

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



Sh. P.K Malhan,
R/o #111, New Deol Nagar,
Jalandhar.

Appellant

Versus

Public Information Officer,
O/o Assistant Excise and Taxation Commissioner,
Jalandhar-II, Distt. Jalandhar.

First Appellate Authority,
O/o Deputy Excise and Taxation Commissioner,
Jalandhar Division, Jalandhar.

Respondents

Appeal Case No.101/2019

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
01.06.2018	Nil	13.07.2018	04.09.2018	12.11.2018

Present: None on behalf of the Appellant.
None is present for the Respondents.

ORDER

The following order was passed on 20.03.2019:-

Sh. Yash Gill, ETO appearing on behalf of the respondents says that the information sought is very voluminous and shall entail herculean efforts to provide it. The Commission agrees with them. However, it directs them to provide the summarized information as is available with them in terms of number of assesses registered and the total revenue generated from the defaulters or outstanding etc. under intimation to the Commission".

Today, none is present.

The matter shall be heard on **28.08.2019 at 11.30 AM** through video conference at

Jalandhar.

26.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Smt Gurjeet Kaur,
W/o Shri Prabhdyal Singh,
R/o VPO Khamra, Jalandhar.
M: 9914552002

Appellant

Versus

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

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

Respondents

Appeal Case No. 2815/2018

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
19.02.2018	Nil	27.04.2018	Nil	14.08.2018

Present: Sh.Shiv Kumar, Advocate on behalf of Smt. Gurjeet Kaur, Appellant.
None is present for the Respondents.

Order

The case has been heard through video conferencing.

The following order was made by the Commission on 11.05.2019:-

"The appellant had sought the certified copies of the documents relating to various resolutions passed, works having been executed by the Gram Panchayat and other connected information relating to the years 2013-18. Adv. Ravinder Kumar, Counsel for the appellant submits that they were desired to deposit a fee of Rs.9500/- as cost of information in response to which an irrelevant information comprising the bank statements in about 100 pages has been provided. The respondent Panchayat Secretary has failed to explain the demand of such a hefty amount and supply of the relevant information. It is a clear case of violation of the provision of RTI Act. Prima facie he has rendered himself liable for penal consequences.

Sh. Charanjit Singh, PIO – cum – Panchayat Secretary, Village Khamra, O/o BDPO, Jalandhar 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 the Act for the detriment suffered by him.



Appeal Case No. 2815/2018

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. The parties are adhering to the respective stands. They are again advised to sit together and sort it out before the next date of hearing”.

*Today, both the parties are absent. The matter shall be heard **on 26.06.2019 at 11.30 AM through Video Conference at Jalandhar.”***

The case has come up today.

The Commission is intrigued to find that despite the express orders, as reproduced above, the respondents have maintained a studied silence which suggests their disdain and defiance to the provisions of law. A hefty amount of Rs.9500/-, apparently, has been extracted from the appellant without providing him the information. The conduct of the BDPO is also questionable. The Commission cannot take the things lying down towards the contemptuous conduct of respondents.

The BDPO (East), Ludhiana and Shri Charanjit Singh, Panchayat Secretary are hereby directed to present themselves with the original record along with the certified copies of the documents constituting the information sought, with their explanation of delay and indifferent and defiant conduct. Be it noted that no further opportunity shall be afforded. They are already under Show Cause Notice.

To come up on **30.07.2019 at 11.30 AM**. The appellant is at liberty to attend the hearing through V.C. Conference at Jalandhar.

26.06.2019

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



Sh. Rohit Sabharwal,
Kundan Bhawan,126,
Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Deputy Excise and Taxation Commissioner,
Mini Secretariat, Ludhiana.

First Appellate Authority,
O/o Deputy Excise and Taxation Commissioner,
Mini Secretariat, Ludhiana.

Respondents

Appeal Case No. 565/2019

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
15.10.2018	Nil	19.11.2018	Nil	29.01.2019

Present: Shri Rohit Sabharwal, Appellant is absent.
Shri Navjot Singh, ETO for the respondents.

ORDER:

The appellant is seeking information about the particulars of the officials who have not filed their property returns with the public authority concerned. The respondent, represented by Shri Navjot Singh, ETO states that the information has been sent to the appellant vide communication dated 25.06.2019. Nothing is on record to ratify the same. The Commission finds that the response is very belated after a lapse of about 8 months. The respondents are directed to file a written reply to the notice of the Commission and explain the delay. Meanwhile, they should endorse a copy of the reply sent to the appellant, to the Commission also for its perusal.

To come up on **28.08.2019 at 11.30 AM through Video Conference at Ludhiana.**

26.06.2019

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



Sh. Rohit Sabharwal,
Kundan Bhawan,126,
Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Deputy Excise and Taxation Commissioner,
Mini Secretariat, Ludhiana.

First Appellate Authority,
O/o Deputy Excise and Taxation Commissioner,
Mini Secretariat, Ludhiana.

Respondents

Appeal Case No.957/2019

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
15.10.2018	Nil	19.11.2018	Nil	29.01.2019

Present: Shri Rohit Sabharwal, Appellant is absent.
Shri Navjot Singh, ETO for the respondents.

ORDER:

The appellant is seeking information about the quantum of gifts as are permissible to be accepted by the Govt. officials as per the extant Govt. instructions. The respondent, represented by Shri Navjot Singh, ETO states that the information has been sent to the appellant vide communication dated 25.06.2019. Nothing is on record to ratify the same. The Commission finds that the response is very belated after a lapse of about 8 months. The respondents are directed to file a written reply to the notice of the Commission and explain the delay. Meanwhile, they should endorse a copy of the reply sent to the appellant, to the Commission also for its perusal.

To come up on **26.06.2019 at 11.30 AM through Video Conference at Ludhiana.**

26.06.2019

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

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Sh. Harjit Singh Dhillon,
S/o Late S. Gurbax Singh,
R/o 4072/3, Gobind Colony,
Jamalpur, Ludhiana.

Complainant

Versus

Public Information Officer,
O/o Assistant Excise & Taxation Commissioner,
Mini secretariat, Ludhiana.

Respondent

Complaint Case No.130/2019

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
21.01.2018	Nil	Nil	Nil	29.01.2019

Present: Sh. Harjit Singh Dhillon, Complainant is present.
Sh. Navjot Singh, ETO for the respondents.

ORDER:

The complainant is seeking action on a complaint made by him way back in the year 2013. He is aggrieved with the alleged illegal transport activities of the hardware store which is causing nuisance to him. The respondents are directed to inform him the status of the information available with them under intimation to the Commission.

The matter shall be heard on **28.08.2019 at 11.30 AM through Video Conference at Ludhiana.**

26.06.2019

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

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Shri Ajmel Singh,
S/o Shri Surjeet Singh,
R/o Village Sangatpura,
Tehsil Jagraon, Distt Ludhiana.

Complainant

Versus

Public Information Officer – cum –
Panchayat Secretary, Gram Panchayat,
Sangatpura, Tehsil Jagraon,
Distt Ludhiana.

Respondent

Complaint Case No. 915/2018

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
18.05.2018	Nil	Nil	Nil	23.08.2018

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

Order

The complainant is aggrieved with the news item which figured in the Rozana Ajit carrying some uncharitable observations about his family. He is seeking copies of the resolution passed by the Gram Panchayat against the family and forwarding it to the aforesaid newspaper. The DDPO, Ludhiana is desired to file a reply to the notice of the Commission with reference to his original application without further loss of time.

The Commission takes a strong exception to the absence of the respondents and desires the PIO to explain the delay failing which penal action shall be taken.

To come up on **28.08.2019 at 11.30 AM through Video Conference at Ludhiana.**

26.06.2019

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

CC: The District Development & Panchayat Officer, Ludhiana for n/action.

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Sh. Dilbagh Chand, Naib Subedar(Retd.)
S/o Sh.Ramji Dass,
Vill.Hayatpur, PO Hambowal
Tehsil Samrala,Distt.Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Director,
Rural Development & Panchayat Department,
Vikas Bhawan,Sector-62, Mohali.

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

Respondents

Appeal Case No.935/2019

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
22.10.2018	Nil	01.12.2018	Nil	06.03.2019

Present: Shri Dilbagh Chand, Appellant is present.
None is present on behalf of the respondents.

ORDER:

The appellant has sought action against the officers of the Department of Rural Development and Panchayats, who have failed to check the encroachments made in his village Hayatpur, Tehsil Samrala, District Ludhiana. The respondents are directed to look into and provide him satisfactory information as it exists on record.

To come up on **28.08.2019 at 11.30 AM through Video Conference at Ludhiana.**

26.06.2019

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

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Sh. Dilbagh Chand, Naib Subedar(Retd.)
S/o Sh. Ramji Dass,
Vill.Hayatpur, PO Hambowal
Tehsil Samrala,Distt.Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Director,
Rural Development & Panchayat Department,
Vikas Bhawan,Sector-62, Mohali.

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

Respondents

Appeal Case No.936/2019

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
22.10.2018	Nil	01.12.2018	Nil	06.03.2019

Present: Shri Dilbagh Chand, Appellant is present.

None is present on behalf of the respondents.

ORDER:

The respondents are absent. They have not yet filed reply to the notice of the Commission. The Commission takes serious exception of their conduct and directs them to file reply to the notice of the Commission, after providing admissible information to the appellant.

To come up on **28.08.2019 at 11.30 AM through Video Conference at Ludhiana.**

26.06.2019

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

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Sh. Jagmohan Singh Makkar,
#334, G.T. Road, Salem Tabri,
Ludhiana.

Appellant

Versus

Public Information Officer,
O/o District Excise & Taxation Commissioner,
Mini Secretariat, Ludhiana-2.

First Appellate Authority
O/o District Excise & Taxation Commissioner,
Mini Secretariat, Ludhiana-2.

Respondent

Appeal Case No.917/2019

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
18.12.2018	Nil	22.01.2019	Nil	06.03.2019

Present: Sh. Jagmohan Singh, Appellant is absent.

Sh. Saurabh Brar, E.T.I. for the respondents.

ORDER:

The appellant has sought information seeking the detail of excise vends having been auctioned during the year 2016-17 and 2017-18 and some allied information. Besides, he has sought an information about one Sh. Major Singh who is Clerk in the Department of Excise & Taxation. The respondents have sent him reply. The Commission finds that in most of the points of his application, the appellant is seeking reply to the questions and explanations from the Department. Such liberty is not admissible to an information seeker. The information which is available in the material form with the public authority can only be accessed to. The Commission further notes that most of the information asked for by the appellant is personal information of an official, revelation of which shall amount to intrusion in his privacy.

The Commission feels that the appellant has been suitably informed. No further action/intervention is required. The appeal is **disposed**.

26.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh.Sanjeev Thakur,
S/o Sh.Baldev Singh,
Vill. Gudha Khurd,PO Madhopur Cantt.
Tehsil & Distt. Pathankot.

Appellant

Versus

Public Information Officer,
O/o Commissioner,
Department of Excise & Taxation, Punjab, Patiala,

First Appellate Authority
O/o Financial Commissioner,
Department of Excise & Taxation,
Government of Punjab,
Pb.Civil Sectt., Chandigarh.

Respondents

Appeal Case No.912/2019

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
15.12.2018	Nil	04.02.2019	Nil	06.03.2019

Present: Shri Sanjeev Thakur is absent.
Shri Navdeep Singh, E.T.I. for the respondents.

ORDER:

The information sought by the appellant concerns the activities of the Mobile Wing of Excise and Taxation Department, Amritsar, specifically regarding the inspections made by them. Shri Navdeep Singh, ETI who is present in the court submits that the information has been conveyed to the information seeker vide their letter dated 20.06.2019. The appellant may like to advert and respond on the information about its sufficiency before the next date of hearing positively.

To come up on **28.08.2019 at 11.30 AM through Video Conference at Ludhiana.**

26.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Balbir Kumar,
R/o H.No.179, Street No.1
Gurbax Colony, Patiala

Appellant

Versus

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

First Appellate Authority2
O/o District Development & Panchayat Officer,
Sangrur.

Respondents

Appeal Case No.960/2019

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
08.12.2018	Nil	10.01.2019	Nil	11.03.2019

Present: Sh. Balbir Kumar, Appellant is present.
None is present on behalf of the respondents.

ORDER:

Shri Balbir Kumar, Junior Engineer in the Department of Rural Development and Panchayats, Punjab has asked for the record which he requires to explain his position in an enquiry being conducted against him. He states that the record sought for with regard to 3 Gram Panchayats has already been provided to him. However, the record relating to the works executed in village Chhahar, Block Sunam, District Sangrur is still awaited. The BDPO Sunam is directed to ensure the supply of the residual information also without further delay. He shall also file an explanation for the delay in providing the information.

To come up on **18.09.2019 at 11.30 AM through Video Conference at Sangrur.**

26.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

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Sh. Jaswant Singh,
S/o Sh. Piara Singh,
Village-Ratangarh,
Tehsil-Baba Bakala,
District- Amritsar.

Complainant

Versus

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

Respondent

Complaint Case No.273/2019

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
08.06.2018	Nil	Nil	Nil	13.03.2019

Present: Sh.Jaswant Singh, complainant is present.
Sh.Chetan Sharma, Tax Collector – for the respondents.

ORDER:

The complainant has desired information about the income having accrued to the Gram Panchayat and the expenses incurred on various development works. The complainant, who is present in the studio, acknowledges the receipt of information to his satisfaction. No further action is called for.

Disposed.

26.06.2019

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

