



Sh. Rulda Ram,  
S/o Sh. Toti Ram,  
R/o Village Majri, PO Sialbagh,  
Tehsil Kharar, S.A.S Nagar.

Appellant

Versus

Public Information Officer,  
O/o Tehsildar,  
Kharar, Distt. S.A.S Nagar.

First Appellate Authority,  
O/o Deputy Commissioner,  
S.A.S Nagar.

Respondents

### **APPEAL CASE NO.2167/2018**

Date of RTI application: 26.02.2018  
Date of First Appeal : 11.04.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 26.06.2018

**Present: None on behalf of the Appellant.  
Sh. Raghbir Singh, Office Kanungo, Tehsildar off., Kharar – for Respondents.**

#### **ORDER**

The following order was passed by this forum on 27.11.2018:

*“The appellant has sought a copy of ‘Naqsha Haqdaaran’ framed on the consolidation of land of Village Majri, Tehsil Kharar at the time of the consolidation of holdings. The PIO to whom the application was originally submitted has erroneously forwarded the RTI application to the Naib Tehsildar, Majri who has submitted a reply which apparently is misleading. The appellant submits that he is only seeking the area defined for the shamlat and private owners and is not seeking the copies of record of rights for which he has been asked to pay a cost of providing information. The respondents are advised to provide him the information as asked for vide his original application before the next date of hearing along with ‘Naqsha Haqdaaran’ constructed at the time of consolidation.”*

“The case has come up today. The respondents have communicated in writing to the appellant that the information sought is not available with them. The Commission understands that



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## **APPEAL CASE NO.2167/2018**

*Consolidation Scheme having been decided by the then competent authority should be a permanent record and be available with them until or unless it has been destroyed under a valid order as prescribed in Rules. It shall be deemed to be held by the Public Authority. The respondents are again directed to arrange to provide it to the appellant or else face penal action.*

The case has again come up today for hearing. Sh. Raghbir Singh, Office Kanungo appearing on behalf of the respondents has brought along the copy of the 'Naqsha Haqdaaran' constructed at the time of consolidation. The respondents are hereby directed to send it across to him by a mode they deem it appropriate under intimation to the Commission.

The matter shall be reheard on **28.03.2019 at 11.30 AM.**

**Sd/-**

**21.02.2019**

**( Yashvir Mahajan )  
State Information Commissioner**



Sh. Sandeep Khattri,  
R/o #126/B6,  
Gulmohar City, Dera Bassi,  
S.A.S Nagar.

Appellant

Versus

Public Information Officer,  
O/o Tehsildar,  
Tehsil Complex, Dera Bassi,  
S.A.S Nagar.

First Appellate Authority,  
O/o Sub Divisional Magistrate,  
Tehsil Complex,  
Dera Bassi, S.A.S Nagar.

Respondents

### **APPEAL CASE NO.2155 of 2018**

Date of RTI application: 17.04.2018  
Date of First Appeal : 28.05.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 22.06.2018

**Present:** **None on behalf of the Appellant.**  
**1. Sh. Ravinder Kumar, PIO – cum – Superintendent, SDM Office, Dera Bassi,**  
**2. Sh. Ravinder Singh, Steno to Tehsildar, Tehsil off., Dera Bassi – for Respondents.**

#### **ORDER**

The perusal of the application suggests that an in-discriminate information about a project with a fishing and roving eye has been sought.

Sh. Ravinder Kumar, Superintendent appearing on behalf of the respondents says that either the information sought is in the shape of a questionnaire or in the form that has not been maintained in the office of the respondents. The appellant seeks to know the details of the land purchased by the promoters of a project namely; ATS Life Style with its complete details of length and breadth, its coverage and its constitution, the details of shamlat land, if any, etc.



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## **APPEAL CASE NO.2155 of 2018**

The respondent submits that such an information specifically has not been maintained by them. The Commission agrees with the submissions of the respondents. They are not obliged to collect and collate the information. Moreover it has been sought in loose and nebulous form which if constructed can consume an herculean effort. The application thus seeking the information is not in accord with the provision of law and is not maintainable. The Commission feels that the case squarely fits in the provisions entailed in Section 7(9) of the RTI Act. Its provision shall disproportionately disrupt its resources. The appeal is **disposed** accordingly.

**Sd/-**

**21.02.2019**

**( Yashvir Mahajan )  
State Information Commissioner**



Sh. Sandeep Khattri,  
R/o #126/B6,  
Gulmohar City, Dera Bassi,  
S.A.S Nagar.

Appellant

Versus

Public Information Officer,  
O/o Tehsildar,  
Tehsil Complex, Dera Bassi,  
S.A.S Nagar.

First Appellate Authority,  
O/o Sub Divisional Magistrate,  
Tehsil Complex,  
Dera Bassi, S.A.S Nagar.

Respondents

### **APPEAL CASE NO.2156 of 2018**

Date of RTI application: 17.04.2018  
Date of First Appeal : 28.05.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 22.06.2018

**Present:**

**None on behalf of the Appellant.**

- 1. Sh. Ravinder Kumar, PIO – cum – Superintendent, SDM Office, Dera Bassi,**
- 2. Sh. Ravinder Singh, Steno to Tehsildar, Tehsil off., Dera Bassi – for Respondents.**

### **ORDER**

The perusal of the application suggests that an in-discriminate information about a project with a fishing and roving eye has been sought.

Sh. Ravinder Kumar, Superintendent appearing on behalf of the respondents says that either the information sought is in the shape of a questionnaire or in the form that has not been maintained in the office of the respondents. The appellant seeks to know the details of the land purchased by the promoters of a project namely; GBP ROSEWOOD EXTENSION or GBP ROSEWOOD – 2 with its complete details of length and breadth, its coverage and its constitution, the details of shamlat land, if any, etc.

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## **APPEAL CASE NO.2156 of 2018**

The respondent submits that such an information specifically has not been maintained by them. The Commission agrees with the submissions of the respondents. They are not obliged to collect and collate the information. Moreover it has been sought in loose and nebulous form which if constructed can consume an herculean effort. The application thus seeking the information is not in accord with the provision of law and is not maintainable. The Commission feels that the case squarely fits in the provisions entailed in Section 7(9) of the RTI Act. Its provision shall disproportionately disrupt its resources. The appeal is **disposed** accordingly.

**21.02.2019**

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



Sh. Sandeep Khattri,  
R/o #126/B6,  
Gulmohar City, Dera Bassi,  
S.A.S Nagar.

Appellant

Versus

Public Information Officer,  
O/o Tehsildar,  
Tehsil Complex, Dera Bassi,  
S.A.S Nagar.

First Appellate Authority,  
O/o Sub Divisional Magistrate,  
Tehsil Complex,  
Dera Bassi, S.A.S Nagar.

Respondents

**APPEAL CASE NO.2169 of 2018**

Date of RTI application: 17.04.2018  
Date of First Appeal : 28.05.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 22.06.2018

**Present:** **None on behalf of the Appellant.**  
**1. Sh. Ravinder Kumar, PIO – cum – Superintendent, SDM Office, Dera Bassi,**  
**2. Sh. Ravinder Singh, Steno to Tehsildar, Tehsil off., Dera Bassi – for Respondents.**

**ORDER**

The perusal of the application suggests that an in-discriminate information about a project with a fishing and roving eye has been sought.

Sh. Ravinder Kumar, Superintendent appearing on behalf of the respondents says that either the information sought is in the shape of a questionnaire or in the form that has not been maintained in the office of the respondents. The appellant seeks to know the details of the land purchased by the promoters of a project namely; GBP ROSEWOOD 1 with its complete details of length and breadth, its coverage and its constitution, the details of shamlat land, if any, etc.



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## **APPEAL CASE NO.2169 of 2018**

The respondent submits that such an information specifically has not been maintained by them. The Commission agrees with the submissions of the respondents. They are not obliged to collect and collate the information. Moreover it has been sought in loose and nebulous form which if constructed can consume an herculean effort. The application thus seeking the information is not in accord with the provision of law and is not maintainable. The Commission feels that the case squarely fits in the provisions entailed in Section 7(9) of the RTI Act. Its provision shall disproportionately disrupt its resources. The appeal is **disposed** accordingly.

Sd/-

**21.02.2019**

**( Yashvir Mahajan )  
State Information Commissioner**



**PUNJAB STATE INFORMATION COMMISSION**  
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Sh. Baldev Kumar,  
S/o Sh. Surjit Ram,  
R/o #1789, Near Shiv Mandir, Sector 11,  
College Colony, Dera Bassi, Distt. Mohali.

Complainant

Versus

Public Information Officer,  
O/o Executive Officer,  
Nagar Council,  
Dera Bassi, Distt. Mohali.

Respondent

**COMPLAINT CASE NO.691/2018**

Date of RTI application: 14.05.2018  
Date of First Appeal : Nil  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 25.06.2018

**Present: None.**

**ORDER**

None is present on behalf of the Parties. On the request of the appellant the matter is  
adjourned to be heard on **28.03.2019 at 11.30 AM.**

**Sd/-**

**21.02.2019**

**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Harjinder Singh,  
S/o Sh. Mewa Singh,  
R/o Gunike, Tehsil Nabha,  
Distt. Patiala.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Nabha, Distt. Patiala  
First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Patiala.

Respondents

**APPEAL CASE NO.2132/2018**

Date of RTI application: 15.03.2018  
Date of First Appeal : 08.05.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 22.06.2018

**Present: Sh. Harjinder Singh, Appellant in person.**  
**None on behalf of the Respondents.**

**ORDER**

The following order was made by this forum on 27.11.2018:

*"The appellant had sought the information about the grants and the income that has accrued to the gram Panchayat of village Gunike and the amount spent on the various development works during the period from the year 2013 to 2018. The respondents have brought the entire record comprised in about 700 pages which has been handed over on spot to the appellant. The appellant points out that the copy of the record pertaining to the water supply is not included in the same.*

*The Commission has been made to understand that the above record is being maintained by the XEN, Rural Water Supply & Sanitation, Patiala. He is directed to provide him the information asked for before the next date of hearing. The respondents in the appeal shall duly intimate him about the above order of the Commission sufficiently in advance also of the next date of hearing."*

*"The case has come up today. Despite notice the respondents in the Department of Rural Water Supply & Sanitation, Punjab, has neither provided the information nor filed a written reply. The Commission takes a serious view of it. The XEN, Rural Water supply & Sanitation, Patiala is once again directed to provide the information asked for by him else he shall be proceeded against for imposition of penalty as per provision of the RTI Act."*

The case has again come up for hearing today. The XEN, Div. No. 1, Rural Water Supply & Sanitation, Patiala has failed to reply to the notice of the Commission and provide the requisite information to the

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**APPEAL CASE NO.2132/2018**

appellant. The Commission has taken serious note of it. Sh. Baljit Singh, PIO – Executive Engineer, Water Supply & Sanitation, Division No. 1, Nabha Road, Patiala, 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.

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.

To come up on **04.04.2019 at 11.30 AM.**

**Sd/-**

**21.02.2019**

**( Yashvir Mahajan )  
State Information Commissioner**

**CC: Sh. Baljit Singh, Executive Engineer, Rural Water Supply & Sanitation, Division No. 1, Nabha Road, Patiala, for n/a.**

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Sh. Gurvinder Singh,  
S/o Sh. Santokh Singh,  
R/o Vill. Lehli, PO Dappar,  
Tehsil Dera Bassi, Distt. Mohali.

Appellant

Versus

Public Information Officer,  
O/o District Development and Panchayat Officer,  
Patiala.

First Appellate Authority,  
O/o Additional Deputy Commissioner (Development),  
Patiala.

Respondents

**APPEAL CASE NO.2101/2018**

Date of RTI application: 22.05.2016  
Date of First Appeal : 08.05.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 20.06.2018

**Present:** **None on behalf of the Appellant.**  
**1. Sh. Harpreet Singh, Panchayat Secretary, BDPO Office, Rajpura,**  
**2. Sh. Jagtar Singh, Panchayat Officer, BDPO Office, Dera Bassi – for Respondents.**

**ORDER**

The following order was passed by the Commission on 27.11.2018:

*“The appellant is questioning an allotment made way back in 1974 by the office of the Block Dev. & Panchayat Officer, Dera Bassi under the Rehabilitation of Economically Backward Scheme of the Government of Punjab. Vide communication dated 01.08.2018 the DDPO, Patiala has intimated that the information sought for is 45 years old. It relates to the office of the BDPO, Dera Bassi which currently is under the jurisdiction of district Mohali. He has further submitted that as the information is very old they have not been able to trace it. The Commission desires the BDPO, Dera Bassi to have its record sifted and arrange to provide the information and file a written reply.*

*As far as the information relating to the utilization of funds under Indira Awas Yojna is concerned, the original application has been transferred under Section 6(3) of the Act to the Deputy Chief Executive Officer, Zila Parishad, Patiala who shall advert on the issue and provide the available information.*

*Since the issue does not relate to the office of the DDPO, Patiala any more he is exempted from attendance in future hearings.”*

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## **APPEAL CASE NO.2101/2018**

*“The case has come up today. None is present from the office of the BDPO, Dera Bassi. No written communication has also been received. The Commission takes a serious view of the lackadaisical conduct of the respondents. The B.D.P.O., Dera Bassi is directed to address the issue and inform the Commission failing which the penal consequences shall follow.*

*Sh. Charanjot Singh, Secretary, Zila Parishad, informs that the Rehabilitation Scheme of the Indira Awas Yojna was commissioned by the Government in the year 1984-85. Obviously, no record as asked for pertaining to the year 1973-74 does exist which can be furnished. The Commission agrees with him. However, it mentions that the policy of the State Government to provide “pacca structures” to the deprived section of the society must have been in place. The BDPO, Dera Bassi should arrange to provide the policy instructions extant then on.*

*The PIO, Zila Parishad, Patiala is exempted to attend the future proceedings.”*

The matter has again come up for hearing today. In terms of the order passed mentioned here before the appellant has been informed by the BDPO, Dera Bassi. They further say that besides no record materially has been found in their office. As the information relates to about forty-five years back the Commission accepts their version and draw no adverse inference towards non provision of information. The absence of the appellant without communication suggests that he is satisfied with the turn of events. In such a scenario the Commission is inclined to **dispose** the appeal.

**Sd/-**

**21.02.2019**

**( Yashvir Mahajan )  
State Information Commissioner**

**CC: The Deputy Chief Executive Officer, Zila Parishad, Patiala.**

**CC: The Block Dev. & Panchayat Officer, Dera Bassi, Distt. Mohali.**



Sh. Hardyal Singh,  
S/o Sh. Sher Singh,  
R/o VPO- Dhablan,  
Tehsil & Distt. Patiala.

Appellant

Versus

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

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

Respondents

**Appeal Case No.1821/2018**

Date of RTI application: 08.01.2018  
Date of First Appeal : 22.08.2018  
Date of Reply : 11.01.2018  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 02.07.2018

**Present:** **Sh. Hardyal Singh, Appellant in person.**  
**Sh. Buta Singh, Panchayat Secretary Harinder Singh, Panchayat Secretary, O/o**  
**BDPO, Block Patiala – for Respondents.**

**ORDER**

It shall be appropriate to reproduce the order passed on 29.11.2018:

*“The appellant is aggrieved with the action of the Panchayat in recommending an action against him to settle some personal scores. He is seeking copy of documents thus entailed and the rules under which action has been proposed by the Block Development & Panchayat Officer. The respondents are directed to file a written submission in the Commission on this score besides providing him the available information.”*

*“Sh. Harinder Singh, Panchayat Secretary appearing on behalf of the respondents says that the available record with him has been provided. Rest of the record is available in the office of the BDPO, Patiala. The Block Dev. & Panchayat Officer, Patiala is directed to file a written reply with regard to the aforesaid submissions before the next date of hearing.”*

The case has come up again today for hearing. It shall be relevant to mention here that this case had been transferred from the bench of Sh. A.S.Kaler, Ld. SIC, who had observed



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**Appeal Case No.1821/2018**

In his order dated 09.07.2018 that the BDPO, Patiala should provide him the attested copy of the Resolution dated 24.05.2017 immediately. It has also been observed that the rest of the information sought have already been provided.

A communication dated 08.01.2019 issued by the BDPO, Patiala has been furnished by the Panchayat Secretary attending the hearing. Its perusal suggests that the copy of the aforesaid resolution has also been received by the appellant. The appellant is adamant to know the authority under which these Resolutions were forwarded to the Police by the BDPO for which they have already cited the provision available in the Panchayati Raj Act. Notwithstanding the above fact such a clarification does not constitute the information as defined under Section 2(f) of the RTI Act. The Commission cannot enforce such an explanation by the Public Authority. Having been convinced that the appellant has been sufficiently informed the appeal is **closed**.

**Sd/-**

**21.02.2019**

**(Yashvir Mahajan)  
State Information Commissioner**

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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 2<sup>nd</sup> Appeal/complainant:23.12.2017

**Present: Sh. Raj Kumar Sethi, Appellant in person.**  
**None on behalf of the Respondents.**

**ORDER**

Vide order dated 16.10.2018 the Commission had directed the PIO, Improvement Trust, Ludhiana to produce the relevant file in the Commission. However, none is present on their behalf.

