



Sh. Ravinder Dhingra,
R/o H.No.733, Sector – 43A,
Chandigarh.

Appellant

Versus

Public Information Officer,
O/o Officer Incharge, Women Cell,
R.No.425, Distt. Administrative Complex,
Lakhnor, Sector-76, Mohali.

First Appellate Authority,
O/o Inspector General of Police,
Rupnagar Range, Rupnagar.

Respondents

Appeal Case No.865/2019

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
26.10.2018	Nil	03.12.2018	Nil	03.01.2019

Present:

Appellant- None;

**Respondents- ASI Jarnail Singh, Incharge, Women Cell;
Sh. Gurmeet Singh, Senior Assistant, O/o IG, Ropar Range.**

Order

The following order was made on 02.07.2019:

02.05.2019:

"The Appellant has sought to know answers to his queries with reference to a complaint filed against him by one Smt. Chandni Kukreja, R/o Gilco Valley, Kharar. Having failed to procure the information or response to his questions, he has filed 2nd Appeal with the Commission. The respondents say that the complaint made against the Appellant has been filed after conducting preliminary enquiry. They have brought along the relevant documents, certified copy of which has been handed over to the Appellant.

Meanwhile the respondents are advised to file a written statement explaining the delay in providing the information".

02.07.2019:

The matter has come up today. Shri Shyam Singh, ASI has submitted a

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written memo wherein it has been stated that the copies of the documents sought by the appellant, were sent to the RTI Wing of the office of SSP, Mohali and the appellant was advised to collect the same from there. DDR on this account was also recorded on 26.09.2018. He states that there is no delay and requests to file the appeal. The appellant denies having received any information. The PIO in the office of SSP Mohali is hereby desired to file a written reply to the notice of the Commission and the contentions of the appellant before the next date of hearing positively.”

The case has again come up today. The appellant is absent. The respondents represented by ASI Jarnail Singh, submit that all the documents available with them on the subject has since been transmitted to him. So much so, they have produced copies of the call details, which reflect that they have spoken to each other on umpteen occasions on 26.09.2018. Besides, the perusal of his application suggests that the appellant is more interested in seeking the explanations and answers to his questions rather than the material information, which cannot be provided.

The Commission is convinced that the appellant has been informed sufficiently. The appeal is **disposed**.

28.08.2019

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



Sh.Sanjeev Thakur,
S/o Sh.Baldev Singh,
Vill. Gudha Khurd,PO Madhopur Cantt.
Tehsil & Distt. Pathankot.

Appellant

Versus

Public Information Officer,
O/o Commissioner,
Department of Excise & Taxation, Punjab, Patiala,

First Appellate Authority
O/o Financial Commissioner,
Department of Excise & Taxation,
Government of Punjab,
Pb.Civil Sectt., Chandigarh.

Respondents

Appeal Case No.912/2019

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
15.12.2018	Nil	04.02.2019	Nil	06.03.2019

Present: Appellant- None;
Respondents- Sh. Ram Singh, ETO.
Sh. Jap Simran, Mobile Wing, Amritsar.

Order

The case has been heard through video conference.

The Commission had made following observations on 26.06.2019:

“The information sought by the appellant concerns the activities of the Mobile Wing of Excise and Taxation Department, Amritsar, specifically regarding the inspections made by them. Shri Navdeep Singh, ETI who is present in the court submits that the information has been conveyed to the information seeker vide their letter dated 20.06.2019. The appellant may like to advert and respond on the information about its sufficiency before the next date of hearing positively.”

The case has come up today. The respondents as mentioned above submit



Appeal Case No.912/2019

that complete information has been provided to him. The Commission has no reason to differ with the contentions made by the respondents in absence of any communication from the appellant. No cause of action remains. The appeal is **disposed**.

28.08.2019

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



Sh. Dilbagh Chand, Naib Subedar(Retd.)
S/o Sh.Ramji Dass,
Vill.Hayatpur, PO Hambowal
Tehsil Samrala,Distt.Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Director,
Department of Rural Development & Panchayat,
Vikas Bhawan,Sector-62, Mohali.

First Appellate Authority
O/o Director,
Department of Rural Development &Panchayat,
Vikas Bhawan, Sector-62, Mohali.

Respondents

Appeal Case No.935/2019

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
22.10.2018	Nil	01.12.2018	Nil	06.03.2019

Present:

Appellant- Sh. Dilbagh Chand;
Respondents- Sh. Gurpreet Singh, Senior Assistant.

Order

The case has been heard through video conference.

The following order was passed on 26.06.2019:

“The appellant has sought action against the officers of the Department of Rural Development and Panchayats, who have failed to check the encroachments made in his village Hayatpur, Tehsil Samrala, District Ludhiana. The respondents are directed to look into and provide him satisfactory information as it exists on record.”

The case has come up today. As already observed, the appellant is seeking action against DDPO and BDPO for their failure to remove the encroachment. The respondents have submitted in writing that the matter is under consideration and ADC (D) is looking into the same. The Commission is not in a position to pass any directions to

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Appeal Case No.935/2019

take some executive action. Nonetheless, it desires the Director, Department of Rural Development and Panchayat to have the matter looked into personally and take the appropriate action. With these observations, the matter is **disposed**.

28.08.2019

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

CC: The Director, Department of Rural Development and Panchayat, Sector-62, Mohali for necessary action.



Sh. Dilbagh Chand, Naib Subedar(Retd.)
S/o Sh. Ramji Dass,
Vill.Hayatpur, PO Hambowal
Tehsil Samrala,Distt.Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Director,
Rural Development & Panchayat Department,
Vikas Bhawan,Sector-62, Mohali.

First Appellate Authority
O/o Director, Rural Development &
Panchayat Department, Punjab
Vikas Bhawan, Sector-62, Mohali.

Respondents

Appeal Case No.936/2019

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
22.10.2018	Nil	01.12.2018	Nil	06.03.2019

Present: Appellant- Sh. Dilbagh Chand;
Respondents- Sh. Gurpreet Singh, Senior Assistant.

Order

The case has been heard through video conference.

The following order was passed on 26.06.2019:

“The respondents are absent. They have not yet filed reply to the notice of the Commission. The Commission takes serious exception of their conduct and directs them to file reply to the notice of the Commission, after providing admissible information to the appellant.”

The case has come up today. As already observed in another case filed by him, the appellant is seeking to register a case against a Panchayat Secretary. The Commission is not authorized to pass such instructions. Nonetheless, it desires the Director, Department of Rural Development and Panchayat to have the matter looked into personally and take the appropriate action.



Appeal Case No.936/2019

With these observations, the matter is **disposed**.

28.08.2019

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

CC: The Director, Department of Rural Development and Panchayat, Sector-62, Mohali for necessary action.

PUNJAB STATE INFORMATION COMMISSION
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Sh. Harjit Singh Dhillon,
S/o Late S. Gurbax Singh,
R/o 4072/3, Gobind Colony,
Jamalpur, Ludhiana.

Complainant

Versus

Public Information Officer,
O/o Assistant Excise & Taxation Commissioner,
Mini secretariat, Ludhiana.

Respondent

Complaint Case No.130/2019

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
21.01.2018	Nil	Nil	Nil	29.01.2019

Present: Complainant- Sh. Harjit Singh Dhillon;
Respondent- Sh. Robin Jindal, Clerk.

ORDER

The case has been heard through video conference.

The respondent represented by Sh. Robin Jindal, Clerk, reveals his ignorance about the case. The Commission is intrigued to observe that on the last date of hearing Sh. Navjot Singh, ETO, was present and orders were dictated in his presence. It must have reached them having been dispatched from the office of the Commission.

A final opportunity is afforded to the respondent to look into the matter and pass the available information to the information seeker under intimation to the Commission.

The matter shall be heard on **30.10.2019 at 11.30 AM through video conferencing at Ludhiana.**

28.08.2019

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



Sh. Inderjeet Singh, Ex- Panch,
Village Sattowali, Block Adampur,
Distt Jalandhar.

Appellant

Versus

Public Information Officer,
O/o District Development and Panchayat Officer,
Jalandhar.

First Appellate Authority,
O/o Additional Deputy Commissioner (Development),
Jalandhar.

Respondents

Appeal Case No.3527/2018

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
26.05.2018	Nil	01.08.2018	Nil	15.10.2018

Present: Appellant- None;
Respondents- Sh. Dharampal Singh, Deputy CEO.;
Sh. Jagdish Chander, Development Assistant.

ORDER

The case has been heard through video conference.

The following order was passed on 10.07.2019:

08.05.2019:-

“Sh. Ajay Kumar, DDPO, Jalandhar says that the information sought pertains to the quasi-judicial adjudication and he should have applied with the copying agency of the concerned department. The appellant, on the other hand, denies it. He says that he has sought the information during the month of August, 2018 when the same was in the custody of the respondents. They should have provided it within the stipulated period. Having failed to do so, they have violated the provisions of Section 7(1) of the RTI Act.

Be that as it is, the respondents are directed to file a written reply to the averments made by the appellant as mentioned above.

08.05.2019

The case has come up today. Smt Baljit Kaur, submits that the information covering her office has been provided. However, the rest of information in contention is available with the O/o DDPO, Jalandhar. It is the obligation of PIO in office of DDPO, Jalandhar to do this needful. The Commission had desired the DDPO to part with the information under the RTI Act, 200. Their contention to approach the copying agency is overruled. Section 22 of the RTI Act, 2005 has the overriding effect and once the provisions of this Act are invoked the information shall be provided accordingly. This viewpoint has been upheld in the Apex Court also.



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Appeal Case No.3527/2018

The DDPO shall ensure that the information is provided to the Appellant as advised earlier and in view of above observations immediately. He shall also explain his conduct that as to why taking cognizance of his defiance, he should not be penalized.

10.07.2019

The case has come up today. Shri Jagmohan Singh, Supdt. O/o BDPO Adampur is present. He submits that the information relating to them, as already mentioned, has been provided to the appellant and rest of the information pertains to the DDPO Jalandhar who was advised vide order dated 08.05.2019 to provide it. The Commission finds that the DDPO, Jalandhar is behaving stubbornly and stone-walling the directions of Commission. He is willfully obstructing the flow of information and is violating the provisions of Section 7(1) of the RTI Act.

Shri Dharam Pal, DDPO is hereby 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 today. Sh. Dharmpal Singh is present. He

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Appeal Case No.3527/2018

states that he is holding a substantive charge of Deputy CEO in Zila Parishad and has looked after the charge of DDPO, Jalandhar for a very limited period. He has assisted the newincumbent to procure the record from office of the Director, Rural Development and Panchayat and has provided it to the information seeker.

The Commission has received an email from the appellant. He has acknowledged the receipt. It transpires that the office of the DDPO has been lying since vacant and has been looked after by additional hands. The respondents submit that they did not intend to violate the orders of the Commission. They regret for the delay. Having taken the matter into consideration holistically, the Commission feels that the delay is not malafide and can be ascribed to administrative reasons. The show cause notice issued to Sh. Dharampal is **filed**. However, he is advised to be cautious and prompt in future in attending the RTI applications.

Disposed.

28.08.2019

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



Sh. P.K Malhan,
R/o #111, New Deol Nagar,
Jalandhar.

Appellant

Versus

Public Information Officer,
O/o Assistant Excise and Taxation Commissioner,
Jalandhar-II, Distt. Jalandhar.

First Appellate Authority,
O/o Deputy Excise and Taxation Commissioner,
Jalandhar Division, Jalandhar.

Respondents

Appeal Case No.101/2019

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
01.06.2018	Nil	13.07.2018	04.09.2018	12.11.2018

Present: Appellant - None;
Respondent- Sh. Yash Gill, ETO.

ORDER

The case has been heard through video conferencing.

The Commission had made the following observations on 20.03.2019:

“Sh. Yash Gill, ETO appearing on behalf of the respondents says that the information sought is very voluminous and shall entail herculean efforts to provide it. The Commission agrees with them. However, it directs them to provide the summarized information as is available with them in terms of number of assesses registered and the total revenue generated from the defaulters or outstanding etc. under intimation to the Commission.”

The case has come up today. Sh. Yash Gill, ETO, who is present on behalf of respondents, submits that he has brought along the information. As the appellant is absent,

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Appeal Case No.101/2019

they are not in position to hand it over to him. They are desired to dispatch it today only under intimation to the Commission. The Commission does not intend to further intervene into the matter.

Disposed.

28.08.2019

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

PUNJAB STATE INFORMATION COMMISSION
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Sh. Kuldeep Singh,
C/o Sh. Kamaljit Singh,
Ward No.-1, Hayer Vihar Colony,
Jail Road, Gurdaspur.

Appellant

Versus

Public Information Officer,
O/o District Development and Panchayat Officer,
District-Gurdaspur.

First Appellate Authority,
O/o Additional Deputy Commissioner (Development),
Zila Parishad, Distt. Gurdaspur.

Respondents

Appeal Case No.422/2019

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
21.06.2018	Nil	21.08.2018	Nil	12.01.2019

Present: Appellant- Sh. Kamaljit Singh, Proxy;
Respondent- J.E.,
Panchayat Secy.

ORDER

The case has been heard through video conferencing.

On the request of the parties, the matter is adjourned to be heard on

06.11.2018 at 11.30 AM through video conference at Gurdaspur.

28.08.2019

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

PUNJAB STATE INFORMATION COMMISSION
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Sh. Ripu Sudan Sharma,
S/o Sh. Bujja Ram Sharma,
R/o Ward No. 02, House No. 818,
Garhshankar, Distt. Hoshiarpur.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Garhshankar, Distt. Hoshiarpur.

Respondent

Complaint Case No.1241/2018

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
24.07.2018	Nil	Nil	Nil	29.11.2018

Present:

Complainant- None;
Respondent- None.

ORDER

None is present. It seems that the complainant is satisfied. The matter is

disposed for want of prosecution.

28.08.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner