**PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**

 **Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com)

 **Email:psic22@punjabmail.gov.in**

Sh. P.K. Gupta

S/o Sh. Jagdish Chand,

#1-G, Kitchlu Nagar, Near Ram Ashram,

Ludhiana Complainant

Versus

Public Information Officer,

O/o Ludhiana Improvement Trust,

Ludhiana. Respondent

 **COMPLAINT CASE NO.48/2018**

Date of RTI application : 06.10.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :01.01.2018

**Present: Sh. Sarabjeet Singh Kahlon on behalf of the Complainant.**

1. **Smt. Kuljeet Kaur, EO, Improvement Trust, Ludhiana, and**
2. **Sh. Harmeet Singh, Jr. Assistant, APIO, O/o Improvement Trust, Ludhiana – for Respondent.**

**ORDER**

In compliance with our order dated 08.05.2018 the respondent has furnished the information to the complainant. The complainant reveals that a part has still not been provided. The Commission feels that it shall be in the fitness of things to allow him inspection of the record. The respondent is directed to convey in writing a definite date and time to facilitate the inspection and thereafter provide him certified copies of the documents thus identified. The complainant is satisfied with the submission of the respondents and hopefully a part of the information he is seeking shall be provided to him after the aforesaid inspection.

 The Commission is no more inclined to protract the issue. The case is **disposed** with the caveat that very serious view shall be taken in case of non-compliance of this order. It further issues a strict reprimand to the respondent for the delay having already been caused.

 **Sd/-**

**14.06.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The PIO – cum – Executive Office r, Improvement Trust, Ludhiana, for n/a.**

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Sh. Raj Kumar Sethi,

#71-D, Rajguru Nagar,

Ludhiana Appellant

Versus

Public Information Officer

O/o Executive Officer,

Nagar Improvement Trust, Ludhiana

First Appellate Authority

O/o Addl. Chief Secretary to Govt. of Punjab,

Department of Local Govt. Plot No.3, Sector-35-A,

Sathanik Sarkar Bhawan, Chandigarh. Respondents

 **APPEAL CASE NO.105/2018**

 Date of RTI application :14.09.2017

Date of First Appeal :03.11.2017

Date of order of FAA : Reply 04.10.2017

Date of 2nd Appeal/complainant:23.12.2017

**Present: Sh. Raj Kumar Sethi - Appellant.**

 **1. Sh. Jasbir Singh, PIO – cum – Supdt., LG 2 Br., Local Govt. Deptt.,**

 **2. Sh. Abhisek, Sr. Assistant, LG 2 Br., Local Govt. Deptt. and,**

 **3. Sh. Paramjit Singh, Sr. Assistant O/o Improvement Trust, Ludh. – for Respondents.**

 **ORDER**

 On the request of the Parties the case is adjourned for hearing on **17.07.2018 at 11.30 AM.**

 **Sd/-**

**14.06.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The PIO – cum – Superintendent, Trust Service Cell, O/o Director of Local Government, Punjab, Sathanik Sarkar Bhawan, Plot No. 3 A, Sector 35 A, Chandigarh, for n/a.**

**CC: Sh. Jasbir Singh Dhanoa, PIO – cum – Superintendent, LG 2 Br., Department of Local Govt., Punjab, Sathanik Sarkar Bhawan, Plot No. 3 A, Sector 35 A, Chandigarh.**

**CC: The Director of Local Govt., Punjab, Sathanik Sarkar Bhawan, Plot No. 3 A, Sec.35 A, Chandigarh, for n/a.**

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Sh. Gurbaksh Singh,

House No.1562, Phase -5,

S.A.S.Nagar.

 Complainant

Versus

Public Information Officer,

O/o Senior Supdt. of Police,

S.A.S Nagar.

First Appellate Authority

O/o Inspector General of Police,

Patiala Range, Patiala. Respondent

 **COMPLAINT CASE NOs.1309, 1310, 1311, 1312, 1313 and 1314 of 2017**

Date of RTI application : 01.05.2017

Date of First Appeal : 25.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :20.11.2017

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

 **None on behalf of the Respondent.**

**ORDER**

 The complainant is present. He has submitted in writing that he is no more inclined to pursue his cases. His request is acceded and the complaints are **closed.**

 **Sd/-**

**14.06.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Prabhjot Singh Nagra Advocate,

Chamber No.315, Distt. Courts,

Fatehgarh Sahib.

 Appellant

Versus

Public Information Officer,

O/o Director General of Police (Railways),

Patiala.

First Appellate Authority

O/o Secretary to Govt. of Punjab,

Department of Home Affairs, Punjab,

Punjab Civil Sectt.-2, Sector-9,

Chandigarh. Respondents

 **APPEAL CASE NO.97/2018**

Date of RTI application : 05.06.2017

Date of First Appeal : 14.08.2017

Date of Order of FAA : Reply 09.08.2017

Date of 2nd Appeal/complaint :22.11.2017

**Present: Adv. Prabhjot Singh Nagra, Appellant in person.**

 **ASI Rajinder Singh, O/o AIG, GRP, Patiala – for Respondents.**

**ORDER**

 ASI Rajinder Singh appearing on behalf of the respondents requests for a short adjournment to comply with the order passed earlier on 10.05.2018. The request is acceded.

 The matter shall be heard on **17.07.2018 at 11.30 AM.**

 **Sd/-**

**14.06.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Manjit Singh,

House No 388/3, Dhandholian Street,

Patiala Complainant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate,

Samana Respondent

**COMPLAINT CASE NO.315/2018**

Date of RTI application : 18.12.2017

Date of First Appeal : Nil

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 08.03.2018

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

 Sh. Satbir Singh, Clerk, SDM Office, Samana – for Respondent.

**ORDER**

 The following order was made by this forum on 03.05.2018:

 *“Heard.*

 *Sh. Satbir Singh appearing on behalf of the respondent says that it is a massive information comprising more than 800 pages. The complainant was desired to deposit the cost of information. Having failed to do so the information could not be supplied. The complainant expresses his willingness to make the payment. He is advised to do so and the respondent shall give him the information within ten days from such deposition positively.”*

Sh. Satbir Singh, Clerk appearing on behalf of the respondents has brought along the information which has been handed over to the information seeker. The Commission is satisfied that sufficient information has been provided. No further action is called for.

 **Disposed.**

 **Sd/-**

**14.06.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

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Sh. Harnek Singh Bharhi,

H.E 155, Phase 1,

S.A.S Nagar Complainant

Versus

Public Information Officer,

Cum Sub Divisional Magistrate,

Khamano,

Distt. Fatehgarh Sahib Respondent

 **COMPLAINT CASE NO.318/2018**

Date of RTI application: 01.11.2017

Date of First Appeal : Nil

Date of Order of FAA: 28.12.2017

Date of 2nd Appeal/complaint 09.01.2018

**Present: Sh. Harnek Singh Bharhi, Complainant in person.**

 **Sh. Parvinder Singh, Sr. Assistant, SDM Office, Fatehgarh Sahib – for Respondent.**

**ORDER**

 The following order was made by this forum on 03.05.2018:

 *“Heard.*

 *The information sought is very simple. The complainant is only asking the details of the shamlat land acquired and the compensation dispensed by the respondents to the respective panchayats for the expansion of the road – NH 95 by the National Highway Authority of India.*

 *The plea taken by the respondent is that the information has been sought in a format in which it is not beingh maintained and cannot be provided. their stance is not acceptable. The Commission understands that this is an important information and its svolume shall not disproportionately divert their resources. Section 7(9) of the Act enjoins upon the Public Authority to provide the information in the form it has been asked unless its provision disproportionately diverts their resources or it shall be detrimental to the safety of the record. This is not the case. Their defence is rejected. They are directed to provide the information as asked for forthwith under intimation to the Commission for the expansion of the road - NH 95 by the National Highway Authority of India along with the compensation granted to the rightful claimants in the jurisdiction of the respondent. The plea taken by the respondent is that the information in the form asked for cannot be provided. Their stance is not acceptable. The Commission understands that this is an important contd…page…2*

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***COMPLAINT CASE NO.318/2018***

 *information and is not in volume that it should disproportionately divert their resources. Section 7 (9) of the Act enjoins upon the Public Authority to provide the information in a form to the extent possible until or unless it results in diversion of their resources disproportionately or impairs its safety. This is not the case. Their defence is rejected. They are directed to provide the information forthwith under intimation to the Commission.”*

An express direction was given to the respondent to intimate to the complainant about the details of the panchayat land having been acquired for the expansion of the National Highway along with the compensation involved. The respondent in a written communication has denied the acquisition of any land of the aforesaid nature in their jurisdiction. The complainant reiterates that the panchayat land of village Jattana Ucha, Jattana Niwan and other villages has been acquired. The contentions made by the parties are at variance with each other. The truth has to be ascertained. The Land Acquisition Collector is hereby directed to bring along the original record relating to the issue of notification under Section 4 and 6 of the Land Acquisition Act along with the Award announced by him. Be it noted that any laxity shall entail serious consequences.

 To come up on **17.07.2018 at 11.30 AM.**

**Sd/-**

**14.06.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: The SDM – cum – Land Acquisition Collector, Faltehgarh Sahib, for n/a.**

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Sh. Prem Chand Bansal,

Flat No 102, Tower B-6,

Surya Towers, VIP Road, Zirakpur,

S.A.S Nagar Complainant

Versus

Public Information Officer,

O/o Naib Tehsildar,

Sub Tehsil Zirakpur

Tehsil Dera Bassi, Distt S.A.S Nagar Respondent

**COMPLAINT CASE NO.319/2018**

Date of RTI application: 18.01.2018

Date of First Appeal : Nil

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 05.03.2018

**Present: Sh. Prem Chand Bansal, Complainant in person.**

 **None on behalf of the respondent.**

**ORDER**

 The respondent has filed a reply. A plea has been taken that the information sought is not available in consolidated form with them. They are not enjoined upon to collect and collate the information which shall divert their resources disproportionately. The complainant submits that this work is computerized and they are in a position to surf out the information by clicking a button. The complainant is apprehending a major fraud in dispensing the same property to multiple buyers. The Commission directs the respondent to react on the aforesaid statement of the complainant in writing well before the next date of hearing.

 To come up on **17.07.2018 at 11.30 AM.**

 **Sd/-**

**14.06.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**