

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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Ms. Minakshi Maheshwari,  
R/o 3<sup>rd</sup> Floor, Sea Flama,  
Dosti Flamingos, Sewri West,  
Mumbai-400015.

Appellant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police,  
District Administrative Complex, Sector-76,  
SAS Nagar.

First Appellate Authority,  
O/o Senior Superintendent of Police,  
District Administrative Complex, Sector-76,  
SAS Nagar.

Respondents

**Appeal Case No.2729/2018**

Date of RTI application: 08.05.2018  
Date of First Appeal : 21.06.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 01.08.2018

**Present:** **None on behalf of the Appellant.**  
**Ms. Renu Sahu, Incharge P.S.: Industrial Area, Mohali – for Respondents.**

**ORDER**

The following order was passed by this forum on 18.12.2018:

*“The appellant has an apprehension that a criminal case has been registered against her by some persons inimically disposed to her. She is seeking the copy of the FIR if registered against her in Mohali and some connected information there along as has been enumerated in her original application dated 08.05.2018. She says that even her first appeal has elicited no response and she has been constrained to file second appeal with the Commission.*

*The respondents have filed a written reply with the Commission a copy of which has been handed over to the appellant. Simultaneously a written statement has also been filed by the appellant in furtherance of her cause. Its copy has been transmitted to the respondents also. The parties are advised to go through the contents and file their rejoinder, if any, before the next date of hearing.”*

Contd..page.2

**Appeal Case No.2729/2018**

*“The respondents have failed to file an intelligible reply to the submissions made by the appellant. Instead they have directed her to visit their office and inspect the record. The appellant submits that she is not conversant with gurmukhi script in which the record is being maintained. Besides she is residing in Mumbai and it is not possible for her to visit them on short notices.*

*The Commission agrees with her submissions and directs the PIO in the office of the Senior Superintendent of Police, Mohali to provide a reply/information to her requisition as made in her application dated 08.05.2018 at Sr. No. 5 from Point (a) to (d) within fifteen days from the receipt of this order. Be it noted that the information has already been delayed inordinately and any further laxity shall be viewed very seriously.”*

The case has come up today. A communication dated 17.01.2019 has been received from Ms. Minakshi Maheshwari wherein she has denied the receipt of information as was desired in the aforementioned order.

Ms. Renu Sahu, Incharge PS: Industrial Area, Mohali, is present in person and has submitted a statement in writing wherein it has been contended that the sought for information has been communicated to her vide their letter dated 23.01.2019. The Commission has seen it. Apparently it seems in order. The appellant is desired to react in case she so desires failing which it shall be presumed that she is satisfied with the information thus reported to have been provided to her and the matter shall be disposed accordingly.

To come up on **05.03.2019 at 11.30 AM.**

**29.01.2019**

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

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Sh. Jagpal Singh,  
S/o Sh. Pritam Singh,  
R/o Mangat Colony, Kohara road,  
Sri Machhiwara Sahib.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Sri Machhiwara Sahib.

Respondent

**Complaint Case No.881/2018**

Date of RTI application: 25.05.2018  
Date of Reply : Nil  
Date of First Appeal : Nil  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 04.08.2018

**Present:** **Sh. Jagpal Singh, Complainant in person.**  
**1. Smt. Sarbjeet Kaur, BDPO, Sri Machhiwara Sahib,**  
**2. Sh. Raghbir Singh, Panchayat Secretary – for Respondents.**

**ORDER**

The following order was passed by this forum on 18.12.2018:

*“This should be read in continuation of order passed on 30.10.2018.*

*A communication has been received from the BDPO, Sri Machhiwara Sahib that she is the Returning Officer for the elections of Gram Panchayats and as the nomination process is on it is not possible for her to attend the personal hearing.*

*The Commission agrees that it may not be possible for her to attend in person but what stops her to provide the information sought by the complainant even in the face of the fact that a show cause notice has been issued. It further transpires that vide an earlier communication the BDPO had directed Sh. Sanjeev Kumar, Panchayat Secretary under Section 6(3) of the Act to provide the information.*

*The Commission senses that the Panchayat Secretary probably is not aware of the consequences of his neglect or defiance. In such a scenario the role of BDPO becomes more important. She is advised to ensure that the information is arranged to be provided immediately to the complainant before the polls failing which the Commission shall draw adverse inference about her role in defiance of the directions and shall take appropriate action accordingly. “*

Contd....page...2

**Complaint Case No.881/2018**

The case has come up today. Smt. Sarbjeet Kaur, BDPO is present. She regrets the delay and attributes it to the conduct of Panchayat elections in the State and her business with her charge which enjoins upon her to supervise the work of 116 villages. Nonetheless they have brought along record which has been handed over on spot to the appellant. The Commission agrees with her version and issue a strict reprimand to the respondent to be watchful in future.

**Disposed.**

29.01.2019

Sd/-  
( Yashvir Mahajan )  
State Information Commissioner

Cc: The Block Development and Panchayat Officer, Sri Machhiwara Sahib, for n/a.

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Sh. Ankit Jain,  
S/o Shri Yashpal Jain,  
# 1006, Morni Wala khuh,  
Dera Bassi, Distt. Mohali.

Appellant

Versus

Public Information Officer,  
O/o Nagar Council, Dera Bassi,  
Distt. Mohali.

First Appellate Authority,  
O/o Deputy Commissioner,  
SAS Nagar (Mohali).

Respondents

**Appeal Case No.3400/2018**

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
03.11.2017	Nil	19.07.2018	Nil	30.08.2018

**Present:** Sh. Ankit Jain, Appellant in person.  
Sh. Sarbjeet Singh, Building Inspector, NC Office, Dera Bassi – for Respondents.

**ORDER**

This should be read in continuation of order passed on 18.12.2018.

Sh. Sarbjeet Singh, Building Inspector appearing on behalf of the respondents submits that the appellant has been provided with the information who is satisfied with the same.

The appellant is absent. He may like to comment on the submissions of the respondent.

To come up on **28.02.2019 at 11.30 AM.**

Sd/-

29.01.2019

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

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Sh. Kapur Chand,  
S/o Shri Phagu Ram,  
House No 491, Dalima Vihar,  
Rajpura, Distt Patiala.

Appellant

Versus

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

First Appellate Authority,  
O/o Additional Deputy Commissioner (D),  
Mohali.

Respondents

**Appeal Case No.3442/2018**

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
09.04.2018	Nil	18.07.2018	Nil	03.10.2018

**Present:** **Sh. Kapur Chand, Appellant in person.**  
**Sh. Sahil Kumar, Panchayat Secretary – for Respondents.**

**ORDER**

The following order was passed by this forum on 18.12.2018:

*“The appellant is a retired employee of the Rural Development and Panchayats Department, Punjab. He is seeking reimbursement of his medical bills submitted by him about three years back. The offices of the DDPO, Mohali and BDPO, Dera Bassi are passing the buck on each other about the non-availability of medical bills. The proxy from the office of the DDPO, Mohali has shown us a memo whereby an amount of Rs.10,846/- has been sanctioned by the competent authority and conveyed to the BDPO, Dera Bassi.*

*Smt. Sukhjit Kaur, Accounts Clerk office of the BDPO, Dera Bassi, expresses her inability to make the payment for want of copies of medical reimbursement bills. Photo copies of the same have been arranged to be handed over on spot to her. The BDPO, Dera Bassi, is directed to make the payment within thirty days failing which it shall be presumed that somebody is malafidely sitting over his papers and the Commission shall be constrained to initiate penal action for the suppression of information.”*

The case has come up today. Both the parties are present. The appellant submits that he is in receipt of the information to his satisfaction. He further states that he does not intend to pursue his appeal which is **disposed** accordingly.

**Sd/-**

**29.01.2019**

**( Yashvir Mahajan )  
State Information Commissioner**

**CC: The Block Development and Panchayat Officer, Dera Bassi, Distt. Mohali.**

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Sh. Ankit Jain,  
S/o Shri Yashpal Jain,  
# 1006, Morni Wala Khuh,  
Dera Bassi, Distt. Mohali.

Appellant

Versus

Public Information Officer,  
O/o Nagar Council, Dera Bassi,  
Mohali.

First Appellate Authority,  
O/o Deputy Commissioner,  
Patiala.

Respondents

**Appeal Case No.3476/2018**

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
10.02.2016	Nil	29.05.2018	Nil	20.09.2018

**Present:       None.**

**ORDER**

It should be read in continuation of order passed by this forum on 18.12.2018.

None is present on behalf of the Parties. The respondents are directed to file a reply before the next date of hearing positively.

The matter shall be heard on **28.02.2019 at 11.30 AM.**

**29.01.2019**

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

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Sh. Jarnail Singh,  
S/o Shri Rakha Singh,  
Village Chuni Khurd,  
PO Chuni Kalan, Tehsil Bassi Pathana,  
Distt Fatehgarh Sahib.

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Block Khera, Distt Fatehgarh Sahib.

Respondent

**Complaint Case No.1068/2018**

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 Complaint
04.04.2018	Nil	Nil	Nil	01.10.2018

**Present:** Sh. Jarnail Singh, Complainant in person.  
Sh. Harpreet Singh, Panchayat Secretary, Block Khera – for Respondent.

**ORDER**

The following order was made on 18.12.2018:

*“No written reply has been filed in response to the notice issued by the Commission.*

*None is present on behalf of the respondent as well. The Commission takes a serious note of it. The respondent is directed to file a written statement before the next date of hearing positively.”*

The case has come up today. Both the parties are present. Sh. Harpreet Singh appearing on behalf of the respondent regrets the delay and says that he has been busy in the conduct of panchayat elections in the State. He assures the Commission that he shall provide the information before the next date of hearing.

The appellant has been advised to inspect the record and identify the documents. However, he insists that he requires complete record pertaining to five years. The respondent shall ensure its provision on payment of requisite fee before the next date of hearing positively.

To come up on **28.02.2019 at 11.30 AM.**

Sd/-

29.01.2019

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



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Sh. Sawinder Singh,  
S/o Shri Bal Singh,  
PO Shutrana, Tehsil Patran,  
Distt Patiala. 147105.

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Patran, Distt Patiala.

Respondent

**Complaint Case No.1086/2018**

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 Complaint
27.07.2018	Nil	Nil	Nil	15.09.2018

**Present:** Sh. Sawinder Singh, Complainant in person.  
Sh. Sukhwinder Singh, Panchayat Secretary, O/o BDPO, Patran – for Respondent.

**ORDER**

The following order was made by this forum on 18.12.2018:

*“The appellant had sought the survey report of a mining allegedly having been made illegally at the site of the cremation ground of Village Shutrana, Block Patran, Distt. Patiala.*

*The Commission finds that the original application was made on 27.07.2018. Despite a lapse of significant period the information has not been provided. No written reply has also been filed in response to the notice of the Commission. The Commission takes a serious note of the lackadaisical conduct of the PIO. A last opportunity is provided to him to provide the information else penal consequences shall follow.”*

The case has come up today. Sh. Sukhwinder Singh, Panchayat Secretary is present on behalf of BDPO, Patran. He assures the Commission that the copy of the enquiry conducted by BDPO on the subject shall be conveyed to the complainant before the next date of hearing positively. The Commission accedes to his submission with the direction to ensure its compliance positively failing which the penal consequences shall follow.

To come up on **05.03.2019 at 11.30 AM.**

29.01.2019

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

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Sh. Sawinder Singh,  
S/o Shri Bal Singh,  
PO Shutrana, Tehsil Patran,  
Distt Patiala. 147105.

Complainant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Patran, Distt Patiala.

Respondent

**Complaint Case No.1089/2018**

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 Complaint
03.07.2018	Nil	Nil	Nil	15.09.2018

**Present:**        **Sh. Sawinder Singh, Complainant in person.**  
                      **Sh. Jarnail Singh, Panchayat Secretary – for Respondent.**

**ORDER**

Sh. Jarnail Singh, Panchayat Secretary appearing on behalf of the respondent submits that he has already transmitted the information to him in thousands of pages which cost him about six-seven thousands of rupees. The complainant denies its receipt and says that it does not serve his purpose. The Commission takes it with a grain of salt. Nonetheless another opportunity is afforded to him to inspect the record in the office of the BDPO, Patran on 15.02.2019 at 11.00 AM. The respondent shall provide him the certified copies of the documents but not beyond one hundred pages on payment of fee.

To come up on **05.03.2019 at 11.30 AM.**

Sd/-

29.01.2019

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

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Sh. Sawinder Singh,  
S/o Shri Bal Singh,  
PO Shutrana, Tehsil Patran,  
Distt Patiala. 147105.

Complainant

Versus

Public Information Officer,  
O/o Divisional Deputy Director,  
Rural Development and Panchayat,  
Distt Patiala.

Respondent

**Complaint Case No.1090/2018**

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 Complaint
23.07.2018	Nil	Nil	Nil	15.09.2018

**Present:** Sh. Sawinder Singh, Complainant in person.  
Sh. Gurpiar Singh, Clerk, O/o Divisional Deputy Director, Rur. Dev. & Pan., Pb., Patiala – for Respondent.

**ORDER**

A communication has been received from the Divisional Deputy Director, Rural Dev. & Panchayat, Patiala. He has mentioned that he is looking into the issue very carefully and revelation of the information as sought by the complainant shall affect its outcome adversely and shall hinder its successful conclusion. The Commission agrees with the same. Further, it directs the respondent to provide the information as and when the enquiry is completed.

**Disposed.**

Sd/-

29.01.2019

( Yashvir Mahajan )  
State Information Commissioner

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Shri Sawinder Singh,  
S/o Shri Bal Singh,  
PO Shutrana, Tehsil Patran,  
Distt Patiala. 147105.

Complainant

Versus

Public Information Officer,  
O/o Financial Commissioner,  
Deptt Rural Development & Panchayat,  
SAS Nagar.

Respondent

**Complaint Case No.1092/2018**

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 Complaint
27.07.2018	Nil	Nil	Nil	15.09.2018

**Present:**       **Sh. Sawinder Singh, Complainant in person.**  
                  **Sh. Sukhwinder Singh, Panchayat Secretary on behalf of the Respondents.**

**ORDER**

The following order was made by this forum on 20.12.2018:

*"The complainant is interested to know the outcome of the complaint made by him to the Vigilance Department against the sarpanch of Village Shutrana, Block. Patran, alleging his involvement in getting the shamlat land of the village encroached by the inhabitants of the village.*

*Sh. Sukhdev Singh, Sr. Assistant, O/o Rural Dev. & Panchayats Department, Punjab, submits that they have duly endorsed his complaint to the Block Development & Panchayat Officer, Patran for taking appropriate action and inform the complainant. The BDPO, Patran seemingly has maintained a studied silence. As the directorate has already directed him to take appropriate action under Section 6(3) of the Act he is deemed to be a PIO by the Commission. He is advised to inform him of the action having been taken by him under intimation to the Commission before the next date of hearing. Else it shall be constrained to proceed disciplinarily against him under the provisions of RTI Act."*

The case has come up today. Nothing has been heard from the respondents. The Block Dev. & Panchayat Officer, Patran is directed to apprise him of the status of the matter before the next date of hearing positively.

To come up on **05.03.2019 at 11.30 AM.**

**Sd/-**

**29.01.2019**

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

**CC: The Block Dev. & Panchayat Officer, Patran, Distt. Patiala, for n/a.**

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Sh. K.K Bhandari,  
R/o 3661/46-C, Chandigarh.

Appellant

Versus

Public Information Officer,  
O/o Secretary,  
Punjab School Education Board,  
Mohali.

First Appellate Authority,  
O/o Secretary,  
Punjab School Education Board,  
Mohali.

Respondents

**Appeal Case No.86 and 87 of 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
12.12.2018/08.12.2018	Nil	18.12.2018/16.12.2018	Nil	31.12.2018/30.12.2018

**Present:** None on behalf of the Appellant.  
Mrs. Baljinder Kaur, APIO – cum – Assistant Secretary, Pb. School Education Board – for Respondents.

**ORDER**

These cases have been transferred to this bench on the request of the appellant. Since the appellant and the respondents are the same and the information sought is identical and accrues from the same issue, the single order shall dispose both the appeals.

A communication has been received from the appellant that as he is arraigned in a criminal case. He needs this information to defend himself and clear his position in the Court. He further submits that as he is seriously ill it is not possible for him today to attend the hearing in person. He seeks an adjournment.

Mrs. Baljinder Kaur, APIO – cum – Assistant Secretary is present. She has submitted a detailed reply with reference to various points of his applications seeking information. Its perusal suggests that most of the record relating to information sought has been reportedly destroyed in keeping with the Record Retention Policy of the Board and the available record in respect of these cases has been given to him earlier. However, some of the information has been refused on the pretext of its relating to third parties. The Commission feels that he needs them to prove a point. The provision of correction slips in a couple of cases is not going to intrude into the privacy of the individual. The defence, as such on this score is overruled. They are directed to provide him the copies of correction slips of third parties as sought by him before the next date of hearing.

To come up on **28.02.2019 at 11.30 AM.**

Sd/-

29.01.2019

(Yashvir Mahajan)  
State Information Commissioner