

PUNJAB STATE INFORMATION COMMISSION
RED CORSS 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. Tarjinder Singh,
S/o Sh. Mohan Singh,
R/o House No.60, Royal Residency,
Nijjer-Chhaju Majra Road,
Sector-127, Chhaju Majra,
P.O-Landran.

Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council,
Kharar, Distt. SAS Nagar.

First Appellate Authority,
O/o Executive Officer,
Municipal Council,
Kharar, Distt. SAS Nagar.

Respondents

Appeal Case No.2828/2018

Date of RTI application: 20.05.2018
Date of First Appeal : 23.06.2018
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 20.08.2018

Present: **Sh. Tarjinder Singh, Appellant in person.**
Sh. Jaswinder Singh, Draftsman, O/o MC, Kharar – for Respondents.

Order

A simple information pertaining to a residential project in the jurisdiction of the Public Authority has been sought. The chronology of filing application, first appeal and second appeal has been mentioned above. A dodgy reply which is without any authenticity of its postage has been sent to the appellant with frivolous objections which are not sustainable. The identity of the appellant is very much there in the shape of a copy of the Aadhaar card. A non-sustainable plea of third party information has also been taken to refuse the information.

The Commission understands that the Public Authority is dealing with the issue since its inception. Such inane observation does not speak well of it. It can be construed that it is

Appeal Case No.2828/2018

malafidely stone-walling the information which is entitled to a citizen. They have not given a convincing explanation orally on hearing as well. The Commission considers that a willful attempt has been made to withhold and deny the information to the appellant.

According, Sh. Rajesh Kumar, PIO – cum – E.O., Municipal Council, Kharar 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. Meanwhile he will ensure that the sought for information is supplied to the appellant before the next date of hearing positively.

To come up on **13.12.2018 at 11.30 AM.**

25.10.2018

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

CC: Sh. Rajesh Kumar, PIO – cum – Executive Officer, Municipal Council, Kharar, for n/a.

PUNJAB STATE INFORMATION COMMISSION
RED CORSS 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. Malkeet Singh,
S/o Sh. Surinder Singh,
R/o Village Neelpur, Tehsil-Rajpura,
Distt. Patiala.

Appellant

Versus

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

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

Respondents

Appeal Case No.2892/2018

Date of RTI application: 14.05.2018
Date of First Appeal : 17.07.2018
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 29.08.2018

Present: Sh. Malkeet Singh, Appellant in person.
Sh. Balbir Singh, Panchayat Secretary, O/o BDPO, Rajpura – for Respondents.

Order

The appellant had sought the information concerning the various activities relating to the resolutions passed, income accrued and expenses incurred on various development works etc. by the gram panchayat of village Neelpur, Tehsil Rajpura.

The respondents required him to deposit an amount of Rs.1540/- being the cost of providing information. The appellant says that the respondents did not provide him the bank account number as he intended to deposit it to their bank account only. The respondents now have informed him the bank account of the Panchyat. They are directed to provide him the information sought for on receipt of payment within the stipulated period positively.

To come up on **13.12.2018 at 11.30 AM.**

25.10.2018

Sd/-
(Yashvir Mahajan)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
RED CORSS 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. Malkit Khan,
S/o Sh. Jumma Khan,
Village Balli Pur, Kalyan, Patiala.

Appellant

Verus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Mini Secretariat Road, Near Thapar College,
Patiala.

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Mini Secretariat Road, Near Thapar College,
Patiala.

Respondents

Appeal Case No.2911/2018

Date of RTI application: 11.01.2018
Date of First Appeal : 15.02.2018
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 27.08.2018

Present: **None on behalf of the Appellant.**
Sh. Harinder Singh, Panchayat Secretary, O/o BDPO, Patiala – for Respondents.

Order

Sh. Harinder Singh, Panchayat Secretary appearing on behalf of the respondents has brought along copies of the record. As the appellant is absent it is not possible to hand it over to him. The respondents are desired to send it by post under intimation to the Commission. It further transpires that the appellant is habitually filing applications/complaints and seek the same information repeatedly. While disposing of the appeal the Commission understands that the most of the record of the village in contention has already been given to him. DR, PSIC is desired not to entertain any of his application on the same subject again.

Disposed.

25.10.2018

Sd/-
(Yashvir Mahajan)
State Information Commissioner

CC: DR/PSIC for n/a.

PUNJAB STATE INFORMATION COMMISSION
RED CORSS 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. Amrit Kumar Samra,
Department of English,
Government Mohindra College,
Patiala.

Appellant

Versus

Public Information Officer,
O/o Deputy Director,
Principal Account Office, (New Pension Scheme),
Forest Complex, Tower No. 4, 6th Floor,
Sector-68, SAS Nagar.

First Appellate Authority,
O/o Special Secretary,
Department of Finance,
Punjab Civil Secretariat - 1,
Sector-1, Chandigarh.

Respondents

Appeal Case No.2971/2018

Date of RTI application:	22.03.2018
Date of Reply :	02.04.2018
Date of First Appeal :	07.05.2018
Date of Order of FAA :	31.05.2018
Date of 2 nd Appeal/complaint:	18.07.2018

Present: **Sh. Amrit Kumar Samra, Appellant in person.**
Sh. Ashwini Gupta, Section Officer – for Respondents.

Order

The appellant has sought a statement of his CPF contribution with matching contribution of the Government with effect from October, 2007 to December, 2012 and some other connected information.

The respondents have filed a detailed reply. The appellant is dissatisfied on the score that it is incomplete as the information concerning the interest and the bonus which accrued him has not been mentioned.

