



Shri Gurinder Singh Sekhon,  
S/o Shri Ram Singh Sekhon,  
R/o Village Chibranwali,  
PO Khunan Kalan,  
Tehsil & Distt Sri Muktsar Sahib.

Complainant

Versus

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

Respondent

**Complaint Case No.997/2018**

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
10.10.2017	Nil	Nil	Nil	18.09.2018

**Present:** Shri Gurinder Singh Sekhon, Appellant in person.  
Sh. Hakam Singh, O/o BDPO, Sri Muktsar Sahib – for Respondent.

**Order**

The following order was made on 12.03.2019:-

“It shall be appropriate to reproduce the following orders passed by this forum on 01.01.2019 and 07.02.2019:

**Order dated 01.01.2019**

“The complainant had sought to know the detail concerning revenue generated by the Gram Panchayat of village Chibranwali, Tehsil & Distt. Sh. Muktsar Sahib and the expenditure incurred on various development works having been undertaken by it from year 2017 onwards besides other connected information.

The respondent is absent. No reply has been filed by him. The Commission takes serious note of the lackadaisical attitude on part of PIO and directs him to provide him the information immediately and explain the inordinate delay in having failed to provide it so far.

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**Complaint Case No. 997/2018**

*“The case has come up today. The Commission had expressed its displeasure in the aforementioned observation. However, the respondents have shown scant regard to the same. BDPO apparently has rendered himself liable for penal consequences.*

*The Block Development and Panchayat Officer, Sri Muktsar Sahib, 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.”*

**Order dated 07.02.2019**

*“This should be read in continuation of order passed on 01.01.2019.*

*It is very intriguing that the Block Development & Panchayat Officer, Sri Muktsar Sahib is maintaining a silence even after issue of a show cause notice. Logically, he should have*

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**Complaint Case No.997/2018**

*been penalized today with other collateral damages. However, in view of the extreme inclement weather today which might have prevented him from travelling, the Commission affords him a last opportunity to show cause as to why the proposed penalty should not be imposed. Meanwhile he shall ensure that the sought for information is supplied without further loss of time.”*

*“The case has again come up for hearing today. Sh. Vijaypal Singh, Panchayat Secretary has been deputed by the incumbent BDPO to attend the proceeding who seeks more time to part with the information. He is directed to ensure that it is provided to the complainant completely without further loss of time.*

*Meanwhile, the Commission finds that Sh. Hakam Singh, formerly Block Development and Panchayat Officer, Sri Muktsar Sahib in whose tenure the entire default occurred has seemingly behaved disdainfully to the provisions of law as well as various directions of the Commission. So much so the show cause notice issued to him on 01.01.2019 has gone abegging. No explanation or information was provided by the then BDPO. He is thus guilty of the offence under Section 7(1) of the RTI Act. The original application was filed on 10.10.2017. The delay is substantial and beyond 100 days.*

*The Commission, thus, exercising its authority under Section 20(1) of the RTI Act imposes a penalty of Rs.25,000/- (Rupees Twenty Five Thousand only) @ of Rs.250/- per day for the 100 days as prescribed in law on Sh. Hakam Singh, formerly Block Development & Panchayat Officer, Sri Muktsar Sahib which shall be recovered from his salary in five equal installments commencing from the month of April, 2019.*

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**Complaint Case No.997/2018**

*The District Development & Panchayat Officer, Sri Muktsar Sahib who is the Drawing & Disbursing Officer shall ensure that the amount of penalty is deducted from his salary and deposited in the Government treasury under the head given below:*

- 0070-Other Administrative Services
- 60 Other Services
- 800 Other Receipts
- 86 Fee under RTI Act, 2005

*A copy of the challan shall be sent to the Commission for record immediately.*

*The Block Development & Panchayat Officer has shown a grave indiscipline and misconduct in the performance of his duties. The Financial Commissioner to Government, Punjab, Department of Rural Development and Panchayats is hereby desired to charge-sheet him for the aforesaid delinquency and inform the Commission of the action thus initiated”.*

The case has again come up today. Sh. Hakam Singh, BDPO who is present, intimates that the information has been provided to the Appellant. The Appellant acknowledges its receipt. A direction is given to the DDPO Sri Muktsar Sahib and the Govt. in the Department of Rural Development & Panchayat to ensure compliance of the above said order. **Appeal is disposed.**

**02.05.2019**

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



Sh. Kashmir Singh Bhinder,  
S/o Sh. Kartar Singh,  
H.No.2414, Phase-XI, Sector – 65,  
S.A.S Nagar.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Kot Isse Khan, Tehsil Dharamkot,  
Distt. Moga.

First Appellate Authority,  
O/o Block Development and Panchayat Officer,  
Kot Isse Khan, Tehsil Dharamkot,  
Distt. Moga.

Respondents

**Appeal Case No.2282/2018**

Date of RTI application: 05.02.2018  
Date of First Appeal : 30.04.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 09.07.2018

**Present: Sh. Kashmir Singh Bhinder, Appellant in person.  
None on behalf of the Respondents.**

**ORDER**

It should be read in continuation of the order dated 12.03.2019.

The respondents are absent and they have failed to file reply to the directions issued by the Commission. The Commission has already expressed its dis-satisfaction over the conduct of the respondents. However, taking in view the fact that the Government employees are engaged in the conduct of Parliamentary election, the Commission condones their absence and adjourns the matter.

To be heard on **20.06.2019 at 11.30 AM.**

**02.05.2019**

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



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.  
Distt. Moga.

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:** Sh. Ravinder Dogra, Appellant in person.  
ASI Sham Singh and Sh. Gurwinder Singh, Sr. Asstt. - for the Respondents.

**ORDER**

The case has come up today.

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 2<sup>nd</sup> 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.

To come up on **02.07.2019 at 11.30 AM.**

**02.05.2019**

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



Sh. Kesar Singh S/o Sh.Bhag Singh  
Junior Assistant  
Municipal Corporation, Mohali

Appellant

Versus

Public Information Officer,  
O/o Municipal Corporation,  
Mohali.

First Appellate Authority,  
O/o Municipal Corporation,  
Mohali.

Respondents

**Appeal Case No.868/2019**

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
21.08.2018	Nil	20.09.2018	Nil	09.11.2018

**Present:** Sh. Kesar Singh, Appellant in person.  
Sh. Bhim Sain, Supdt. - For the Respondents.

**ORDER**

The Appellant has sought to know as to who are the appointing and dismissal authorities of Class-3 and Class-4 employees of Municipal Corporation. The respondent says that the appellant has been given a reply with copies of the relevant provisions. The Commission finds that the information is not in exclusive control of public authority. Rather, it is in the public domain. None the less, the respondents shall intimate the appellant the same along with the relevant extracts of the Rules. The appeal, as such, does not lie. **It is disposed.**

**02.05.2019**

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

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Sh. Jasbir Singh,  
S/o Sh. Harbans Singh  
R/o Village Jalal Khera, PO Sular,  
District Patiala.

Appellant

Versus

Public Information Officer,  
O/o Deputy Commissioner,  
Fatehgarh Sahib.

First Appellate Authority,  
O/o Deputy Commissioner,  
Fatehgarh Sahib.

Respondents

**Appeal Case No.903/2019**

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 Complaint
25.10.2017	Nil	04.01.2019	Nil	06.03.2018

**Present:** **Sh. Jasbir Singh, Appellant is absent.**  
**Sh. Gurpreet Singh, Inspector, O/o Assistant Registrar, Coop. Societies, Fatehgarh Sahib - for the Respondents.**

**ORDER**

The appellant has requested to excuse his absence, as he is busy. His request is acceded to.

The Appellant is seeking information with regard to the resolutions passed by the Cooperative Society and the details of the loan waived by the State Govt. for the year 2017-18, of the farmers owning less than 5 acres of land.

The respondents have taken the plea that the Appellant is not entitled to the information in terms of the law laid down in the judgment of Hon'ble Supreme Court on 15.10.2013. Seemingly, they are referring to the judgment passed by the Apex Court in matter of Thalappalam Service Coop. Bank Ltd. & ors. Vs. State of Kerala & ors. 2013(4) RCR(Civil) 912 (SC) in Civil appeal No.912. While partially agreeing with the submission made by the respondents, the Commission observes that the Appellant has sought to know the details of the loans waived by the State Government which entails outlay of public funds. The respondents are directed to provide the information in this regard as it shall not attract the dictate of the Supreme Court Judgment.

To come up on **20.06.2019 at 11.30 AM.**

**02.05.2019**

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



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Sh. Malkit Khan,  
S/o Sh. Jumma Khan,  
R/o Village Jalal Khera, PO-Sular,  
District Patiala.

Appellant

Versus

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

First Appellate Authorit-cum-  
O/o Distt. Development & Panchayat Officer,  
Patiala.

Respondents

**Appeal Case No.939/2019**

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
16.08.2018	Nil	11.09.2018	Nil	06.03.2019

**Present:** Sh.Malkit Khan, Appellant is absent.  
None is present on behalf of the Respondents.

**ORDER**

The case has come up today. The appellant is absent. He has sent a communication that he cannot attend the court today. None is present on behalf of the respondents.

The matter is adjourned to **02.07.2019 at 11.30 AM.**

**02.05.2019**

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



Sh. Sewa Singh,  
S/o Sh. Bakhtor Singh,  
R/o VPO-Gigemajra,  
Tehsil and District, Mohali.

Appellant

Versus

Public Information Officer,  
O/o Distt. Development & Panchayat Officer,  
Mohali..

First Appellate Authorit-cum-  
O/o Addl. Deputy Commissioner (Dev.),  
Mohali.

Respondents

**Appeal Case No.948/2019**

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
03.04.2018	Nil	14.05.2018	Nil	08.03.2019

**Present:** Sh. Sewa Singh, Appellant is present.  
Sh. D.K. Sali, DDPO, Mohali , PIO/Respondent.

**ORDER**

The case has come up today. The Appellant has sought to know the action having been taken by the respondents on the complaint made by him alleging some embezzlement in the grant and other acts of omission and commission by a member of the Panchayat. The respondent says that the complaint was enquired into and a copy of the enquiry report has been sent to the appropriate authority for the desirable action. DDPO Mohali has brought along with him a copy of the enquiry report, certified copy of which has been handed over to the Appellant. The Commission feels that the appellant has been duly provided with the information. No further action is called for.

**Disposed.**

**02.05.2019**

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

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Sh. Harnek Singh Bhari  
R/o HE 155, Phase-1,  
Mohali.

Complainant

Versus

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Khamano,  
Distt. Fatehgarh Sahib.

Respondent

**Complaint Case No.214/2019**

Date of RTI application: 23.12.2018  
Date of First Appeal : Nil  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 26.02.2019

**Present: Sh.Harnek Singh Bhari, Complainant is absent.**  
**Sh. Asha Rani, Superintendent, O/o BDPO, Khamano- for the Respondent.**

**ORDER**

The complainant is absent. He has sought to know the particulars of the beneficiaries for the years 2017-18 under the Prime Minister Awaas Yojna in the development block of Khamano. The respondent says that the information is already available on the website. As the information is not in the exclusive control of the public authority, the complainant is advised to access it from the internet. The respondent shall intimate him about the website so that the complainant is assisted in having access to the website.

**Disposed.**

**02.05.2019**

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

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Sh. Harnek Singh Bhari  
R/o HE 155, Phase-1,  
Mohali.

Complainant

Versus

Public Information Officer,  
O/o Block Development & Panchayat  
Officer, Khamano,  
Distt. Fatehgarh Sahib.

Respondent

**Complaint Case No.215/2019**

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
20.11.2018	Nil	Nil	Nil	25.02.2019

**Present:** Sh. Harnek Singh Bhari, Complainant is absent.  
Smt Asha Rani, Superintendent, O/o BDPO Khamano- for the Respondent.

**ORDER**

The complainant is absent. He has pleaded with the respondents to ensure that an amount to the extent of 33% of the compensation received on account of acquisition of the Panchayat land should be spent on the welfare of the SC/BC categories. The respondent says that the respective Panchayats have already been advised with the Government instructions to act accordingly. Specific directions have also been passed on this score. The Commission feels that no more information in terms of the provisions under RTI Act has been sought. No further action is called for.

The complaint is **disposed**.

**02.05.2019**

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



Sh. Sher Singh S/o Sh.Babu Ram  
R/o Village Jainti Majri  
Tehsil Kharar, District Mohali.

Complainant

Versus

Public Information Officer,  
O/o Tehsildar, Kharar,  
Distt. Mohali.

Respondent

**Complaint Case No.237&238/2019**

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
15.01.2019	Nil	Nil	Nil	11.03.2019

**Present:** Sh. Sher Singh, Complainant is present.  
None is present for the Respondent.

**ORDER**

Since the Appellant and the Respondent in both the above appeals are the same, they shall be disposed by a single order.

The Complainant has sought a copy each of Mutation No.9889 and 26370 sanctioning the transfer of land situated in Village Karoran, Tehsil Kharar, District Mohali following a compromise arrived between the interested parties.

The respondents are absent. The Commission takes serious note as the Respondents have neither given any reply to the notice of the Commission nor have arranged to provide information to the Complainant. The respondents are advised to do the needful forthwith, failing which, penal consequences shall follow.

To come up on **20.06.2019 at 11.30 AM.**

**02.05.2019**

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

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Sh. Nonihal Singh S/o Sh.Amarjit Singh  
R/o Ward No.13, Sodhi Farm,  
Zirakpur, District Mohali.

Complainant

Versus

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

Respondent

**Complaint Case No.244/2019**

Date of RTI application: 19.09.2018  
Date of First Appeal : Nil  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 08.03.2019

**Present: Sh.Nonihal Singh, Complainant is absent.  
None is present for the Respondent.**

**ORDER**

The case has come up today.

Neither the complainant nor any body on behalf of the Respondent has come present.

To come up on **02.07.2019 at 11.30 AM.**

**02.05.2019**

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