**PUNJAB STATE INFORMATION COMMISSION**

 **RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

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Sh. Sandeep Khattri,

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

 **APPEAL CASE NO.2 of 2018**

Date of RTI application : 24.08.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 19.12.2017

**Present: Sh. Sandeep Khattri, Appellant in person.**

**Adv. Gulshan Mehta, Counsel for the 3rd Party – M/s Hotel Ramada, VIP Road, Zirakpur.**

**Sh. Manvir Singh, PIO – cum – EO, MC, Zirakpur – for Respondents.**

**ORDER**

Heard.

 It should be read in continuation of Commission’s order dated 03.07.2018. For the sake of convenience the Appeal Case Nos. 2, 4 and 5 were clubbed together. However, it transpires that the nature of information sought is different in each case. It shall be in the fitness of things to deal them separately. The appellant has filed counter submissions to the ones made by the respondents.

 The matter shall be reheard for final arguments on **16.10.2018 at 11.30 AM.**

 **Sd/- (Yashvir Mahajan)**

**11.09.2018 State Information Commissioner**

**CC: Sh. Gulshan Mehta, Advocate, # 58, Green Enclave, Zirakpur, Distt. Mohali.**

**CC: Sh. Manvir Singh, PIO – cum – E.O., Municipal Council, Zirakpur, Distt. Mohali.**

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Sh. Sandeep Khattri,

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

 **APPEAL CASE NO.4 of 2018**

Date of RTI application : 04.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :21.12.2017

**Present: Sh. Sandeep Khattri, Appellant in person.**

**Adv. Gulshan Mehta, Counsel for the 3rd Party – M/s Maya Garden Magnesia, on Chandigarh – Ambala Road near Singhpura village, Zirakpur.**

**Sh. Manvir Singh, PIO – cum – EO, MC, Zirakpur – for Respondents.**

**ORDER**

Heard.

 It should be read in continuation of Commission’s order dated 03.07.2018. For the sake of convenience the Appeal Case Nos. 2, 4 and 5 were clubbed together. However, it transpires that the nature of information sought is different in each case. It shall be in the fitness of things to deal them separately. The appellant has filed counter submissions to the ones made by the respondents.

 The matter shall be reheard for final arguments on **16.10.2018 at 11.30 AM.**

 **Sd/- (Yashvir Mahajan)**

**11.09.2018 State Information Commissioner**

**CC: Sh. Gulshan Mehta, Advocate, # 58, Green Enclave, Zirakpur, Distt. Mohali.**

**CC: Sh. Manvir Singh, PIO – cum – E.O., Municipal Council, Zirakpur, Distt. Mohali.**

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Sh. Sandeep Khattri,

R/o # 130/B6, Gulmohar City, Dera Bassi

Distt. S.A.S.Nagar Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur, Distt. S.A.S. Nagar

First Appellate Authority

O/o Deputy Director,

Local Govt. Mini Sectt.,

Patiala. Respondents

 **APPEAL CASE NO.5 of 2018**

Date of RTI application : 06.09.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 21.12.2017

**Present: Sh. Sandeep Khattri, Appellant in person.**

**Adv. Gulshan Mehta, Counsel for the 3rd Party – M/s Tulip Heights, VIP Road, Zirakpur.**

**Sh. Manvir Singh, PIO – cum – EO, MC, Zirakpur – for Respondents.**

**ORDER**

Heard.

 It should be read in continuation of Commission’s order dated 03.07.2018. For the sake of convenience the Appeal Case Nos. 2, 4 and 5 were clubbed together. However, it transpires that the nature of information sought is different in each case. It shall be in the fitness of things to deal them separately. The appellant has filed counter submissions to the ones made by the respondents.

 The matter shall be reheard for final arguments on **16.10.2018 at 11.30 AM.**

 **Sd/- (Yashvir Mahajan)**

**11.09.2018 State Information Commissioner**

**CC: Sh. Gulshan Mehta, Advocate, # 58, Green Enclave, Zirakpur, Distt. Mohali.**

**CC: Sh. Manvir Singh, PIO – cum – E.O., Municipal Council, Zirakpur, Distt. Mohali.**

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Sh. Ankit Jain

S/o Sh. Yashpal Jain,

#1006, Morni Wala Khoo,

Dera Bassi, S.A.S.Nagar Complainant

Versus

Public Information Officer,

O/o Nagar Council, Dera Bassi,

S.A.S.Nagar. Respondent

 **COMPLAINT CASE NO.168/2018**

Date of RTI application : 06.11.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 29.01.2018

**Present: Sh. Ankit Jain, Complainant in person.**

 **Sh. Sarbjeet Singh, Building Inspector, NC Off., Dera Bassi – for Respondent.**

**ORDER**

 This should be read in continuation of order passed by this forum on 09.08.2018.

 Sh. Sarbjeet Singh, Building Inspector appearing on behalf of the respondent has brought along the information as was directed by the Commission. He is directed to provide the copies of the documents to the appellant. The complainant is desired to pin-point deficiency, if any, before the next date of hearing.

To come up on **09.10.2018 at 11.30 AM.**

**Sd/-**

**11.09.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Sunil Kumar Khosla,

House No. 2068, Sector 49 C,

Chandigarh. Appellant

Versus

Public Information Officer,

O/o Deputy Controller (Finance and Accounts),

Rural Development & Panchayat Department,

Vikas Bhawan, Sector-62, SAS Nagar

First Appellate Authority,

O/o Director,

Rural Development & Panchayat Department, Punjab,

Vikas Bhawan, Sector-62, SAS Nagar. Respondents

**APPEAL CASE NO.1991/2018**

Date of RTI application: 27.02.2018

Date of First Appeal : 09.03.2018

Date of Order of FAA or Reply : 16.04.2018

 Date of 2nd Appeal/complaint: 12.06.2018

**Present: Sh. Sunil Kumar Khosla, Appellant in person.**

**Sh. S.K. Bindra, PIO – cum - DCFA, O/o Director, Rur. Dev. & Panchayats, Pb. – for Respondents**

**ORDER**

 The following observations were made by the Commission on 21.08.2018:

 *“Heard. The appellant is a retired Accounts Officer from the Department of Rural Dev. & Panchayats, Punjab. Reportedly, he has been denied his retiral dues pending finalization of a charge-sheet. The respondents submit that the appellant has been duly informed. The copies of the relevant documents comprised in 115 pages have been delivered on him. They have shown the acknowledgement issued by the appellant as a token of having received it.*

*The appellant says that it is not in conformity with his application without being specific. He is directed to pinpoint the deficiency and convey to the respondent PIO in writing under intimation to the Commission before the next date of hearing.”*

The case has come up today. The appellant reiterates that the relevant papers connected with the charge-sheet issued to him have not still been supplied to him. The respondent PIO – cum - DCFA Sh. S.K. Bindra, on the other hand, has submitted a memo dated 29.08.2018, Contd…page….2

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**APPEAL CASE NO.1991/2018**

Vide which he maintains that no record besides the one already supplied to him relating to the charge-sheet is available with them. The Commission would like to observe here that the appellant has been charge-sheeted on the ground of dereliction of duty for not dealing with the papers. However, the memo does not carry such details. It has further been reported that no Enquiry Officer even after almost a year of charge-sheet has been appointed. While presuming that the information has been provided to the appellant the Commission would like the Head of Public Authority to look into it and take appropriate action.

 **Disposed** as above.

 **Sd/-**

**11.09.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Swaran Singh,

S/o Sh. Avtar Singh,

R/o Vill. Kotla (Gopalon),

PO: Kalour, Tehsil Bassi Pathana,

Distt. Fatehgarh Sahib. Appellant

Versus

Public Information Officer,

O/o Block Development and Panchayat Officer,

Bassi Pathana, Fatehgarh Sahib.

First Appellate Authority,

O/o Block Development and Panchayat Officer,

Bassi Pathana, Fatehgarh Sahib. Respondents

**APPEAL CASE NOs.2020, 2021, 2022, 2023, 2024, 2025 and 2026 of 2018**

Date of RTI application: 08.03.2018

Date of First Appeal : 23.04.2018

Date of Order of FAA or Reply: Nil

 Date of 2nd Appeal/complaint: 13.06.2018

**Present: Sh. Swaran Singh, Appellant in person.**

1. **Sh. Gurinder Mohan Singh, Superintendent, O/o BDPO, Bassi Pathana,**
2. **Sh. Dalvir Singh, Panchayat Secretary, O/o BDPO, Bassi Pathana for Respondents.**

**ORDER**

 The following order was passed by this forum on 21.08.2018:

 *“As the appellant & the respondents are the same and the information relates to the panchayat activities in its various facets, the single order shall dispose of all the above appeals.*

 *The respondents submit that they have made attempts to provide him the information. However, the appellant was adamantly insisting to procure it in the office of the Commission only. The respondents have brought along the certified copies of the documents relating to the disposal of panchayat land, the revenue accrued and the expenditure made on various development works along with its vouchers etc., comprised in approximately 650 pages. It has been arranged to be handed over to the appellant in the Court itself. The appellant is advised to go through it and point out any Contd… page…2*

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***APPEAL CASE NOs.2020, 2021, 2022, 2023, 2024, 2025 and 2026 of 2018***

*specific deficiency in writing before the next date of hearing failing which it shall be presumed that the information to his satisfaction has been provided and the appeals shall be disposed accordingly.”*

The appellant has pointed out certain inadequacies which have been addressed to by the respondents in the Court itself. The Commission feels that he has sufficiently been provided information. No further intervention of the Commission is called for.

 The appeals are **disposed.**

 **Sd/-**

**11.09.2018** **(Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Prem Kumar,

R/o House No. 445, Pipliwala Town,

Manimajra, Chandigarh. Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal Council,

Kharar, SAS Nagar.

First Appellate Authority,

O/o Executive Officer,

Municipal Council,

Kharar, SAS Nagar. Respondents

**APPEAL CASE NO.2032/2018**

Date of RTI application: 15.02.2018

Date of First Appeal : 13.04.2018

Date of Order of FAA or Reply: Nil

 Date of 2nd Appeal/complaint: 14.06.2018

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

**Sh. Jaswinder Singh, Draftsman, MC Office, Kharar – for Respondents.**

**ORDER**

 On 21.08.2018 the following interim order was passed:

 *“The appellant is aggrieved with the encroachment of his plot lying in the jurisdiction of the respondents. He is seeking to know the dimensions of the properties abutting his plot. According to respondents the information is not readily available with them. The respondents are directed to intimate the dimensions of the street of the property in question under intimation to the Commission before the next date of hearing.”*

In compliance with the above order the respondents have provided him the dimensions of the street of the property vide their letter dated 07.09.2018. The absence of the appellant suggests that he is satisfied with the information thus provided to him. No further action is called for.

  **Disposed.**

 **Sd/-**

**11.09.2018 (Yashvir Mahajan)**

 **State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Kuldeep Singh,

S/o Sh. Charan Singh,

R/o Vill. Bhukhari,

Tehsil Kharar, SAS Nagar Complainant

Versus

Public Information Officer,

O/o Block Development and Panchayat Officer,

Kharar, Distt. Mohali.

First Appellate Authority,

O/o District Dev. & Panchayat Officer,

SAS Nagar. Respondents

**COMPLAINT CASE CONVERTED INTO AC: NO.637/2018**

Date of RTI application: 06.02.2018

Date of First Appeal : Nil

Date of Order of FAA or Reply: Nil

 Date of complaint: 12.06.2018

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

 **Sh. Harmesh Singh, VDO, O/o BDPO, Kharar – for Respondents.**

**ORDER**

 The following order was passed by this forum on 21.08.2018:

 *“The information sought vide application dated 06.02.2018 is very simple. He intends to know the amount spent by the gram panchayat for laying a pipeline from the shamlat land to the village pond. Having approached the District Development & Panchayat Officer, Mohali, also he failed to procure the information.*

 *The respondents are absent. The Commission takes a strong view of the apathy on the part of the respondents. It directs them to part with the information forthwith and explain the delay in writing in the shape of an affidavit before the next date of hearing positively.”*

The case has come up today. Sh. Harmesh Singh, VDO is present. He says that he Contd…page…2

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**COMPLAINT CASE CONVERTED INTO AC: NO.637/2018**

has recently joined and assures to provide the information before the next date of hearing positively. The respondents shall ensure that the information is transmitted to the appellant within ten days from the receipt of this order positively otherwise the penal provisions shall be invoked.

 To come up on **09.10.2018 at 11.30 AM.**

 **Sd/-**

**11.09.2018 (Yashvir Mahajan)**

 **State Information Commissioner**