

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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Email:psic22@punjabmail.gov.in

Sh. Mukesh K Sharma(Advocate),  
#258, MDC, Sector-4, Panchkula.

Appellant

Versus

Public Information Officer,  
O/o Sub Divisional Magistrate, (SDM)  
Derabassi, Distrcit Mohali.

First Appellate Authority,  
O/o Sub Divisional Magistrate, (SDM)  
Derabassi, Distrcit Mohali.

Respondents

**Appeal Case No.3086/2018**  
**Notice of Hearing**

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
25.06.2018	Nil	31.07.2018	Nil	11.09.2018

**Present:** Sh. Mukesh K. Sharma, Appellant in person.  
None on behalf of the Respondents.

**ORDER**

The appellant had sought information about the appointment of an Administrator to oversee the functioning of the Resident Welfare Society namely Penta VIP Towers, VIP Road, Zirakpur and some allied information about his administrative control over the other Societies in the Sub Division.

The respondents are absent. No written reply has also been filed by them. The Commission takes strong exception to the lackadaisical conduct of the respondents and directs it to file a written explanation as to why the penal proceedings should not be initiated. The matter shall be reheard on **20.12.2018 at 11.30 AM**. Meanwhile the respondents shall ensure that the sought for information is duly delivered on the appellant.

Sd/-

13.11.2018

(Yashvir Mahajan)  
State Information Commissioner

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Dr. Ashish Kapur,  
H.No. 695, First Floor, Annexe, Phase-2,  
Mohali.

Appellant

Versus

Public Information Officer,  
O/o Deputy Commissioner,  
Mohali.

First Appellate Authority,  
O/o Additional Deputy Commissioner, (General),  
Mohali.

Respondents

**Appeal Case No.3108/2018**  
**Notice of Hearing**

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
04.05.2018	21.05.2018	26.06.2018	12.07.2018	11.09.2018

**Present:** Dr. Ashish Kapur, Appellant in person.  
1. Sh. Ramesh Lal, Sr. Assistant, Tehsil Office, Kharar,  
2. Sh. Vijay Singh, Registry Clerk, Tehsil Office, Mohali,  
3. Sh. Gurbant Singh, Jr. Assistant, Naib Tehsildar Office, Majri,  
4. Sh. Dharminder Pal Singh, Sr. Assistant, DC Office, Mohali, and  
5. Smt. Gurmeet Kaur, Reader, Naib Tehsildar office, Zirakpur – for Respondents.

**ORDER**

The appellant is interested to know the revenue having accrued to the State on account of sales of various properties in the district of Mohali from the year 2012-13 to 2017-18. He has sought the information in a proforma devised by him.

The respondents are present. Sh. Ramesh Lal, Sr. Assistant, Tehsil Office, Kharar has submitted a copy of the memo which suggests the details of the documents registered along with the revenue generated thereupon. He submits that they are not in a position to supply the information in accord with the proforma made by the appellant. The response is well taken. The Sub Registrar of Mohali as well as Dera Bassi are also directed to provide the information in similar fashion.

The District Revenue Officer, Mohali shall also arrange to provide him the copies of the statements being sent to the government at the district level before the next date of hearing positively.

To come up on **20.12.2018 at 11.30 AM.**

**Sd/-**

**13.11.2018**

**(Yashvir Mahajan)**  
**State Information Commissioner**

**CC: The District Revenue Officer, Mohali, for n/a.**

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Capt. Jaswant Singh s/o Shri Balwant Singh,  
Village Kohli, Tehsil Batala,  
District Gurdaspur.

Appellant

Versus

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Block Sri Hargobindpur, Gurdaspur.

First Appellate Authority,  
O/o District Development & Panchayat Officer,  
Gurdaspur.

Respondents

**Appeal Case No.3109/2018**  
**Notice of Hearing**

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
24.01.2018	Nil	21.02.2018	Nil	12.09.2018

**Present:** **Capt. Jaswant Singh, Appellant in person.**  
**Sh. Narinder Singh, Panchayat Secretary, BDPO Office, Sri Hargobindpur – for Respondents.**

**ORDER**

The original application was filed by the appellant on 24.01.2018. He had sought the information about the resolutions passed by the gram panchayat w.e.f. 2014 to 2018 and a resolution having been passed about the cementing of kacha path in the rectangle Nos. 18, 19, 21 and 22 of the revenue map of the village. The respondent BDPO has endorsed the original application to the Panchayat Secretary on 16.04.2018 under Section 6(3) of the Act.

Having failed to get the information at the level of the PIO, the appellant had approached the FAA as well. On the persistent failure on the part of respondents he has been constrained to file a second appeal with the Commission. The respondent Sh. Narinder Singh, Panchayat Secretary of the gram panchayat in question submits that he is inclined to part with the information immediately which he is advised to do without any further delay. He has not been able to give a plausible explanation for the inordinate delay in providing the information.

Contd...page...2

**Appeal Case No.3109/2018**

He 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 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.

To come up on **20.12.2018 at 11.30 AM.**

**13.11.2018**

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

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Shri Malkit Khan,  
S/o Shri Jumma Khan,  
Village Balipur, P.O Kalyan,  
Distt & Tehsil Patiala.

Appellant

Versus

Public Information Officer,  
O/o Director Rural Development & Panchayat Department, Punjab,  
Phase-8, Sector -62, Mohali.

First Appellate Authority,  
O/o Director Rural Development & Panchayat Department, Punjab,  
Phase-8, Sector -62, Mohali.

Respondents

**Appeal Case No.3110/2018**  
**Notice of Hearing**

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
13.04.2018	Nil	21.05.2018	02.07.2018	01.08.2018

**Present:**        **Sh. Malkit Khan, Appellant in person.**  
1. Sh. Kanta Devi, Sr. Assistant, O/o Director Rur. Dev. & Panchayats, Pb.,  
2. Sh. Harinder Singh, Panchayat Secretary, Block Patiala – for Respondents.

**ORDER**

The appellant has a grouse that one Sh. Avtar Singh S/o Sh. Amar Singh of Village Dharamkot has got himself a 5-marla plot allotted by filing incorrect and false claims with the concerned authorities. He further says that an enquiry conducted through SDM has found him guilty of criminal culpability and resultant consequences.

The respondents have brought along a copy of communication addressed to the appellant wherein it has been submitted that the action for the eviction of property is under process and due action shall be taken on its completion. The District Development and Panchayat Officer, Patiala is desired to expedite the enquiry so as to bring the things to logical consequences. No further intervention seems desirable. The appeal is **closed**.

**Sd/-**

**13.11.2018**

**(Yashvir Mahajan)**  
**State Information Commissioner**

**CC: The District Development & Panchayat Officer, Patiala, for n/a.**

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Shri Jasmit Singh Juneja,  
#208-C, 8<sup>th</sup> Floor, Tower 2, Leaf Stone Apartments,  
Nabha Pabhat Road,  
Zirakpur, District Mohali.

Appellant

Versus

Public Information Officer,  
O/o Municipal Council (Building Proposal Department),  
Zirakpur.

First Appellate Authority,  
O/o Municipal Council (Building Proposal Department),  
Zirakpur.

Respondents

**Appeal Case No.3121/2018**  
**Notice of Hearing**

<b>Date of RTI Application</b>	<b>Date of Reply, if any of SPIO</b>	<b>Date of First Appeal made, if any</b>	<b>Date of order, if any of FAA</b>	<b>Date of Second Appeal</b>
20.06.2018	Nil	31.07.2018	Nil	13.09.2018

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

**ORDER**

Briefly speaking, the appellant had sought the information relating to approval of a building complex raised by one M/s M.D. Builders & Developers located in Village Nabha, Highland Marg, Zirakpur in their jurisdiction. The Commission takes serious view of the non-chalance shown by the respondents in stonewalling his application as well as the notice of the Commission. The PIO (by name) is hereby issued a show cause notice as to why he should not be proceeded against under Section 20(1) of the RTI Act for having failed to meet the obligation under Section 7(1) ibid. Meanwhile, he shall ensure that the appellant is informed point-wise before the next date of hearing.

The matter shall be reheard on **06.12.2018 at 11.30 AM.**

Sd/-

13.11.2018

(Yashvir Mahajan)  
State Information Commissioner

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Sh. Pawan Kumar Sharma, Advocate (94639-50619),  
#585, Phase-2, Mohali.

Appellant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police,  
Sector-76, Mohali.

First Appellate Authority,  
O/o Senior Superintendent of Police,  
Sector-76, Mohali.

Respondents

**Appeal Case No.3137/2018**  
**Notice of Hearing**

<b>Date of RTI Application</b>	<b>Date of Reply, if any of SPIO</b>	<b>Date of First Appeal made, if any</b>	<b>Date of order, if any of FAA</b>	<b>Date of Second Appeal</b>
28.02.2018	07.05.2018	30.06.2018	Nil	14.09.2018

**Present:** **Sh. Pawan Kumar Sharma, Appellant in person.**  
**Sub Inspector Baljit Singh, Incharge Sub Division, Sanjh Kendra (City – 1), Mohali**

**ORDER**

The appellant had sought information about the policy guidelines having been issued by the government necessitating the landlords to inform about the antecedents of their tenants and domestic helps in the State.

The respondents have provided the information in the Court itself to the appellant. He has pointed out some deficiencies which the respondents assure to make good shortly. They are desired to do the needful before the next date of hearing under intimation to the Commission.

To come up on **20.12.2018 at 11.30 AM.**

Sd/-

13.11.2018

(Yashvir Mahajan)  
State Information Commissioner

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Shri Bharpur Singh,  
s/o Shri Sarwan Singh,  
R/o Village Lubhana Teku, Tehsil Nabha,  
District- Patiala.

Appellant

Versus

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

First Appellate Authority,  
O/o District Development & Panchayat Officer,  
Patiala.

Respondents

**Appeal Case No.3140/2018**  
**Notice of Hearing**

<b>Date of RTI Application</b>	<b>Date of Reply, if any of SPIO</b>	<b>Date of First Appeal made, if any</b>	<b>Date of order, if any of FAA</b>	<b>Date of Second Appeal</b>
20.06.2018	Nil	17.07.2018	Nil	17.09.2018

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

**ORDER**

The respondents are absent. The Commission has taken serious view of their absence and ignoring the notice of the Commission.

The respondents are hereby desired to provide the information to the appellant and explain their conduct in denying the information so far.

To come up on **06.12.2018 at 11.30 AM.**

Sd/-

13.11.2018

(Yashvir Mahajan)  
State Information Commissioner



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Sh. Dinesh Kumar s/o Shri Daulat Ram,  
R/o Village Rathewal, Tehsil Balachaur,  
District SBS Nagar.

Appellant

Versus

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
SBS Nagar.

First Appellate Authority,  
O/o District Development & Panchayat Officer,  
Nawanshaheer.

Respondents

**Appeal Case No.3141/2018**  
**Notice of Hearing**

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
13.06.2018	Nil	26.07.2018	Nil	30.08.2018

**Present:**        **None on behalf of the Appellant.**  
**Sh. Jaswinder Singh, Village Development Organizer (V.D.O.), O/o BDPO,**  
**Balachaur – for Respondents.**

**ORDER**

The appellant has communicated in writing that he is in receipt of information to his satisfaction and is not inclined to further pursue the matter. His request is accepted and the appeal is **closed** accordingly.

Sd/-

13.11.2018

(Yashvir Mahajan)  
State Information Commissioner

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Shri Santosh Kumar s/o Shri Madan Lal,  
R/o Ward No. 2-A/421 (old), New Ward No. 19,  
Janta Nagar, Hakam Seat's Street, Dhuri,  
District Sangrur-148024.

Appellant

Versus

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Dhuri, District Sangrur.

First Appellate Authority,  
O/o District Development & Panchayat Officer,  
Sangrur.

Respondents

**Appeal Case No.3147/2018**  
**Notice of Hearing**

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
14.06.2018	Nil	19.07.2018	Nil	14.09.2018

**Present:** Sh. Santosh Kumar, Appellant in person.  
Sh. Pardeep Sharda, BDPO, Dhuri – for Respondents.

**ORDER**

Sh. Pardeep Sharda, BDPO submits that the appellant was duly informed on 13.09.2018 against his original application dated 14.06.2018. A copy of such information stated to have been provided is not available on file.

The appellant denies its receipt. He further alleges backdating of some documents. The Commission takes serious view of the same. Be that as it is the respondents are advised to file a point-wise reply besides providing the admissible information to the appellant without further loss of time under intimation to the Commission in writing before the next date of hearing.

To come up on **06.12.2018 at 11.30 AM.**

Sd/-

13.11.2018

(Yashvir Mahajan)  
State Information Commissioner

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Sh. Najjar Singh,  
s/o Late Shri Bachhan Singh,  
R/o VPO Gajju Majra, Tehsil & Distt. Patiala.

Appellant

Versus

Public Information Officer,  
O/o Block Development & Panchayat Officer,  
Block-1, Patiala.

First Appellate Authority,  
O/o District Development & Panchayat Officer,  
Patiala.

Respondents

**Appeal Case No.3156/2018**  
**Notice of Hearing**

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
04.07.2018	Nil	31.07.2018	Nil	17.09.2018

**Present:** **Sh. Najjar Singh, Appellant along with his counsel Adv. Jaswinder Singh.**  
**Sh. Bhupinder Singh, Panchayat Secretary, O/o BDPO, Patiala, Block – 1 – for Respondents.**

**ORDER**

The appellant has been constrained to file a second appeal with the Commission having failed to procure the information from the PIO and at the level of the FAA. The Commission has gone through the original application. The information sought is simple. It relates to the details of the shamlat property being owned by the gram panchayat of village Gajju Majra, Block Patiala and the other information flowing from the same.

Sh. Bhupinder Singh, Panchayat Secretary appearing on behalf of the respondents is beating about the bush. He states that he is not aware about the shamlat land of the village. It transpires that he is holding this post for the last seven eight years. Obviously he is not only refusing to part with the information but trying to mislead the Commission as well. Being the deemed PIO he has rendered himself liable for penal consequences under Section 20 of the Act.

He 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

Contd..page..... 2

**Appeal Case No.3156/2018**

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. Meanwhile he is again advised to provide the information and explain his conduct as mentioned above.

To come up on **20.12.2018 at 11.30 AM.**

**13.11.2018**

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