailable Warrant** of Sh. Dinesh Kumar, Junior Engineer, O/o BDPO Nabha, District Patiala, with the directions to appear before this Forum along with the original record on the next date of hearing positively.

To come up on **30.07.2019 at 11.30 AM.**

11.06.2019

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

CC: Sr.Superintendent of Police, Patiala

REGISTERED

BAILABLE WARRANT OF PRODUCTION

BEFORE SHRI YASHVIR MAHAJAN, STATE INFORMATION COMMISSIONER, PUNJAB

AT CHANDIGARH

In case of Sh. Bharpur Singh S/o Sh.Sarwan Singh, resident of Village Lubana Teku, Tehsil Nabha, District Patiala versus PIO, O/o Block Development & Panchayat Officer, Nabha , in Appeal Case No.105 of 2018

UNDER SECTION 18(3) (a) OF THE RIGHT TO INFORMATION ACT, 2005

APPEAL CASE No.3140 OF 2018

NEXT DATE OF HEARING: 30.07.2019 AT 11.30 AM

To

**The Senior Superintendent of Police,
Patiala.**

Sh. Dinesh Kumar, Deemed PIO – cum –Junior Engineer, O/o Block Development & Panchayat Officer, Nabha, District Patiala has failed to appear before the State Information Commissioner despite the issuance of notice/summon in the above mentioned appeal case. Whereas, the Commission feels that the presence of the PIO along with the relevant record is inevitable to arrive at the judicious conclusion of the aforesaid case, you are directed to serve this bailable warrant on Sh. Kulwinder Singh to appear before the State Information Commissioner, Punjab, at Red Cross Building, Sector – 16, Madhya Marg, Chandigarh, on **28.03.2019 (Thursday) at 11.30 AM.**

**Dated, this 21st day of February, 2019.
Punjab.**

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