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Sh..Karamjit Singh

S/o Sh. Jagir Singh

R/o Village Rurkee Khaam, P.O.Palheri,

Tehsil Kharar Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Branch Incharge,(Record Branch),

Sub Divisional Magistrate office, Kharar.

Distt. S.A.S.Nagar

.

First Appellate Authority

O/o Branch In charge,(Record Branch),

O/o Sub Divisional Magistrate, Kharar.

Distt. S.A.S.Nagar Respondents

 **APPEAL CASE NO. 2815/2017**

Date of RTI application : 23.05.2017

Date of First Appeal : 27.06.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :10.10.2017

**Present:** Sh. Karamjit Singh, Appellant in person.

 Sh. Baljit Singh, Naib Court, SDM Office, Kharar.

 **ORDER**

The appellant has requisitioned an information pertaining to a case decided between 01.05.1996 and 31.12.1996 under Section 107/151 by the Court of SDM, Kharar pursuant upon a DDR No.15 dated 10.04.1996. The respondents had intimated to the appellant about the non-availability of the record being old.

 Instead of pleading his case the appellant is demanding this bench to recuse itself. Such a forum shopping cannot be permitted when he has failed to intimate any palpable reason for the same. The respondents reiterate that such an old record is not being maintained by them. The position taken by the respondents seems credible and the Commission is not inclined to draw adverse inference of the same.

 The appeal is **dismissed** accordingly.

 **Sd/-**

**12.12.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh..Karamjit Singh

S/o Sh. Jagir Singh

R/o Village Rurkee Khaam, P.O.Palheri,

Tehsil Kharar Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Tehsildar, Kharar.

Distt. S.A.S.Nagar

.

First Appellate Authority

O/o Sub Divisional Magistrate, Kharar.

Distt. S.A.S.Nagar Respondents

 **APPEAL CASE NO.2827/2017**

Date of RTI application : 20.06.2017

Date of First Appeal : 24.08.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :10.10.2017

**Present:** Sh. Karamjit Singh, Appellant in person.

Sh. Manoj Kumar, Jr. Assistant, Tehsil Office, Kharar – for Respondents.

**ORDER**

The appellant had sought the name of the Naib Tehsildar posted at Kharar on 08.01.1998. The respondents have already given him the information. No further action is called for.

 The appeal is **disposed.**

 **Sd/-**

**12.12.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh..Karamjit Singh

S/o Sh. Jagir Singh

R/o Village Rurkee Khaam, P.O.Palheri,

Tehsil, Kharar, Distt.S.A.S.Nagar Appellant

 Versus

Public Information Officer,

O/o Branch Incharge HRC,

O/o Deputy Commissioner, S.A.S.Nagar

.

First Appellate Authority

O/o Addl. Deputy Commissioner (G),

S.A.S.Nagar Respondents

 **APPEAL CASE NO.2828/2017**

Date of RTI application : 26.07.2017

Date of First Appeal : 04.09.2017

Date of Order of FAA : 14.09.2017

Date of 2nd Appeal/complaint :10.10.2017

**Present:** Sh. Karamjit Singh, Appellant in person.

1.Sh. Jagdeep Singh, APIO – cum – Superintendent, Gr. 2, DC Office, Mohali,

 2. Sh. Ramesh Kumar, Sr. Assistant, HRC, DC Office, Mohali – for Respondents.

**ORDER**

 The appellant is seeking an information pertaining to the particulars of a person having purchased a stamp paper which was used in the execution of a sale deed No. 52 dated 08.04.1996. The respondents had replied to him that this record is not available with them. Such particulars are only written on the reverse side of the original stamp paper and is retained by the person who is in custody of the sale deed. As the information is not available the same cannot be provided.

 The respondents further submit that his appeal was decided by the Additional Deputy Commissioner (General) on 14.09.2017 with the same effect as well.

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 The appellant has not made any valid ground to question the impugned order passed by the First Appellate Authority. He is not inclined to advance any argument rather takes stubborn stance of asking this bench to recuse itself.

 The Commission finds that he is repeatedly filing the applications and appeals on the same subject without revealing purpose much less highlighting any public cause. His conduct tantamounts to wasting the time of the Commission as well as the Public Authority. The Deputy Registrar is advised not to entertain his applications in future if made on the same subject.

 **Dismissed.**

 **Sd/-**

**12.12.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: The Deputy Registrar, PSIC, for n/a.**

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Sh. Rajesh Kumar

S/o Sh. Mahavir Singh,

R/o Village Suchan Kotli

Tehsil & Distt. Sirsa ( Haryana) Appellant

Versus

Public Information Officer,

O/o Chief Director, Vigilance Bureau, Punjab

SCO No.60-61, Sector-17-D,

Chandigarh

.

