**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Brish Bhan Bujarak

S/o Sh. Saroop Chand

Ward No. 33, Kahangarh Road,

Patran (Patiala) Complainant

Versus

Public Information Officer,

O/o Superintendent, (Home Br.-4),

Punjab Civil Sectt.-1,

Chandigarh. Respondents

**COMPLAINT CASE NO.705/2017**

Date of RTI application : 25.03.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 17.07.2017

**Present: None.**

**ORDER**

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

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Jasmer Singh

S/o Sh. Nasib Singh,

Village Sohana

Near Government Girls Sr. Sec. School,

S.A.S.Nagar. Appellant

Versus

Public Information Officer,

O/o Estate Officer,

Greater Mohali Area Development Authority (GMADA),

Sector-62,S.A.S. Nagar

First Appellate Authority

O/o Estate Officer,

Greater Mohali Area Development Authority (GMADA),

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

**APPEAL CASE NO.249/2014**

Date of RTI application : 29.05.2012.

Date of First Appeal : 03.07.2012

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 22.08.2012

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

1. Sh. Jaginder Singh, LAC, GMADA and

2. Sh. Krishan Pal Singh, JE, GMADA – for Respondents.

**ORDER**

The following order was made by this forum on 14.09.2017:

*“The matter had been entrusted to this bench by the Chief Information Commissioner. The case was adjourned sine die by Sh. Surinder Awasthi, the then State Information Commissioner pending an enquiry by Vigilance Department. The hearing has been ordered to be restored by an order of CIC on 21.08.2017.*

*The respondents say that a fresh communication dated 14.09.2017 that they have supplied the available information to the appellant. The appellant intends to go through it so as to see its conformity to the original application. The request is acceded.”*

The appellant has not come up with any infirmity in the information thus stated to Contd…page…2

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**APPEAL CASE NO.249/2014**

have been supplied to him. In fact he is aggrieved with the alleged misappropriation of the trees and its fruits over the land purported to have been acquired by GMADA. He is seeking the appropriate compensation due to him.

This does not fall in the domain of the Commission. He may like to approach the appropriate authority or Civil Court for the redressal of his grievance. The Commission is convinced that sufficient information has been supplied. No further intervention seems called for.

**Disposed.**

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Ashok Kumar

S/o Sh. Ajmer Gir,

Village Chandpur P.O. Sialba,

Tehsil Kharar, Distt. S.A.S.Nagar. Appellant

Versus

Public Information Officer,

O/o Block Development & Panchayat Officer,

Block Majri P.O. Sialba , Tehsil Kharar,

Dist. S.A.S.Nagar

First Appellate Authority

O/o Block Development & Panchayat Officer,

Block Majri, P.O. Sialba , Tehsil Kharar,

Distt. S.A.S.Nagar Respondents

**APPEAL CASE NO.1225/2016**

**Date of RTI Application : 10.02.2017 Date of First Appeal : 10.03.2017**

**Date of Order of FAA : Nil**

**Date of Second Appeal : 04.05.2017**

**Present:** Sh. Ashok Kumar, Appellant in person.

1. Sh. Rajwinder Singh, SEPO, and

2. Sh. Surinder Pal Singh, Panchayat Secretary, O/o BDPO, Majri – for Respondents.

**ORDER**

Heard.

The following order was made by this forum on 05.09.2017:

*“The Commission had observed on 27.07.2017 as under:-*

*“We had observed on 22.06.2017 as under:-*

*“The Commission takes a strong exception to the indifferent attitude of the respondents as neither they have filed a written reply on the notice issued by the Commission nor anyone is present.*

*Another opportunity is afforded to the respondents to provide the information to the appellant under intimation to the Commission.”*

*Despite our express order the PIO is neither present nor he has filed reply to the notice issued by the Commission. Logical corollary is that they have refused the information in terms of Section 7(2) of the RTI Act and thus rendered themselves liable for penal action.*

*Contd…page…2*

*-2-*

***APPEAL CASE NO.1225/2016***

*Smt. Dilawar Kaur, BDPO – cum – PIO, 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 her 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. She may take note that in case she does not file her written reply and does not avail herself of the opportunity of personal hearing on the date fixed, it will be presumed that she has nothing to say and the Commission shall proceed to take further proceedings against her ex parte.”*

*“Sh. Surinder Pal Singh, Panchayat Secretary is present. He submits that the RTI appeal emanates from a long dispute between the panchayat and other inhabitants of the village over alleged illegal occupation of shamlat land. Numerous writ petitions have been filed in the Punjab & Haryana High Court, Chandigarh concerning the issue. The instant application is intended to harass the Public Authority as huge and voluminous information has been sought.*

*Be that as it is the respondents are directed to allow the access of the record to the appellant by way of inspection on a pre-fixed date and time and arrange to provide him the certified copies of the documents thus identified by him free of charge forthwith. Outer limit of the extent of documents is fixed as 250.”*

The case has come up today for hearing. Despite the express orders issued on couple of occasions Smt. Dilawar Kaur, BDPO – cum - PIO has shown scant respect to the directions issued earlier. Sh. Surinder Pal Singh, Panchayat Secretary reportedly has refused the inspection of the record. The Commission takes it as willful denial as earlier. The matter cannot be taken lying down by the Commission.

Smt. Dilawar Kaur, PIO – cum – BDPO, Block Majri and Sh. Surinder Pal Singh, *Contd…page…3*

*-3-*

***APPEAL CASE NO.1225/2016***

Panchayat Secretary, Block Majri are directed to come in person on the next date of hearing along with the entire record failing which their presence shall be ensured by issuing a bailable warrant of arrest and they shall be liable for the penal consequences as envisaged under the RTI Act.

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

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**CC: The Director, Rural Dev. & Panchayats, Punjab, Vikas Bhawan, Sector – 62, SAS Nagar.**

**CC: The District Dev. & Panchayat Officer, SAS Nagar.**

**CC: Smt. Dilawar Kaur, PIO – cum – Block Dev. & Panchayat Officer, Block Majri, Tehsil Kharar, Distt. SAS Nagar, for n/a.**

**CC: Sh. Surinder Pal Singh, Panchayat Secretary, O/o Block Dev. & Panchayat Officer, Block Majri, Tehsil, Kharar, Distt. SAS Nagar, for n/a.**

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Sh. Vipan Kumar,

S/o Sh. Krishan Kumar,

House No.319, Ward No.2, New Abadi Khanna,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council,

Khanna

First Appellate Authority,

O/o Deputy Director,

Urban Local Bodies,

Ludhiana. Respondents

**APPEAL CASE NO.789 of 2017**

**Date of RTI Application : 25.09.2016**  **Date of First Appeal : 09.11.2016**

**Date of letter of FAA : Nil, Reply: 20.10.2016**

**Date of Second Appeal : 20.02.2017**

**Present:** Sh. Vipan Kumar, Appellant in person.

1. Sh. Major Singh, JE,

2. Sh. Amarpal Singh, Inspector,

3. Sh. Kewal Singh, JE (Elect.), O/o NC, Khanna – for Respondents.

**ORDER**

This be read in continuation of earlier order passed on 11.07.2017.

The orders passed earlier towards drawl of samples of a work executed by the respondents have not matured. The appellant has already been intimated to get it drawn on 30th of October, 2017. The respondents shall ensure that the samples are drawn according to a procedure prescribed in the PWD Works Manual and the same shall be handed over to the information seeker under due seal. It shall be the responsibility of the appellant to send it to the Lab. and bear the cost thus chargeable by the Lab.

The appellant says that the documents against the payment made by him in the instant case have not yet been furnished. The respondents shall ensure its delivery too before the next date of hearing.

**To come up on 30.11.2017 at 11.30 AM.**

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Vipan Kumar,

S/o Sh. Krishan Kumar,

House No.319, Ward No.2, New Abadi Khanna,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council,

Khanna

First Appellate Authority,

O/o Deputy Director,

Urban Local Bodies,

Ludhiana. Respondents

**APPEAL CASE NO.793 of 2017**

**Date of RTI Application : 27.10.2016**  **Date of First Appeal : 09.11.2016**

**Date of letter of FAA : Nil**

**Date of Second Appeal : 20.02.2017**

**Present:** Sh. Vipan Kumar, Appellant in person.

Sh. Kewal Singh, JE (Elect.), O/o NC, Khanna – for Respondents.

**ORDER**

The respondent says that they have furnished him the entire information. However, the appellant is dissatisfied and submits that the information thus stated to have been sent is deficient.

The appellant is directed to convey in writing the specific infirmity in the information thus provided to him under intimation to the Commission so that the respondents are in a position to comply with the same.

To come up on **30.11.2017 at 11.30 AM.**

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Vipan Kumar,

S/o Sh. Krishan Kumar,

House No.319, Ward No.2, New Abadi Khanna,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council,

Khanna

First Appellate Authority,

O/o Deputy Director,

Urban Local Bodies, Ludhiana. Respondents

**APPEAL CASE NO.795 of 2017**

**Date of RTI Application : 02.10.2016**  **Date of First Appeal : 14.10.2016**

**Date of letter of FAA : Nil**

**Date of Second Appeal : 20.02.2017**

**Present:** Sh. Vipan Kumar, Appellant in person.

Sh. Amarpal Singh, Inspector, O/o NC, Khanna – for Respondents.

**ORDER**

The respondent says that they have furnished him the entire information. However, the appellant is dissatisfied and submits that the information thus stated to have been sent is deficient.

