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

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Sh. Jasbir Singh,

Village Bholapur Jhabewal,

Post Office Ramgarh,

Distt. Ludhiana. Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana.

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Ludhiana. Respondents

**APPEAL CASE NO.3340 of 2017**

Date of RTI application : 21.08.2017

Date of First Appeal : 22.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 21.11..2017

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

**Sh. Harbir Singh, SDO, Zone ‘D’ MC Office, Ludhiana – for Respondents.**

**ORDER**

The following order was made by this forum on 05.06.2018:

*“The respondents are absent. The Commission takes serious view of the neglect on their part. Another opportunity is afforded to them to provide the information. Be it noted that any further laxity shall entail serious consequences.”*

The case has come up today. The appellant says that the information has been provided to him which has been acknowledged by the respondents as well. No further action is called for.

**Disposed.**

**Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jasbir Singh,

Village Bholapur Jhabewal,

Post Office Ramgarh,

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Ludhiana

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Ludhiana Respondents

**APPEAL CASE NO.3341/2017**

Date of RTI application : 21.08.2017

Date of First Appeal : 22.09.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint 21.11.2017

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

**None on behalf of the Respondents.**

**ORDER**

The respondents are absent. They have sent a letter dated 05.07.2018. The letter is vague. It does not lead us anywhere. The respondents are directed to provide us a copy of the information thus stated to have been sent to the appellant so as to ascertain the facts on ground.

The matter shall be reheard on **21.08.2018 at 11.30 AM.**

**Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**CC: The PIO, O/o Municipal Corporation, Advertisement Branch, Ludhiana for n/a.**

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Sh. Jasbir Singh

Village Bholapur Jhabwal,

Post office Ramgarh, Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate,

Bassi Pathanan Distt. Fatehgarh Sahib.

.

First Appellate Authority

O/o Deputy Commissioner,

Fatehgrah Sahib. Respondents

**APPEAL CASE NO.727/2018**

Date of RTI application : 27.11.2017

Date of First Appeal : 01.01.2018

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 21.02.2018

**Present: Sh. Jasbir Singh, Appellant in person at Commission’s off. Chd.**

**Sh. Major Singh, Ahlamad – for Respondents.**

**ORDER**

This should be read in continuation of the orders passed on 24.04.2018 and 06.06.2018, which are reproduced hereunder:

**Order dated 24.04.2018**

*“The appellant had asked for an information about the personnel details of the office of SDM and some information concerning the transport work being overseen by him. The respondent says that the appellant was desired to deposit the fee of postage to an extent of Rs.25/- to enable them to provide him the information.*

*Rule 4(g) of the Punjab Right to Information Rules, 2017 entails that a Public Authority can only ask for the remittance of postal charges from the applicant in case the amount involved is beyond Rs.50/-. The plea of the respondents is thus rejected. They are directed to provide him the information within fifteen days from today positively under intimation to the Commission.” Contd.page…2*

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**APPEAL CASE NO.727/2018**

**Order dated 06.06.2018**

*“None is present on behalf of the Respondents. The Commission takes strong exception of their absence.*

*The respondents have communicated in writing to the appellant with endorsement to the Commission that the information has been sent along therewith. The appellant denies having received it. Even the forwarding letter also seems very sketchy and does not seem to be leading us anywhere.”*

The case has come up today. Sh. Major Singh, Ahlamad appearing on behalf of the respondents has shown us a copy of the memos vide which they have forwarded the details of the staff strength as well as the motor vehicle dealers who are registered with the respondents. It has been sent under registered cover. Nonetheless, a copy, by hand, has also been transmitted to the appellant. No cause of action is left.

The matter is **disposed.**

**Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Amit Kapoor

S/o Sh. Shakti Kapoor,

#464/12, Street Nain Sukh, Katra Parja

I/S Hathi Gate, Amritsar. Appellant

Versus

Public Information Officer,

O/o Chief Executive Officer,

Punjab Wakf Board,

SCO No.1062-63, Sector -22-B,

Chandigarh

First Appellate Authority

O/o Chairman,

Punjab Wakf Board,

SCO No.1062-63, Sector -22-B,

Chandigarh Respondents

**APPEAL CASE No.279/2018**

Date of RTI application : 16.10.2017

Date of First Appeal : 16.11.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :08.01.2018

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

**Sh. Narender Kumar, Clerk, Punjab Wakf Board, Sec. 22, Chandigarh – for Respondents.**

**ORDER**

The Commission has received a communication from the appellant wherein he has sought an adjournment on account of his indisposition. His request is acceded.

The matter shall be reheard on **16.08.2018 at 11.30 AM.**

**Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Modan Singh,

S/o Late Sh. Gurdial Singh,

R/o Village Bularhi, P.O. Bhankhar,

Tehsil & Distt. Patiala Complainant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate,

Kharar, Distt. S.A.S. Nagar Respondent

**COMPLAINT CASE NO.281/2018**

Date of RTI application : 27.11.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 01.03.2018

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

**Sh. Gurwant Singh, Jr. Assistant, Tehsil Office, Kharar – for Respondent.**

**ORDER**

The commission has made the following order on 07.06.2018:

*“The complainant is seeking the copy of a mutation and execution of a sale deed of a land comprised in about seven acres in the revenue record which has been finalized in an order of the Hon’ble Punjab & Haryana High Court after a prolonged litigation.*

*The respondents say that the original mutation is missing from the record. They are not in a position to reflect the order in the record of rights. The Commission understands that in such a scenario a duplicate document namely; masanna of the missing mutation can be prepared by an order of the Deputy Commissioner. The respondent should take the requisite measure to provide him the certified copy of the mutation being a part of the permanent record. They are obliged to do the needful after following the procedure and provide the information to the complainant.”*

*“The case has come up today. The rep. of the respondent is blank and totally unmindful of the issue in hand. The complainant is seeking a copy of the document prepared following an order passed by the Hon’ Punjab & Haryana High Court, Chandigarh, in a writ petition. The Commission directs Sh. Tarsem Singh Mittal, Tehsildar, Kharrar, to file a written statement on the status of the case in issuing him the appropriate information.”*

The proxy of the respondent is present. He has produced before us a copy of the letter from Sub Divisional Magistrate, Kharar to the address of the Deputy Commission, Mohali, wherein a request for an approval for creating a masanna has been sought with reference to the mutation No. 1309 and 1310 of Village Rani Majra. The Commission believes that the Deputy Commissioner, Mohali shall take due action expeditiously to secure justice to the complainant.

**Disposed. Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**CC: Sh. Tarsem Singh Mittal, Tehsildar, Kharar, Distt. Mohali.**

**PUNJAB STATE INFORMATION COMMISSION**

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Ms. Ravinder Kaur

D/o Sh. Arjan Singh,

R/o Ward No.5, Backside of Lok Sewa Petrol Pump,

Near Satsang Bhawan, Amloh.

Distt. Fatehgarh Sahib Complainant

Versus

Public Information Officer,

O/o Senior Supdt of Police,

Fatehgarh Sahib. Respondent

**COMPLAINT CASE NO.284/2018**

Date of RTI application : 17.11.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 27.02.2018

**Present: Smt. Ravinder Kaur, Appellant in person.**

**ASI Ranjit Singh, In charge RTI, O/o SSP, Fatehgarh Sahib – for Respondents.**

**ORDER**

The following observations were made on 07.06.2018:

*“The respondent has filed a written statement a copy of which has been handed over to the complainant on spot. She intends to file a written rejoinder to the submission made by the respondent which may be done early with an advance copy to the respondent.”*

*“The appellant has submitted a rebuttal to the contentions of the respondents in writing, a copy of which has been handed over on spot to Insp. Kuljit Singh, SHO, Amoh. The respondent says that the available record with them has already been delivered to the appellant. However, the appellant insists on the copy of an agreement arrived between her and one   
Sh. Sukhchalha Sukhjinder Singh following a ruckus created by him. The respondents shall file a reply in the shape of an affidavit deposing their submissions about the non-availability of the record.”*

As directed the respondents have brought along their reply with an affidavit. The respondents have delivered a copy of the same to the appellant as well. She intends to refute its contents and seeks an adjournment. The request is acceded.

**The matter is adjourned to 16.08.2018 at 11.30 AM.**

**Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gurinder Singh

S/o Sh. Gurdial Singh

Village Pyound P.O. Jundla, Sub Tehsil Nissing,

Karnal Appellant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate,

Rajpura, Distt. Patiala.

First Appellate Authority

O/o Deputy Commissioner,

Patiala. Respondent

**APPEAL CASE NO.538/2018**

Date of RTI application : 26.04.2017

Date of First Appeal : 26.06.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 26.12.2017

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

**Smt. Harvinder Kaur, Superintendent, SDM Office, Rajpura – for Respondents.**

**ORDER**

The following order was made on 12.06.2018:

*“The appellant had sought a copy of a warrant of possession issued on 08.06.2009 or earlier in respect of a land allegedly declared as surplus by the competent authority under the Land Reforms Act.*

*Sh. Randhir Singh appearing on behalf of the respondents seeks time to respond. The request is acceded. The respondents shall file a written statement positively before the next date of hearing.”*

*“The appellant is seeking a certified copy of original request on which minutes of the SDM had been observed to the effect that no warrant of possession was issued with reference to the land mentioned in the original application. The respondent says that the original letter had been sent to the office of the Deputy Commissioner, Patiala which is untraceable despite the best efforts having been put in. They admit that the photo copy of the letter as duly enumerated in their dispatch register is available. They should transmit the certified copy of the photo copy as it exists in their record to the appellant.”*

The case has come up today. The appellant is absent. Smt. Harvinder Kaur, Superintendent, appearing on behalf of the respondents says that in compliance with the order passed earlier by the Commission the requisite documents have been sent to him. The Commission has no reason to disagree with the respondents. The absence of the appellant without communication suggests that he probably is already in receipt of it. No purpose shall be served to keep the case pending.

