

Appellant

Versus

First Appellate Authority,
O/o Sr. Superintendent of Police,
S.A.S. Nagar (Mohali).

Respondents

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
06.08.2018	Nil	13.09.2018	Nil	28.02.2019

Present:

Appellant-	Sh. Jarnail Singh; Sh. Sumeet Singh Barar, Counsel.
Respondents-	SI Sh. Kewal Singh; HC Sehjpreet Singh, PS Mataur, Distt. Mohali - for.

The following order was passed on 06.08.2019:

20.06.2019:-

“Having failed to receive any response from the respondents on their application dated 03.09.2018, the complainant has been constrained to approach the Commission. It transpires that the issue was earlier adjudicated by Commission vide order dated 30.08.2019. Though it is not desirable to reopen or review the matter, yet, as an additional information with regard to Narco test of the accused in FIR No.213 of 2015 has been made, the same is being entertained. The respondents are advised to make good the same. The respondents are advised to provide them the certified copies of the documents along with the ‘untraced report’ sent by them to the judicial court”.

The case has come up today. On the request of the parties, the matter is adjourned.

06.08.2019

“The respondent represented by Sehajpreet Singh, H.C. who is present in the court, states that jurisdictional Police Station Authority has sent the untraced report in the FIR under consideration, to the senior officers for its approval so as to file it before the Court. He seeks some time to do the needful. The respondents are directed to send the information quickly to the appellant under intimation to the Commission. They shall also intimate in writing, as stated by them, that no narco test has been conducted in the case.”

The case has come up today. SI Sh. Kewal Singh is present. He submits that



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Appeal Case No.980/2019

on the directions of the Commission, the appellant has been informed in writing that no narco test was conducted. The case in hand as already observed has been forwarded to the judicial magistrate for appropriate action. All the material information available with the respondents has been provided to the appellant. There is hardly anything more that the Commission can do to assist the appellant. The Commission believes that the appellant has been sufficiently informed. No more intervention is called for. The appeal is **disposed**.

26.09.2019

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



Advocate Vijay Hans,
Lex Solutions (Law Firm),
House No. 31, Satya Niwas,
Silver City, Zirakpur, Mohali. 140603.

Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
SAS Nagar.

First Appellate Authority,
O/o Director,
Department of Local Government,
Chandigarh.

Respondents

Appeal Case No.1946/2019

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
05.02.2019	Nil	08.03.2019	Nil	29.05.2019

Present:

Appellant- Advocate Vijay Hans;
Respondents- Ms Navpreet Kaur, Assistant, O/o Director, Local Government.

ORDER

The following order was made by the Commission on 27.08.2019:

“The appellant is absent. Sh. Ranjeev Kumar, Secretary, Municipal Corporation, Mohali, submits that the entire information in appreciable quantum of documents has been sent to him. He has shown us the copies of the same. Apparently it seems in order. Nonetheless, an opportunity is afforded to the appellant to respond to the submissions made by the respondents.”

The case has come up today. The appellant admits having received the information in quite a bulk. However, he has failed to specify any deficiency. The perusal of the file suggests that he is seeking almost the copy of entire records of the Municipal Corporation post January, 2018. The Commission is inclined to believe that he is seeking



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Appeal Case No.1946/2019

information just for the heck of it. Numerous judgments have been passed by the Hon'ble courts not to entertain such applications, which are counterproductive of public interest. The Commission is convinced that the provision of information as sought in this case shall divert the resources of the Public Authority disproportionately and it shall adversely affect its normal functioning. The appeal apparently is vexatious and is **disposed**.

26.09.2019

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



Advocate Vijay Hans,
Lex Solutions (Law Firm),
House No. 31, Satya Niwas,
Silver City, Zirakpur, Mohali. 140603.

Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
SAS Nagar.

First Appellate Authority,
O/o Director,
Department of Local Government,
Chandigarh.

Respondents

Appeal Case No.1947/2019

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
06.02.2019	Nil	09.03.2019	Nil	29.05.2019

Present:

Appellant- Advocate Vijay Hans;
Respondents- Ms Navpreet Kaur, Assistant, O/o Director, Local Government.

ORDER

The following order was made by the Commission on 27.08.2019:

“The appellant is absent. Sh. Ranjeev Kumar, Secretary, Municipal Corporation, Mohali, submits that the entire information in appreciable quantum of documents has been sent to him. He has shown us the copies of the same. Apparently it seems in order. Nonetheless, an opportunity is afforded to the appellant to respond to the submissions made by the respondents.”

The case has come up today. The appellant admits having received the information in quite a bulk. However, he has failed to specify any deficiency. The perusal of the file suggests that he is seeking almost entire records of the Municipal Corporation post January, 2018 and an unspecific information. The Commission is inclined to believe that he is

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Appeal Case No.1947/2019

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26.09.2019

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

PUNJAB STATE INFORMATION COMMISSION
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Advocate Vijay Hans,
Lex Solutions (Law Firm),
House No. 31, Satya Niwas,
Silver City, Zirakpur, Mohali. 140603.

Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
SAS Nagar.

First Appellate Authority,
O/o Director,
Department of Local Government,
Chandigarh.

Respondents

Appeal Case No.1948/2019

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
29.01.2019	15.02.2019	25.02.2019	Nil	29.05.2019

Present: **Appellant-** **Advocate Vijay Hans;**
 Respondents- **Ms Navpreet Kaur, Assistant, O/o Director, Local Government.**

ORDER

The following order was made by the Commission on 27.08.2019:

“The appellant is absent. Sh. Ranjeev Kumar, Secretary, Municipal Corporation, Mohali, submits that the entire information in appreciable quantum of documents has been sent to him. He has shown us the copies of the same. Apparently it seems in order. Nonetheless, an opportunity is afforded to the appellant to respond to the submissions made by the respondents.”

The case has come up today. The appellant admits having received the information in quite a bulk. However, he has failed to specify any deficiency. The perusal of the file suggests that he is seeking copy of almost entire record of the Municipal Corporation post January, 2018. The Commission is inclined to believe that he is

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Appeal Case No.1948/2019

seeking information just for the heck of it. Numerous judgments have been passed by the Hon'ble courts not to entertain such applications, which are counterproductive of public interest. The Commission is convinced that the provision of information as sought in this case shall divert the resources of the Public Authority disproportionately and it shall adversely affect its normal functioning. The appeal apparently is vexatious and is **disposed**.

26.09.2019

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



Advocate Vijay Hans,
Lex Solutions (Law Firm),
House No. 31, Satya Niwas,
Silver City, Zirakpur, Mohali. 140603.

Appellant

Versus

Public Information Officer,
O/o Municipal Corporation,
SAS Nagar.

First Appellate Authority,
O/o Director,
Department of Local Government,
Chandigarh.

Respondents

Appeal Case No.1949/2019

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
25.01.2019	15.02.2019	25.02.2019	Nil	29.05.2019

Present: **Appellant-** **Advocate Vijay Hans;**
 Respondents- **Ms Navpreet Kaur, Assistant, O/o Director, Local Government.**

ORDER

The following order was made by the Commission on 27.08.2019:

“The appellant is absent. Sh. Ranjeev Kumar, Secretary, Municipal Corporation, Mohali, submits that the entire information in appreciable quantum of documents has been sent to him. He has shown us the copies of the same. Apparently it seems in order. Nonetheless, an opportunity is afforded to the appellant to respond to the submissions made by the respondents.”

The case has come up today. The appellant admits having received the information in quite a bulk. However, he has failed to specify any deficiency. The perusal of the file suggests that he is seeking the copy of almost entire records of the Municipal Corporation post January, 2018. The Commission is inclined to believe that he is



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Appeal Case No.1949/2019

seeking information just for the heck of it. Numerous judgments have been passed by the Hon'ble courts not to entertain such applications, which are counterproductive of public interest. The Commission is convinced that the provision of information as sought in this case shall divert the resources of the Public Authority disproportionately and it shall adversely affect its normal functioning. The appeal apparently is vexatious and is **disposed**.

26.09.2019

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



Sh. Hardeep Singh,
S/o Sh. Tarsem Lal,
R/o Vill. Nurpur, Tehsil Banga,
Distt. SBS Nagar.

Appellant

Versus

Public Information Officer,
O/o Gram Panchayat,
Village Nurpur, Block Aur,
Tehsil Banga, Distt. S.B.S Nagar.

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Block Aur, Distt. S.B.S Nagar.

Respondents

Appeal Case No.2173/2018

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
07.02.2018	Nil	02.05.2018	Nil	25.06.2018

Present: Appellant- Sh. Hardeep Singh.
Respondents- Sh. Kuldeep Ram, Panchayat Secretary;
Sh. Manpreet Singh, Panchayat Secretary.

ORDER

The following order was passed by the bench on 21.08.2019:

02.01.2019:

"The appellant had sought detailed information for a period of ten years which ostensibly is massive in quantum. He alleges some misappropriation of funds by the gram panchayat.

Sh. Rajesh Chadha, BDPO, on the other hand alleges that the appellant is involved in fraudulent transactions of panchayat funds and the department has already filed a criminal complaint against him. He further says the appellant has already been supplied information comprising more than 700 pages. According to respondents the appellant is only inclined to settle personal scores rather than serving any public cause.

Be that as it is, the respondents are directed to file a written statement to the notice of the commission with an advance copy to the appellant who may like to file a reply to the same in case he deems it appropriate.

21.08.2019

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Appeal Case No.2173/2018

Sh. Amrik Singh, Panchayat Secretary, has brought along some information, which has been handed over on spot to the appellant. The respondents assure that the rest of the information shall be provided shortly. The Commission observes that it is already a long standing case. Any delay shall defeat the purpose and render the respondents liable for imposition of penalty.”

The case has come up today. Sh. Kuldeep Ram, Panchayat Secretary, is present. He submits that deficient information has been supplied to the appellant in compliance of the aforesaid order. He has shown us a copy of the same. The Commission is convinced that the appellant has been adequately informed. No further intervention is required.

Disposed.

26.09.2019

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



Sh. Gursewak Singh,
S/o Sh. Amarjit Singh,
R/o Village- Bhamba Landa,
Tehsil & District-Ferozepur.

Appellant

Versus

Public Information Officer,
O/o Distt. Development & Panchayat Officer,
Ferozepur.

First Appellate Authority
O/o Distt. Development & Panchayat Officer
Ferozepur.

Respondents

Appeal Case No.1445/2019 and 1446/2019

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
03.01.2019	Nil	14.01.2019	Nil	16.04.2019

Present: Appellant- Sh. Gursewak Singh.
Respondents- Sh. Darshan Lal, Superintendent, O/o BDPO Ghall Khurd.

ORDER:

The following order was passed on 30.07.2019:

20.06.2019:-

"The appellant vide his application dated 03.01.2019 has sought information pertaining to the income having accrued to the Panchayat of village Bhamba Landa, Tehsil and District Ferozepur and the expenses incurred on various development works during the period 2013 to 2018.

Having failed to elicit any response from the PIO even after filing the appeal, he has been constrained to approach the Commission. The perusal of the record suggests that one Shri Kewal Singh, Panchayat Secretary was duly desired by BDPO to part with the information by way of transfer of the application under Section 6(3) of the Act. Shri Gurpreet Singh, Steno, office of BDPO Ferozepur submits that the Panchayat Secretary is defiant. Despite their express advice, he has refused to provide the information.

The appellant alleges serious irregularities as well as embezzlement of Panchayat funds. They have shown some documents which reflect overwriting in the receipts issued against the lease of Panchayat land. The matter seems serious. RTI Act has been enacted to bring about transparency and accountability in the conduct of public functionaries and as such, it is desirable that the issue is taken to logical ends.

It transpires that Sh. Kewal Singh has never been in the custody of records as it was handed over to the Sarpanch by his predecessor. In the scenario, the conduct of the BDPO becomes

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Appeal Case No.1445& 1446/2019

dubious. When the record is not available with the Panchayat Secretary and it is already in his notice, then the exercise in transferring the application to him was meaningless. The BDPO as such, has failed to discharge his duty

He is hereby issued 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.

CC: *The DDPO, Ferozepur. He is directed to look into and have an enquiry conducted into the matter and in case, the official record is still not being parted with, the Sarpanch concerned should be criminally booked by lodging a complaint with the jurisdictional Police Station.*

30.07.2019

On the last date of hearing, the DDPO Ferozepur was directed to have an enquiry made so as to arrive at a definite conclusion about the alleged loss of record. Nothing has been heard from him. The Commission once again directs him to hold an enquiry without further loss of time and inform the Commission about his findings and he should ensure that the asked for record is provided to the information seeker. The Commission would like to underline that the follow up compliance of the order is conveyed to the Commission; else his personal presence shall be enforced in the office of the Commission”

The case has come up today. The DDPO has sought a time of 20 days to



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Appeal Case No.1445&1446/2019

complete the enquiry so as to give a report of the missing of the record in question. His request is acceded. Meanwhile, the Commission believes that the respondents have not addressed the issue with seriousness it deserves.

The Public Authority in the office of the BDPO, is hereby advised to make a compensation of Rupees 2000/- (Rupees Two Thousand only) to the appellant by way of a bank draft drawn in his favor before the next date of hearing positively for the detriment suffered by him. Meanwhile, the substantive action towards provision of the information shall also be reported. To come up on **31.10.2019 at 11.30 AM.**

26.09.2019

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

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Ms. Yachika D/o Sh.Jodhbir Sharma
R/o #615/15, Sharma Cottage,
Guru Nanak Colony, Patti,
District- Tarn Taran.

Complainant

Versus

Public Information Officer,
O/o Station House Officer,
Police Station, Daba,
District Ludhiana.

Respondent

Complaint Case No.197/2019

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
31.12.2018	Nil	Nil	Nil	20.02.2019

Present: Complainant- None.
Respondent- None.

ORDER:

The appellant has requested for the matter to be heard through video conference. Acceding to her request, the case shall now be heard on **26.11.2019 at 11.30 AM through video conference at Tarn Taran**. The respondent is directed to appear in the office of the Commission at Chandigarh.

26.09.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner