**STATE INFORMATION COMMISSION, PUNJAB**

 **RED CROSS BUILDING, SECTOR 16, MDHYA MARG, CHANDIGARH**

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Sh. H.S.Hundal

Chamber No.82, District Courts,

Sector-76, S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o State Information Commission, Punjab,

Chandigarh

First Appellate Authority,

O/o State Information Commission, Punjab,

Chandigarh Respondents

**APPEAL CASE NO.1101/2017**

 **Date of RTI Application : 26.05.2016**

 **Date of First Appeal : 27.06.2016**

 **Date of Order of FAA : 22.12.2016**

 **Date of Second Appeal : 10.04.2017**

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

 1. Sh. Romesh Kumar, APIO – cum – SO, PSIC for Respondents.

 2. Sh. K.L.Jhamb, PS/Secretary, PSIC for FAA.

**ORDER**

The appellant has requested for an adjournment. Acceding to his request the case is adjourned for hearing on **18.07.2017 at 11.30 AM.**

 **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Varun Khanna,

1st Floor, No.13, Mahajan Market,

Gali Acharjan, Near Karmon Deori, Amritsar Appellant

Versus

Public Information Officer,

O/o Financial Commissioner, Revenue,

3rd Floor, Punjab Civil Sectt.-1,

Chandigarh

First Appellate Authority,

O/o Financial Commissioner Revenue,

Punjab Civil Sectt. -1, Chandigarh Respondents

**APPEAL CASE NO.1106/2017**

 **Date of RTI Application : 04.01.2017**

 **Date of First Appeal : 13.02.2017**

 **Date of Order of FAA : Nil**

 **Date of Second Appeal : 10.04.2017**

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

 1. Smt. Manjit Kaur, Under Secretary, O/o FCR, Punjab, and

2. Sh. Arun Kaushal, Sr. Assistant, Stamp pad registration br., I/o FCR, Pb. – for Respondents.

**ORDER**

A communication diarized in this office on 17.05.2017 has been received wherein the appellant has acknowledged the receipt of information to his satisfaction. No more action is called for.

  **Disposed.**

 **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Sanjeev Goyal

S/o Sh. Ashok Kumar

H.No.148, New No.00110, Model Town, Phase -1,

Near T.V. Tower, Bathinda. Appellant

Versus

Public Information Officer,

O/o Deputy Commissioner,

Mini Secretariat, Bathinda.

First Appellate Authority,

O/o Deputy Commissioner,

Mini Secretariat, Bathinda. Respondents

**APPEAL CASE NO. 1119/2017**

 **Date of RTI Application : 12.09.2016**

 **Date of First Appeal : 09.12.2016**

 **Date of Order of FAA : Reply: 18.05.2017**

 **Date of Second Appeal : 03.04.2017**

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

 Sh. Naza Singh, Clerk, DC Office, Bathinda – for Respondents

**ORDER**

The appellant has sought an adjournment.

 He further submits that a detailed order was passed on 06.10.2016 by this bench in an appeal filed by him on the same issue in AC:3327 of 2015. He has produced before us a copy of the same.

 The Commission finds that after a prolonged and protracted exercise the appellant was arranged to be furnished with significant the information concerning the printing presses working in the district of Bathinda. We see that he has again filed an appeal with the Commission on the same score. Obviously, it is a misuse rather an abuse of the provisions of the RTI Act. The Commission takes a strong exception to his act of filing repeated applications and severely reprimands him on record. Be it noted that he files an affirmation with the Commission while filing an Contd…page…2

 -2-

**APPEAL CASE NO. 1119/2017**

appeal or complaint to the effect that no appeal or complaint was earlier filed by him or is pending with the Commission. In case he repeats it Commission shall be constrained to proceed against him for misleading this forum.

 **Disposed.**

 **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

 **STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Gurmail Singh

S/o Sh. Ram Chand,

R/o Village Lasarhi, Tehsil Anandpur Sahib

Distt. Ropar. Complainant

Versus

Public Information Officer,

O/o Block Development & Panchayat Officer,

Nurpur Bedi, Distt. Ropar Respondent

 **COMPLAINT CASE NO.307/2017**

 **Date of RTI Application : 26.08.2016**

 **Date of First Appeal : Nil**

 **Date of Order of FAA : Nil**

 **Date of Second Appeal : 07.04.2017**

**Present:** Sh. Gurmail Singh, Complainant in person.

 Sh Ashneer Singh, Panchayat Secretary, O/o BDPO, Nurpur Bedi.

**ORDER**

The complainant had sought information during the month of August about the various grants issued to the gram panchayat of village Lasari, Block, Nurpur Bedi from the year 2013 onwards.

 It transpires that the respondent had asked the complainant to deposit a sum of Rs.2,000/- as a cost of providing the information. We find that no valid formula/calculation has been observed while demanding the amount of fee which obviously is on the very high side. The fee was deposited timely by the complainant. It is after a lapse of about six months that the information comprised in about 200 pages was sent by post to the complainant which as per report of the postal authorities was declined to be received by the complainant. The respondent has brought along the information thus sent to the complainant. The same has been passed on to the complainant on spot in the Court itself.

 Contd…page..2

 -2-

**COMPLAINT CASE NO.307/2017**

 The Commission finds that the conduct of the respondent has been negligent and lackadaisical whereas a substantial delay is involved. Simultaneously an exaggerated amount calculated haphazardly has been demanded probably to discourage the information seeker. The Commission takes a serious view of the same and takes it a willful denial of information 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 him 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.

 Meanwhile the respondent shall refund the amount of Rs.1,600/- un-authorisedly charged by the respondent, forthwith.

 To come up on **18.07.2017 at 11.30 AM.**

 **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Mukhktiar Singh Kamboj, (98722-72019),

Distt. President,

International Human Rights Council,

Ward No.1, Moonak, Tehsil Moonak,

Distt. Sangrur Complainant

Versus

Public Information Officer,

Tehsildar,

Moonak Distt. Sangrur Respondent

**COMPLAINT CASE NO.377/2017**

 **Date of RTI Application : 16.08.2016**

 **Date of First Appeal : Nil**

 **Date of Order of FAA : Nil**

 **Date of Second Appeal : 22.02.2017**

**Present:** Sh. Mukhtiar Singh Kamboj, Complainant in person.

 None on behalf of the Respondent.

**ORDER**

The respondent is absent. The complainant had sought to know the details of the compensation having been afforded to the farmers against damage caused to their crops by the floods in the year 2016. While taking a serious note of his absence the respondent is directed to inform the complainant of the information sought under intimation to the Commission.

 The matter shall be reheard on **18.07.2017 at 11.30 AM.**

 **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Surjit Singh

S/o Sh. Gokal Singh,

Vill. & P.O. Jarg, Tehsil Payal,

Distt. Ludhana -141415 Complainant

Versus

Public Information Officer,

O/o Jt. Commissioner, (Dev.),

Vikas Bhawan Sector-62,S.A.S Nagar. Respondent

**COMPLAINT CASE NO.393/2017**

 **Date of RTI Application : 01.03.2017**

 **Date of First Appeal : Nil**

 **Date of Order of FAA : Nil**

 **Date of Second Appeal : 08.04.2017**

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

 1. Sh. Dalwinder Singh Bhangu, Panchayat Officer, O/o BDPO, Khanna,

 2. Sh. Sumanjit Singh, Gram Rozgar Sahayak, O/o BDPO, Khanna – for Respondent.

**ORDER**

The complainant had sought copies of the muster rolls and other allied information of the works executed by gram panchayat in certain villages during the years 2010 to 2016.

 The Complainant is absent. Nothing has been heard from him also. The respondents say that they have already provided him the information. They have also shown us a copy of the acknowledgement of the information having been received by the wife of the complainant.

 We presume that the sufficient information has been provided to the complainant. No further intervention of the Commission is called for.

 **Disposed.**

 **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Prem Singh

Village Balawalpur. P.O Lodhi Majra,

Ropar Complainant

Versus

Public Information Officer,

O/o Deputy Commissioner,

Ropar. Respondent

**COMPLAINT CASE NO.396/2017**

 **Date of RTI Application : 10.06.2011**

 **Date of First Appeal : Nil**

 **Date of Order of FAA : Nil**

 **Date of Second Appeal : 16.04.2017**

**Present:** Sh. Prem Singh, Complainant in person.

 1. Sh. Haresh Kumar, Clerk, DC Office, Ropar,

 2. Sh. Jatin Kumar, Clerk, Civil Surgeon Office, Ropar,

 3. Sh. Raj Kumar, Computer Op., O/o Civil Surgeon Ropar – for Respondent.

**ORDER**

The complainant is seeking a copy of the original entry of the death which allegedly was caused as a result of foul play during October, 2007. The authorities in the Health Department submit that they are not in custody of the original record i.e. the chowkidar register. Entry in their record is on the basis of the report of the Block Development and Panchayat Officer, Ropar. The complainant is seeking certified copy of the original record supposedly lying in the office of the BDPO. The BDPO accordingly is directed to look for the record and arrange to provide it to the complainant within fifteen days from today positively. He is impleaded as necessary party in the instant case and is directed to join the proceedings.

 Meanwhile the respondents in the office of the Civil Surgeon, Ropar shall provide him the relevant record. The case shall be reheard on 18.07.2017 at 11.30 AM.

 Contd…page….2

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**COMPLAINT CASE NO.396/2017**

 The respondent No. 1 has submitted a written reply. It does not have any direct connection with the issue in hand. They are exempted from appearance in future hearings.

 To come up on **18.07.2017 at 11.30 AM.**

 **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: The Block Development and Panchayat Officer,**

 **Ropar for information & n/a.**

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Sh. Opneet Singh,

322, Lal Bagh, Freozepur Road,

Ludhiana Complainant

Versus

Public Information Officer,

O/o Addl. Director (Finance & Accounts), Pb.

SCO No.95-98, Secto17-B,

Chandigarh Respondent

 **COMPLAINT CASE NO.398/2017**

 **Date of RTI Application : 01.09.2016**

 **Date of First Appeal : Nil**

 **Date of Order of FAA : Nil**

 **Date of Second Appeal : 20.03.2017**

**Present:** Sh. Opneet Singh, Complainant in person.

 1. Sh. Yash Pal Sharma, Clerk, Sub Treasury, Jagraon, Distt., Ludhiana, and

 2. Sh. Bhupinder Singh, Sr. Assistant, O/o Director, Treasury & Accounts, Punjab, Chandigarh – for Respondent.

**ORDER**

The complainant had sought to know the outcome of an enquiry which the respondent was directed to conduct vide an order of the Commission dated 24.07.2015. After hearing the parties it transpires that a malfeasance was detected in the office of the Sub Treasury, Jagraon, District Ludhiana. The Complainant had sought to procure copies of documents on the basis of which he was charge-sheeted. The documents reportedly are missing.

 The Commission suspects it to be a foul play. It takes a strong exception to the fact that an express order of the Commission has been ignored. The respondent is hereby directed to clinch the enquiry about the missing of the record at the earliest under intimation to the Commission else it shall be taken as a defiance of an order duly passed under law and the necessary consequences shall follow.

 To come up on **08.08.2017 at 11.30 AM.**

 **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

CC: The Director,

 Treasury & Accounts, SCO No. 95-98, Sector 17 – B,

 Chandigarh, for information and necessary action.

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Sh. Amit Garg (90410-14000),

S/o Sh. Varinder Kumar

R/o B-12/32, Near Old Cinema,

Barnala. Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council,

Barnala

First Appellate Authority

O/o Deputy Director,

Local Govt. Punjab, Mini Sectt.

Patiala Respondents

 **APPEAL CASE NO.4029/2016**

 **Date of RTI Application : 26.08.2016**

 **Date of First Appeal : 19.09.2016**

 **Date of Order of FAA : Not available**

 **Date of Second Appeal : 05.12.2016**

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

 Sh. Rajesh Kumar, Junior Assistant, M.C., Barnala – for Respondents.

**ORDER**

 The appellant is absent.

 Sh. Rajesh Kumar appearing on behalf of the respondents says that the appellant was duly informed on 06.09.2016. The perusal of the reply suggests that the information has been denied to the appellant on the ground that he is seeking answers to his questions which is not permissible under law. This bench does not agree with the submissions made by the respondent.

 The appellant had sought to know the procedure being followed by them while executing the construction works specifically the laying of inter-locking tiles on the various lanes in their municipal limit. We understand that such works are executed according to some prescribed norms, rules, instructions etc. They are directed to supply this information to the appellant within ten days from today positively under intimation to the Commission.

  **Disposed.**

  **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. H.S. Hundal, Advocate

Chamber No.82, District Courts,

Sector-76, S.A.S. Nagar. Appellant

Versus

Public Information Officer,

O/o State Information Commission, Punjab

SCO No.84-85, Sector-17-C,

Chandigarh

First Appellate Authority

O/o State Information Commission, Punjab

SCO No.84-85, Sector-17-C,

Chandigarh Respondents

 **APPEAL CASE NO.4024/2016**

 **Date of RTI Application : 11.08.2016**

 **Date of First Appeal : 27.08.2016**

 **Date of Order of FAA : 18.10.2016**

 **Date of Second Appeal : 05.12.2016**

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

 1. Sh. Romesh Kumar, APIO – cum – SO, PSIC for Respondents.

 2. Sh. K.L.Jhamb, PS/Secretary, PSIC for FAA.

**ORDER**

The appellant has requested for an adjournment. Acceding to his request the case is adjourned for hearing on **18.07.2017 at 11.30 AM.**

 **Sd/-**

**13.06.2017 (Yashvir Mahajan)**

 **State Information Commissioner**