**Disposed.**

**Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Rajesh Kumar, Chief Editor,

RTI Activist,

C/o 2253/1, Pipli Wala Town, Manimajra

Chandigarh Appellant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate,

Dera Bassi,

Distt. S.A.S.Nagar

First Appellate Authority

O/o Sub Divisional Magistrate,

Dera Bassi

Distt. S.A.S. Nagar Respondents

**APPEAL CASE NO.216/2018**

Date of RTI application : 29.06.2017

Date of First Appeal : 30.07.2017

Date of Order of FAA : Reply 05.08.2017

Date of 2nd Appeal/complaint : Recd. in Commission on 03.01.18

**Present: Sh. Rajesh Kumar - Appellant.**

1. **Sh. Arshdeep Singh, Asstt. Environment Engineer, Pb. Pollution Control Board, Mohali,**
2. **Sh. Ravinder Kumar, PIO, O/o SDM, Dera Bassi – for Respondents.**

**ORDER**

Sh. Arshdeep Singh, Asstt. Environment Engineer, Pb. Pollution Control Board, Mohali, is present. He says that available information has been provided to him. The appellant was asked to react on the same and communicate in writing in case of any infirmity or deficiency. Having failed to do so the Commission is inclined to believe that the available information has been given and the appeal qua Punjab Pollution Control Board is disposed. Similarly, the information available with the local Police has also been transmitted. The appellant says that the same stands uncertified. The respondents in the department of Police are directed to testify it and redeliver to him. The respondents who have been impleaded under Section 6(3) by SDM, Dera Bassi, should also file their reply besides providing the information available with them.

To come up on **16.08.2018 at 11.30 AM.**

**Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**CC: The Sub Division Magistrate, Dera Bassi for n/a.**

**Cc: Deputy Superintendent of Police, Dera Bassi, Distt. Mohali for n/a.**

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Sh. Jatinder Singh

C/o 2253/1, Pipli Wala Town

Manimajra (Chandigarh) Appellant

Versus

Public Information Officer,

O/o Sub Divisional Magistrate,

Dera Bassi,

Distt. S.A.S.Nagar

First Appellate Authority

O/o Sub Divisional Magistrate,

Dera Bassi

Distt. S.A.S. Nagar Respondents

**APPEAL CASE NO.217/2018**

Date of RTI application : 14.07.2017

Date of First Appeal : 01.09.2017

Date of Order of FAA : Reply 01.09.2017

Date of 2nd Appeal/complaint :03.01.2018

**Present: Sh. Rajesh Kumar on behalf of the Appellant.**

**None on behalf of the Respondents.**

**ORDER**

The following order was passed on 01.05.2018:

*“Sh. Rajiv Kumar appearing on behalf of the respondents has submitted a written reply which has been taken on record. It has been contended that the information with regard to Point   
No. 1 is available with the Tehsil Office, Dera Bassi who has been asked to deal with the same. As far as the Point Nos. 2 to 14 of the original application are concerned they relate to the commercial confidence of a private organization. More so it is not available with them.*

*A reply from the Tehsildar, Dera Bassi has also been received. It has been stated that the certified copies of the registered sale deeds can be procured on payment of prescribed fee from the service centre established by the government in each Sub Division. The appellant according to them has been suitably informed.*

*As the appellant is absent an opportunity is afforded to him to react to the submissions made by the Respondents.”*

*Contd…page…2*

*-2-*

**APPEAL CASE NO.217/2018**

The appellant has failed to submit rebuttal of the observations made by the respondents. He seeks another opportunity. The request is accepted.

To come up on **16.08.2018 at 11.30 AM.**

**Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**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.**

1. **ASI Ajeet Sharma, O/o SSP, Patiala,**
2. **ASI Nachhatar Singh, PS: Sadar, Patiala – for Respondents.**

**ORDER**

The Commission had made the following observations on 12.06.2018:

*“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* Contd….page…2

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**APPEAL CASE NO.866/2018**

*date of hearing.”*

*“The proxy for the respondents is clueless about the issue. The matter is serious. A human life has been lost. The offending vehicle with its number was duly identified. In the face of this*

*fact the contention of the respondents that an untraced file has been sent to the Judicial Magistrate does not cut ice. The Commission feels that the owner and the driver should have been traced by surfing the information from the records of the Transport Authority.*

*The things seemingly have not been taken to the logical ends or the documents are not being looked into carefully for handing them over to the appellant. In the absence of a convincing reply, the Commission is constrained to believe that an important information is being willfully suppressed. The Sr. Superintendent of Police, Patiala who is the PIO is hereby desired to personally look into it and arrange to provide the information failing which this forum shall be constrained to invoke penal provisions.”*

The respondents have produced a copy of an order passed by the Presiding Officer of the National Lok Adalat, Patiala, wherein the untraced report was accepted at the instance of the appellant. It further transpires that the vehicle purported to have been involved in the accident was ultimately found to be a two wheeler rather than a car as was reported in the FIR. Such being the position the Commission believes that the case has been filed after proper investigation. The appellant has been duly informed with sufficient information. No more intervention is required. The appeal is **disposed.**

**Sd/-**

**12.07.2018** **(Yashvir Mahajan)**

**State Information Commissioner**

**CC: The Sr. Superintendent of Police, Patiala.**