This is a long standing case. The Commission is constrained to believe that the PIO is willfully and malafidely withholding the information. He has stonewalled all the directions passed in this regard. Exercising its authority under Section 18(3) of the RTI Act, the Commission issues a bailable warrant against the PIO – cum – Superintendent, Trust Service Cell, O/o Director of Local Government, Punjab, Chandigarh and directs the jurisdictional Senior Superintendent of Police, UT, Chandigarh, to serve it upon him

To come up on **28.03.2019 at 11.30 AM.**

**21.02.2019**

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

**CC: The Director of Local Govt., Pb., Sathanik Sarkar Bhawan, Plot No. 3- A, Sec. 35, Chandigarh.**

**CC: The Sr. Superintendent of Police, UT, Chandigarh, for n/a.**



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Sh. Gursewak Singh,  
S/o Sh. Harbhajan Singh,  
Village- Bathoi Kalan, P.O Dakaala,  
Teh. & Distt.- Patiala (Punjab)

Appellant

Versus

Public Information Officer,  
O/o Pepsu Road Transport Corporation,  
Head Office, Nabha Road,  
Patiala (Punjab).

First Appellate Authority,  
O/o Pepsu Road Transport Corporation,  
Head Office, Nabha Road,  
Patiala (Punjab).

Respondents

**Appeal Case No.1892/2018**

Date of RTI application: 06.03.2018  
Date of First Appeal : 10.04.2018  
Date of Reply : Nil  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 02.07.2018

**Present:** **None on behalf of the Appellant.**  
**Sh. Gian Chand, Sr. Assistant, PRTC Office, Patiala – for Respondents.**

**ORDER**

The following order was made by this forum on 29.11.2018:

*“The respondents are absent despite issue of notice. The Commission takes a strong exception to the apathy shown by the respondents. The PIO is hereby directed to file a written reply to the application of the appellant besides providing the information failing which serious view shall be taken.”*

*“The case has come up today. The information sought is personal in nature and exemption under clause 1(j) of Section 8 of the RTI Act has been invoked. However, keeping in view the allegations that the officer in consideration has procured the government job by submitting forged documents, the respondents are directed to provide him the information in larger public interest.”*

The case has come up for hearing today. In compliance with the order of the Commission the respondents have sent across the information to him under a registered cover. A copy of it has been endorsed to the Commission as well.

The Commission finds that he has been sufficiently informed. No more intervention is called for.

**Disposed.**

**21.02.2019**

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

**PUNJAB STATE INFORMATION COMMISSION**  
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Sh. Jasbir Singh,  
R/o Guru Nanak Nagar, Village-Bholpur , Jhabewal,  
PO-Ramgarh, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Sub District Magistrate,  
Fatehgarh Sahib.

First Appellate Authority,  
O/o Deputy Commissioner,  
Fatehgarh Sahib.

Respondents

**Appeal Case No.3355/2018**

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
02.07.2018	Nil	13.08.2018	Nil	01.10.2018

**Present:** Sh. Jasbir Singh, Appellant in person.  
Sh. Manjit Singh, Jr. Assistant, SDM Office, Fatehgarh Sahib – for Respondents.

**ORDER**

The following order was made by this forum on 22.01.2019:

*“The respondents are absent. No written reply or statement has been filed also. The Commission takes serious view of the nonchalant conduct of the respondents. They are afforded another opportunity to do the needful under intimation to the Commission else penal consequences shall follow.”*

The matter has again been taken up today. It is very intriguing to learn from the proxy of the respondents that they have not received the notice of the Commission. The Commission finds that besides the notice issued by the Commission, the respondent PIO has been informed by the office of the D.R.O., Fatehgarh Sahib, on a couple of occasions to look into it and provide the information to the appellant. The original application has been filed by the appellant on 13.08.2018 and despite a lapse of about six months the respondents are showing their ignorance about the application and the notice of the Commission. Apparently, the PIO has rendered himself liable for imposition of penalty. A final opportunity is afforded to him to come in person and explain his conduct. Meanwhile he should ensure that the sought for information is provided to the appellant without fail immediately.

To come up on **26.03.2019 at 11.30 AM.**

**21.02.2019**

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