The appellant is directed to convey in writing the specific infirmity in the information thus provided to him under intimation to the Commission so that the respondents are in a position to comply with the same.

To come up on **30.11.2017 at 11.30 AM.**

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Vipan Kumar,

S/o Sh. Krishan Kumar,

House No.319, Ward No.2, New Abadi Khanna,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council,

Khanna

First Appellate Authority,

O/o Deputy Director,

Urban Local Bodies,

Ludhiana. Respondents

**APPEAL CASE NO.796 of 2017**

**Date of RTI Application : 30.05.2016**  **Date of First Appeal : 29.08.2016**

**Date of letter of FAA : Nil. Reply:06.06.2016**

**Date of Second Appeal : 20.02.2017**

**Present:** Sh. Vipan Kumar, Appellant in person.

Sh. Harvinder Singh, Chief Sanitary Inspector, O/o NC, Khanna – for Respondents.

**ORDER**

The respondents have brought along the information which has been handed over to the appellant on spot. The Commission finds that sufficient information has been given. No further action is called for.

**Disposed.**

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Vipan Kumar,

S/o Sh. Krishan Kumar,

House No.319, Ward No.2, New Abadi Khanna,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Council,

Khanna

First Appellate Authority,

O/o Deputy Director,

Urban Local Bodies,

Ludhiana. Respondents

**APPEAL CASE NO.797of 2017**

**Date of RTI Application : 01.10.2016**  **Date of First Appeal : 14.10.2016**

**Date of letter of FAA : Nil**

**Date of Second Appeal : 20.02.2017**

**Present:** Sh. Vipan Kumar, Appellant in person.

Sh. Amarpal Singh, Inspector, O/o NC, Khanna – for Respondents.

**ORDER**

The respondent says that the information has been provided to the appellant. He has acknowledged the receipt of information to his satisfaction.

**Disposed.**

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Alankar Arora, Advocate

Chamber No.407, Yadvindra Complex,

District Courts, Patiala Complainant

Versus

Public Information Officer,

O/o Improvement Trust,

Patiala Respondent

**COMPLAINT CASE NO.882/2017**

Date of RTI application : 12.05.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :12.07.2017

**Present:** Adv. Alankar Arora, Complainant in person.

1. Sh. Gurmail Singh, Trust Engineer, and

2. Sh. Narinder Singh, JE, O/o Improvement Trust, Patiala – for Respondent/

**ORDER**

The complainant had sought an elaborate information regarding various issues being faced by the residents concerning the water supply, parking of vehicles, sewerage system etc.

The respondents say that the complainant has been duly informed. The complainant has also acknowledged in writing that he is satisfied with the information thus provided to him.

The Commission does not see any further requirement of intervention. The complaint is **disposed.**

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Jarnail Singh

S/o Sh. Thakur Singh,

R/o 23/14, Anand Nagar B,

Tripari ( Patiala) -147001 Complainant

Versus

Public Information Officer,

O/o Additional Deputy Commissioner (D),

District Parishad Complex, Sirhind Road,

Patiala. Respondent

**COMPLAINT CASE NO.883/2017**

Date of RTI application : 05.04.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :24.08.2017

**Present:** Sh. Jarnail Singh, Complainant in person.

Sh. Rajesh Mittal, Assistant Project Officer, O/o ADC (D), Patiala – for Respondent.

**ORDER**

The complainant had sought a copy of the report of enquiry and the documents entailed along, into a complaint filed by him against some senior functionaries of the district. His main grouse is that he was not involved into the conduct of the enquiry. He has sought a copy of the summons sent to him by the enquiry officer if any.

The respondent admits that he was telephonically asked to join the enquiry and no written record to this effect is available. Sh. Rajesh Mittal appearing on behalf of the respondents has brought along the zerox copies of the file for transmission to the complainant. The complainant seems satisfied in case the same is handed over to him after due certification. The Commission directs the respondent to do it quickly. No further intervention of the Commission seems called for.

The complaint is **disposed.**

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Dev Kumar

R/o House No. 48,Village Kishangarh

Chandigarh

Complainant

Versus

Public Information Officer,

O/o Senior Superintendent of Police,

S.A.S. Nagar. Respondent

**COMPLAINT CASE NO.894/2017**

Date of RTI application :.26.05.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :21.08.2017

**Present:** Sh. Dev Kumar, Complainant in person.

ASI Ravinder Singh, RTI Branch, O/o SSP, Mohali – for Respondent.

**ORDER**

ASI Ravinder Singh appearing on behalf of the respondent has brought along the information which has been handed over to the complainant on spot. The respondent says that as the complaint was under enquiry, the information could not be supplied earlier.

The requisite information has already been given. The Commission does not see any malafide on the part of the respondent.

The complaint is **disposed** accordingly.

**Sd/-**

**26.10.2017 (Yashvir Mahajan)**

**State Information Commissioner**