

PUNJAB STATE INFORMATION COMMISSION
RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
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Sh. Suba Singh,
R/o Village Gawalia, PO Dinanagar,
Distt. Gurdaspur.

Appellant

Versus

Public Information Officer,
O/o Director,
Rural Development and Panchayat Department,
Mohali.

First Appellate Authority,
O/o Secretary,
Rural Development and Panchayat Department,
Mohali.

Respondents

Appeal Case No.3390/2018

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
10.07.2018	Nil	16.08.2018	Nil	03.10.2018

Present: Sh. Suba Singh, Appellant in person.
Smt. Kanta Devi, Sr. Assistant, O/o Dir., Rur. Dev. & Panchayat, at Commission's office, Chandigarh – for Respondents.

ORDER

The case has been heard through video conferencing.

The appellant had sought to know the action having been taken on a complaint made against the sarpanch for being an instrument in the illegal occupation of a public street.

The respondents represented by Smt. Kanta Devi, Senior Assistant, submit that they had desired the District Development & Panchayat Officer concerned to take action under intimation to the appellant. They are advised to apprise the appellant of the communication thus made under intimation to the Commission as well.

The matter shall be reheard on **08.05.2019 at 11.30 AM through video conference at Gurdaspur.**

27.02.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Shri Harinder Pal Singh,
S/o Shri Karamjeet Singh,
House No 6/2, Baghi Hospital Road,
Ferozepur City.

Appellant

Versus

Public Information Officer,
O/o Excise & Taxation Commissioner,
Patiala.

First Appellate Authority,
O/o Director (Training),
Excise & Taxation Department, Patiala.

Respondents

Appeal Case No.3392/2018

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
10.07.2018	Nil	16.08.2018	Nil	03.10.2018

Present: None on behalf of the Appellant.
Sh. Navdeep Singh, Excise & Taxation Inspector, ETC Off., Patiala – for Respondents.

ORDER

Sh. Navdeep Singh, Excise & Taxation Inspector has come present on behalf of the respondents. He has submitted that the information comprised in 70-80 pages has been sent across to the appellant. He has shown us a copy of the same as well.

The appellant is absent without communication. Seemingly, he is satisfied with the information thus stated to have been sent to the appellant. The Commission does not want to further intervene into the matter.

Disposed.

27.02.2019

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



Shri Manpreet Singh,
S/o Late Shri Hari Singh, Village Gure,
Tehsil Jagraon, Distt Ludhiana.
(142023).

Appellant

Versus

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

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

Respondents

Appeal Case No.3408/2018

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
01.05.2018	Nil	26.06.2018	Nil	29.08.2018

Present: Sh. Manpreet Singh, Appellant in person.
Sh. Gurdeep Singh, Panchayat Secretary, – for Respondent.

ORDER

The case has been heard through video conferencing.

Sh. Gurdeep Singh, Panchayat Secretary appearing on behalf of the respondents has brought along the record which has been transmitted to the appellant during the course of hearing. The appellant may like to go through it and revert.

The matter shall be reheard on **08.05.2019 at 1130 AM through video conference at Ludhiana.**

27.02.2019

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



Shri Pawan Kumar,
S/o Shri Shiv Lal,
R/o Village Rupana, Tehsil & Distt Sri Muktsar Sahib.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Malout, Distt Sri Muktsar Sahib.

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

Respondents

Appeal Case No.3409/2018

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
01.05.2018	Nil	26.06.2018	Nil	29.08.2018

Present: Sh. Pawan Kumar, Appellant in person.
Sh. Jagdev Singh, Panchayat Secretary, BDPO Office, Malout – for Respondents.

ORDER

The case has been heard through video conferencing.

Sh. Jagdev Singh, Panchayat Secretary appearing on behalf of the respondents says that the information relating to their department about the BPL card holders has already been provided to him. He further says that the information pertains to other departments and they have duly been asked to provide him the information. The respondents are directed to forward a copy of this order of the Commission to them with the advice that the information thus asked for should be provided to him before the next date of hearing.

