**PUNJAB STATE INFORMATION COMMISSION**

**RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**

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Smt. Harbans Kaur,

Wife of Sh. Gurmeet Singh,

Village Tangori,

Tehsil & Distt. S.A.S Nagar …Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Municipal Bhawan, Sector-68,

S.A.S Nagar.

First Appellate Authority,

O/o Commissioner,

Municipal Corporation,

Municipal Bhawan, Sector-68,

S.A.S Nagar. …Respondents

**APPEAL CASE NO.855/2018**

Date of RTI application: 23.06.2017

Date of First Appeal : 01.09.2017

Date of Order of FAA: Reply 10.10.2017

Date of 2nd Appeal/complaint 06.03.2018

**Present:** None on behalf of the Appellant.

1. Sh. Sarbjeet Singh, PIO – cum – Assistant Commissioner, MC Office, Mohali,

2. Sh. Bhim Sain, APIO – cum – Superintendent, MC Office, Mohali – for Respondents.

**ORDER**

The appellant is not present.

The respondents are directed to file a written statement before the next date of hearing.

To come up on **12.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PS:Smt. Harbans Kaur, appellant reached the office of the Commission after the hearing was**

**over. She has been apprised of the above order. PUNJAB STATE INFORMATION COMMISSION**

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**[**

Sh. Narinder Nath Sharma, Advocate,

# 2037A, Old Lal Bagh,

B-Tank Road, Patiala. Appellant

Versus

Public Information Officer,

O/o Senior Superintendent of Police,

Patiala

First Appellate Authority,

O/o Senior Superintendent of Police,Patiala. Respondents

**APPEAL CASE NO.866/2018**

Date of RTI application: 27.09.2017

Date of First Appeal : 13.11.2017

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 06.03.2018

**Present:** Sh. Narinder Nath Sharma, Advocate, Appellant in person.

HC Hakam Singh, RTI Br., O/o SSP, Patiala – for Respondents.

**ORDER**

Heard.

The appellant had sought an information about an FIR No.256 dated 08.06.2009 registered in PS: Sadar, Patiala, following the demise of one Sh. Kalam Sheikh in a hit & run case.

The respondents in their reply on 18.04.2018 have intimated that the case was filed as untraced. The Judicial Magistrate laws informed accordingly by an endorsement dated 23.11.2013. The appellant says that the office of the Judicial Magistrate has denied the receipt of such report. The respondents are directed to arrange to provide him a copy of their investigation report under intimation to the Commission.

The perusal of the file suggests that there is unexplained delay of about five months or so in responding to the application. At its face, the respondents are culpable of violation of Section 7(2) of the Act. The PIO in the office of SSP, Patiala is required to explain his conduct before the next date of hearing.

To come up on **12.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**CC: The Sr. Superintendent of Police, Patiala, for n/a.**

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Sh. Lila Dhar,

House No. 966,

Dashmesh Nagar, Naya Gaon,Kharoran

Tehsil Kharar, Distt S.A.S Nagar …Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Notified Area Committee

Naya Gaon, Distt S.A.S Nagar

First Appellate Authority,

O/o Deputy Director,

Local Government, Room No. 409, Block-A, 3rd floor

Mini-Secretariat Nabha Road, Patiala, Pb. …Respondents

**APPEAL CASE NO.877/2018**

Date of RTI application: 07.12.2017

Date of First Appeal : 18.01.2018

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 07.03.2018

**Present:** Sh. Lila Dhar, Appellant in person.

Sh. Harbhajan Singh, JE, NAC, Nayagaon – for Respondents.

**ORDER**

Heard.

The appellant is aggrieved with the encroachment of public street and laying a sewage pipe by his neighbour to the detriment of the safety of his house. The encroachment is also allegedly causing inconvenience to him.

Sh. Harbhajan Singh appearing on behalf of the respondents says that the offender has been issued a show cause notice and after getting the area duly demarcated by the revenue authorities the requisite action towards the demolition of encroachment shall be taken.

Be that as it is, the respondents are required to transmit the complete information to the appellant under intimation to the Commission and file a written reply to the notice of the Commission.

To come up on **12.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gurpreet Singh,

S/O Sh. Gurdeep Singh

Villlage Bhabat(Near Primary School),

Tehsil Derabassi. Distt S.A.S Nagar Appellant

Versus

Public Information Officer,

O/o Nagar Council, Zirakpur,

Tehsil Derabassi. Distt S.A.S Nagar

First Appellate Authority,

O/o Regional Deputy Director,

Urban Local Bodies, Punjab, Patiala Respondents

**APPEAL CASE NO.869/2018**

Date of RTI application : 11.10.2017

Date of First Appeal : 15.11.2017

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 06.03.2018

**Present:** None on behalf of the Appellant.

Sh. Victor Sandhu, JE, MC Office, Zirakpur – for Respondents.

**ORDER**

Sh. Victor Sandhu, JE appearing on behalf of the respondents says that the information has been provided to the appellant. He has shown us a copy of the acknowledgement issued by the appellant for having received the information to his satisfaction. No further intervention seems called for.

**Disposed.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Ashok Kumar,

House No. 214, Pine Homes,

Dhakoli, Zirakpur Appellant

Versus

Public Information Officer,

O/o Executive Officer

Nagar Council, Kharar

Distt S.A.S Nagar

First Appellate Authority,

O/o Regional Deputy Director,

Local Government Bodies,Punjab,

Patiala Respondents

**APPEAL CASE NO.918/2018**

Date of RTI application: 08.12.2017

Date of First Appeal : 20.01.2018

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 12.03.2018

**Present:** Sh. Ashok Kumar, Appellant in person.

Sh. Anil Kumar, JE, NC office, Kharar – for Respondents.

**ORDER**

Heard.

The appellant is seeking an information about the jurisdiction of the Nagar Council, Kharar supported by maps/lay-out plans etc. and some other allied information.

The respondents, however, have taken an untenable stand in asking the appellant to seek information in form ‘A’ only. The stance of the respondents is not only unwarranted but illegal as well. It tantamounts to denial of information. While directing them to supply him the information   
Sh. Sandip Tiwari, PIO – cum – Executive Officer, Nagar Council, Kharar is hereby directed to explain his conduct for undue delay in having been taken in providing the information.

To come up on **12.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**CC: Sh. Sandip Tiwari, PIO – cum – Executive Officer, Nagar Council, Kharar, for n/a.**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jaswant Singh,

S/o Sh. Jarnail Singh,

Near Government High School,

Village Baran, Sirhind Road,

Patiala Appellant

Versus

Public Information Officer,

O/o Secretary, SGPC,

Amritsar

First Appellate Authority,

O/o Secretary, SGPC,

Amritsar Respondents

**APPEAL CASE NO.932/2018**

Date of RTI application : 22.05.2017

Date of First Appeal : 17.01.2018

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 12.03.18

**Present:** Adv. Jitender Malik, Counsel for the Appellant.

None on behalf of the Respondents.

**ORDER**

Sh. Simarjit Singh, PIO, SGPC has sought an adjournment on a ground that he is away to Gangtok to attend to a hearing in the Hon’ble High Court of Sikkim.

Adv. Jitender Malik, Counsel for the Appellant is present. It has been submitted that the information sought concerns the duration of the incumbency of his client as Singh Sahib in the Gurudwara Dukh Niwarin Sahib, Patiala and the number of vehicles which were donated to the Gurudwara Sahib during the currency of his tenure. The respondents are directed to part with the information before the next date of hearing positively.

To come up on **31.05.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Harpal Singh,

S/O Sh. Mohinder Singh,

Village Sandhari Majra,

Tehsil Khamano, Distt. Fatehgarh Sahib. Complainant

Versus

Public Information Officer

O/o Tehsildar, Khamano,

Distt. Fatehgarh Sahib Respondent

**COMPLAINT CASE NO.314/2018**

Date of RTI application : 27.12.2017

Date of First Appeal : Nil

Date of Order of FAA: Reply 03.01.2018

Date of 2nd Appeal/complaint 08.03.2018

**Present:** Sh. Harpal Singh, Complainant in person.

Sh. Munish Kumar, Patwari, Tehsil Office, Khamanon – for Respondent.

**ORDER**

Heard.

The appellant is seeking a copy of the death certificate on the basis of which an inheritance mutation Nos.1221 and 1222 of village Sandhari Majra, Tehsil Khamanon, District Fatehgarh Sahib, have been sanctioned. The respondent is directed to file a written reply before the next date of hearing. He assures the Commission to do the needful.

To come up on **21.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Manjit Singh,

House No 388/3, Dhandholian Street,

Patiala Complainant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate,

Samana Respondent

**COMPLAINT CASE NO.315/2018**

Date of RTI application : 18.12.2017

Date of First Appeal : Nil

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 08.03.2018

**Present:** Sh. Manjit Singh, Complainant in person.

Sh. Satbir Singh, Clerk, SDM Office, Samana – for Respondent.

**ORDER**

Heard.

Sh. Satbir Singh appearing on behalf of the respondent says that it is a massive information comprising more than 800 pages. The complainant was desired to deposit the cost of information. Having failed to do so the information could not be supplied. The complainant expresses his willingness to make the payment. He is advised to do so and the respondent shall give him the information within ten days from such deposition positively.

To come up on **14.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Manjit Singh,

House No 388/3, Dhandholian Street,

Patiala Complainant

Versus

Public Information Officer

O/o Inspector General of Police,

Patiala Respondent

**COMPLAINT CASE NO.316/2018**

Date of RTI application : 26.12.2017

Date of First Appeal : Nil

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 08.03.2018

**Present:** Sh. Manjit Singh, Complainant in person.

HC Hakam Singh, RTI Br. O/o SSP, Patiala – for Respondent.

**ORDER**

Heard.

The respondent has filed a reply to the effect that the information has been supplied. The complainant denies it. He says that it is not in accord with his application. He should file a written submission highlighting the objections.

To come up on **12.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Harnek Singh Bharhi,

H.E 155, Phase 1,

S.A.S Nagar Complainant

Versus

Public Information Officer,

Cum Sub Divisional Magistrate,

Khamano,

Distt. Fatehgarh Sahib Respondent

**COMPLAINT CASE NO.318/2018**

Date of RTI application: 01.11.2017

Date of First Appeal : Nil

Date of Order of FAA: 28.12.2017

Date of 2nd Appeal/complaint 09.01.2018

**Present:** Sh. Harnek Singh Bharhi, Complainant in person.

Sh. Joginder Kumar, Sr. Assistant, O/o SDM, Khamanon – for Respondent.

**ORDER**

Heard.

The information sought is very simple. The complainant is only asking the details of the shamlat land acquired and the compensation dispensed by the respondents to the respective panchayats for the expansion of the road – NH 95 by the National Highway Authority of India.

The plea taken by the respondent is that the information has been sought in a format in which it is not beingh maintained and cannot be provided. their stance is not acceptable. The Commission understands that this is an important information and its svolume shall not disproportionately divert their resources. Section 7(9) of the Act enjoins upon the Public Authority to provide the information in the form it has been asked unless its provision disproportionately diverts their resources or it shall be detrimental to the safety of the record. This is not the case. Their defence is rejected. They are directed to provide the information as asked for forthwith under intimation to the Commission for the expansion of the road - NH 95 by the National Highway Authority of India along with the compensation granted to the rightful claimants in the jurisdiction of the respondent.

The plea taken by the respondent is that the information in the form asked for cannot be provided. Their stance is not acceptable. The Commission understands that this is an important contd…page…2

-2-

**COMPLAINT CASE NO.318/2018**

information and is not in volume that it should disproportionately divert their resources. Section 7 (9) of the Act enjoins upon the Public Authority to provide the information in a form to the extent possible until or unless it results in diversion of their resources disproportionately or impairs its safety. This is not the case. Their defence is rejected. They are directed to provide the information forthwith under intimation to the Commission.

To come up on **14.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Prem Chand Bansal,

Flat No 102, Tower B-6,

Surya Towers, VIP Road, Zirakpur,

S.A.S Nagar Complainant

Versus

Public Information Officer,

O/o Naib Tehsildar,

Sub Tehsil Zirakpur

Tehsil Dera Bassi, Distt S.A.S Nagar Respondent

**COMPLAINT CASE NO.319/2018**

Date of RTI application: 18.01.2018

Date of First Appeal : Nil

Date of Order of FAA: Nil

Date of 2nd Appeal/complaint 05.03.2018

**Present:** Sh. Prem Chand Bansal, Complainant in person.

Sh. Sarbjeet Singh, Jr. Assistant, Tehsil Office, Zirakpur – for Respondent.

**ORDER**

Heard.

The respondents are directed to file a written statement before the next date of hearing.

To come up on **14.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Roop Kishor Soni,

S/o Sh. Shiv Narayan Soni,

District Jail, Roopnagar -14001 Appellant

Versus

Public Information Officer,

O/o Senior Superintendent of Police,

S.A.S.Nagar

.

First Appellate Authority

O/o Inspector General of Police, Pb.

Zone-A, Patiala. Respondents

**APPEAL CASE NO.2912/2017**

Date of RTI application : 08.06.2017

Date of First Appeal : 10.07.2017

Date of Order of FAA : Reply 23.09.2017

Date of 2nd Appeal/complaint :17.10.2017

**Present:** Sh. Roop Kishor Soni, Appellant in person.

ASI Satwinder Singh, P.S.: Mullanpur Garibdass– for Respondents. – for Respondents.

**ORDER**

This should be read in continuation of order passed by this forum on 26.04.2018.

ASI Satwinder Singh appearing on behalf of the respondents has brought along the information which has been handed over on spot to the appellant. He may like to go through it and revert.

To come up on **12.06.2018 at 11.30 AM.**

**Sd/-**

**03.05.2018 (Yashvir Mahajan)**

**­ State Information Commissioner**

**CC: Sh. Ravinder Pal Singh, PIO – cum – SHO, Police Station, Mullanpur Garibdas, for n/a.**

**CC: Inspector Bikramjit Singh, PIO – cum – SHO, Mullanpur Garibdass, Distt. Mohali, for n/a.**

**CC: Sr. Superintendent of Police, Mohali for information and n/a.**