



Sh. Sunil Kumar Joshi,
R/o 404, GHS 43, Sector 20,
Panchkula-134116.

Appellant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Mohali.

First Appellate Authority,
O/o Senior Superintendent of Police,
Mohali.

Respondents

Appeal Case No.530/2019

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
22.11.2018	Nil	24.12.2018	Nil	11.02.2019

Present: Sh. Sunil Kumar Joshi, Appellant in person.
Sh. Maninder Singh- for Respondents.

Order

The Commission had made the following observations on the last date of hearing on 02.04.2019:-

“The appellant has sought to know as to whether a criminal case stands registered against Sh. Sanjay Garg, Director, Hanumant Builders & Land Developers of Mohali. The respondents have filed a reply wherein they have taken a defense under Section 7(9) of the RTI Act. It is further contended by them that no definite clue has been given by the appellant to enable them to find the information and further transmit it to the appellant. The appellant alleges that aforementioned person is a Proclaimed Offender. The Commission understands that a separate record of Proclaimed Offenders is available with the Police Authorities. They are advised to look for it from the record thus managed and arranged to intimate him accordingly”.

Contd...page...2



Appeal Case No.530/2019

The case has again been taken up today. In spite of express directions of the Commission, the respondents have chosen to observe a studied silence. Final opportunity is afforded to the PIO O/o Senior Superintendent of Police, SAS Nagar (Mohali) to arrange to provide the information as per the order made above under intimation to the Commission, failing which penal consequences shall follow.

To come up for hearing on **28.05.2019 at 11.30 AM.**

30.04.2019

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



Sh. Ashwani Kumar Bansal,
S/o Sh. Kesho Ram,
R/o Ward No. 13, Kurali,
Tehsil- Kharar, Distt. Mohali.

Complainant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
S.A.S Nagar.

Respondent

Complaint Case No.134/2019

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
31.08.2018	Nil	Nil	Nil	07.01.2019

Present: Sh. Anil Shukla, Advocate on behalf of the Complainant.
Sh. Maninder Singh, O/o SSP Office, Mohali – for Respondent.

Order

The case is being taken up today.

On the last date of hearing, the respondent intimated that the complainant had been provided with the information vide their communication dated 20.10.2018. The complainant has denied it. A copy of the memo figuring on the case file suggests that it is a forwarding letter with which no attachment has been sent.

Sh. Maninder Singh, who is present on behalf of the Respondent, has produced a copy of the purported attachment which has been handed over to the complainant in the court itself. The information, according to him, is deficient as it does not reveal the order vide which the proceedings/action in respect of FIR No.38 dated 14.04.1977 have been stayed. The respondents are advised to provide a copy of the stay order to the complainant before the next date of hearing.

The matter shall be reheard on **28.05.2019 at 11.30 AM.**

30.04.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Sh. D.R. Singla,
R/o H.No.4961, Sector-38(West),
Chandigarh.

Complainant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
S.A.S. Nagar(Mohali).

Respondent

Complaint Case No.145/2019

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
06.12..2018	Nil	Nil	Nil	05.02.2019

Present: Sh. D.R. Singla, Complainant is absent.
HC Manohar Lal, O/o SSP Office, Mohali – for Respondent.

Order

The complainant is absent. Sh. Manohar Lal, H.C. is present on behalf of the Respondents. He has produced before the Commission a copy of the DDR dated 06.12.2018 in which it has been mentioned that a compromise was arrived between the feuding parties. There was a spat & altercation between them only. No cause of action to take cognizance was found. The issue concerns a personal grudge between the parties, it does not involve any public interest.

The Commission is convinced that the complainant has been informed. The complaint is **disposed** accordingly.

30.04.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Jaswinder Singh
S/o Sh. Gurdev Singh
Village Lambhwali
Tehsil Jaito, Distt. Faridkot.

Appellant

Versus

Public Information Officer
O/o Panchayat Secretary
Gram Panchayat, Lambhwali
Tehsil Jaito, Distt. Faridkot.

First Appellate Authority
O/o Block Development & Panchayat Officer
Jaito, District Faridkot.

Respondents

Appeal Case No.2270/2019

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
22.12..2017	Nil	26.03.2018	Nil	22.05.2018

Present: Sh.Jaswinder Singh, Appellant is present.
None is present on behalf of the Respondent.

Order

The case has been committed to this Bench on transfer from the Bench of the then Commissioner Shri Ajit Singh Chanduraian.

It has come up today. The respondent is absent. The perusal of the file suggests that the respondent is acting indifferently and is consistently refraining from attending the proceedings or providing the information. The Commission is inclined to take a view that he is willfully and malafidely sitting over the information. This is in violation of Section 7(i) of RTI Act.

The PIO/respondent is hereby issued show cause notice to explain in a self- attested affidavit as to why a penalty at the rate of Rs.250/- per day of delay in providing the information upto Rs.25,000/-, be not imposed under Section 20(1) of RTI Act, 2005 on them 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.



Appeal Case No.2270/2019

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 **18.06.2019 at 11.30 AM.**

30.04.2019

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



Sh. Tejinder Singh
S/o Sh. Bhagwant Singh
Village Binaheri
Tehsil Nabha, Distt. Patiala.

Complainant

Versus

Public Information Officer
O/o Block Development & Panchayat Officer
Nabha, District Patiala.

Respondent

Complaint Case No.137/2019

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
20.08..2018	Nil	Nil	Nil	04.02.2019

Present: Sh.Tejinder Singh, Complainant is absent.
None is present on behalf of the Respondent.

Order

The following order was passed on last date of hearing on 02.04.2019:-

"The original application was filed on 20.08.2019. Having failed to get information the appellant had made an appeal with the First Appellate Authority. That too having proved abortive the appellant filed second appeal with the Commission.

The appellant had sought information from the BDPO, Nabha about the details of various grants and income having accrued to the gram panchayat of village Binaheri, Tehsil Nabha, District Patiala during the period from 2013 to 2018 and the works executed therewith. The respondent BDPO, Nabha had demanded an amount of Rs.2,865/- from the applicant as the cost of providing information which was duly deposited by him on 06.09.2018.

Sh. Vinod Kumar who is present in the Court on behalf of the respondent submits that the record asked for is not available with him as his predecessor did not hand it over to him.

The issue is very intriguing. The BDPO, Nabha has demanded a precise amount of Rs.2,865/- which obviously should have been calculated on the basis of the number of pages that would have entailed in giving the information by the number of pages that would have entailed in giving the information. To take a position at this stage that the record is not available with him puts them in a vulnerable spot. Having failed to do the same the Commission is convinced that the PIO – cum – BDPO, Nabha is willfully and malafidely sitting over the information. Having violated Section 7(1) of the RTI Act he has rendered himself liable for penal consequences.

...2



Complaint Case No.137/2019

Sh. Surinder Singh, PIO – cum – BDPO, Nabha 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 compensation 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”.

The case has come up today. None is present. The complainant has sent a communication that he has received the information and he is satisfied with the information provided to him. The above communication does not steer the PIO clear of the notice issued to him, as the delay of more than 100 days and the details of the amount asked for, has not been explained. Final opportunity is afforded to him to give explanation in writing by way of an affidavit as to why the proposed penalty should not be imposed.

To come up for hearing on **18.06.2019 at 11.30 AM.**

30.04.2019

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

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email:psic22@punjabmail.gov.in



Shri Mohinder Pal,
117, Model Town,
Phase-2, Bathinda-151001.

Appellant

Versus

Public Information Officer,
-cum- Under Secretary to Govt. of Punjab,
(RDE - V Branch),
Deptt. of Rural Development and Panchayats,
Vikas Bhawan, Sector – 62, SAS Nagar (Mohali).

First Appellate Authority,
O/o Special Secretary to the Govt. of Punjab,
(RDE – V Br.), Deptt. of Rural Development and Panchayats,
Vikas Bhawan, Sector 62, SAS Nagar (Mohali).

.....Respondents

Appeal Case Nos.2844 and 2845 of 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
06.04.2018/05.04.2018	Nil	11.06.2018	Nil	27.08.2018/27.07.2018

Present: Sh. Mohinder Pal, Appellant is absent.
Ms. Aarti, Senior Assistant, O/o Department of Rural Development & Panchayat, Punjab – for Respondents.

Order

The following order was made by this forum on 02.04.2019:-

“As the appellant and the respondents are same and the information sought is identical, single order shall dispose of both the appeals.

The respondents are absent. The appellant is seeking certified copies of some documents which have a bearing on his reversion from the post of Superintending Engineer to the Executive Engineer in the Department of Rural Development and Panchayats, Punjab. The original applications were filed on 06.04.2018 and 05.04.2018 respectively. The respondents seemingly have stone-walled his applications. The Commission takes a strong exception to their callous and cavalier conduct. They have neither attended the proceedings nor filed any written reply much less supplying the information.



Appeal Case Nos.2844 and 2845 of 2018

Smt. Manjit Kaur, PIO – cum – Under Secretary to Government of Punjab, (RDE – V Br.) apparently has rendered herself liable for penal consequences. She is, thus, 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.”

The matter has again been taken up today. Smt. Aarti, Senior Assistant has come present on behalf of the respondents. She has brought along few copies of the papers pertaining to a case. As the same are unattested she is advised to hand it over to him after due attestation. The Commission observes that the documents being transferred are quite in huge quantum which may not of much requirement to the appellant. Such an exercise is a wastage of the resources. The Commission desires the respondents to allow him the inspection of the file in the second case at



-3-

Appeal Case Nos.2844 and 2845 of 2018

pre-fixed date and time and provide him the certified copies of the documents identified by him. By doing so the respondents should restrict the number of pages to fifty only. In case it does not meet his requirement he shall have to justify further requisition of the information”.

The case has come up today. Mrs. Aarti, Senior Assistant who has come present on behalf of PIO/ Respondents, submits that in compliance with the afore mentioned order, the appellant was provided the attested copies of the documents identified by him on his inspection of the record. The Appellant has sent a communication seeking adjournment. However, it does not point out any lucid reason for his absence or deficiencies in the information provided to him. Such adjournment erodes the valuable time and energy of the public authority. The Commission is convinced that the appellant has been sufficiently informed. No further intervention is called for.

The appeal is **disposed**.

30.04.2019

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