To come up on **08.05.2019 at 11.30 AM through video conference at Sri Muktsar Sahib.**

27.02.2019

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



Sh. Gulshan Kumar,
R/o #1525/1, Street No. 33, Preet Nagar,
Shimlapuri, Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Commissioner,
(Assistant Town Planner),
Municipal Corporation Zone A,
Ludhiana.

First Appellate Authority,
O/o Commissioner,
Municipal Corporation,
Ludhiana.

Respondents

Appeal Case No.1441/2018

Date of RTI application: 17.04.2017
Date of First Appeal : 10.07.2017
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 24.04.2018

Present: Sh. Gulshan Kumar, Appellant in person.
None on behalf of the Respondents.

ORDER

The case has been heard through video conferencing.

The appellant admits having received the information to his satisfaction. In view of the same the appeal is **disposed**.

27.02.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Parveen Kohli,
R/o 451/2, College Road,
Jagraon, Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Nagar Council,
Jagraon, Ludhiana.

First Appellate Authority,
O/o Deputy Director,
Urban Local Bodies,
Mini Secretariat,
Ludhiana.

Respondents

Appeal Case No.1836/2018

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: 21.05.2018

Present: None on behalf of the Appellant.
Sh. Amrinder Singh, PIO – cum – EO, MC Office, Jagraon – for Respondents.

ORDER

The case has been heard through video conferencing.

The following order was made on 26.09.2018 by this forum:

“This should be read in continuation of Commission’s order dated 08.08.2018.

The appellant is present. A letter has been received from the respondents seeking exemption from the hearing on the ground of occupation of the PIO with the conduct of the Zila Parishad and Panchayat Samiti Elections. The Commission understands that the election process has since been completed. To seek an exemption on this ground is not justifiable. The same is rejected. The Commission considers it as a willful attempt to suppress the information.

The PIO – cum – Executive Officer, Nagar Council, Jagraon 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

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Appeal Case No.1836/2018

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 for hearing today. The respondent PIO has failed to come up with any plausible explanation. He submits that he has sent the reply today on e.mail. The Commission is constrained to believe that the respondents are taking the Act as well as the Commission for a ride. The matter is hanging fire since 16.10.2017. The Commission would like to see the reply thus stated to have been sent.

To come up on **08.05.2019 at 11.30 AM through video conference at Ludhiana.**

27.02.2019

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



Sh. Jaspal Singh
S/o Sh. Ramesh Arora,
House No.319/3, Gurdeep Nagar, Jagraon
Distt. Ludhiana

Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Nagar Council, Jagraon,
Distt. Ludhiana

First Appellate Authority
O/o Deputy Director,
Urban Local Bodies, Ludhiana

Respondents

APPEAL CASE NO.176/2018

Date of RTI application : 16.10.2017
Date of First Appeal : 18.11.2017
Date of Order of FAA : Nil
Date of 2nd Appeal/complaint :02.01.2018

Present: Sh. Jaspal Singh, Appellant in person.
Sh. Amrinder Singh, PIO – cum – EO, M.C. off., Jagraon – for Respondents.

ORDER

The case has been heard through video conferencing.

The following order was made by this forum on 26.09.2018:

“This should be read in continuation of Commission’s order dated 08.08.2018.

The appellant is present. A letter has been received from the respondents seeking exemption from the hearing on the ground of occupation of the PIO with the conduct of the Zila Parishad and Panchayat Samiti Elections. The Commission understands that the election process has since been completed. To seek an exemption on this ground is not justifiable. The same is rejected. The Commission considers it as a willful attempt to suppress the information.

The PIO – cum – Executive Officer, Nagar Council, Jagraon 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

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Appeal Case No.176/2018

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 for hearing today. The respondent PIO has failed to come up with any plausible explanation. He submits that he has sent the reply today on e.mail. The Commission is constrained to believe that the respondents are taking the Act as well as the Commission for a ride. The matter is hanging fire since 16.10.2017. The Commission would like to see the reply thus stated to have been sent.

