

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
Email:psic22@punjabmail.gov.in



Sh. Prabhjot Singh,
S/o Sh. Kuljit Singh,
R/o VPO Gujjarwal,
District Ludhiana.

Complainant

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block Pakhowal, District Ludhiana.

Respondent

Complaint Case No.416/2019

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
04.01.2019	Nil	Nil	Nil	01.05.2019

Present:

Complainant- None.

Respondent- Sh. Pardeep Shardha, BDPO.

ORDER

The following order was made by the Commission on 10.10.2019:

“The respondent is absent. The complainant had sought an information about the outcome of a complaint filed by him against one Sh. Gurjeet Singh, the then Sarpanch of the Village-Gujjarwal, Block-Pakhowal, District-Ludhiana. The respondent till date has neither filed any reply nor given the information to the complainant.

The original application was filed on 04.01.2019. The PIO is, thus, 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 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

Contd...pg...2



-2-

Complaint Case No.416/2019

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 is being taken up today. Sh. Pardeep Shardha, BDPO, is present. He has submitted an affidavit that he has joined on 16.09.2019 and having come to know about the pending applications, the same has been addressed to promptly and the information to the complainant has been provided. He has also submitted an acknowledgement in token of having handed over the information to the complainant.

He further submits that the office of the BDPO, Pakhowal is gravely shorthanded as out of sanctioned strength of 26 officials, only 6 are in place. He regrets the delay. The complainant is absent. The Commission presumes that he is satisfied with the information provided to him. Having considered the extenuating circumstances, the Commission takes a lenient view and files the show cause notice issued. The complaint is **disposed.**

14.11.2019

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



Retd. Subedar Hakam Singh,
S/o Sh. Joginder Singh,
R/o Village-Pamour, Tehsil-Bassi Pathana,
Distt.-Fatehgarh Sahib.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Khera, District-Fatehgarh Sahib.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Khera, District-Fatehgarh Sahib.

Respondents

Appeal Case No. 2230/2018

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/ Complaint
26.07.2017	Nil	03.03.2018	Nil	03.07.2018

Present: Appellant - Retd. Subedar Hakam Singh;
Respondents- None.

ORDER

22.08.2019

The following order was made by the Commission on 10.10.2019:

The respondents have failed to comply with the order passed by the Commission on 05.03.2019. Aggrieved with the same, the appellant had requested the Commission to ensure its compliance. The respondents are absent despite issue of notice.

The PIO is, thus, 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 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

Cont...page...2



-2-

Appeal Case No.2230/2018

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.

10.10.2019

The case has come up today. Sh.Harpreet Singh, Panchayat Secretary, Village-Pamor, Block-Khera, Districat-Fatehgarh Sahib, has brought along the copy of the record, which has been handed over on spot to the appellant. The same seemingly is in order. The appellant submits that the information relating to the Department of Water Supply and Sanitation is still wanted. The SDO concerned namely Sh. Gopal Rai is hereby advised to arrange to supply complete information sought by the appellant before the next date of hearing positively, else he shall be penalized for having refused to comply with the orders of the Commission.”

The matter is again being taken up today. None is present on behalf of respondents. The Commission takes strong note of it. The order passed earlier still remains uncomplied. The Commission reiterates that the respondents are already under a show cause notice for imposition of penalty. A final opportunity is afforded to the respondents to provide the documents as the appellant is alleging malfeasance and misappropriation in the funds being collected from the inhabitants of the village to discharge the electricity bills for supply of water. The next date of hearing shall be intimated in due course.

14.11.2019

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

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
Email:psic22@punjabmail.gov.in



Shri Rohit Sabharwal,
Kundan Bhawan,
126, Model Gram, Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Asstt. Inspector General of
Police (Crime), Punjab,
Chandigarh.

First Appellate Authority-cum-
Director General of Police, Punjab,
Punjab Police HQs., Sec.9, Chandigarh.

Respondents

Appeal Case Nos.2688, 2689,2690, 2691 & 2720/2019

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
22.04.2019/18.04.2019 /22.04.2019/18.04.2019	13.05.2019	27.05.2019	25.06.2019	24.07.2019

Present:

Appellant- None.

Respondents- H.C. Sh. Parshotam Kumar, In charge, RTI Cell.

ORDER

Since the appellant, respondents and the subject matter of the issue is same,
it is clubbed with and shall be disposed of with single order.

Nothing has been heard from the appellant. A final opportunity is afforded to
him to put forward his view point if any. The next date of hearing shall be intimated in due
course.