The respondents, on the other hand, submit that the available information with them has been supplied and the same in fact is available on the website as well. It transpires that the details of his contribution prior to the period of 2011-12 are not available. The Commission feels that

Contd....page...2

Appeal Case No.2971/2018

the appellant is entitled to be informed of the same as well. The Deputy Director (Accounts) is desired to look into it and arrange to supply the information which is being sought by him with reference to the period along with interest and the bonus, if any, under intimation to the Commission.

To come up on **13.12.2018 at 11.30 AM.**

Sd/-

25.10.2018

**(Yashvir Mahajan)
State Information Commissioner**

**CC: The Deputy Director (Accounts), O/o Principal Account Office, (New Pension Scheme),
Forest Complex, Tower No. 4, 6th Floor, Sector-68, SAS Nagar for n/a.**

PUNJAB STATE INFORMATION COMMISSION
RED CORSS 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. Rajesh Kumar,
Chief Editor, RTI Activist,
Vice Chairman, Rashtriya Krantikari Press Association,
C/o 2253/1, Peepli walaTown, Manimajra,
Chandigarh.

Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council,
Zirakpur, Distt. SAS Nagar.

First Appellate Authority,
O/o Deputy Director,
Local Government Bodies,
Patiala.

Respondents

Appeal Case No.2972/2018

Date of RTI application:	24.04.2017
Date of Reply :	Nil
Date of First Appeal :	02.06.2017
Date of Order of FAA :	Nil
Date of 2 nd Appeal/complaint:	31.08.2018

Present: None.

Order

None is present on behalf of the Parties.

The matter is adjourned to be heard on **13.12.2018 at 11.30 AM.**

25.10.2018

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

PUNJAB STATE INFORMATION COMMISSION
RED CORSS 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. Rajesh Kumar,
Chief Editor, RTI Activist,
Vice Chairman, Rashtriya Krantikari Press Association,
C/o 2253/1, Peepli walaTown, Manimajra,
Chandigarh.

Appellant

Versus

Public Information Officer,
O/o Sub District Magistrate,
Dera Bassi, Distt. SAS Nagar.

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

Respondents

Appeal Case No.2974/2018

Date of RTI application:	24.04.2017
Date of Reply :	Nil
Date of First Appeal :	02.06.2017
Date of Order of FAA :	Nil
Date of 2 nd Appeal/complaint:	31.08.2018

Present: None.

Order

None is present on behalf of the Parties.

The matter is adjourned to be heard on **13.12.2018 at 11.30 AM.**

25.10.2018

Sd/-
(Yashvir Mahajan)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
RED CORSS 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. Ajaib Singh,
S/o Sh. Harnam Singh,
R/o Vill. Mohamdipur,
Tehsil & Distt. Fatehgarh Sahib.

Appellant

Versus

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

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

Respondents

Appeal Case No.2977/2018

Date of RTI application:	26.02.2018
Date of Reply :	Nil
Date of First Appeal :	31.05.2018
Date of Order of FAA :	Nil
Date of 2 nd Appeal/complaint:	31.08.2018

Present: Sh. Ajaib Singh, Appellant in person.
Sh. Gurdeep Singh, Panchayat Secretary, O/o BDPO, Fatehgarh Sahib – for Respondents.

Order

The appellant is aggrieved with the panchayat for the not cementing the part of the street he is residing to his detriment and in favour of others.

Sh. Gurdeep Singh, Panchayat Secretary appearing on behalf of the respondents says that he has been given a suitable reply besides offering him the information which he denies to accept. He has brought along the information. The Commission has seen it. It is quite a voluminous one. Nonetheless the same has been arranged to be handed over on spot to him. The Commission feels that he has been sufficiently informed. Meanwhile, the Deputy Commissioner, Fatehgarh Sahib shall look into it and try to redress his grievance.

Disposed.

25.10.2018

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

CC: The Deputy Commissioner, Fatehgarh Sahib for n/a.

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in

Sh. Sadhu Ram Kusla,
S/o Sh. Ram Chand Bansal,
House No.138, Indira Lodge,
Veer Colony, Maharaja Aggarsain Road,
Bathinda

Complainant

Versus

Public Information Officer,
Chief Executive Officer,
Max Super Specialty Hospital,
NH-64, Near District Hospital,
Bathinda.

Respondent

COMPLAINT CASE NO.1031/2016

Date of RTI application : 26.04.2016
Date of First Appeal : Nil
Date of Order of FAA : Nil
Date of 2nd Appeal/complaint :30.11.2017

Present: **None on behalf of the Complainant.**
 Ms. Jaspreet Kaur, proxy Counsel of Adv. Nakul Sharma - for Respondent.

ORDER

The Commission had made the following observations on 07.08.2018:

“Ms. Amanpreet Kaur proxy counsel for the Advocate of Respondents has produced an order dated 13.07.2018 of the Hon’ble Punjab & Haryana High Court, Chandigarh, vide which the order of the Commission dated 10.10.2017 has been stayed till the next date of hearing which has been fixed for 08.10.2018.”

Ms. Jaspreet Kaur proxy Counsel of Adv. Nakul Sharma is present. She submits that the CWP has been listed for hearing on 16.03.2019 in the Hon’ble Punjab & Haryana High Court, Chandigarh. The operation of the Order continues to remain stayed. The complaint as such is adjourned **Sine Die**. DR, PSIC is desired to intimate this bench as and when the status of the case in CWP alters.

Sd/-

25.10.2018

(Yashvir Mahajan)
State Information Commissioner

CC: The Deputy Registrar, PSIC for n/a.