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Sh. Joginder Singh,

S/o Sh. Raghbir Singh,

Vill. Alampur, P.O. Lodi Majra,

Tehsil &Distt. Roopnagar. Complainant

Versus

Public Information Officer,

O/o District Transport Officer,

Jalandhar (Punjab) Respondent

 **COMPLAINT CASE NO.1114/2016**

 **Date of RTI Application : 01.04.2016**  **Date of First Appeal : Nil**

 **Date of order of FAA : Nil**

 **Date of Second Appeal : 25.05.2016**

**Present: None.**

**ORDER**

 On the request of the Parties the matter is adjourned to **28.11.2017 at 11.30 AM.**

  **Sd/-**

**24.10.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: Sh. R.P.Singh, PCS,**

 **Sub Divisional Magistrate, Mohali.**

**CC: The Principal Secretary to Government, Punjab,**

 **Department of Transport, Punjab Civil Secretariat 2, Sector – 9,**

 **Chandigarh.**

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Sh. Ramandeep Singh Ahluwalia,

Ward No.18, Street No.2, Kartar Nagar,

Near Mann Market, Amloh Road, Khanna,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Assistant Commissioner,

Municipal Corporation, Patiala

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Patiala. Respondents

 **APPEAL CASE NO.885/2017**

 **Date of RTI Application : 15.10.2016** **Date of First Appeal : 15.11.2016**

 **Date of order of FAA : Nil**

 **Date of Second Appeal : 13.03.2017**

**Present:** Sh. Ramandeep Singh Ahluwalia, Appellant in person.

 1. Sh. M.M.Syal, PIO – cum – Municipal Engineer,

 2. Sh. Parvinder Singh, JE, M.C. office, Patiala – for Respondents.

**ORDER**

 The following order was passed by this forum on 03.08.2017:-

 “The appellant says that he is in receipt of information with reference to Point No. 1, 2, 5 and 6 whereas the one concerning Point No. 3 and 4 is still awaited. The respondent assures to provide it expeditiously.”

 The deficient information has been made good except Point No. 4. The respondents assure to provide after tracing it quickly.

 To come up on **28.11.2017 at 11.30 AM.**

 **Sd/-**

**24.10.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Bahadur Singh

S/o Sh. Gurnaib Singh

Vill. Jheurheri, Tehsil & Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Block Development & Panchayat Officer,

Kharar

First Appellate Authority,

O/o District Development & Panchayat Officer,

S.A.S. Nagar. Respondents

 **APPEAL CASE NO.1004/2017**

 **Date of RTI Application : 04.01.2017** **Date of First Appeal : 23.02.2017**

 **Date of order of FAA : Reply: 21.03.2017**

 **Date of Second Appeal : 29.03.2017**

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

 Sh. Hoshiar Singh, Panchayat Secretary, O/o BDPO, Kharar – for Respondents.

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**ORDER**

The following order was made on 03.08.2017 by this forum:

 “The Commission has made the following order on 05.07.2017 as under:

 *“The appellant had sought an information concerning the land allegedly belonging to the shamlat deh of village Jheurheri, Block Kharar which has been acquired for the erection of the International Airport at Mohali, the compensation made against the acquisition and its utilization in the shape of various development works. The details of the amount lying in the various banks has also been called for. The appellant adds that about Rs.50 crores have accrued to the gram panchayat as a compensation. He apprehends an embezzlement of the funds at the level of the gram panchayat. Sh. Hoshiar Singh, Panchayat Secretary appearing on behalf of the respondents submits that the record concerning his appeal has been sent to the Joint Director, Rural Development and Panchayats*

 *Contd..page…2*

 *-2-*

***APPEAL CASE NO.1004/2017***

*Department, Punjab who is holding an enquiry into the same.*

 *Be that as it is the appeal is directed to the Joint Director, Rural Development and Panchayats Department, Punjab, Mohali who shall ensure that the record as sought by the information seeker is delivered to him if admissible and a written reply is filed on the notice thus issued by the Commission positively before the next date of hearing.”*

 *“The case has been taken up today. A letter dated 27.07.2017 has been received from the Joint Director (RD), Rural Dev. & Panchayats Department, Punjab, Mohali which has been addressed to the Block Dev. & Panchayat Officer, Kharar in which he has intimated that the record in question has been sent to the Superintending Engineer, Panchayati Raj Public Works, Circle, Mohali who is holding an enquiry into a complaint recommended by Sh. Balbir Singh Sidhu, MLA.
Sh. Hoshiar Singh, Panchayat Secretary confirms that currently the record is available with the Superintending Engineer only. The Commission treats the Superintending Engineer as a PIO in terms of Section 5(4) of the RTI Act and directs him to provide the certified copies of the documents to the appellant asked for in the original application under intimation to the Commission, in any case well before the next date of hearing as the matter has already been considerably delayed in providing the information. A copy of RTI application is also enclosed.*

 *Be it noted that any laxity on the issue shall invite penal consequences.”*

The case has come up today. An embezzlement of funds amounting to crores of rupees has been alleged in the case. Despite the very unambiguous directions of this forum the Superintending Engineer, Panchayati Raj, Lok Nirman Circle, Sector – 62, SAS Nagar (Mohali) has refused to reply or attend the proceedings, not to speak of divulging the information. The Commission *Contd…page. 3*

 *-3-*

***APPEAL CASE NO.1004/2017***

cannot take the things lying down as such. The matter has to be taken to the logical end. While exercising its authority under Section 18 (3) (a) of the RTI Act, 2005, Senior Superintendent of Police, SAS Nagar (Mohali) is directed to serve the bailable warrant for a sum of Rs.20,000/- on Sh. Davinder Kumar Hans, Superintending Engineer, Panchayati Raj, Lok Nirman Circle, Sector – 62, SAS Nagar (Mohali) to appear along with entire record before the Commission on **21.11.2017 at 11.30 AM.**

 **Sd/-**

**24.10.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: Sh. Davinder Kumar Hans, Superintending Engineer, Panchayati Raj, Lok Nirman Circle, Vikas Bhawan, Sector – 62, SAS Nagar (Mohali) for n/a..**

**CC: The Joint Director (RD),**

 **Rural Development and Panchayats Department, Punjab, Vikas Bhawan,**

**Sector – 62, SAS Nagar (Mohali) for information and n/a if any.**

**CC: The Senior Superintendent of Police,**

 **SAS Nagar (Mohali) for n/a.**

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Sh. Sohan Lal Sharma

677, MIG, Phase I, Urban Estate,

Patiala. Appellant

Versus

Public Information Officer,

O/o Superintending Engineer,

Panchayati Raj Circle, Mohali

Vikas Bhawan, Sector-62, S.A.S.Nagar.

First Appellate Authority

O/o Director, Rural Development & Panchayats, Punjab,

Vikas Bhawan, Sector-62, S.A.S. Nagar. Respondents

 **APPEAL CASE NO.1382 of 2017**

**Date of RTI application : 21.12.2015**

**Date of First Appeal : 15.03.2016l**

**Date of Order of FAA: : 01.08.2016**

**Reminder of First Appeal : 11.04.2016**

**Date of 2nd Appeal : 22.05.2017**

**Present:** Sh. Sohan Lal Sharma, Appellant in person.

 Sh. Jagjit Singh, Jr. Assistant, Panchayati Raj office – for Respondents.

**ORDER**

 The following order was passed by this forum on 03.08.2017:-

 *“As the appellant and the respondents are the same and the nature of information is identical the single order shall dispose of the above appeals.*

 *The Commission has made the following observations on 04.07.2017:-*

 *“The appellant is absent. The respondents have been heard and the relevant record perused. What transpires is that the information seeker is a retired employee of the Department of Rural Development and Panchayats, Punjab ( Panchayati Raj ). He was reportedly penalized on allegations of his delinquencies in discharge of his duties after due enquiry and following the process of law.*

 *Contd…page…2*

 *-2-*

***APPEAL CASE NO.1382 of 2017***

 *The respondents have submitted a copy of an endorsement dated 30.06.2017 of the memo vide which they supposedly have forwarded the information to the appellant. Before this order*

*could be issued the appellant had intimated that information as well as the notice has not been delivered on him.”*

 *“The case has been taken up today. The respondent says that they have already sent him the record. However, the appellant contends that some relevant part is missing. The respondents are advised to allow him the inspection of the record by conveying him specific date and time in writing and give him the certified copies of the documents thus identified by him.”*

The respondent says that the complete information has been provided to him. The Commission has seen the copies of the documents provided to the appellant and is convinced that the sufficient information has been given. No further action is called for.

 **Disposed.**

 **Sd/-**

**24.10.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Sohan Lal Sharma

677, MIG, Phase I, Urban Estate,

Patiala. Appellant

Versus

Public Information Officer,

O/o Superintending Engineer,

Panchayati Raj Circle, Mohali

Vikas Bhawan, Sector-62, S.A.S.Nagar.

First Appellate Authority

O/o Director, Rural Development & Panchayats, Punjab,

Vikas Bhawan, Sector-62, S.A.S. Nagar. Respondents

 **APPEAL CASE NO.1383 of 2017**

**Date of RTI application : 07.10.2015**

**Date of First Appeal : Nil**

**Date of Order of FAA: : 29.02.2016**

**Reminder of First Appeal : 11.04.2016**

**Date of 2nd Appeal : 22.05.2017**

**Present:** Sh. Sohan Lal Sharma, Appellant in person.

 Sh. Jagjit Singh, Jr. Assistant, Panchayati Raj office – for Respondents.

**ORDER**

 The appellant says that the complete information has not been provided.

 The Commission directs the respondents to allow him the inspection of the record.

Sh. Dhiraj Kumar Goyal, PIO – cum – XEN, Panchayati Raj is directed to convey him the specific date and time for the inspection and provide him certified copies of the documents asked for by him. Be it noted that any laxity shall entail serious consequences.

 To come up on **28.11.2017 at 11.30 AM.**

 **Sd/-**

**24.10.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **STATE INFORMATION COMMISSION, PUNJAB**

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Sh.Gulshan Kumar

167-B, Miller Ganj, Industrial Estate,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Mata Rani Chowk,

Ludhiana

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Mata Rani Chowk,

Ludhiana Respondents

  **APPEAL CASE NO.189 of 2017**

 **Date of RTI Application : 06.09.2016**

 **Date of First Appeal : 07.11.2016**

 **Date of Order of FAA : Nil**

 **Date of Second Appeal : Received on 09.01.2017**

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

 Sh. Vijay Kumar, PIO – cum – ATP, Zone ‘D’, MC Office, Ludhiana – for Respondents.

**ORDER**

 Sh. Vijay Kumar, PIO – cum – ATP (D), MC, Ludhiana is present. He has brought along a reply along with information available with them. As the appellant is absent the respondents are directed to transmit it to him by post.

 To come up on **28.11.2017 at 11.30 AM.**

 **Sd/-**

**24.10.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

 **STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Gulshan Kumar

167-B, Miller Ganj, Industrial Estate,

Ludhiana Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Mata Rani Chowk,

Ludhiana

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Mata Rani Chowk,

Ludhiana Respondents

  **APPEAL CASE NO.192 of 2017**

 **Date of RTI Application : 26.08.2016**

 **Date of First Appeal : 04.10.2016**

 **Date of Order of FAA : Nil**

 **Date of Second Appeal : Received on 09.01.2017.**

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

 Sh. Vijay Kumar, PIO – cum – ATP, Zone ‘D’, MC Office, Ludhiana – for Respondents.

**ORDER**

 Sh. Vijay Kumar, PIO – cum – ATP (D), MC, Ludhiana is present. He has brought along a reply along with information available with them. As the appellant is absent the respondents are directed to transmit it to him by post.

 To come up on **28.11.2017 at 11.30 AM.**

 **Sd/-**

**24.10.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

 **STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Harkiranpal Singh

House No.11, Phulkiyan Enclave,

Behind Mini Sectt., Patiala. Appellant

Versus

Public Information Officer,

O/o Municipal Corporation,

Patiala

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Patiala. Respondents

 **APPEAL CASE NO.1661/2017**

Date of RTI application : 05.04.2017

Date of First Appeal : 10.05.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 10.05.2017

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

 1. Sh. M.M.Syal, PIO – cum – Corporation Engg. And

 2. Sh. Ashok Vij, Law Officer, M.C.Office, Patiala – for Respondents.

**ORDER**

 This be read in continuation of our order dated 07.09.2017 vide which a show cause notice was issued to the PIO – cum – XEN.

 The respondents have submitted a reply, a copy of which has also been handed over to the appellant on spot. The respondents have brought along the information which has been handed over to the appellant on spot. The appellant seemingly is still dissatisfied. He is directed to specifically pin-point any deficiency with regard to his original application, if any.

 To come up on **21.11.2017 at 11.30 AM.**

 **Sd/-**

**24.10.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

**CC: The Commissioner, Municipal Corporation, Patiala.**

**CC: Sh. M.M.Syal, XEN (Hqr.) – cum – PIO, Municipal Corporation, Patiala**

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Sh. Harkiranpal Singh

House No.11, Phulkiyan Enclave,

Behind Mini Sectt.,

Patiala Appellant

 Versus

Public Information Officer,

O/o Improvement Trust,

Patiala

First Appellate Authority

O/o Improvement Trust,

Patiala Respondents

 **APPEAL CASE NO.1662/2017**

Date of RTI application : 27.02.2017

Date of First Appeal : 05.04.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : recd. in Commission on 20.06.2017

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

 1. Sh.Parmod Bhatia, EO – cum – PIO, and

 2. Sh. Gurmail Singh, APIO – cum – Trust Engineer, O/o Improvement Trust, Patiala – for Respondents.

**ORDER**

 This be read in continuation of our order dated 07.09.2017 vide which a show cause notice was issued to the PIO.

 The respondents have submitted a reply in the shape of an affidavit, a copy of which has been handed over to the appellant on spot. The respondents have brought along the information which has also been handed over to the appellant on spot. The appellant seemingly is still dissatisfied. He is directed to specifically pin-point any deficiency with regard to his original application, if any.

 To come up on **21.11.2017 at 11.30 AM.**

 **Sd/-**

**24.10.2017 (Yashvir Mahajan)**

 **State Information Commissioner**