14.11.2019

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



Sh. Nirmal Singh,
S/o Sh. Karnail Singh
R/o Village-Dodra, PO-Kulara
Tehsil-Samana, Distt. Patiala.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block-Samana, Patiala.

Respondent

Complaint Case No.309/2019

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
16.01.2019	Nil	Nil	Nil	18.03.2019

Present: Complainant - Sh. Nirmal Singh;
Respondents- None.

ORDER:

The following order was made by the Commission on:

18.07.2019

“The respondents represented by Sh.Kulwant Singh, has brought along with information comprised in about 300 pages which has been handed over on spot to the complainant. The Commission understands that some of the information is yet to be provided. The Commission directs that the respondents should get it inspected on pre-fixed date, time & venue and provide the complainant the documents not beyond 50 pages. The complainant may take snaps or photographs if he needs the same beyond 50 pages. If his demand is beyond the aforesaid limit, he should convince this forum for its use in public interest.

27.08.2019

The case has come up today. Sh. Nirmal Singh is present, who says that he has been denied the inspection of the record as advised by the Commission despite his more than couple of visits in the O/o the BDPO. He further says that the information provided to him is irrelevant and is not germane to the cause he intends to pursue in public interest.

Sh. Kulwant Singh, Panchayat Secretary, who is a deemed PIO in the instant case, is hereby issued a show cause notice to explain in a self- attested affidavit

Contd...pg...2



-2-

Complaint Case No.309/2019

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.

10.10.2019

The case has again come up today. Sh. Kulwant Singh, Panchayat Secretary, says that he has not been incumbent of the office of the PIO in contention from last one year. His name wrongly has been conveyed before by the complainant. Nonetheless, he has brought along the record pertaining to all the resolutions passed during the 5 years by the Panchayat comprised in 315 pages, which has been handed over to the complainant on spot. The Commission feels that the appellant has been adequately informed. Even so, on his

Contd...pg...3



-3-

Complaint Case No.309/2019

request, the matter is adjourned with observation that the appellant should point out the deficiency if any, in writing, failing which, it shall be presumed that his complaint is vexatious and shall be filed accordingly.”

The case has come up today. The appellant is present. He continues to make vague submissions about deficiency in the information. The Commission observes that he has already been given 600 pages of the information. The inane submission about its deficiency cannot be taken seriously. The Commission feels that he has been sufficiently informed. The case is **closed**.

14.11.2019

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



Sh. Hardeep Singh,
S/o Shri Tarsem Lal,
R/o Village Nurpur, Tehsil Banga,
Distt. SBS Nagar (Nawanshahar)

Appellant

Versus

Public Information Officer,
O/o District Development and Panchayat Officer,
SBS Nagar (Nawanshahar).

First Appellate Authority,
O/o Additional Deputy Commissioner,
SBS Nagar (Nawanshahar).

Respondents

Appeal Case No.737/2018

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/ Complaint
13.09.2018	Nil	17.11.2018	Nil	14.02.2019

Present: Appellant- Sh. Manish Bhardwaj, Advocate, Counsel.
Respondents- None.

ORDER

The Commission has made following observations on 09.10.2019:

22.05.2019:-

“The appellant is absent. It transpired from the submissions made by the respondents that the appellant was booked by the District Administration for forgery of documents to extend the lease of contract of Panchayat land in the village Nurpur, Tehsil Banga, District SBS Nagar (Nawanshahr). He has sought the report of the enquiry conducted by the DDPO, statements recorded and some allied information. From the submissions of respondents as well as perusal of the record on file, it appears that the appellant has been suitably informed. An opportunity is afforded to the appellant to pin point the deficiencies, if any, in the information which is stated to have already been provided.

31.07.2019

The respondents are absent. Shri Manish Bhardwaj, counsel for the appellant submits that complete information has not been provided. According to him, the Commission has been misled by the respondents. The Commission directs the appellant to specifically point out the deficiencies in the information provided to him within 7 days from today and the respondent shall make it good within 7 days on the receipt of same.”

Contd...pg....2



-2-

Appeal Case No.737/2018

09.10.2019

The case has come up today. In compliance with the aforesaid order, the appellant says that he had made written representation to the PIO pointing out the deficiencies in the information provided to him vide his letter dated 06.08.2019. However, the respondents have failed to make good the deficiencies thus pointed out by him. The Commission finds that the original application was filed by the appellant on 13.09.2018. The respondents are stonewalling the issue ever since. They have failed to file any written reply to the notice and the orders of the Commission. The Commission takes serious exception of it.

The stance of the PIO is that the documents available with them are the Xeroxed copies rather than the original ones is overruled. He is directed to ensure that the information available on record as sought by the appellant is provided to him before the next date of hearing, failing which the Commission shall take it to be the willful denial of information and proceed to impose penalty on the respondents.”

The matter has again been taken up today. Sh. Manish Bhardwaj, counsel for appellant, is present. On his request the matter is adjourned. He shall specifically point out the deficiencies, if any, failing which it will be presumed that the appellant is sufficiently informed. The next date shall be intimated in due course.

14.11.2019

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

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
Email:psic22@punjabmail.gov.in



Sh. Rajiv Kumar Nanda
S/o Sh. Tilak Raj Nanda,
R/o .H.No.683/13,Vishal Colony
Near Dashmesh Public School, Patti
District Tarn Taran.

Appellant

Versus

Public Information Officer,
O/o Addl. Chief Secretary,
Home Affairs & Justice, Punjab,
Chandigarh.

First Appellate Authority,
O/o Chief Secretary,
Government of Punjab,
Pb. Civil Secretariat, Chandigarh.

Respondents

Appeal Case No.2419/2019

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
17.12.2018	Nil	05.04..2019	Nil	04.07.2019

Present:

Appellant- None.

**Respondents- Sh. Ram Parsad, Senior Assistant, O/o Director, Bureau of Investigation;
SI Sh. Satnam Singh, In charge, RTI Cell, Tarn Taran.
ASI Sh. Gurmej Singh,
HC Mangal Singh
HC Nirmal Singh O/o SSP Tarn Taran**

ORDER

The following order was made by the Commission on 09.10.2019:

The appellant is seeking an action taken report on representation made by him to the Chief Secretary of Government of Punjab. Briefly speaking, he is seeking an independent enquiry from a senior functionary of Police in the matter of case filed under FIR No. 5 dated 09.01.2018, registered under 302/307 of Indian Penal Code in Police Station Valtaha. It transpires that his application was transferred through DGP to SSP Tarn Taran, who has filed a written reply to the Commission today. Its copy has been endorsed to the appellant. The Commission observes that the reply has been filed by a letter dated 08.10.2019. Probably the endorsed copy to the appellant should have been in transit by now.

Contd...pg....2



-2-

Appeal Case No.2419/2019

SI Sh. Satnam Singh, appearing on behalf of respondents, submits that the case is being investigated by Sh. Sukhminder Singh Mann, IPS/AIG Special State Operation Cell. The plea has been taken that as the matter is still under investigation, therefore in terms of provision of Section 8 (1) (h) of the RTI Act, 2005 it shall not be appropriate/valid for them to divulge the information. Before taking a call on the submissions made by the respondents, it is desirable to seek the comments of the appellant."

The case has come up today. The appellant is absent without notice on consecutive dates. He has failed to rebut the contentions made by the respondents. The Commission is inclined to accept it and allow them the exemption sought under Section 8 (1) (h) of the RTI Act. Resultantly, the information cannot be divulged. The appeal is **disposed**.

14.11.2019

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

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
Email:psic22@punjabmail.gov.in



Sh. Kartor Singh,
S/o Sh. Didar Singh,
R/o Village-Behk Fattu,
District Ferozepur.

Complainant

Versus

Public Information Officer,
O/o Director,
Rural Development & Panchayat Department,
SAS Nagar (Mohali)

Respondent

Complaint Case No.320/2019

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
04.12.2018	Nil	Nil	Nil	27.02.2019

Present: Complainant- None.
Respondent- None.

ORDER

On the request of the appellant, the matter is adjourned. The next date shall be conveyed in due course.

14.11.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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
Email:psic22@punjabmail.gov.in



Sh. Sukhwinder Rattan,
H.No.214/107,Krishna Street,
Doraha, District Ludhiana.

Complainant

Versus

Public Information Officer,
O/o Municipal Council,
Kurali, District Mohali.

Respondent

Complaint Case Nos.621&622/2019

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
24.05.2019, 29.05.2019	Nil	Nil	Nil	18.07.2019

Present:

Complainant- None;

Respondent- Sh. Mukesh Kumar, Computer Operator, O/o MC, Kurali.

ORDER

The complainant is absent. The respondents have filed a reply, which has been taken on record. The respondent further adds that the complainant was summoned on couple of occasions to inspect the record, but did not turn up.

The Commission has further seen the contents of his original application. The information sought seems inane, irrelevant and incoherent. As already observed, its provision in entirety shall disrupt their resources disproportionately. The Commission invokes the provision under Section 7 (9) of the RTI Act and **disposes** of his appeal accordingly.

14.11.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner