

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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Sh. Jasbir Singh,  
R/o Guru Nanak Nagar, Village-Bholpur, Jhabewal,  
PO-Ramgarh, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Sub District Magistrate,  
Fatehgarh Sahib.

First Appellate Authority,  
O/o Deputy Commissioner,  
Fatehgarh Sahib.

Respondents

**Appeal Case No.3355/2018**

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
02.07.2018	Nil	13.08.2018	Nil	01.10.2018

**Present:** Sh. Jasbir Singh, Appellant in person.  
Sh. Joginder Kumar, APIO – cum – Senior Assistant, SDM Office, Fatehgarh Sahib – for Respondents.

**ORDER**

The appellant seemingly is endeavouring to ensure that the provisions of the RTI Act are implemented by the Public Authorities in letter & spirit. Rule 4(6) of the Punjab RTI Rules, 2007 though as on date stands superseded by a fresh notification issued in the year 2017, enjoined upon the Public Authorities to maintain a register entailing all the entries of the fees accompanying the applications. The respondents have not so far adhered to these provisions and are maintaining the record in a file in slipshod manner.

The respondents submit that they have started a register and shall meticulously maintain the same in future.

The Commission feels that no malafide is attributable on the part of the respondents. They are advised to maintain the information in the register in future. As the information has already been supplied to the appellant the Commission is not inclined to further intervene in the matter.

**Disposed.**

**Sd/-**

**26.03.2019**

**(Yashvir Mahajan)**  
**State Information Commissioner**

**CC:** The Deputy Commissioner, Fatehgarh Sahib to ensure that instructions are passed to the subordinate officers to scrupulously follow the provisions.



Sh. Janak Singh,  
S/o Late Shri Ujjar Singh,  
R/o Bahilelpur, Block Majri, Tehsil & Distt Mohali.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Majri, Distt Mohali.

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

Respondents

**Appeal Case Nos.3656, 3657, 3658, 3659, 3660 and 3661 of 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
14.08.2018/01.08.2018/ 27.07.2018/02.07.2018/ 12.04.2018/30.07.2018	Nil	13.09.2018	Nil	30.10.2018

**Present:** Sh. Janak Singh, Appellant in person.  
None on behalf of the Appellant.

**Order:**

The Commission had made the following observations on 08.01.2019:

*"As the appellant and respondents are the same and a common submission has been made by the respondents. The single order shall address all the aforementioned appeals.*

*Sh. Charanjeet Singh, Panchayat Secretary, representing the respondents submits that the respondents have been awesomely occupied with the conduct of Panchayat polls and could not attend to the applications. They assure that the information shall be provided to the appellant within fortnight positively."*

The cases have come up for hearing today. Despite the assurance given by the

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**Appeal Case Nos.3656, 3657, 3658, 3659, 3660 and 3661 of 2018**

respondents and express directions of the Commission, the respondents have failed to provide the information. The Commission believes that the respondents are malafidely sitting over the applications with willful intent. Taking it as an offence under Section 7(1) of the RTI Act Sh. Hiten Kapila, PIO – cum – Block Development & Panchayat Officer, Majri, District, Mohali 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.

To come up on **18.04.2019 at 11.30 AM.**

**26.03.2019**

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



Sh. Pawan Kumar Sharma,  
R/o 585, Phase 2, Sector-54,  
Distt. Mohali,

Appellant

Versus

Public Information Officer,  
O/o Deputy Commissioner,  
District Administrative Complex,  
Sector-76, SAS Nagar.

Public Information Officer,  
O/o Regional Transport Authority,  
Mohali.

First Appellate Authority,  
O/o Additional Deputy Commissioner (General),  
District Administrative Complex,  
Sector 76, S.A.S Nagar.

Respondents

**Appeal Case No.3860/2018**

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	30.05.2018	Nil	13.11.2018

**Present:** None on behalf of the Appellant.  
Sh. Dharvinder Singh, Steno O/o Regional Transport Authority, Mohali – for Respondents.

**ORDER**

The following order was made by the Commission on 14.02.2019:

*“Sh. Dharminder Singh appearing on behalf of the Regional Transport Authority, Mohali, submits that the information has been transmitted to the appellant. However, the appellant says that the same is indistinct and evasive. He is seeking the specific measures being taken by the Transport Authority to streamline the traffic specifically emanating from the schools. The respondents are once again directed to provide him the stipulations as envisaged in the Vahan Scheme of the Government and its compliance being made by them.*

*Meanwhile, the PIO in the office of the Deputy Commissioner, Mohali is also directed to ensure that the points pertaining to his office should be suitably addressed.”*

*“The case has come up today. The RTA has submitted a generalized reply which does not conform to the information sought by the information seeker. They are directed to give a*



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**Appeal Case No.3860/2018**

*point-wise reply along with the information to the appellant before the next date of hearing.*

*The Commission understands that no issue is pending with the office of the Deputy Commissioner, Mohali. They are exempted from further appearance in the Court."*

The case has come up for hearing today. In compliance with the directions passed in the above order the respondents have conveyed to the appellant fresh information with the detailed statistics. The Commission feels that the appellant has been suitably informed. His concern about the meticulous implementation of the Safe School Vahan Scheme seemingly also is being addressed seriously by the respondents. Thus being the case, the Commission does not feel any further requirement of intervention into the matter. The appeal is **disposed**.

**26.03.2019**

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

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Sh. Jasbir Singh,  
Village Bholapur, Jhabewal, Post Office Ramgarh,  
District Ludhiana.

Appellant

Versus

Public Information Officer  
O/o Sub District Magistrate,  
Kharar, Distt Mohali.

First Appellate Authority  
O/o Deputy Commissioner,  
Mohali.

Respondents

**Appeal Case No.3895/2018**

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
13.08.2018	Nil	17.09.2018	Nil	14.11.2018

**Present:** Sh. Jasbir Singh, Appellant in person at Commission's off., Chandigarh.  
Smt. Baljit Kaur, Superintendent, SDM Office, Kharar – for Respondents.

**ORDER**

The appellant seemingly is endeavouring to ensure that the provisions of the RTI Act are implemented by the Public Authorities in letter & spirit. Rule 4(6) of the Punjab RTI Rules, 2007 though as on date stands superseded by a fresh notification issued in the year 2017, enjoined upon the Public Authorities to maintain a register entailing all the entries of the fees accompanying the applications. The respondents have not so far adhered to these provisions and are maintaining the record in a file in slipshod manner.

The respondents submit that they have started a register and shall meticulously maintain the same in future.

The Commission feels that no malafide is attributable on the part of the respondents. They are advised to maintain the information in the register in future. As the information has already been supplied to the appellant the Commission is not inclined to further intervene in the matter.

**Disposed.**

**26.03.2019**

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

**CC:** The Deputy Commissioner, SAS Nagar (Mohali) to ensure that instructions are passed to the subordinate officers to scrupulously follow the provisions.