

PUNJAB STATE INFORMATION COMMISSION
RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ www.infocommpunjab.com
Email: psic22@punjabmail.gov.in

Ms. Minakshi Maheshwari,
R/o 3rd Floor, Sea Flama,
Dosti Flamingos, Sewri West,
Mumbai-400015.

Appellant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
District Administrative Complex, Sector-76,
SAS Nagar.

First Appellate Authority,
O/o Senior Superintendent of Police,
District Administrative Complex, Sector-76,
SAS Nagar.

Respondents

Appeal Case No.2729/2018

Date of RTI application: 08.05.2018
Date of First Appeal : 21.06.2018
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 01.08.2018

Present: Ms. Minakshi Maheshwari, Appellant in person.
Constable Ravi Kumar, Industrial Area Police Chowki, Phase – VIII, Mohali – for Respondents.

ORDER

The following order was passed by this forum on 04.10.2018:

“The appellant has an apprehension that a criminal case has been registered against her by some persons inimically disposed to her. She is seeking the copy of the FIR if registered against her in Mohali and some connected information there along as has been enumerated in her original application dated 08.05.2018. She says that even her first appeal has elicited no response and she has been constrained to file second appeal with the Commission.

The respondents have filed a written reply with the Commission a copy of which has been handed over to the appellant. Simultaneously a written statement has also been filed by the appellant in furtherance of her cause. Its copy has been transmitted to the respondents also. The parties are advised to go through the contents and file their rejoinder, if any, before the next date of hearing.”

The respondents have failed to file an intelligible reply to the submissions made by the appellant. Instead they have directed her to visit their office and inspect the record. The appellant submits that she is not conversant with gurmukhi script in which the record is being maintained. Besides she is residing in Mumbai and it is not possible for her to visit them on short notices.

Contd..page.2

Appeal Case No.2729/2018

The Commission agrees with her submissions and directs the PIO in the office of the Senior Superintendent of Police, Mohali to provide a reply/information to her requisition as made in her application dated 08.05.2018 at Sr. No. 5 from Point (a) to (d) within fifteen days from the receipt of this order. Be it noted that the information has already been delayed inordinately and any further laxity shall be viewed very seriously.

To come up on **29.01.2019 at 11.30 AM.**

18.12.2018

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

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Sh. Ranjit Singh,
S/o Sh. Charan Singh,
R/o 491, Phase-2, Urban Estate-PUDA, Patiala.

Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council,
Kharar, Distt. S.A.S Nagar.

First Appellate Authority,
O/o Deputy Director,
Local Government Bodies, Punjab,
Mini Secretariat, Patiala, Punjab.

Respondents

Appeal Case No.2745/2018

Date of RTI application:	18.09.2017
Date of Reply :	09.10.2017
Date of First Appeal :	02.04.2018
Date of Order of FAA :	Nil
Date of 2 nd Appeal/complaint:	14.08.2018

Present: **None on behalf of the Appellant.**
 Mrs. Rajni Gupta, Building Inspector, MC Office, Kharar – for Respondents.

ORDER

The following order was passed by this forum on 30.10.2018:

“The appellant is absent. He is aggrieved with the fact that an old natural storm water channel namely ‘kachi choi ‘ has been allowed to be encroached by the builders with the tacit approval of the respondents. He has referred some khasra numbers with reference to the same. He is seeking action against the delinquent officials and errant builders for their illegal act and bringing them to justice.

The Commission has gone through his appeal. While empathizing with his concern for public cause the Commission is at a loss to identify the information he is seeking from the respondents. It is not within the domain of the Commission to take action against the offenders he is eluding. In case he is seeking the demarcation he should approach the revenue authorities who are obliged to do the needful under the relevant provision of law. The appellant may like to comment on the aforesaid observations.”

Mrs. Rajni Gupta, Building Inspector is present on behalf of the respondents. She says that in compliance of the directions of this forum they have requested the revenue authorities to demarcate the storm water channel by keeping the appellant in picture. No further intervention of the Commission is called for.

Disposed.

18.12.2018

Sd/-
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Sh. Harpal Singh,
R/o Village- Sandhari Majra,
Tehsil- Khamano, Distt. Fatehgarh Sahib.

Appellant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Fatehgarh Sahib.

First Appellate Authority,
O/o Senior Superintendent of Police,
Fatehgarh Sahib.

Respondents

Appeal Case No.2820/2018

Date of RTI application:	01.03.2018
Date of Reply :	Nil
Date of First Appeal :	06.06.2018
Date of Order of FAA :	Nil
Date of 2 nd Appeal/complaint:	24.08.2018

Present: **Sh. Harpal Singh, Appellant in person.**
ASI Ranjit Singh, Incharge RTI Wing, SSP Office, Fatehgarh Sahib – for Respondents.

ORDER

The following order was made by this forum on 30.10.2018:

“ASI Ranjit Singh Appearing on behalf of the respondents submits that the information has been got delivered at his residence. The appellant is not satisfied. He is questioning the justification of inference drawn by the Deputy Superintendent of Police in his enquiry report. The respondent says that the available record has been provided and in case he is dissatisfied with the outcome of the enquiry he may approach the higher authorities to have the matter re-probed. The appellant is desired to pin-point the deficiency in the information in terms of Section 2(f) of the RTI Act. The Commission is not authorized to look into the merits of the enquiry.”

Nothing has been heard from the appellant. He is absent too. Seemingly, he has nothing substantive to point out towards deficiency in the information already provided to him. The Commission is satisfied that sufficient information has been given to him.

Disposed.

Sd/-

18.12.2018

(Yashvir Mahajan)
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Sh. Jagpal Singh,
S/o Sh. Pritam Singh,
R/o Mangat Colony, Kohara road,
Sri Machhiwara Sahib.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Sri Machhiwara Sahib.

Respondent

Complaint Case No.881/2018

Date of RTI application:	25.05.2018
Date of Reply :	Nil
Date of First Appeal :	Nil
Date of Order of FAA :	Nil
Date of 2 nd Appeal/complaint:	04.08.2018

Present: **Sh. Jagpal Singh, Complainant in person.**
None on behalf of the Respondent.

ORDER

This should be read in continuation of order passed on 30.10.2018.

A communication has been received from the BDPO, Sri Machhiwara Sahib that she is the Returning Officer for the elections of Gram Panchayats and as the nomination process is on it is not possible for her to attend the personal hearing.

The Commission agrees that it may not be possible for her to attend in person but what stops her to provide the information sought by the complainant even in the face of the fact that a show cause notice has been issued. It further transpires that vide an earlier communication the BDPO had directed Sh. Sanjeev Kumar, Panchayat Secretary under Section 6(3) of the Act to provide the information.

The Commission senses that the Panchayat Secretary probably is not aware of the consequences of his neglect or defiance. In such a scenario the role of BDPO becomes more important. She is advised to ensure that the information is arranged to be provided immediately to the complainant before the polls failing which the Commission shall draw adverse inference about her role in defiance of the directions and shall take appropriate action accordingly.

To come up on **29.01.2019 at 11.30 AM.**

Sd/-

18.12.2018

(Yashvir Mahajan)
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Cc: The Block Development and Panchayat Officer, Sri Machhiwara Sahib, for n/a.

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Sh. Ankit Jain,
S/o Shri Yashpal Jain,
1006, Morni Wala khuh,
Dera Bassi, Distt. Mohali.

Appellant

Versus

Public Information Officer,
O/o Nagar Council, Dera Bassi,
Distt. Mohali.

First Appellate Authority,
O/o Deputy Commissioner,
Patiala.

Respondents

Appeal Case No.3400/2018

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
03.11.2017	Nil	19.07.2018	Nil	30.08.2018

Present: Sh. Ankit Jain, Appellant in peson.
Sh. Sarbjeet Singh, Building Inspector, NC Office, Dera Bassi – for Respondents.

ORDER

The second appeal has been filed by the appellant in sequel to the order passed by this forum on 29.05.2018. The respondents are directed to file a written reply on the second appeal filed by the appellant. Meanwhile they should ensure that the available information is provided to him before the next date of hearing.

To come up on **29.01.2019 at 11.30 AM.**

Sd/-

18.12.2018

**(Yashvir Mahajan)
State Information Commissioner**

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Sh. Kapur Chand,
S/o Shri Phagu Ram,
House No 491, Dalima Vihar,
Rajpura, Distt Patiala.

Appellant

Versus

Public Information Officer,
O/o District Development and Panchayat Officer,
Mohali.

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

Respondents

Appeal Case No.3442/2018

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
09.04.2018	Nil	18.07.2018	Nil	03.10.2018

Present: **Sh. Kapur Chand, Appellant in person.**
1. **Sh. Krishan Lal, Accounts Clerk, DDPO office, Mohali.**
2. **Smt. Sukhjot Kaur, Clerk, BDPO office, Dera Bassi, and**
3. **Smt. Mandip Kaur, Clerk, Computer Operator, BDPO Office, Dera Bassi – for Respondents.**

ORDER

The appellant is a retired employee of the Rural Development and Panchayats Department, Punjab. He is seeking reimbursement of his medical bills submitted by him about three years back. The offices of the DDPO, Mohali and BDPO, Dera Bassi are passing the buck on each other about the non-availability of medical bills. The proxy from the office of the DDPO, Mohali has shown us a memo whereby an amount of Rs.10,846/- has been sanctioned by the competent authority and conveyed to the BDPO, Dera Bassi.

Smt. Sukhjot Kaur, Accounts Clerk office of the BDPO, Dera Bassi, expresses her inability to make the payment for want of copies of medical reimbursement bills. Photo copies of the same have been arranged to be handed over on spot to her. The BDPO, Dera Bassi, is directed to make the payment within thirty days failing which it shall be presumed that somebody is malafidely sitting over his papers and the Commission shall be constrained to initiate penal action for the suppression of information.

To come up on **29.01.2019 at 11.30 AM.**

Sd/-

18.12.2018

**(Yashvir Mahajan)
State Information Commissioner**

CC: The Block Development and Panchayat Officer, Dera Bassi, Distt. Mohali, for n/a.

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Sh. Ankit Jain,
S/o Shri Yashpal Jain,
1006, Morni Wala Khuh,
Dera Bassi, Distt. Mohali.

Appellant

Versus

Public Information Officer,
O/o Nagar Council, Dera Bassi,
Mohali.

First Appellate Authority,
O/o Deputy Commissioner,
Patiala.

Respondents

Appeal Case No.3476/2018

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
10.02.2016	Nil	29.05.2018	Nil	20.09.2018

Present: Sh. Ankit Jain, Appellant in person.
Sh. Sarbjeet Singh, Building Inspector, NC Office, Dera Bassi – for Respondents.

ORDER

The respondents are directed to file a written reply in response to the notice issued by the Commission before the next date of hearing.

To come up on **29.01.2019 at 11.30 AM.**

18.12.2018

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Jarnail Singh,
S/o Shri Rakha Singh,
Village Chuni Khurd,
PO Chuni Kalan, Tehsil Bassi Pathana,
Distt Fatehgarh Sahib.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block Khera, Distt Fatehgarh Sahib.

Respondent

Complaint Case No.1068/2018

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 Complaint
04.04.2018	Nil	Nil	Nil	01.10.2018

Present: **Sh. Jarnail Singh, Complainant in person.**
 None is present on behalf of the Respondent.

ORDER

No written reply has been filed in response to the notice issued by the Commission. None is present on behalf of the respondent as well. The Commission takes a serious note of it. The respondent is directed to file a written statement before the next date of hearing positively.

To come up on **29.01.2019 at 11.30 AM.**

Sd/-

18.12.2018

(Yashvir Mahajan)
State Information Commissioner

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Sh. Sawinder Singh,
S/o Shri Bal Singh,
PO Shutrana, Tehsil Patran,
Distt Patiala. 147105.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Patran, Distt Patiala.

Respondent

Complaint Case No.1086/2018

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 Complaint
27.07.2018	Nil	Nil	Nil	15.09.2018

Present: Sh. Sawinder Sngh, Complainant in person.
None is present on behalf of the Respondent.

ORDER

The appellant had sought the survey report of a mining allegedly having been made illegally at the site of the cremation ground of Village Shutrana, Block Patran, Distt. Patiala.

The Commission finds that the original application was made on 27.07.2018. Despite a lapse of significant period the information has not been provided. No written reply has also been filed in response to the notice of the Commission. The Commission takes a serious note of the lackadaisical conduct of the PIO. A last opportunity is provided to him to provide the information else penal consequences shall follow.

To come up on **29.01.2019 at 11.30 AM.**

Sd/-

18.12.2018

(Yashvir Mahajan)
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Sh. Sawinder Singh,
S/o Shri Bal Singh,
PO Shutrana, Tehsil Patran,
Distt Patiala. 147105.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Patran, Distt Patiala.

Respondent

Complaint Case No.1089/2018

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 Complaint
03.07.2018	Nil	Nil	Nil	15.09.2018

Present: Sh. Sawinder Singh, Complainant in person.
None on behalf of the Respondent.

ORDER

The complainant had sought information from the respondent PIO with respect to the grants and aids having been received and the details of the various development works undertaken as enumerated in his application.

Neither the information has been provided nor anybody is present on behalf of the respondent. No written reply has also been filed. The respondent is directed to file written statement and provide the information before the next date of hearing.

To come up on **29.01.2019 at 11.30 AM.**

Sd/-

18.12.2018

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Sh. Sawinder Singh,
S/o Shri Bal Singh,
PO Shutrana, Tehsil Patran,
Distt Patiala. 147105.

Complainant

Versus

Public Information Officer,
O/o Divisional Deputy Director,
Rural Development and Panchayat,
Distt Patiala.

Respondent

Complaint Case No.1090/2018

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 Complaint
23.07.2018	Nil	Nil	Nil	15.09.2018

Present: Sh. Sawinder Singh, Complainant in person.
Sh. Gurpiar Singh, Clerk, O/o Divisional Deputy Director, Rur. Dev. & Pan., Pb., Patiala – for Respondent.

ORDER

The appellant had sought to know the outcome of a complaint made by him against Sh. Bhagwant Singh, Sarpanch, Gram Panchayat Shutrana. Sensing the progress of enquiry at snail's pace and landing him nowhere he has sought the details of the proceedings of enquiry being made. The respondent has submitted a written reply that as the enquiry is in progress they are not in a position to provide the information.

Seemingly, the respondents have sought exemption under Clause 1(h) of Section 8 of the RTI Act. The Commission understands that the revelation of such information is not likely to impact the progress of investigation, apprehension or prosecution of anybody at this stage and if so they should graphically explain it. Else they should allow the inspection of the relevant file to him within fifteen days from today positively and provide him certified copies of the documents identified by him.

To come up on **29.01.2019 at 11.30 AM.**

Sd/-

18.12.2018

**(Yashvir Mahajan)
State Information Commissioner**