



Sh. Anoop Khullar,  
S/o Sh.Som Nath Khullar,  
R/o H.No.1089, Sector-51,  
Chandigarh.

Complainant

Versus

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

Respondent

**Complaint Case Nos.385&390/2019**

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
12.02.2019/19.03.2019	Nil	Nil	Nil	18.04.2019/22.04.2019

**Present:** Complainant- Sh. Anoop Khullar;  
Respondent- Sh. Amarjit Singh, J.A., M.C. Amloh, Distt. Fatehgarh Sahib

**ORDER:**

The following order was passed on 08.08.2019:

27.06.2019

*“The representative of the respondents Sh. Amarjit Singh, J.A. is present. He submits that the PIO as well as the Dealing Assistant are on leave. He requests for an adjournment.*

*The matter shall be heard on **08.08.2019 at 11.30 AM.***

*Meanwhile, the respondents are directed to provide the information complete in all respects to the complainant under intimation to the Commission well before the next date.”*

*“The case has come up today. The complainant admits having received the information. The same is not certified under proper signatures. The Commission directs the respondents to provide the information duly stamped and signed by putting in the name of the*



-2-

**Complaint Case No.385&390/2019**

*official providing the information. The residual information should also be provided before the next date of hearing positively. Any laxity shall invite serious consequences.”*

The case has come up today. The complainant says that the documents provided to him earlier have now been duly certified. However, the copy of another complaint is yet to be provided to him by the respondents. Sh. Amarjeet Singh, J.A., says that the document in question was forwarded to the Department of Vigilance. He adds that they have requisitioned the copy of the same, which according to him is in transit. He assures the Commission that it shall be delivered to the complainant in couple of days on its receipt. The appeal is disposed on the assurance of the rep of the respondents. The Executive Officer, Municipal Committee, shall ensure that aforesaid directions are complied and any dereliction shall invite serious view by the Commission in future.

**Disposed.**

**17.09.2019**

**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](http://www.infocommpunjab.com)  
Email:psic22@punjabmail.gov.in



Sh. Rakesh Kumar Gupta, Advocate,  
R/o 8/237, Jagraon Road,  
Mandi Mullanpur, District-Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police (Rural),  
Jagraon, Ludhiana.

First Appellate Authority,  
O/o Deputy Inspector General of Police,  
Ludhiana Range, Near Old Courts,  
Ludhiana.

Respondents

**Appeal Case Nos.3220&3221/2019**  
**(Life & Liberty)**

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
17.08.2019	Nil	28.08.2019	Nil	06.09.2019

**Present:**                      **Appellant- Sh. Rakesh Kumar;**  
   **Respondents- H.C Balraj Singh.**

**ORDER**

Since the nature of the information sought is similar in both the appeals, therefore these are taken up together.

Essentially the appellant is seeking the details of the tangible action having been taken on his numerous complaints and representations made against the accused in the matter of FIR No. 90 dated 01.06.2019, which was registered following an attack/assault on him causing grievous injuries. Simultaneously, he is seeking to know the action having been taken in terms of a policy framed on provision of security to the whistle blowers and RTI activists who are under severe threat of physical harm.

The Commission recalls that it has made an order on 14.08.2019 on similar appeals wherein the respondents were advised to take stock of the situation with regard to his safety and take appropriate action. The appellant says that no decision whatsoever has been taken till date.



-2-

**Appeal Case Nos.3220&3221/2019**

The Commission is constrained to take a view that the authorities are either insensitive to the safety and security of a citizen or they are intentionally maintaining a studied silence. In either case such an apathy cannot be appreciated. The Commission feels that a duty is cast upon this forum to ensure that an RTI activist is not browbeaten and intimidated to silence in the interest of transparency and accountancy in the public functioning.

The Commission again directs the respondents to take immediate cognizance of the issue as already observed and pass a clear order on various representations on the matter of the security to the appellant and he is made abreast of its outcome.

To come up on **25.09.2019 at 11.30 AM through video conference at Ludhiana.**

**17.09.2019**

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

**CC: The ADGP (Security), Punjab Police Headquarters, Sector-9, for necessary information.**



Smt. Charanjit Kaur,  
H. No. 2193, Jal Vayu Vihar,  
Sector-67 Mohali.

Appellant

Versus

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

First Appellate Authority,  
O/o Inspector General of Police,  
Roopnagar.

Respondents

**Appeal Case No.1679/2019**

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
14.01.2019	Nil	20.03.2019	Nil	25.06.2019

**Present:** Appellant- None.  
Respondents- Constable Sh. Rakhwinder Singh, O/o S.S.P, Mohali.

**ORDER**

The following order was made on 01.08.2019:

*“The appellant is aggrieved with the tardy response of the respondents in providing her information with reference to the application filed on 15.01.2019. She admits having received the information on 14.07.2019. There is an inordinate of five months.*

*The appellant is seeking imposition of penalty for infringement of Section 7(1) and Section 18 of the Act. The respondents are required to file a written reply and explain the delay before the next date of hearing, failing which, the matter shall be decided on the basis of facts on record.”*

The case has come up today. The respondents regret the delay. They attribute it to their preoccupation with the law and order duties and assure the Commission to



-2-

**Appeal Case No.1679/2019**

be watchful in future. Though, the Commission appreciates that the nature of the duties of the respondents is quite demanding, even so such an inordinate delay cannot be condoned. The PIO is issued a severe reprimand with the advice to be careful in future.

**17.09.2019**

**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](http://www.infocommpunjab.com)  
Email:psic22@punjabmail.gov.in



Sh. Tarsem Singh,  
S/o Sh. Najjar Singh,  
R/o New Village Jhugian,  
PO- Ummar Waal, Block-Mehatpur,  
Tehsil-Nakodar, District-Jalandhar.

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Mehatpur, District-Jalandhar.

Respondent

**Complaint Case No.441/2019**

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
20.03.2019	Nil	Nil	Nil	09.05.2019

**Present:** Complainant- Sh. Tarsem Singh.  
Respondent- Sh. Sewa Singh, BDPO, Mehatpur, District Jalandhar.

**ORDER:**

The following order was made on 01.08.2019:

*“The complainant has sought information about the encroachment on Panchayat land in Village Jhuggian and the action having been taken by the Gram Panchayat to secure its possession. Besides, they have asked about the grants received by the Gram Panchayat and the works executed therewith. The respondents have neither responded to the application nor to the notice of the Commission Apparently, they have rendered themselves liable for penalty for violation of Section 7(1) of the RTI Act.*

*The BDPO, Mehatpur, Tehsil Nakodar, District Jalandhar is hereby 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*

Contd...pg...2



-2-

**Complaint Case No.441/2019**

*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 been taken up today. Sh. Sewa Singh, BDPO, himself is present. He states that the available information has been provided to the information seeker. He further submits that the panchayat of village does not own any common land and thus proposition of its illegal occupation or leasing it out is out of question. He further states that the panchayat in question has recently been carved out and as of now no assembly of elected members has taken place to take any decision. On being asked, the appellant has not been able to provide a satisfactory explanation for the issues raised by him. The Commission finds that the application is motivated by personal grudge and is frivolous.

The case is **disposed** and the show cause notice issued to the BDPO is **discharged**.

17.09.2019

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](http://www.infocommpunjab.com)  
Email:psic22@punjabmail.gov.in



**By Registered Post**

Sh. Ajay Kumar,  
S/o Sh. Santokh Ram,  
V.P.O-Khaira,  
Tehsil Phillaur, Distt. Jalandhar.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Block- Phillaur, Distt. Jalandhar.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
District- Jalandhar.

Respondents

**Appeal Case No.2647/2018**

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
07.04.2018	Nil	24.05.2018	Nil	03.08.2018

**Present:** Appellant- Sh. Ajay Kumar.  
Respondents- None.

**Order**

The following order was passed by this forum on 09.07.2019:

03.04.2019

*"The appellant had sought basic information about the expenses incurred in the construction of a Sports Club and laying of sewage pipe in the village Khehra, Tehsil Phillaur, Distt. Jalandhar.*

*The appellant is present in the video conferencing whereas the respondents are absent. He says that a very sketchy information just to dodge him has been given by the concerned Panchayat Secretary. The respondents have failed to file a written reply to the notice of the Commission and provide complete information to the appellant. No tangible action has also been taken by the First Appellate Authority. The PIO has rendered himself liable for penal consequences.*

*Accordingly, the PIO 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.*

Contd..page..2



-2-

**Appeal Case No.2647/2018**

*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 come up for hearing today. Both the parties are present and are contradicting each other whereas the respondent says that he has since parted with the record. The appellant has refused its receipt. It is not possible to resolve it in the video conferencing. The matter shall be heard at **Chandigarh on 16.05.2019 at 11.30 AM** and the respondents shall bring along the entire record so as to vindicate their position.*

16.05.2019

*"The respondents have made a request for adjournment as they have been deployed on election duty. The request is acceded to.*

*The matter is differed to be heard on 09.07.2019 at 11.30 AM".*

09.07.2019

*"The matter has been taken up today. Shri Gurchetan Ram, Panchayat Secretary is present. He is unable to prove that the information was transmitted to the appellant as claimed by him. So much so, he could not provide it even on spot on the directions of the Court. A very simple information pertaining to the repair of the sports club of the village and the expenses incurred on the laying of sewerage pipes has been sought. It has already taken more than year to dispense the information. The respondent has failed to give satisfactory reply to the show cause notice issued on 03.04.2019.*

*The delay is beyond 100 days. Exercising its powers under Section 20(1) of the RTI Act, the Commission imposes a penalty of Rs.10,000/- on Shri Gurchetan Ram, Panchayat Secretary to be deducted from his salary commencing from the month of August, 2019 in two equal installments.*

Contd..page..3



**Appeal Case No.2647/2018**

*The Drawing & Disbursing Officer concerned shall ensure that the amount of penalty is deducted from his salary and deposited in the government treasury under the head given below:*

- 0070-Other Administrative Services- 60 Other Services- 800 Other Receipts**
- 86 Fee under RTI Act, 2005**

*A copy of the challan shall be sent to the Commission for record immediately.*

*As the appellant has been put to undue inconvenience and harassment, he is awarded a compensation of Rs.3,000/- which shall be paid to him through a bank draft by the public authority from its own account. As the information has still not been provided, the Commission directs the BDPO to ensure its prompt transmission and come present along with the record in person on the next date of hearing failing which, the Commission shall be constrained to enforce his presence by exercising its authority under section 18(7) of the RTI Act.”*

The case has again come up today. The aforementioned order is self-speaking. The appellant is present. Nothing has been heard from the respondents. The BDPO and Panchayat Secretary seemingly have maintained a defiant conduct. Such an arrogance, disregard to the rule of law and contemptuous conduct cannot be taken lying down. While exercising its authority under section 18 (3) of the RTI Act, a **bailable warrant** of Sh. Ranjit Singh, BDPO, in the sum of Rs. 20,000/-, are issued to ensure his presence in the court as well as compliance of the aforementioned orders.

To come up on **29.10.2019 at 11.30 AM.**

**17.09.2019**

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

**CC: The Senior Superintendent of Police, Jalandhar, for necessary action.**

**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



S. Bagga Singh,  
S/o Sh. Lal Singh,  
R/o Village-Ghudani Khurd, Tehsil Payal,  
District-Ludhiana.

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Doraha, District-Ludhiana.

Respondent

**Complaint Case No.428/2019**

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
26.12.2018	Nil	Nil	Nil	07.05.2019

**Present:** Complainant- None.  
Respondent- Sh. Avtar Singh, VDO, Doraha.

**ORDER:**

The following order was made on 01.08.2019:

*"The appellant has sent an e-mail for excusing his absence due to his sickness. He has sought the details of construction of a community centre in Village Ghudani Khurd, Block Doraha, District Ludhiana. Besides, he has also sought information about the grants received on the recommendation by the Finance Commission. Some allied information has also been solicited.*

*The respondent says that they had sent him the information. The complainant had pointed out some deficiencies. The respondents have brought along the information after sorting out the deficiencies. As the appellant is absent, it is not possible for them to hand it over to him. The respondents are directed to send it across by post under intimation to the Commission."*

The matter has come up today. The complainant is absent. Nothing has been heard from him. Presumably, he is satisfied with the information supplied. The Commission is not inclined to intervene further. **Disposed.**

17.09.2019

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.infocompunjab.com](http://www.infocompunjab.com)  
Email:psic22@punjabmail.gov.in



Sh. Ranjit Singh  
R/o #63, Phasel-3B1,  
S.A.S. Nagar (Mohali)

Appellant

Versus

Public Information Officer  
O/o Block Development and  
Panchayat Officer, Nadala  
District Kapurthala.

First Appellate Authority  
O/o Distt. Development & Panchayat Officer,  
Kapurthala.

Respondents

**Appeal Case Nos.704,705,706,707,708,712, 1178, 1179, 1206, 1207, 1261 of 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
23.11..2018, 17.11.2018, 19.11.2018, 21.11.2018, 2.11.2018, 18.11.2018	Nil	29.12.2018	Nil	14.02.2019

**Present:**

**Appellant- None.**

**Respondents- Sh. Yusuf Masih, Panchayat Secretary.**

**ORDER**

Since both the appellant and the respondents are same in aforementioned appeals, these are clubbed together and shall be decided by a single order.

The respondents have filed a written reply, wherein it has been submitted that asked for information in these appeals have already been provided. They have showed it to the Commission as well. The Commission has already observed that the mere fact of repetitive filing of applications is sufficient reason for the PIO to disregard such applications.

These cases are **disposed** in terms of the order passed on 08.08.2019 in the Appeal Nos. 647,885, 886,887,888, 889 and 1112/2019, which has been enclosed with this order.

**17.09.2019**

**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](http://www.infocommpunjab.com)  
Email:psic22@punjabmail.gov.in



Sh. Jog Raj  
President, Gram Vikas Sabha  
Village Karnana, Tehsil Nawanshahar,  
Dist. S.B.S. Nagar (Nawanshahar)

Appellant

Versus

Public Information Officer,  
O/o Block Development & Panchayat  
Officer (Election Cell), Banga,  
District SBS Nagar( Nawanshahar).

First Appellate Authority-cum-  
Distt. Development & Panchayat Officer,  
SBS Nagar( Nawanshahar).

Respondents

**Appeal Case No.1501/2019**

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
27.12.2018	26.02.2019	27.02.2019	Nil	23.04.2019

**Present:** Appellant- None;  
Respondents- None.

**ORDER:**

None is present. The matter is adjourned to be heard on **22.10.2019 at 11.30**

**AM.**

**17.09.2019**

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