

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. Mahinder Kumar,
S/o Sh. Mamraj,
VPO-Amarpura, Distt. Fazilka.

Appellant

Versus

Public Information Officer,
O/o Financial Commissioner,
Rural Development & Panchayat, Punjab,
Vikas Bhawan, Sec 62, SAS Nagar (Mohali).

First Appellate Authority,
O/o Financial Commissioner, Mini Secretariat,
Rural Development & Panchayat, Punjab,
Vikas Bhawan, Sec 62, SAS Nagar (Mohali).

Respondents

Appeal Case No.2345/2018

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
24.02.2018	Nil	08.04.2018	Nil	

Present: Appellant- None;
Respondents- None.

ORDER

None is present. Nothing has been heard from anybody. The matter is

adjourned to be heard on **30.10.2019 at 11.30 AM through video conference at Fazilka.**

21.08.2019

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



Shri Vivek Baghla,
H.No.2857, Bank Colony,
Badha Road, Fazilka

Appellant

Versus

Public Information Officer,
O/o The Managing Director,
Punjab health Systems Corporation,
SAS Nagar (Mohali).

First Appellate Authority,
O/o The Principal Secretary to Govt. of Punjab
Department of Health & Family Welfare,
Punjab Civil Sectt.-2, Sec.9, Chandigarh.

Respondents

Appeal Case No.23/2019

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
25.09.2018	Nil	30.10.2018	Nil	13.12.2018

Present: Appellant- Sh. Vivek Baghla;
Respondents- Sh. Jagtar Singh, Senior Assistant, Health & Family Welfare.

Order

The case has been heard through video conference.

The following order was passed on 13.06.2019:

"The appellant has sought information governing the establishment and running of various private Hospitals/Nursing Homes. The respondents are ignorant about such provisions. The Director, Health & Family Welfare, Punjab is hereby directed to file a written reply to the notice of the Commission before the next date of hearing.

The appellant has requested for adjournment.

*The matter shall now be heard on **21.08.2019 at 11.30 AM through video conference at Fazilka.**"*

The case has come up today. Sh. Jagtar Singh, Senior Assistant, O/o



-2-

Appeal Case No.23/2019

Director, Department of Health, is present. He maintains his position of ignorance. The Commission takes a strong exception to the conduct of the respondents. The original application has been filed on 25.09.2018. Even after a lapse of one year, the appellant has not been appropriately informed about a simple question related to the department. The Commission feels that the department is evasive and willfully denying the information.

Taking cognizance of callous attitude in violation of provision of section 7 (1) of the RTI Act, 2005, the Commission hereby issues a show cause notice to the PIO in the Directorate of Punjab Health and Family Welfare 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....3



-3-

Appeal Case No.23/2019

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.

To come up on **30.10.2019 at 11.30 AM through video conference at**
Fazilka.

21.08.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



By Registered Post

Sh. Raj Kumar Ahuja
S/o Sh.Bhagwan Chand,
R/o Village Gram Panchayat, Neola
Tehsil and District Fazilka.

Appellant

Versus

Public Information Officer,
O/o The District Social Welfare Officer,
Fazilka.

First Appellate Authority,
O/o District Social Welfare Officer
Fazilka. .

Respondents

Appeal Case No.3210 /2017

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
01.12.2015	Nil	10.02.2016	Nil	16.05.2017

Present: Appellant- Sh. Raj Kumar Ahuja;
Respondents- None

Order

The case has been heard through video conference.

The following order was passed on 13.06.2019:

"This is a very old case. The original application was filed on 0.12.2015. Having gone through the rigmarole of First and Second appeal, the appellant is still in the dark. The information sought relates to the pensions sanctioned by the State Government in the Department of Social Security of Women and Child Welfare, Punjab.

The Commission takes very strong exception to the conduct of the respondents and directs the District Social Welfare Officer to arrange to provide information before the next date of hearing positively. It is underlined that regardless of the fact as to who is the PIO/custodian of the record, it shall be the responsibility of the District Social Welfare Officer, by name, to comply with these orders, being the head of the Public Authority in the district. The compliance should be conveyed to the Commission well before the deferred date."

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-2-

Appeal Case No.3210 /2017

The case has come up today. The respondents are absent. No action in compliance of the aforementioned order has been taken. The Commission finds it as a violation of the section 7 (1) of the RTI Act, 2005.

Taking cognizance of the same, the PIO in the office of the District Social Security Welfare Officer 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 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 **30.10.2019 at 11.30 AM through video conference at Fazilka.**

21.08.2019

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

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Sh. Sukhdev Singh,
S/o S. Inder Singh,
VPO Kot Daram Chand Kalan,
Tehsil & Distt Tarn Taran.

Appellant

Versus

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

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

Respondents

Appeal Case No.3533/2018

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
26.06.2018	Nil	27.07.2018	Nil	14.10.2018

Present:

Appellant- None;
Respondents- Sh. Rajbir Singh, Panchayat Secretary,
Sh. Davinder Singh, Clerk,
Sh. Harmanjit Singh, Patwari.

Order

The case has been heard through video conference.

The appellant is absent. Sh. Rajbir Singh, Panchayat Secretary, and Sh.

Davinder Singh, clerk in O/o BDPO, who are present in the Commission, submit that information has been conveyed to the information seeker. Sh. Rajbir Singh, Panchayat Secretary, has shown us a copy of an enquiry report made by the BDPO, which has been transmitted to the appellant. Similar information reportedly has also been sent by the PIO concerning the other villages. From the absence of the appellant or any communication, the Commission presumes that the appellant is satisfied with the information reported to have been provided to him. No further intervention seems called for.

Disposed.

21.08.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Sukhvir Singh,
S/o Sh. Bachna Ram,
R/o Village Basti Bazigar (Ahiapur),
Block Tanda, Tehsil Dasuya, Distt Hoshiarpur.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Tanda, Tehsil Dasuya, Distt Hoshiarpur.

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

Respondents

Appeal Case No.3528/2018

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
04.06.2018	Nil	20.07.2018	Nil	07.09.2018

Present:

Appellant- None;
Respondents- Sh. Ravinder Singh, Panchayat Secretary.

Order

The case has been heard through video conference.

The Commission had made following observations on 09.01.2019:

"Heard.

The information sought pertains to a period of 11 years. Apparently it shall amount to a massive record. The Commission feels that it shall not be in overall public interest to ask the respondents to take on such a tall job to Xerox thousands copies. It is desirable that inspection of the record should be resorted to at a mutually convenient date and time to both the parties. The appellant shall identify the documents but not beyond 200 pages which has been agreed upon by both parties and respondents shall arrange to provide certified copies within fifteen days from today positively under intimation to the Commission.

*The matter shall be reconsidered on **13.03.2019 at 11.30 AM through video conferencing at Hoshiarpur.**"*

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-2-

Appeal Case No.3528/2018

The case has come up today. Sh. Ravinder Singh, Panchayat Secretary, submits that the appellant has been repeatedly requested to come and inspect and the record, but he did not turn up. Nonetheless, having spoken with him he had dispatched 200 pages which he deemed appropriate to his request. The appellant is once again desired to comment on the above submissions.

To come up on **30.10.2019 at 11.30 AM through video conference at Hoshiarpur.**

21.08.2019

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

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Sh. Gurmukh Singh,
S/o Sh. Jagat Ram,
Village- Maira, P.O-Kot Maira,
Tehsil-Garhshankar, Distt. Hoshiarpur.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Garhshankar, Distt. Hoshiarpur.

Respondent

Complaint Case No.1258/2018

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
16.04.2018	Nil	Nil	Nil	04.12.2018

Present: Complainant - None;
Respondent- None.

ORDER

None is present. Nothing has been heard from anybody. The matter is
adjourned to be heard on **30.10.2019 at 11.30 AM through video conference at**
Hoshiarpur.

21.08.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Inderjit Singh,
R/o Village-Sattowali,
Block-Adampur, Jalandhar.

Appellant

Versus

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

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

Respondents

Appeal Case No.4311/2018

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
04.09.2018	Nil	15.10.2018	Nil	08.12.2018

Present: Appellant- Sh. Inderjit Singh;
Respondents- Sh. Jagmohan Singh, Superintendent.

ORDER

The case has been heard through video conference.

The appellant had sought a list of the persons who have applied for allotment of houses under Prime Minister Awas Yojna. The respondents say that they have provided him the list of the applicants. During the course of hearing, the appellant says that he needs a copy of the applications also. The respondents agree to do the same. They are desired to do so within 10 days from today under intimation to the Commission. No further intervention of the Commission is called for.

Disposed.

21.08.2019

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



Sh. P.K Malhan,
 R/o #111, New Deol Nagar,
 Jalandhar.

Appellant

Versus

Public Information Officer,
 O/o Assistant Excise and Taxation Commissioner,
 Jalandhar-1, Distt. Jalandhar,

First Appellate Authority,
 O/o Deputy Excise and Taxation Commissioner,
 Jalandhar Division, Jalandhar.

Respondents

Appeal Case No.4262/2018

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
30.04.2018	Nil	12.07.2018	04.09.2018	12.11.2018

Present: Appellant- None;
 Respondents- Sh. Sunil Thapar, Excise and Taxation Officer.

ORDER

The case has been heard through video conference.

The appellant is absent. The respondents represented by Sh. Sunil Thapar, Excise and Taxation Officer, submits that the information sought is vague and humongous, which is not feasible to be provided. The Commission having gone through the same agrees with the submission of the respondents. The Commission finds that the First Appellate Authority has also upheld the viewpoint of the PIO.

In the second appeal with the Commission, the appellant has assailed the order of the first appellate authority by citing a judgment of Hon'ble High Court of Kerala passed in WP (C) number 6532 of 2006 (C) in the case of Treesa Irish V/s CPIO. The Commission is afraid that the ruling does not help him. The appellant is virtually asking for certified copies of entire office record of the respondents, which may not be humanly possible

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-2-

Appeal Case No.4262/2018

for them to transmit to him. The Commission feels that it is a fit case to invoke of section 7 (9) of the Act. The appeal is **dismissed** with the observations that in case, he is interested to prove a point, he should be very specific and prune down the information being sought to a reasonable level, so that the respondents can inform him without diverting their resources significantly.

Disposed.

21.08.2019

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



Sh. Paramjit Singh,
S/o Sh. Jarnail Singh,
H.No.816, St.No.11, Ward No.21,
Guru Nanak Nagari, Davindra Road,
Malout, Distt. Sri Muktsar Sahib.

Appellant

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer,
Malout, District Sri Muktsar Sahib.

First Appellate Authority,
O/o Block Development & Panchayat Officer,
Malout, District Sri Muktsar Sahib.

Respondents

Appeal Case No.1391/2019

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
28.11.2018	Nil	07.01.2019	Nil	11.04.2019

Present: Appellant- None.
Respondents- Sh. Gurmeet Singh, Panchayat Secretary.

ORDER: The case has been heard through video conference.

The following order was made on 18.06.2019:

“The information sought by the appellant relates to Village Burj Sidhwan, Tehsil Malout, District Sri Muktsar Sahib. The respondents say that the information has been provided through registered cover. The appellant admits to have received the information without certification of the documents. The Superintendent, who is present, has been directed to arrange the certification of all the documents.”

The case has come up today. The respondents say that the order has been complied. They have already sent across an acknowledgement of the same from the appellant. No further action is called for. The appeal is **disposed**.

21.08.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Jaskaran Singh,
S/o Sh. Jarnail Singh,
H.No.816, St.No.11, Ward No.21,
Guru Nanak Nagari, Davindra Road,
Malout, District-Sri Muktsar Sahib.

Appellant

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer,
Malout, District-Sri Muktsar Sahib.

First Appellate Authority,
O/o Block Development & Panchayat Officer,
Malout, District-Sri Muktsar Sahib.

Respondents

Appeal Case No.1393/2019

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
28.11.2018	Nil	07.01.2019	Nil	11.04.2019

Present:

Appellant- None.

Respondents- Sh. Gurmeet Singh, Panchayat Secretary.

ORDER:

The case has been heard through video conference.

The following order was made on 18.06.2019:

“The information sought by the appellant relates to Village Burj Sidhwan, Tehsil Malout, District Sri Muktsar Sahib. The respondents say that the information has been provided through registered cover. The appellant admits to have received the information without certification of the documents. The Superintendent, who is present, has been directed to arrange the certification of all the documents.”

The case has come up today. The respondents say that the order has been complied. They have already sent across an acknowledgement of the same from the appellant. No further action is called for. The appeal is **disposed**.

21.08.2019

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



Shri Anokh Singh,
S/o Shri Gurdeep Singh,
R/o Village Burj Mohammad Shah,
Tehsil Zira, Distt Ferozepur.

Complainant

Versus

Public Information Officer,
O/o Block Development Panchayt Officer,
Makhu, Tehsil Zira, Distt Ferozepur.

Respondent

Complaint Case No. 971/2018

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 Complaint
05.06.2018	Nil	Nil	Nil	10.08.2018

Present: Complainant - None.
Respondents- None.

ORDER:

The case has been heard through video conference.

None is present in video conference. A notarized deposition has been sent by the complainant for having successfully procured the information. In view of the same, the complaint is **disposed**.

21.08.2019

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



Sh. Hardeep Singh,
 S/o Sh. Tarsem Lal,
 R/o Vill. Nurpur, Tehsil Banga,
 Distt. SBS Nagar.

Appellant

Versus

Public Information Officer,
 O/o Gram Panchayat,
 Village Nurpur, Block Aur,
 Tehsil Banga, Distt. S.B.S Nagar.

First Appellate Authority,
 O/o Block Development and Panchayat Officer,
 Block Aur, Distt. S.B.S Nagar.

Respondents

Appeal Case No.2173/2018

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
07.02.2018	Nil	02.05.2018	Nil	25.06.2018

Present: Appellant- Sh. Hardeep Singh.
 Respondents- Sh. Amrik Singh, Panchayat Secretary.

ORDER

The case has been heard through video conferencing.

The following order was made on 02.01.2019:

“The appellant had sought detailed information for a period of ten years which ostensibly is massive in quantum. He alleges some misappropriation of funds by the gram panchayat.

Sh. Rajesh Chadha, BDPO, on the other hand alleges that the appellant is involved in fraudulent transactions of panchayat funds and the department has already filed a criminal complaint against him. He further says the appellant has already been supplied information comprising more than 700 pages. According to respondents the appellant is only inclined to settle personal scores rather than serving any public cause.

Be that as it is, the respondents are directed to file a written statement to the notice of the commission with an advance copy to the appellant who may like to file a reply to the same in case he deems it appropriate.”

Sh. Amrik Singh, Panchayat Secretary, has brought along some information, which

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-2-

Appeal Case No.2173/2018

has been handed over on spot to the appellant. The respondents assure that the rest of the information shall be provided shortly. The Commission observes that it is already a long standing case. Any delay shall defeat the purpose and render the respondents liable for imposition of penalty. The matter shall be reheard on **26.09.2019 at 11.30 AM at Chandigarh.**

21.08.2019

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

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Sh. Avtar Prithvi Raj,
S/o Sh. Girdhari Lal,
VPO, Taragarh,
Tehsil & Distt.- Pathankot.

Appellant

Versus

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

First Appellate Authority,
O/o Additional Deputy Commissioner,
Pathankot.

Respondents

Appeal Case No.2387/2018

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
12.09.2017	Nil	16.02.2018	Nil	07.07.2018

Present: Appellant- None.
Respondents- None.

ORDER

The case has been heard through video conferencing.

The appellant had denied the receipt of information. He has requested for an adjournment. His request is accepted. The matter shall be reheard on **30.10.2019 at 11.30**

AM through video conference at Pathankot.

21.08.2019

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