To come up on **08.05.2019 at 11.30 AM** through video conference at Ludhiana.

27.02.2019

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



Sh.Tejinder Singh
R/o Village Bholapur, P.O. Ramgarh,
Chandigarh Road, Ludhiana

Appellant

Versus

Public Information Officer,
O/o Improvement Trust, Ludhiana

First Appellate Authority
O/o Improvement Trust, Ludhiana

Respondents

APPEAL CASE NO.255/2018

Date of RTI application : 03.10.2017

Date of First Appeal : 12.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :08.01.2018

Present: None.

ORDER

The following order was made by this forum on 25.07.2018:

"The appellant had sought an information about the title of a property identified as Flat No. 278, YG, Rishi Valmik Nagar, Haibowal Khurd, Ludhiana along with copy of the allotment letter. The respondents have denied it being a personal information of the third party and invoked Section 8(1) (J) of the Act. The Commission partially agrees with them. They should convey him name of the owner of the property without sharing copy of the allotment letter."

"The case has come up today. The respondents are absent. The Commission takes strong exception to it. The respondents have communicated the ownership of the property in question as mentioned above. However, the appellant intends to know the time she entered into the ownership of this property. The respondents are directed to convey it to the appellant before the next date of hearing positively."

The respondents vide their communication dated 16.08.2018 have intimated that the above order of the Commission has been complied. The appellant is absent. The Commission presumes that he is satisfied with the information provided.

Disposed.

27.02.2019

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



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

Appellant

Versus

Public Information Officer,
O/o Commissioner,
Municipal Corporation,
Ludhiana

First Appellate Authority
O/o Commissioner,
Municipal Corporation,
Ludhiana.

Respondents

APPEAL CASE NO.3421/2017

Present: **None is present on behalf of the appellant.**
 Sh. Viney Kumar, Clerk, Zone 'A', MC Office, Ludhiana – for respondents.

ORDER

The case has been heard through video conferencing.

The following order was made by this forum on 04.07.2018:

“The appellant had sought an information about the personnel details of one

Sh. Charanjit Singh, Clerk, Municipal Corporation, Ludhiana.

Sh. Viney Kumar appearing on behalf of the respondents submits that the same cannot be parted with being the ‘personal information of the official. On being approached as entailed in Section 11 of the RTI Act, the concerned official has not allowed the respondents to furnish it to the appellant. The Commission does not agree with their contention. Some of the points relate to the information which is desirable to be in public domain.

The respondents are directed to file a reply to the Commission stating their position on each point justifying their stand.”

“The Commission had desired the respondents to file a written reply stating the position with reference to each point of the RTI application. Neither their representative is present nor any reply

APPEAL CASE NO.3421/2017

has been filed. Another opportunity is afforded to them to comply with the order failing which action to impose penalty shall be taken.”

Sh. Viney Kumar appearing on behalf of the respondents says that as advised by the Commission the appellant has been suitably informed.

The Commission feels that the appellant is satisfied and nothing has been heard from him in writing nor he is present to controvert the submissions of the respondent.

Disposed.

27.02.2019

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



Sh. Darshan Singh,
S/o Sh. Sadhu Ram,
R/o H. No. 1751, Islam Ganj, Near Gopal Mandir,
Near PS Division No.2, Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Superintendent,
Health Branch, Midda Chowk,
Municipal Corporation, Ludhiana.

First Appellate Authority,
O/o Commissioner,
(Health Branch) Municipal Corporation,
Ludhiana.

Respondents

Appeal Case No.1552/2018

Date of RTI application: 09.01.2018
Date of First Appeal : 26.02.2018
Date of Order of FAA or Reply: 15.03.2018
Date of 2nd Appeal/complaint: 24.04.2018

Present: **Adv. Deepti Saluja, Counsel for the Appellant.**
Dr. Vipin Malhotra, PIO – cum – Health Officer, MC Office, Ludhiana – for Respondents.

ORDER

The case has been heard through video conferencing.

The following order was passed by this forum on 12.09.2018:

“The respondents claim exemption from revelation of information under Clause ‘J’ of Section 8(1) of the Act. The appellant refutes their contention in the face of a criminal case having been registered against him. Be that as it is, the respondents are directed to file a written reply to the Commission with an advance copy to the appellant who may like to file a rejoinder on the same before the next date of hearing.”

“The case has come up today. As already observed the respondents deny it on the ground of unwarranted interference into the personal information of someone. The appellant is alleging that the third party has procured a job by some foul play and impersonation. In such a scenario, the truth should prevail. Invoking the proviso of Section 8(2) whereof the larger public interest outweighs the personal harm, if any, the Commission overrules the defence taken by the respondents and directs them to pass on the information under intimation to the Commission.”

The case has again come up today for hearing. The status quo remains. Apparently, the respondents have refused to comply with the order of the Commission. The Commission takes it as a willful attempt of suppression of information by the respondents. The PIO has rendered himself liable for penal consequences having controverted the provisions of Section 7(1) of the RTI Act.



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Appeal Case No.1552/2018

Dr. Vipin Malhotra, PIO – cum – Health Officer, MC office, Ludhiana 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 Appellant be not awarded to the Complainant 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 **08.05.2019 at 11.30 AM through video conference at Ludhiana.**

27.02.2019

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



Sh. Rohit Sabharwal,
Kundan Bhawan, 126,
Model Gram, Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Commissioner,
Municipal Corporation, Zone A,
Near Mata Rani Chowk, Ludhiana.

First Appellate Authority,
O/o Commissioner,
Municipal Corporation,
Ludhiana.

Respondents

Appeal Case No.1523/2018

Date of RTI application: 07.12.2017
Date of First Appeal : 11.01.2018
Date of Order of FAA or Reply: 01.02.2018
Date of 2nd Appeal/complaint: 26.04.2018

Present: None on behalf of the Appellant.
Sh. Sanjeev Uppal, PIO – cum – Superintendent, Tehbazari, Zone ‘C’, MC office,
Ludhiana – for Respondents.

ORDER

The case has been heard through video conferencing.

“In the order passed on 18.07.2018 a typographical error about the exemption of Zone ‘C’ occurred. The order seeking the confirmation related to Zone ‘C’ of the Corporation only and it should have been read accordingly. Zone ‘C’ has not stated that complete information has been provided with reference to the subject.

The PIO in Zone ‘C’ is again directed to submit in writing that complete information has been given well in advance before the next date of hearing under intimation to the appellant.”

The case has come up today for hearing. The respondents were directed to meet out the deficiency. Sh. Sanjeev Uppal, PIO – cum – Superintendent has come present. He submits that he has brought along the information which was reported to be deficient. He assures the Commission to transmit it today by speed post. Hopefully, it shall satisfy the requisition made in the original application. The Commission is not inclined to keep the matter alive.

Disposed.

27.02.2019

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



Sh. Jasbir Singh
Village Bholapur, Jhabewal,
Post office Ramgarh, Distt. Ludhiana

Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Ludhiana

First Appellate Authority
O/o Deputy Commissioner,
Ludhiana

Respondents

APPEAL CASE NO.6/2018

Date of RTI application : 26.09.2017
Date of First Appeal : 04.11.2017
Date of Order of FAA : Reply 03.10.2017
Date of 2nd Appeal/complaint :20.12.2017

Present: None is present on behalf of the Appellant.
Sh. Buta Singh, Clerk, Estt. Br., DC Office, Ludhiana – for Respondents.

ORDER

The case has been heard through video conferencing.

Sh. Buta Singh, Clerk appearing on behalf of the respondents reiterates that the matter is still under enquiry. Resultantly, no tangible information exists on the subject. The respondents are directed to provide him a copy of the report as and when the enquiry completes. No action is called for.

The appeal is **disposed**.

27.02.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner