**PUNJAB STATE INFORMATION COMMISSION**

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

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Sh. Sandeep Khattri

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

**APPEAL CASE NO.2/2018**

Date of RTI application : 24.08.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 19.12.2017

**Present:** Sh. Sandeep Khatri, Appellant in person.

1. Sh. Sukhwinder Singh, AME, and

2. Sh. Varinder Kumar, AME, O/o MC, Zirakpur – for Respondents.

3. Sh. Ashwini Kumar, Clerk, O/o Dy. Director, Local Govt., Patiala on behalf of FAA.

**ORDER:**

The appellant had sought the information concerning the site plan of Hotel Ramada situated on Zirakpur – Chandigarh road along with the concomitant documents relating to its approval given by the Local Bodies Department.

The respondents cite a ‘third party’ information to deny him the same. The appellant expresses his apprehensions about the encroachments of a public land besides diversion in execution of the works from the approved building plan. The Commission is of the view that it is incorrect to invoke the provisions under Section 11 of the Act in the instant case as the property is being used for commercial purposes and its alleged deviation from the approved building bye-laws is a matter of public interest as well. Overruling the plea taken by the respondents the Commission Contd….page…2

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**APPEAL CASE NO.2/2018**

directs the respondents to allow him the inspection of the relevant record. For doing so the respondents shall specifically send him a written memo fixing the date and time for the inspection of the record and provide him the certified copies of the documents thus identified by him free of cost but not beyond fifty pages.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Sandeep Khattri

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

**APPEAL CASE NO.3/2018**

Date of RTI application : 04.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : Nil

**Present:** Sh. Sandeep Khatri, Appellant in person.

1. Sh. Sukhwinder Singh, AME, and

2. Sh. Varinder Kumar, AME, O/o MC, Zirakpur – for Respondents.

3. Sh. Ashwini Kumar, Clerk, O/o Dy. Director, Local Govt., Patiala on behalf of FAA.

**ORDER**

The appellant had sought the information concerning the number of villages in the municipal area of Zirakpur with the concomitant information.

The respondents state that it is a massive and voluminous information which shall disproportionately divert the resources of the Public Authority. The Commission directs the respondents to allow him the inspection of the relevant record. For doing so the respondents shall specifically send him a written memo fixing the date and time for the inspection of the record and provide him the certified copies of the documents thus identified by him free of cost but not beyond fifty pages.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Sandeep Khattri

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

**APPEAL CASE NO.4/2018**

Date of RTI application : 04.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 21.12.2017

**Present:** Sh. Sandeep Khatri, Appellant in person.

1. Sh. Sukhwinder Singh, AME, and

2. Sh. Varinder Kumar, AME, O/o MC, Zirakpur – for Respondents.

3. Sh. Ashwini Kumar, Clerk, O/o Dy. Director, Local Govt., Patiala on behalf of FAA.

**ORDER:**

The appellant had sought the information concerning the site plan of Maya Garden Manecia situated on Chandigarh - Ambala road along with the concomitant documents relating to its approval given by the Local Bodies Department.

The respondents cite a ‘third party’ information to deny him the same. The appellant expresses his apprehensions about the encroachments of a public land besides diversion in execution of the works from the approved building plan. The Commission is of the view that it is incorrect to invoke the provisions under Section 11 of the Act in the instant case as the property is being used for commercial purposes and its alleged deviation from the approved building bye-laws is a matter of public interest as well. Overruling the plea taken by the respondents the Commission Contd….page…2

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**APPEAL CASE NO.4/2018**

directs the respondents to allow him the inspection of the relevant record. For doing so the respondents shall specifically send him a written memo fixing the date and time for the inspection of the record and provide him the certified copies of the documents thus identified by him free of cost but not beyond fifty pages.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Sandeep Khattri

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

**APPEAL CASE NO.5/2018**

Date of RTI application : 06.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 21.12.2017

**Present:** Sh. Sandeep Khatri, Appellant in person.

1. Sh. Sukhwinder Singh, AME, and

2. Sh. Varinder Kumar, AME, O/o MC, Zirakpur – for Respondents.

3. Sh. Ashwini Kumar, Clerk, O/o Dy. Director, Local Govt., Patiala on behalf of FAA.

**ORDER:**

The appellant had sought the information concerning the site plan of Tulip Heights project on VIP road, Zirakpur along with the concomitant documents relating to its approval given by the Local Bodies Department.

The respondents are directed to file a written statement before the Commission with a copy to the appellant before the next date of hearing.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Sandeep Khattri

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

**APPEAL CASE NO.42/2018**

Date of RTI application : 04.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 22.12.2017

**Present:** Sh. Sandeep Khatri, Appellant in person.

1. Sh. Sukhwinder Singh, AME, and

2. Sh. Varinder Kumar, AME, O/o MC, Zirakpur – for Respondents.

3. Sh. Ashwini Kumar, Clerk, O/o Dy. Director, Local Govt., Patiala on behalf of FAA.

**ORDER**

The appellant had sought the information concerning the execution of works on the construction of roads in Zirakpur during the years from 2012 to 2017 along with the concomitant information.

The respondents state that it is a massive and voluminous information which shall disproportionately divert the resources of the Public Authority. The Commission directs the respondents to allow him the inspection of the relevant record. For doing so the respondents shall specifically send him a written memo fixing the date and time for the inspection of the record and provide him the certified copies of the documents thus identified by him free of cost but not beyond fifty pages.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Sandeep Khattri

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

**APPEAL CASE NO.43/2018**

Date of RTI application : 24.08.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 22.12.2017

**Present:** Sh. Sandeep Khatri, Appellant in person.

1. Sh. Sukhwinder Singh, AME, and

2. Sh. Varinder Kumar, AME, O/o MC, Zirakpur – for Respondents.

3. Sh. Ashwini Kumar, Clerk, O/o Dy. Director, Local Govt., Patiala on behalf of FAA.

**ORDER**

The appellant had sought the information concerning the fire and safety system provided in the municipal area of Zirakpur along with the concomitant documents relating to its approval given by the Local Bodies Department.

The respondents say that the information is voluminous and shall disproportionately divert the resources of the Public Authority. The Commission directs the respondents to allow him the inspection of the relevant record. For doing so the respondents shall specifically send him a written memo fixing the date and time for the inspection of the record and provide him the certified copies of the documents thus identified by him free of cost but not beyond fifty pages. In case the information identified is beyond the stipulated quantity the information be supplied on the payment of cost of the information as prescribed in rules.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Sandeep Khattri

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

**APPEAL CASE NO.44/2018**

Date of RTI application : 13.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 22.12.2017

**Present:** Sh. Sandeep Khatri, Appellant in person.

1. Sh. Sukhwinder Singh, AME, and

2. Sh. Varinder Kumar, AME, O/o MC, Zirakpur – for Respondents.

3. Sh. Ashwini Kumar, Clerk, O/o Dy. Director, Local Govt., Patiala on behalf of FAA.

**ORDER:**

The appellant had sought the information concerning the total number of colonies in the municipal area of Zirakpur along with the concomitant documents relating to its approval given by the Local Bodies Department.

The respondents say that the sought for information is massive and voluminous which shall disproportionately divert the resources of the Public Authority. The respondents are directed to file a written statement to the notice with reference to information sought with a copy to the appellant.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Sandeep Khattri

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

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

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

**APPEAL CASE NO.45/2018**

Date of RTI application : 09.08.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 22.09.2017

**Present:** Sh. Sandeep Khatri, Appellant in person.

Sh. Ashwini Kumar, Clerk, O/o Dy. Director, Local Govt., Patiala on behalf of FAA.

**ORDER:**

Sh. Ashwini Kumar appearing on behalf of the office of the Deputy Director, Local Government, Patiala says that his application was forwarded to the PIO in the office of the E.O., Municipal Council, Dera Bassi. None is present on behalf of them. The Commission takes a strong exception to the indifference shown by them. They are directed to provide him the information along with a written statement before the next date of hearing.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Sohan Lal

S/o sh. Brij Lal

Village Kularan, Tehsil Samana,

Distt. Patiala. Appellant

Versus

Public Information Officer,

O/o Deputy Commissioner,

Patiala.

First Appellate Authority

O/o Commissioner,

Patiala Division,

Patiala. Respondents

**APPEAL CASE NO.32/2018**

Date of RTI application : 29.09.2017

Date of First Appeal : 06.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 11.12.2017

**Present: None.**

**ORDER**

None is present on behalf of the Parties.

The matter is deferred to be heard on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Smt. Ratinder Kaur,

W/o Sh. Jarnail Singh,

# 121, Phase 1, S.A.S.Nagar. Complainant

Versus

Public Information Officer,

O/o Senior Superintendent of Police,

S.A.S.Nagar. Respondent

**COMPLAINT CASE NO.1/2018**

Date of RTI application : 09.08.2016

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :Recd. in Commission on 21.12.2017

**Present:** Sh. Jarnail Singh husband of the complainant.

HC Maninder Singh, RTI Br., O/o SSP, SAS Nagar – for Respondent.

**ORDER**

Sh. Jarnail Singh the husband of the complainant is present. The complainant had sought copies of an enquiry made by the Police along with the statements recorded therein in the matters of a complaint filed by him under No.2642 Peshi/SSP/Mohali/16.09.2014.

The respondent has brought along the relevant record certified copies of which have been handed over on spot to the complainant. The complainant intends to go through it. He may react on the same in case the information is deficient.

To come up on **24.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Manjit Singh,

S/o Sh. Sohan Singh,

House No.388/3, Dhandholian Street,

Baherha Road, Patiala. Complainant

Versus

Public Information Officer,

O/o Senior Superintendent of Police,

Patiala. Respondent

**COMPLAINT CASE NO.15/2018**

Date of RTI application : 24.10.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 26.12.2017

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

ASI Ajit and ASI Balwinder Singh, O/o SSP, Patiala – for Respondent.

**ORDER:**

The respondent has brought along a reply which has been handed over to the complainant on spot. The complainant may react to it in case he is not satisfied with the same before the next date of hearing with a copy to the Commission.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Manjit Singh,

S/o Sh. Sohan Singh,

House No.388/3, Dhandholian Street,

Baherha Road, Patiala. Complainant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Patiala Respondent

**COMPLAINT CASE NO.16/2018**

Date of RTI application : 01.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 26.12.2017

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

Sh. Tarun Kumar, Building Inspector, MC office, Patiala – for Respondent.

**ORDER:**

The respondent has denied him the information for want of its identification by the numbers by which it is being maintained in the office of the Municipal Corporation, Patiala. The plea of the respondent is not acceptable. The dictate of Section IV of the RTI Act is that a Public Authority is obliged to maintain their record in the fashion so as to facilitate the provision of information to a citizen. Such a stance tantamounts to intentional withholding of the information. They are directed to provide the information forthwith under intimation to the Commission well before the next date of hearing.

To come up on **03.04.2018 at 11.30 AM.**

**Sd/-**

**20.02.2018 (Yashvir Mahajan)**

**State Information Commissioner**