First Appellate Authority

O/o Chief Director, Vigilance Bureau, Punjab

SCO No.60-61, Sector-17-D,

Chandigarh Respondents

 **APPEAL CASE NO.2857/2017**

Date of RTI application : 01.08.2017

Date of First Appeal : 09.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :13.10.2017

**Present:** Sh. Rajesh Kumar, Appellant in person.

 1. SI Avtar Singh, O/o Vigilance Bureau, Punjab,

 2. Sh. Gurnam Singh, Sr. Assisltant, O/o DGP, Punjab,

 3. Constable Anil Rattan, O/o Vigilance Bureau, Punjab – for Respondents.

 **ORDER**

Sh. Gurnam Singh, Sr. Assistant appearing on behalf of the PIO, O/o Director General of Police, Punjab, says that the information was sent to him under registered cover. The appellant denies having received it. A photo copy of the same has been arranged to be handed over to the appellant on spot. The appellant may go through it and file reservations, if any, before the next date of hearing.

 As the issue concerns the normal crime investigations, no role of the Vigilance Bureau is involved. Accordingly, they are exempted from the appearance in the Court in future.

 To come up on **02.01.2018 at 11.30 AM.**

 **Sd/-**

**12.12.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh.Gulshan Rai

House No.C-202, Aastha Apartments,

Phase -2, Nabha-Pabhat Road,

Zirakpur -140603 Dist. S.A.S.Nagar. Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council, Zirakpur

Distt. S.A.S. Nagar.

.

First Appellate Authority

O/o Executive Officer,

Municipal Council, Zirakpur

Distt. S.A.S. Nagar Respondents

 **APPEAL CASE NO. 2868/2017**

Date of RTI application : 18.05.2017

Date of First Appeal : 29.06.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :16.10.2017

**Present:** Sh. Vinay Dutta on behalf of the Appellant.

 Sh. Gursewak Singh, Jr. Assistant, MC Office, Zirakpur – for Respondents.

**ORDER**

 Sh. Gursewak Singh, Jr. Assistant appearing on behalf of the respondents has brought along the information which has been handed over to the proxy of the appellant on spot. The appellant may like to go through it.

 The matter shall be reheard on **04.01.2018 at 11.30 AM.**

 **Sd/-**

**12.12.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. V. Kumar President) MACC

House NO.450, Sector-3 C,

Post office Road, Mandi Gobindgarh -147301 Appellant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate,

Kharar, Distt. S.A.S. Nagar.

.

First Appellate Authority

O/o Sub Divisional Magistrate,

Kharar, Distt. S.A.S. Nagar Respondents

 **APPEAL CASE NO. 2869/2017**

Date of RTI application : 03.05.2017

Date of First Appeal : 28.06.2017

Date of Order of FAA : Reply 22.06.2017

Date of 2nd Appeal/complaint :11.10.2017

**Present:** Sh. V. Kumar, Appellant in person.

 Smt. Anita Mehta, Jr. Assistant, O/o SDM, Kharar – for Respondents.

**ORDER**

The appellant had sought information primarily concerning the personnel issues of the employees working in the office of the SDM, Kharar. The respondents have denied him information invoking Section 8(1) (j) of the Act. A closer look on the application suggests that some of the information, of course, falls in the ambit of Section 8 (1) (j). However, they cannot totally deny the information under the shelter of the aforesaid provision of the Act. They are directed to provide him the information besides putting it on the website of the office about the particulars of the employees, names, designations and date of joining at current posts, salary and allowances drawn by them The above information should be communicated to him positively before the next date of hearing. The information about the complaints and the disciplinary proceedings has been maintained as a ‘personal information’ by an order of the Hon’ble Supreme Court of India in the Special Leave Petition (Civil) No.27734 of 2012 (@ CC 144781/2012) dated 03.10.2012 -- titled Contd…page…2

 -2-

**APPEAL CASE NO. 2869/2017**

Girish Ramchandra Deshpande Vs Central Information Commissioner & Ors. It shall not be valid for this forum to direct the PIO to provide it as per the dictate of the above judgment. The matter is deferred to be heard on **04.01.2018 at 11.30 AM** with the hope that the aforesaid observations of this forum are complied with well before the next date of hearing.

 **Sd/-**

**12.12.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Avtar Singh

S/o Sh. Joginder Singh,

Village Gige Majra,

Tehsil & Distt. S.A.S Nagar Appellant

Versus

Public Information Officer,

O/o Tehsildar, S.A.S.Nagar

.

First Appellate Authority

O/o Sub Divisional Magistrate,

S.A.S. Nagar. Respondents

 **APPEAL CASE NO. 2888/2017**

Date of RTI application : 14.06.2017

Date of First Appeal : 01.08.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :16.10.2017

**Present: None.**

**ORDER**

 None is present.

 The matter shall be reheard on **04.01.2018 at 11.30 AM.**  Meanwhile, the respondents are directed to file a written reply before the next date of hearing positively.

 **Sd/-**

**12.12.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Raj Kumar

S/o S. Sukhdev Singh,

Shane Punjab Nagar, Ward No.10,

Near Anaj Mandi and FCI, Kharar

Distt. S.A.S.Nagar Complainant

Versus

Public Information Officer,

O/o Municipal Council,

Kharar Distt. S.A.S.Nagar. Respondent

 **COMPLAINT CASE NO.1125/2017**

Date of RTI application : 16.06.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 16.10.2017

**Present:** None on behalf of the Complainant.

 Sh. Jaswinder Singh, Draftsman, M.C. Office, Kharar – for Respondents.

**ORDER**

The appellant has sought information as to whether Golden City Real Estate Colony situated in Kharar has the recognition of PUDA or the Municipal Council Kharar and if so has the arrangement been made there to provide water supply, wide roads, street lights etc.

 Sh. Jaswinder Singh, Draftsman, appearing on behalf of the respondents says that the information has already been provided.

 The appellant is absent. He may convey his observations, if any, before the next date of hearing.

 To come up on **11.01.2018 at 11.30 AM.**

 **Sd/-**

**12.12.2017 (Yashvir Mahajan)**

 **State Information Commissione**

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Lt. Col Tej Bhan (Retd)

H.No.335, Sector-8, Panchkula (Haryana) Appellant

Versus

Public Information Officer,

O/o Station House Officer (Economic Offences Wing) Counselling,

SCF No1, Industrial Area, Phase 1,

S.A.S. Nagar.

First Appellate Authority

O/o Station House Officer (Economic Offences Wing) Counselling,

SCF No.1, Industrial Area, Phase 1,

S.A.S. Nagar Respondents

**APPEAL CASE NO.2630/2017**

 **Date of RTI Application : 13.06.2017**  **Date of First Appeal : 08.08.2017**

 **Date of letter of FAA : Nil**

 **Date of Second Appeal : 20.09.2017**

**Present:** Lt. Col. Tej Bhan (Retd.), Appellant in person.

 None on behalf of the Respondents.

**ORDER**

 The following order was observed by the Commission on 14.11.2017:

 *“The appellant had sought an information from the SHO, Economic Offences Wing, Industrial Area, Phase – 1, Mohali, relating to a complaint filed by one Sh. Vikas Kansal.*

 *HC Raj Kumar who is present on behalf of the respondents says that the application should have been filed before the Senior Superintendent of Police, Mohali who happens to be the PIO. The S.H.O., Economic Offences Wing in the scenario should have forwarded the application to the Senior Superintendent of Police, Mohali, immediately. He should do it now.*

 *The Senior Superintendent of Police, Mohali is directed to deal the case and arrange to provide the admissible information to the appellant under intimation to the Commission before the next date of hearing positively.”*

 None is present on behalf of the respondents nor any written submission has been Contd…page…2

 -2-

**APPEAL CASE NO.2630/2017**

made by them. The Commission takes a strong exception to the indifference. However, an opportunity is afforded to them to provide the information under written explanation to the Commission failing which the penal proceedings shall follow.

 To come lup on **04.01.2018 at 11.30 AM.**

 **Sd/-**

**12.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The Senior Superintendent of Police, SAS Nagar (Mohali) along with a copy of the RTI application for information and n/a.**

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Sh. Nirvinder Singh

Village Kansal, P.O. Nada

Tehsil Kharar Distt. S.A.S. Nagar. Appellant

Versus

Public Information Officer,

O/o Civil Judge (Sr. Div.),

Fatehgarh Sahib.

Public Information Officer,

O/o Civil Judge (Sr. Div.),

Patiala

First Appellate Authority

O/o Civil Judge (Sr. Div),

Fatehgarh Sahib.

First Appellate Authority,

O/o Civil Judge (Sr. Div.),

Patiala. Respondents

**APPEAL CASE NOs. 2634 and 2633 of 2017**

 **Date of RTI Application : 16.01.2017/18.01.2017**  **Date of First Appeal : 10.03.2017, 03/2017**

 **Date of letter of FAA : Nil/06.07.2017**

 **Date of Second Appeal : 25.09.2017**

**Present:** Sh. Nirvinder Singh, Appellant in person.

 Sh. Ram Millan, Process Server, O/o Civil Judge (Sr. Div.), Patiala.

 None on behalf of the PIO, O/o Civil Judge (Sr. Div.), Fatehgarh Sahib.

.

**ORDER**

 The PIO in the office of the Civil Judge (Sr. Div.), Patiala has requested for some more time to file a written reply. His request is acceded. Meanwhile, the appellant has filed a rejoinder a copy of which has been handed over to the rep. of the PIO on spot.

 The case shall be reheard on **02.01.2018 at 11.30 AM.**

 **Sd/-**

**12.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh.Jai Parkash Chhabra,

H.No.92, Street No.21, Tripuri,

Patiala Complainant

Versus

Public Information Officer,

O/o Sub Registrar-cum- Tehsildar,

Mini Sectt. Patiala.

 Respondent

**COMPLAINT CASE NO. 1007/2017**

 **Date of RTI Application : 24.07.2017**  **Date of First Appeal : Nil**

 **Date of letter of FAA : Nil**

 **Date of Second Appeal : 18.09.2017**

**Present:** Sh. Jai Parkash Chhabra, Complainant in person.

 None on behalf of the Respondent.

.

**ORDER**

 Despite a couple of notices the Tehsildar Patiala is neither present nor any written reply has been submitted by him. The Commission has already expressed its strong exception on the indifferent attitude of the respondents.

 The Commission takes it as a violation of Section 7(1) of the Act and issues a show cause notice to the PIO 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 himfor 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 Contd… page…2

 -2-

**COMPLAINT CASE NO.1007/2017**

and the Commission shall proceed to take further proceedings against him ex parte.

 To come up on **02.01.2018 at 11.30 AM.**

 **Sd/-**

**12.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jai Parkash Chhabra,

H.No.92, Street No.21, Tripuri,

Patiala Complainant

Versus

Public Information Officer,

O/o Sub Registrar-cum- Tehsildar,

Mini Sectt. Patiala Respondent

**COMPLAINT CASE NO.1008/2017**

 **Date of RTI Application : 12.07.2017**  **Date of First Appeal : Nil**

 **Date of letter of FAA : Nil**

 **Date of Second Appeal : 18.09.2017**

**Present:** Sh. Jai Parkash Chhabra, Complainant in person.

 None on behalf of the Respondent.

.

**ORDER**

 Despite a couple of notices the Tehsildar Patiala is neither present nor any written reply has been submitted by him. The Commission has already expressed its strong exception on the indifferent attitude of the respondents.

 The Commission takes it as a violation of Section 7(1) of the Act and issues a show cause notice to the PIO 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 himfor 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 Contd… page…2

 -2-

**COMPLAINT CASE NO.1008/2017**

and the Commission shall proceed to take further proceedings against him ex parte.

 To come up on **02.01.2018 at 11.30 AM.**

 **Sd/-**

**12.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Ms. Jyoti Aggarwal,

House No. 692- I,

Bhai Randhir Singh Nagar,

Ludhiana. Appellant

Versus

Public Information Officer,

O/o Civil Surgeon, Dandi Swami Marg,

Opp. Police Commissioner Residence,

Ludhiana

First Appellate Authority,

O/o Civil Surgeon, Dandi Swami Marg,

Opp. Police Commissioner Residence,

Ludhiana Respondents

 **APPEAL CASE NO.2268/2016**

 **Date of RTI Application : 16.04.2016**

 **Date of First Appeal : 16.05.2016**

 **Date of Order of FAA : NIL**

 **Date of Second Appeal : 08.07.2016**

**Present:** Ms. Jyoti Aggarwal, Appellant in person.

 Dr. Mohinder Singh, PIO – cum – Assistant Civil Surgeon, Ludhiana.- for Respondents.

**ORDER**

 This may pl. be read in continuation of this forum’s orders passed on 26.07.2017 and 10.10.2017.

 Dr. Mohinder Singh, PIO – cum – Assistant Civil Surgeon, Ludhiana has come present. He has handed over the amount of compensation to the appellant on spot and also submitted copies of the challans whereby the amount of penalty imposed upon him has also been deposited. No cause of action is left.

 The case is **closed.**

 **Sd/-**

**12.12.2017 (Yashvir Mahajan)**

 **State Information Commissioner**