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Smt. Preet Inder Kaur

S/o Sh. Amarjit Singh,

R/o Ward No.16, Near Guga Marhi,

Adarsh Nagar, Humayupur,

Sirhind, Tehsil & Distt. Fatehgarh Sahib. Appellant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate –cum-

Registering Authority, MV, Fatehgarh Sahib.

.

First Appellate Authority

O/o Secretary,

Regional Transport Authority,

HQ, Punjab, SCO No.177-178, Sector-17-C,

Chandigarh. Respondents

 **APPEAL CASE NO.687/2018**

Date of RTI application : 20.09.2017

Date of First Appeal : 06.12.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 19.02.2018

**Present:** None on behalf of the Appellant.

 1. Sh. Parvinder Singh, Sr. Assistant, SDM Office, Fatehgarh Sahib,

 2. Sh. Rajvinder Singh, Reader to SDM, Fatehgarh Sahib – for Respondents.

**ORDER**

 The information sought by the appellant in his original application concerns the documents involved in the transfer of a vehicle. The respondents say that the same has already been sent to her. They have also enclosed a copy of the same to the Commission. The documents available on file seem to conform to the original application.

 The appellant is neither present nor any communication has been sent by her. Her silence is suggestive of her satisfaction on having received the information. No further action is called for. The appeal is **closed.**

 **Sd/-**

**24.04.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

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Smt. Mukhtiar Kaur

W/o Sh. Dev Singh, Village Seuna, Sidhuwal,

Distt. Patiala. Appellant

Versus

Public Information Officer,

O/o Senior Supdt. of Police,

Patiala

.

First Appellate Authority

O/o Inspector General of Police, (Zonal)

Patiala. Respondents

 **APPEAL CASE NO.706/2018**

Date of RTI application : 21.08.2017

Date of First Appeal : 09.01.2018

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 20.02.2018

**Present:** Smt. Mukhtiar Kaur, Appellant in person.

 ASI Ajit, SSP office, Patiala – for Respondents.

**ORDER**

 ASI Ajit appearing on behalf of the respondents has brought along the information which has been handed over on spot to the appellant. The appellant may look into it and file her objections, if any, with a copy to the Commission.

 To come up on **07.06.2018 at 11.30 AM.**

 **Sd/-**

**24.04.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Gagan Deep Singh Janjua,

Village Tura P.O. Kumbh, Tehsil Amloh,

Distt. Fatehgarh Sahib Appellant

Versus

Public Information Officer,

O/o Addl. Chief Secretary to Govt. of Punjab,

Department of Home & Justice Affairs Department, Pb.

Punjab Civil Sectt.-2, Sector-9, Chandigarh

.

First Appellate Authority

O/o Addl. Chief Secretary to Govt. of Punjab,

Department of Home & Justice Affairs Department, Pb.

Punjab Civil Sectt.-2, Sector-9, Chandigarh. Respondents

 **APPEAL CASE NO.711/2018**

Date of RTI application : 23.09.2017

Date of First Appeal : 09.12.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 15.02.2018

**Present: None.**

**ORDER**

 None is present on behalf of the Parties.

 The matter is adjourned to **07.06.2018 at 11.30 AM.**

 **Sd/-**

**24.04.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jasbir Singh

Village Bholapur Jhabwal,

Post office Ramgarh, Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate,

Bassi Pathanan Distt. Fatehgarh Sahib.

.

First Appellate Authority

O/o Deputy Commissioner,

Fatehgrah Sahib. Respondents

 **APPEAL CASE NO.727/2018**

Date of RTI application : 27.11.2017

Date of First Appeal : 01.01.2018

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 21.02.2018

**Present:** Sh. Jasbir Singh, Appellant in person.

 1. Sh. Major Singh, Ahelmad, SDM Office, Bassi Pathanan,

 2. Sh. Amrik Singh, Reader to SDM, Bassi Pathanan.

**ORDER**

 The appellant had asked for an information about the personnel details of the office of SDM and some information concerning the transport work being overseen by him. The respondent says that the appellant was desired to deposit the fee of postage to an extent of Rs.25/- to enable them to provide him the information.

 Rule 4(g) of the Punjab Right to Information Rules, 2017 entails that a Public Authority can only ask for the remittance of postal charges from the applicant in case the amount involved is beyond Rs.50/-. The plea of the respondents is thus rejected. They are directed to provide him the information within fifteen days from today positively under intimation to the Commission.

 To come up on **06.06.2018 at 11.30 at Chandigarh.**

 **Sd/-**

**24.04.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gurbaksh Singh,

S/o Sh. Khadu Ram,

Village Khurd, P.O. Karhali,

Sadar Samana Distt. Patiala. Appellant

Versus

Public Information Officer,

O/o Senior Supdt. of Police,

Patiala.

.

First Appellate Authority

O/o Inspector General of Police, (Zonal),

Patiala. Respondents

 **APPEAL CASE NO.747/2018**

Date of RTI application : 03.08.2017

Date of First Appeal : 11.10.2017

Date of Order of FAA : Reply 13.12.2017

Date of 2nd Appeal/complaint : 28.01.2018

**Present:** Sh. Gurbaksh Singh, Appellant in person.

 ASI Ajit, SSP Office, Patiala – for Respondents.

**ORDER**

 The appellant had made a complaint with the respondents that he has been defrauded of a significant amount by one Sh. Hira Lal Jawandi S/o Sh. Fakiria, R/o H. No. 43, Phulewal Chowk, Jawandi, District Ludhiana promising his family a government job.

 ASI Ajit appearing on behalf of the respondents says that preliminary enquiries have been made and the copies of the enquiry reports and the statements recorded have been provided to the appellant. The appellant admits having received such information. However, he insists that statements made by the persons complained against, are far from truth. It is a case of forgery, according to him, and he pleads with the Police to book him for that.

 Contd..page…2

 -2-

**APPEAL CASE NO.747/2018**

 Be that as it is, the Commission finds that the information available on record has been provided to the appellant. No further cognizance is desirable to be taken. However, in view of the fact that a poor man allegedly has been deprived of his savings by an alleged unscrupulous person, the Sr. Superintendent of Police, Patiala, should look into it afresh and take appropriate action.

 The appeal is **closed.**

 **Sd/-**

**24.04.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**CC: The Senior Superintendent of Police, Patiala, for n/a.**

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Sh. Kulwinder Singh

S/o Sh. Jagdev Singh,

R/o Ward No.3, Khamanon

Distt. Fatehgarh Sahib. Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Panchayat, Khamanon,

Distt. Fatehgarh Sahib

.

First Appellate Authority

O/o Regional Deputy Director,

Urban Local Bodies, Punjab,

Ludhiana. Respondents

 **APPEAL CASE NO.750/2018**

Date of RTI application : 28.10.2017

Date of First Appeal : 29.12.2017

Date of Order of FAA : Reply 06.11.2017

Date of 2nd Appeal/complaint : 22.02.2018

**Present:** Adv. Dinesh Sharma, Counsel for the Appellant..

 Sh. Sangeet Kumar, PIO – cum – EO, Nagar Panchayat, Khamanon along with
 Adv. G.S.Sidhu, Counsel - for Respondents.

**ORDER**

 Sh. Sangeet Kumar, PIO – cum – EO, Nagar Panchayat, has brought along the information which has been handed over to the appellant on spot. He may revert to the Commission in writing in case he has any observations on the information thus provided to him with an advance copy to the respondents.

 The matter shall be reheard on **03.07.2018 at 11.30 AM.**

 **Sd/-**

**24.04.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Parvinder Singh Kittna

#204/217, K.C. Tower,

Chandigarh Road, Nawanshahar -144514 Complainant

Versus

Public Information Officer,

O/o Sr. Superintendent of Police,

Patiala. Respondent

 **COMPLAINT CASE NO.265/2018**

Date of RTI application : 29.11.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 20.02.2018

**Present:** Sh. Parvinder Singh Kittna, Complainant in person.

 ASI Ajit, SSP office, Patiala – for Respondent.

**ORDER**

 The complainant had sought an information about the casualties that occurred during the period from 1978 to 1984 at the hands of the terrorists or in police encounters and some connected information there along.

 The respondent is seeking exemption under Section 8 (1) (g) of the Act with the plea that the disclosure of the particulars of such persons may endanger physical safety of their relatives. The complainant says that in that situation he may be apprised, at least of the year-wise statistics on above score. The respondents agree to provide the information as such. They are directed to do so within a fortnight from today positively under intimation to the Commission.

 To come up on **07.06.2018 at 11.30 AM.**

 **Sd/-**

**24.04.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Parminder Singh,

S/o Sh. Jaspal Singh,

House No.6837/3A, Street No.8,

Mohar Singh Nagar, Ludhiana Appellant

Versus

Public Information Officer,

O/o Zonal Commissioner,

Zone-B, Municipal Corporation,

Shingar Road, Ludhiana

First Appellate Authority

O/o Zonal Commissioner,

Zone-B, Municipal Corporation,

Shingar Road, Ludhiana Respondents

 **APPEAL CASE NO.2412/2017**

Date of RTI application : 21.03.2017

Date of First Appeal : 15.04.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 28.08.2017

**Present:** None on behalf of the Appellant.

 Sh. Raj Kumar, PIO – cum – Head Draftsman, Zone ‘B’ MC Office, Ludhiana – for Respondents.

**ORDER**

 The following order was passed by this forum on 20.12.2017:

 *“The case has been heard through video conferencing.*

 *On the last date of hearing the following order was passed which is reproduced below****:***

 ***“****The respondents are absent. The original application was filed on 21.03.2017. Despite the lapse of about nine months suitable information has not been provided. The first Appeal and issue of the notice from the Commission has not elicited any response The Commission takes a serious note of it.*

*Contd…page…2*

*-2-*

***APPEAL CASE NO.2412/2017***

 *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 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.”*

 *The case has come up today. Respondents have not so far provided the information to the appellant. The PIO is directed to file written reply explaining his conduct in withholding the information. He is directed to come present in person. Be it noted that no further opportunity of being heard shall be afforded.”*

The case has come up today. The appellant is not present. He has sent a communication dated 16.04.2018 acknowledging the receipt of information. He further requests the Commission to close the case. As the information has been delivered to his satisfaction the Commission does not see any further requirement to pursue the issue. The respondent regrets the delay and assures the Commission to be watchful in future.

  **Disposed.**

 **Sd/-**

**24.04.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Mukesh K Sharma (Advocate),

# 258, Mansa Devi Complex (MDC),

Sector-4, Panchkula (Haryana) Appellant

Versus

Public Information Officer,

O/o Police Station, Zirakpur

Distt. S.A.S.Nagar

First Appellate Authority

O/o Police Station, Zirakpur

Distt. S.A.S.Nagar Respondents

 **APPEAL CASE NO.3612/2017**

Date of RTI application : 04.09.2017

Date of First Appeal : Nil

Date of Order of FAA : 22.10.2017

Date of 2nd Appeal/complaint :08.12.2017

**Present:** Sh. Mukesh K Sharma (Advocate), Appellant in person.

 None on behalf of the Respondents.

**ORDER**

 The Commission had made the following observations on 15.03.2018:

 *“The Commission had made the following observations on 06.02.2018:*

 *“The appellant is present. None has appeared on behalf of the respondents nor any written reply has been filed. The Commission takes a serious note of the indifference shown by the respondents to the application as well as the notice issued by the Commission. They are directed to provide to the appellant, the information asked for by him forthwith, in any case well before the next date of hearing along with the explanation as to why the penal provisions should not be invoked for the dereliction on their part.”*

 *“The case has come up today. The respondents are absent on consecutive hearings. Despite the candid directions of the Commission no action seems to have been taken by the respondents on the application of the appellant. They have not bothered to file a written statement as well. Obviously they have rendered themselves liable for penal consequences. The PIO in the office Contd..page…2*

 *-2-*

***APPEAL CASE NO.3612/2017***

*of the SHO, Police Station, Zirakpur, 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.”*

The case has again come up today. It is very intriguing that the PIO in the office of the S.H.O., P.S., Zirakpur has maintained a cavalier silence on the show cause notice issued by the Commission.

 Inspector Pawan Kumar Sharma, SHO, P.S., Zirakpur is hereby directed to appear before the Court in person on **07.06.2018 at 11.30 AM** before a final action on the SCN thus given on him is decided.

 \ **Sd/-**

**24.04.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: The Sr. Superintendent of Police, SAS Nagar (Mohali), for information.**

**CC: Inspector Pawan Kumar Sharma, SHO, P.S., Zirakpur, Distt. Mohali, for n/a.**

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Ms. Tej Kaur

W/o Sh. Randhir Singh,

House No.29, Top Floor, SIHFW Complex,

Phase 6, S.A.S Nagar. Complainant

Versus

Public Information Officer,

O/o Senior Medical Officer (Incharge-1),

Civil Hospital, Phase -6, S.A.S. Nagar.

First Appellate Authority

O/o Civil Surgeon,

Phase 6,S.A.S. Nagar Respondent

 **COMPLAINT CASE NO.748/2017**

Date of RTI application : 27.03.2017

Date of First Appeal : 09.05.2017

Date of Order of FAA : Reply 18.05.2017

Date of 2nd Appeal/complaint :27.07.2017

**Present:** Mrs. Tej Kaur, Complainant in person along with Adv. Krishan Thakur, Counsel.

 Dr. Karamjit Singh, formerly Forensic Expert, Civil Hospsital, Mohali – for Respondent.

**ORDER**

 Heard.

 The order is reserved to be pronounced on **15.05.2018 at 11.30 AM.**

 **Sd/-**

**24.04.2018 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC: PIO – cum – Sr. Medical Officer, Civil Hospital, Phase – VI,**

 **Mohali to ensure the service of this order to Dr. Karamjit Singh, deemed PIO.**

**CC: Dr. Karamjit Singh,**

 **Forensic Expert, Civil Hospital, Phase – VI, SAS Nagar (Mohali), for n/a.**

**CC: The Civil Surgeon, Civil Hospital, Phase – VI, SAS Nagar (Mohali).**

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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:** None on behalf of the Complainant.

 HC Raj Kumar (No. 574 SAS Nagar), P.S. Phase 1, Mohali – for Respondent.

**ORDER**

 The Commission had made the following observations on 20.02.2018:

 *“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.”*

The case has come up today. The respondent reiterates that the information has been supplied conforming to the application. The complainant who was handed over the information on the previous date of hearing has not conveyed any infirmity in the information thus provided to her. Such being the case no action is called for.

 **Disposed.**

 **Sd/-**

**24.04.2018 (Yashvir Mahajan)**

 **State Information Commissioner**