



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: Sh. Inderjeet Singh, Appellant in person.
Smt Baljit Kaur, Steno, O/o BDPO, Adampur – for Respondents.

ORDER

The case has been heard through video conferencing.

The following order was passed on 20.02.2019

“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.”

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.



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Appeal Case No.3527/2018

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.

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.

To come up on **10.07.2019 at 11.30 AM through video conference at Jalandhar.**

08.05.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Avtar Singh,
S/o Shri Kanan Singh,
R/o Village Chahadpur,
PO Gangomahal, Tehsil Ajnala, Distt Amritsar.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Ajnala, Distt Amritsar.

Respondent

Complaint Case No. 909/2018

Date of RTI application: 30.05.2018
Date of First Appeal : Nil
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 23.08.2018

Present: None is present on behalf of Complainant.
Sh. Major Singh, Superintendent;
Sh. Samandeep Singh, Clerk, O/o BDPO,Ajnala, Distt. Amritsar- for Respondent.

Order

The case has been heard through video conferencing.

Following order was passed by this forum on 20.02.2019:

“The original application had been filed by the complainant on 30.05.2018. Having failed to receive the information he had approached the Commission with a complaint. Neither the respondent has filed a written reply to the notice issued by the Commission nor has he come present. The Commission takes it as a defiance in violation of Section 7(1) of the RTI Act which renders him liable for penal consequences.

The PIO – cum – Block Development & Panchayat Officer, Ajnala 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



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Complaint Case No. 909/2018

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. Sh. Major Singh, Superintendent, O/o Block Development and Panchayat Officer, Ajnala, submits that the original record pertaining to the various activities of the Gram Panchayat of Village Chaharhpur, specifically the one sought by the complainant, was in the custody of one Sh. Harwinder Singh, who was transferred to the development block of Fatehgarh Churian, Gurdaspur. It has been communicated that Sh. Harwinder Singh, Panchayat Secretary, did not hand over the record to his successor in development block of Ajnala. Unfortunately, he has expired. The respondent says that they had endeavored to procure the record from his residence but the same as yet has not been made available to them.

In the scenario, the Commission feels that no malafide can be attributed to the Respondents. The custodian of the record unfortunately is no more alive. Nonetheless, the Respondent is advised to make sincere efforts to get hold of the public record and arrange to supply a copy of the same to the information seeker.

The complaint is **disposed**.

08.05.2019

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

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Sh. Suba Singh,
R/o Village Gawalia, PO Dinanagar,
Distt. Gurdaspur.

Appellant

Versus

Public Information Officer,
O/o Director,
Rural Development and Panchayat Department,
Mohali.

First Appellate Authority,
O/o Secretary,
Rural Development and Panchayat Department,
Mohali.

Respondents

Appeal Case No.3390/2018

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
10.07.2018	Nil	16.08.2018	Nil	03.10.2018

Present: Sh. Suba Singh, Appellant in person.
Sh. Rakesh Kumar, Superintendent O/o DDPO, Gurdaspur.

ORDER

The case has been heard through video conferencing.

The following order passed by this bench on 27.02.2019:

The appellant had sought to know the action having been taken on a complaint made against the sarpanch for being an instrument in the illegal occupation of a public street.

The respondents represented by Smt. Kanta Devi, Senior Assistant, submit that they had desired the District Development & Panchayat Officer concerned to take action under intimation to the appellant. They are advised to apprise the appellant of the communication thus made under intimation to the Commission as well.

The case has come up today. The Respondents have filed a written reply that the area of Gram Panchayat under consideration has been transferred to the Municipal Council,

Contd..page...2



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Appeal Case No.3390/2018

Dinanagar. The Appellant is aggrieved with encroachment of street by a public servant. His appeal does not strictly fall within the domain of Right to Information Act, 2005. The Executive Officer in the office of Municipal Committee of Dinanagar is advised to have look into the matter and arrange to redress his grievance.

Disposed.

08.05.2019

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

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Shri Manpreet Singh,
S/o Late Shri Hari Singh, Village Gure,
Tehsil Jagraon, Distt Ludhiana.
(142023).

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Moga.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Moga.

Respondents

Appeal Case No.3408/2018

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
01.05.2018	Nil	26.06.2018	Nil	29.08.2018

Present: Sh. Manpreet Singh, Appellant in person.
Sh. Gurdev Singh, Panchayat Secretary,
Sh. Jaswinder Singh, Panchayat Secretary – for Respondents.

ORDER

The case has been heard through video conferencing.

Following order was passed on 27.02.2019:

“Sh. Gurdeep Singh, Panchayat Secretary appearing on behalf of the respondents has brought along the record which has been transmitted to the appellant during the course of hearing. The appellant may like to go through it and revert.”

The case has come up today. The Appellant is talking vaguely about its deficiency. He has failed to spell out specifically, despite have been told. The Commission feels that the sufficient information has been given. No further action is called for.

Disposed.

08.05.2019

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



Sh. Jaspal Singh
S/o Sh. Ramesh Arora,
House No.319/3, Gurdeep Nagar, Jagraon
Distt. Ludhiana

Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Nagar Council, Jagraon,
Distt. Ludhiana

First Appellate Authority
O/o Deputy Director,
Urban Local Bodies, Ludhiana

Respondents

APPEAL CASE NO.176/2018

Date of RTI application : 16.10.2017
Date of First Appeal : 18.11.2017
Date of Order of FAA : Nil
Date of 2nd Appeal/complaint :02.01.2018

**Present: None on the behalf of Appellant.
Sh. Amrinder Singh, PIO – cum – EO, M.C. off., Jagraon – for Respondents.**

ORDER

The case has been heard through video conferencing.

The following order was made by this forum on 26.09.2018:

“This should be read in continuation of Commission’s order dated 08.08.2018.

The appellant is present. A letter has been received from the respondents seeking exemption from the hearing on the ground of occupation of the PIO with the conduct of the Zila Parishad and Panchayat Samiti Elections. The Commission understands that the election process has since been completed. To seek an exemption on this ground is not justifiable. The same is rejected. The Commission considers it as a willful attempt to suppress the information.

The PIO – cum – Executive Officer, Nagar Council, Jagraon 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

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Appeal Case No.176/2018

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 come up for hearing today. The respondent PIO has failed to come up with any plausible explanation. He submits that he has sent the reply today on e.mail. The Commission is constrained to believe that the respondents are taking the Act as well as the Commission for a ride. The matter is hanging fire since 16.10.2017. The Commission would like to see the reply thus stated to have been sent.”

The case has come up today. The respondents submit that the information sought by the appellant pertaining to the enquiries conducted by the Vigilance in Department of Local Government has already been provided to him. It is a long standing case. The Commission feels that the absence without communication by the Appellant suggests his satisfaction. No further intervention seems to be called for. The appeal is **disposed**.

08.05.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Shri Pawan Kumar,
S/o Shri Shiv Lal,
R/o Village Rupana, Tehsil & Distt Sri Muktsar Sahib.

Appellant

Versus

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

First Appellate Authority,
O/o District Development and Panchayat Officer,
Sri Muktsar Sahib.

Respondents

Appeal Case No.3409/2018

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
01.05.2018	Nil	26.06.2018	Nil	29.08.2018

Present: Sh. Pawan Kumar, Appellant in person.
Sh. Sukhraj Singh, Panchayat Secretary, BDPO Office, Malout – for Respondents.

ORDER

The case has been heard through video conferencing.

The following order was passed on 27.02.2019:

“Sh. Jagdev Singh, Panchayat Secretary appearing on behalf of the respondents says that the information relating to their department about the BPL card holders has already been provided to him. He further says that the information pertains to other departments and they have duly been asked to provide him the information. The respondents are directed to forward a copy of this order of the Commission to them with the advice that the information thus asked for should be provided to him before the next date of hearing.”

The case has come up today for hearing. The respondents say that the information besides the one related to welfare department has been provided to him. Sh. Pawan Kumar admits having received it to his satisfaction. District Social Welfare Officer is advised to provide him the information about the widow and other disability pensioners as well within 15 days of the receipt of this order posted. The appeal is **disposed**.

08.05.2019

Sd/-

(Yashvir Mahajan)

State Information Commissioner

CC: District Welfare Officer, Dr. B.R Ambedkar Bhawan, Bathinda Road, Sri Muktsar Sahib for n/a.



Sh. Sandeep Kumar Maluja,
S/o Sh. Om Parkash,
R/o Gali No. 2, Shanidev Mander Wali Gali, Patel Nagar,
Malout, Distt Sri Muktsar Sahib.

Appellant

Versus

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

First Appellate Authority,
O/o District Development and Panchayat Officer,
Sri Muktsar Sahib.

Respondents

Appeal Case No.2896/2018

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
06.02.2018	Nil	20.04.2018	Nil	29.08.2018

Present: Sh. Sandeep Kumar Maluja, Appellant in person.
Sh. Jatinder Singh, Panchayat Secretary – for Respondents.

Order

The case has been heard through video conferencing.

The following order was made by this forum on 06.03.2019:

The appellant has sought adjournment. He is seeking a detailed and exhaustive information for the period from 01.01.2013 to 01.01.2017 relating to more or less all the activities of panchayat.

Sh. Jatinder Singh, Panchayat Secretary appearing on behalf of the respondents says that the appellant has been duly informed vide a communication under registered cover. As the appellant is not present he may like to react in writing.

The case been taken up today. Sh. Jatinder Singh, Panchayat Secretary, says that he has brought along the copy of bills which has been handed over to the appellant. However, it is found that copies of measurement book as well as the utilization certificates have not been supplied. The PIO/ Panchayat Secy. and JE, are hereby advised to explain their conduct in delayed provision of the information and explain as to why penalty should not be imposed on them.

To come up on **10.07.2019 at 11.30 AM through video conference at Sri Muktsar Sahib.**

08.05.2019

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

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Shri Sandeep Kumar Maluja,
S/o Shri Om Parkash,
R/o Gali No. 2, Shanidev Mander Wali Gali, Patel Nagar,
Malout, Distt Sri Muktsar Sahib.

Appellant

Versus

Public Information Officer,
O/o Assistant Excise & Taxation Commissioner,
Sri Muktsar Sahib.

First Appellate Authority,
O/o Deputy Excise & Taxation Commissioner,
Ferozepur.

Respondents

Appeal Case No.2897/2018

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
04.05.2018	Nil	20.06.2018	Nil	29.08.2018

Present: Sh. Sandeep Kumar Maluja, Appellant in person.
Sh. Vikram Thakur, AETO – for Respondents.

Order

The case has been heard through video conferencing.

Sh. Vikram Thakur, AETO, present for respondents, says that the PIO is busy with the duties for the conduct of Parliamentary Elections. He seeks an adjournment. The Respondents are advised to file a written reply to the Commission and under endorsement to the appellant before the next date of hearing.

To come up on **10.07.2019 at 11.30 AM through video conference at Sri Muktsar**

Sahib.

08.05.2019

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

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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: None.

ORDER

Due to technical glitch the video conferencing could not mature.

The matter shall be reheard on **10.07.2019 at 11.30AM through video conference**

at Hoshiarpur.

08.05.2019

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

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Smt Nirmal Devi (Panch),
W/o Avtar Singh Jaswal,
VPO Jandli, Distt. Hoshiarpur.

Appellant

Versus

Public Information Officer,
O/o Panchayat Secretary,
Gram Panchayat, Distt Hoshiarpur.

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Mahilpur, Hoshiarpur.

Respondents

Appeal Case No.3424/2018

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
25.06.2018	Nil	31.07s.2018	Nil	31.08.2018

Present: None.

ORDER

Due to technical glitch the video conferencing could not mature.

The matter shall be reheard on **10.07.2019 at 11.30AM through video conference**

at Hoshiarpur.

08.05.2019

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