

**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](http://www.infocommpunjab.com)  
Email:psic22@punjabmail.gov.in



Sh. Sanjeev Kumar Birla,  
R/o #5473/2, Modern Housing Complex,  
Manimajra, Chandigarh - 160101.

Appellant

Versus

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

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

Respondents

**Appeal Case No.3918/2018**

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
29.06.2018	Nil	10.09.2018	Nil	15.11.2018

**Present:** **None is present on behalf of the Appellant.**  
**Sh. Gurpreet Singh, Building Inspector, MC office, Zirakpur – for Respondents.**

**ORDER**

The following observations were made by this forum on 17.01.2019:

*“The respondents are absent. Nothing has been heard from them as well. The Commission takes a strong exception and desires the respondents to explain their conduct besides providing the information to the appellant before the next date of hearing positively.”*

Sh. Gurpreet Singh, Building Inspector has come present on behalf of the respondents. Nothing has been heard from the appellant. The respondents have endorsed a copy of the memo addressed to the appellant wherein they have advised that the appellant should attend their office and procure the information by depositing the requisite fee.

The original application was filed on 29.06.2018. The respondents have sent a reply to the appellant on 10.01.2019. There is unexplained delay of five months. The respondents are directed to explain the delay in responding to the original application forthwith. The appellant may like to advert on their reply and file his response before the next date of hearing.

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

**26.02.2019**

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



Sh. Paramjeet Singh (Ex- Naik),  
S/o Late Sh. Gulzar Singh,  
Village Rangian, PO Morinda,  
Tehsil Sri Chamkaur Sahib, Distt Roopnagar.

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Morinda, Distt Roopnagar.

Respondent

**Complaint Case No.1194/2018**

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
08.06.2017	Nil	Nil	Nil	14.11.2018

**Present:** Sh. Paramjeet Singh, Complainant in person.  
1. Sh. Sadhu Ram, Superintendent, BDPO Office, Morinda,  
2. Sh. Gurbinder Singh, Panchayat Secy., BDPO off., Morinda– for Respondent.

**ORDER**

The following order was made by the Commission on 17.01.2019:

*“The complainant had sought an information about the various development works and the grants received by the gram panchayat of village Rangian PO Morinda, Distt. Roopnagar. Besides some other allied information has also been sought.*

*Sh. Sadhu Ram appearing on behalf of the respondent submits that the concerned Panchayat Secretary who is deemed PIO in the case, is unable to attend the proceedings because of a bereavement in the family. He assures to get the information provided before the next date of hearing.*

*While ensuring to provide the information, the PIO shall explain the reason for not having been able to provide the information within the mandated period as well.”*

The case has again come up today. The complainant and the respondents are present. The complainant admits having received the information to his satisfaction. The delay has been attributed to the serious ailment of the Panchayat Secretary. The Commission agrees with their contention. No further intervention is desirable. The matter is **disposed**.

Sd/-

26.02.2019

(Yashvir Mahajan)  
State Information Commissioner



Shri Jasmit Singh Juneja,  
#208-C, 8<sup>th</sup> Floor, Tower 2, Leaf Stone Apartments,  
Nabha Pabhat Road, Zirakpur,  
District Mohali.

Appellant

Versus

Public Information Officer,  
O/o Municipal Council (Building Proposal Department),  
Zirakpur.

First Appellate Authority,  
O/o Municipal Council (Building Proposal Department),  
Zirakpur.

Respondents

**Appeal Case No.3121/2018**

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
20.06.2018	Nil	31.07.2018	Nil	13.09.2018

**Present:** Sh. Jasmit Singh Juneja, Appellant in person.  
Sh. Gurpreet Singh, Bldg. Inspector, MC Office, Zirakpur, for Respondents.

**ORDER**

The following order was made by this forum on 22.01.2019:

*“Briefly speaking, the appellant had sought the information relating to approval of a building complex raised by one M/s M.D. Builders & Developers located in Village Nabha, Highland Marg, Zirakpur in their jurisdiction. The Commission takes serious view of the non-chalance shown by the respondents in stonewalling his application as well as the notice of the Commission. The PIO (by name) is hereby issued a show cause notice as to why he should not be proceeded against under Section 20(1) of the RTI Act for having failed to meet the obligation under Section 7(1) ibid. Meanwhile, he shall ensure that the appellant is informed point-wise before the next date of hearing.”*

*“The case has come up today. Despite express order passed, the respondents have shown scant and brazen apathy to the directions.*

*The Commission is well within its authority to impose a penalty on the PIO. However, another opportunity is afforded to him to explain his conduct after providing the requisite information.”*

*“The case has again come up today. The respondents have filed a detailed reply. It has been stated that the available information has been provided to him. The appellant is still not*

Contd...page...2



-2-

**Appeal Case No.3121/2018**

*satisfied and contends that the one provided to him is deficient.*

*Having heard the Parties, the Commission feels that it shall be appropriate to allow the appellant the access to the original record available on the subject with the respondents by way of inspection which shall be clinched on 29.01.2019 at 11.30 AM in the office of the Assistant Town Planner (ATP), Municipal Council, Zirakpur and they shall provide him the certified copies of reasonable number of documents on its identification.*

The case has come up today. Sh. Gurpreet Singh, Building Inspector appearing on behalf of the respondents has shown us a photo copy of the e.mail addressed to the Commission wherein the appellant has expressed his satisfaction about the information provided to him.

The appeal is **disposed**.

**26.02.2019**

**Sd/-**

**(Yashvir Mahajan)  
State Information Commissioner**



Sh. Nasib Singh,  
S/o Sh. Dia Singh,  
Nabipur, Fatehgarh Sahib.

Appellant

Versus

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

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

Respondents

**Appeal Case No.3341/2018**

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
08.05.2018	Nil	27.06.2018	Nil	25.09.2018

**Present:** Sh. Nasib Singh, Appellant in person.  
Sh. Raghbir Singh, Patwari, BDPO office, Sirhind – for Respondents.

**ORDER**

It shall be appropriate to reproduce the interim order passed by this forum on 22.01.2019:

*“Having failed to procure the information from the PIO and their senior officers, the appellant has been constrained to file second appeal with the Commission. The appellant in fact had sought details of the allottees of about 16 kanal of shamlat land of gram panchayat to the landless inhabitants of the village. The Commission takes serious view of the absence and dismissal of the show cause notice without reply by the respondents.*

*The PIO is desired not only to provide the information before the next date of hearing positively but also explain his conduct in writing as to why a penalty should not be imposed on him for not having responded to the application under RTI Act within the stipulated time.”*

*“The case has come up today. None is present on behalf of the respondents. They have not parted with the information sought by the appellant also. It is already more than seven*



-2-

**Appeal Case No.3341/2018**

months that the original application has been filed. The respondents have rendered themselves liable for penal action.

*Sh. Mohinder Jit Singh, BDPO, Sirhind 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 for hearing today. Sh. Raghbir Singh, Patwari appearing on behalf of the respondents has brought along the information which has been handed over on spot to the appellant. He has perused it and is satisfied with the same, and no more intends to pursue the matter. The appeal is closed with the warning to the respondents to be watchful in future in timely supplying the information.

**Disposed.**

**Sd/-**

**26.02.2019**

**(Yashvir Mahajan)  
State Information Commissioner**



Shri Bharpur Singh,  
s/o Shri Sarwan Singh,  
R/o Village Lubhana Teku, Tehsil Nabha,  
District- Patiala.

Appellant

Versus

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Nabha, District Patiala.

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

Respondents

**Appeal Case No.3140/2018**

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
20.06.2018	Nil	17.07.2018	Nil	17.09.2018

**Present:** Sh. Bharpur Singh, Appellant in person.  
Smt. Kamaljit Kaur, Superintendent, BDPO Office, Nabha – for Respondents.

**ORDER**

The Commission had made the following observations on 06.12.2018:

*“This should be read in continuation of order passed by this forum on 13.11.2018.*

*The case has come up today. Sh. Baljit Singh, Panchayat Secretary appearing on behalf of the respondents says that he has recently joined and assures to provide the information expeditiously. While accepting his request the Commission directs him to part with the information and file an explanation in writing for the delay before the next date of hearing failing which it shall be presumed that he has nothing to say and the order shall be passed on the appraisal of facts on record.”*

The matter has been taken up today. Mrs. Kamaljit Kaur, Superintendent, is present on behalf of the respondents. She has brought along the information which has been handed over on



-2-

**Appeal Case No.3140/2018**

spot to the appellant. The appellant alleges serious irregularities on the part of the gram panchayat in cahoot with the Panchayat Secretary. Be that as it is the appellant may like to go through the information provided and convey in writing the deficiency, if any, before the next date of hearing.

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

**Sd/-**

**26.02.2019**

**(Yashvir Mahajan)  
State Information Commissioner**





Sh. Rajesh Kumar Bharti,  
R/o #70/2 Gali No. 15-14 B,  
Sawatantar Nagar, Narela, Delhi-40.

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Municipal Council,  
Zirakpur, Distt. Mohali.  
First Appellate Authority,  
O/o Additional Director,  
Local Government,  
Plot No. 3, Dakshin Marg, Sector-35A, Chandigarh.

Respondents

**Appeal Case No.3265/2018**

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
15.04.2018	Nil	24.05.2018	Nil	21.09.2018

**Present:** None on behalf of the Appellant.  
1. Sh. Gurinder Singh, MC office, Zirakpur, and  
2. Sh. Amandeep, Clerk, Estt. Br., O/o Dir. Local Govt., Pb. – for Respondents.

**ORDER**

The following order was made by the Commission on 06.12.2018:

*Having failed to procure the information vide his application dated 24.05.2018 and first appeal, the appellant has been constrained to file second appeal with the Commission. He is seeking information primarily relating to the specifications of a road and the encroachments thereof, if any. The respondents have snow-walled his application for information despite following the proper course.*

*Sh. Vikas Kumar, Clerk O/o Director, Local Government, Punjab, is present. He says that his application was duly forwarded to the PIO, O/o Municipal Council, Zirakpur. None is present on behalf of the PIO, O/o M.C., Zirakpur nor any written reply has been received to the notice of the Commission.*

*The Commission takes a very strong exception to such a stoic conduct. Apparently, the PIO has violated the provision of Section 7(1) of the Act and rendered himself liable for penal*



-2-

**Appeal Case No.3265/2018**

consequences.

*The jurisdictional PIO – cum – Executive Officer, Municipal Council, 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 matter has again been taken up today. Sh. Girish Verma, PIO – cum – EO, MC, Zirakpur was issued a show cause notice. Neither he has come present nor has he filed a written explanation. His proxy is seeking an adjournment. The matter shall be reheard on **28.03.2019 at 11.30 AM.**

**26.02.2019**

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



Sh. Gurmeet Singh,  
S/o Niranjn Singh,  
R/o V.P.O- Thuhi, Tehsil-Nabha,  
Distt. Patiala.

Appellant

Versus

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

Respondents

**Appeal Case No.3260/2018**

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
13.04.2018	Nil	09.07.2018	Nil	21.09.2018

**Present:** Sh. Gurmeet Singh, Appellant in person.  
Mrs. Kamaljit Kaur, Superintendent, BDPO Office, Nabha – for Respondents.

**ORDER**

The following order was made by this forum on 22.01.2019:

*“Having failed to procure the information after filing an application on 13.04.2018 and first appeal on 09.07.2018, the appellant has been constrained to file second appeal with the Commission. He is seeking a basic information about the various facets of functions of the Panchayat Samiti, Nabha.*

*Sh. Deepak Jindal appearing on behalf of the respondents feign ignorance about the receipt of original application and first appeal. The stance is tenuous and un-believable. The appellant has duly sent the application enclosing a postal order under registered post. He has shown a copy of the postal receipt and certificate of delivery of documents to the respondents.*

*The respondent assures that they will provide the information before the next date of hearing. Regardless of the prospective compliance as has been maintained by the respondents they have rendered themselves liable for penal action*

*Sh. Swinder Singh, PIO – cum – BDPO, Nabha 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*

Contd...page...2



-2-

**Appeal Case No.3260/2018**

*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. Strangely, Sh. Swinder Singh, Block Development & Panchayat Officer, Nabha is absent. No reply has been filed as well. The Commission cannot take it lying down. The Block Development and Panchayat Officer is once again desired to ensure that the asked for information is provided to the appellant before the next date of hearing else he should come along the original record in the Commission. The Commission would like to underline that his failure shall compel it to ensure his presence by way of issue of warrants.*

*PS: Having dictated the above order Smt. Kamaljit Kaur, Superintendent office of BDPO, Nabha has come present. She regrets the delay in attending due to inclement weather and non-availability of transport. She has produced an affidavit of Sh. Swinder Kinder, BDPO, Nabha. It has been stated in the affidavit that the record under consideration has been with the office of the Additional Deputy Commissioner (Dev.), Patiala who is holding an enquiry into some complaint. On the discharge of the same the zerox copies of the record have been made. She has brought along copies of the same which seemingly are more than one thousand of pages. The appellant shall collect it from the office of the Block Development and Panchayat Officer, Nabha, before the next date of hearing.”*

The case has again come up for hearing today. It transpires that the information comprising in about 1000 pages has already been transmitted to the appellant. The appellant says that it still does not fulfill his requirement. Needless to say copious information has been given. The respondents should allow the inspection of the rest of the record to the appellant who shall identify the

Contd....page...3



-3-

**Appeal Case No.3260/2018**

record from thus shown to him and the respondents shall provide him the certified copies of the documents not beyond one hundred pages within fifteen days from today positively. The Commission does not see any reason to protract the issue.

**Disposed.**

**Sd/-**

**26.02.2019**

**(Yashvir Mahajan)  
State Information Commissioner**

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Email:psic22@punjabmail.gov.in



Sh. Jaspal Singh,  
R/o # 2542, Mari Wala Town,  
Manimajra, Chandigarh.

Appellant

Versus

Public Information Officer,  
O/o Deputy Commissioner,  
Roopnagar.

First Appellate Authority,  
O/o Deputy Commissioner,  
Roopnagar.

Respondents

**Appeal Case No.3348/2018**

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
04.03.2018	Nil	04.05.2018	Nil	27.09.2018

**Present:** None on behalf of the Appellant.  
Sh. Sadhu Ram, Superintendent, BDPO office, Morinda – for Respondents.

**ORDER**

The following order was made by this forum on 22.01.2019:

*“The information sought pertains to various activities of gram panchayat over a period of last ten years. Obviously, it shall entail massive record. The Commission finds that providing of certified copies of the entire record shall not only divert its resources but it shall be an onerous task for the Public Authority too. The Commission directs the respondents to allow him the inspection of the record at a mutually agreed date and time which shall be adhered to scrupulously and provide him certified copies not beyond one hundred pages as identified by him. The limit can be ignored if he convinces the Commission that the public interest shall not be served within the above said number of copies.”*

*“The case has come up today. The appellant is absent. The respondents say that despite various communications to him he has failed to turn up and inspect the record. In the interest of natural justice another opportunity is afforded to the appellant to put forward his point of view if any failing which it shall be presumed that he has nothing to say on the matter and the appeal shall be disposed on merit on the basis of the record available on file.”*



-2-

**Appeal Case No.3348/2018**

The case has come up today for hearing. Sh. Sadhu Ram, Superintendent appearing on behalf of the respondents says that despite repeated written intimations the appellant has not complied with the directions of the Commission to inspect the record. The Commission feels that the appellant is not serious in procuring the information. Thus being the case the appeal is **disposed**.

**Sd/-**

**26.02.2019**

**(Yashvir Mahajan)  
State Information Commissioner**