**PUNJAB STATE INFORMATION COMMISSION**

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

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 **Emaiil:psic22@punjabmail.gov.in**

Sh. Raghbir Singh

House No.466/11, Adarsh Nagar,

Kaithal (Haryana) Appellant

Versus

Public Information Officer,

O/o Municipal Council,

Zirakpur Distt. S.A.S. Nagar

First Appellate Authority

O/o Municipal Council,

Zirakpur Distt. S.A.S. Nagar Respondents

 **APPEAL CASE NO.3118 /2017**

Date of RTI application : 10.03.2017

Date of First Appeal : 18.04.2017

Date of Order of FAA : Reply 05.06.2017

Date of 2nd Appeal/complaint :06.11.2017

**Present:** Adv. Pardeep Kumar Rapria, Counsel for the Appellant.

 Sh. Gursewak Singh, Jr. Assistant, MC Office, Zirakpur – for Respondents.

**ORDER**

 The appellant is seeking an information with reference to a petition made by one

Sh. Ashok Kumar for the regularization of a colony before the respondents. He has raised apprehensions that the petition is not covered in the profile of the scheme.

 The respondents have taken a stance of ‘personal information’ of the third party. Such a plea obviously is not legally valid as the construction and development in the municipal area is a matter in the public domain as well as its interest. They are directed to arrange to provide the available information to the appellant before the next date of hearing.

 To come up on **04.01.2018 at 11.30 AM.**

 **Sd/-**

**19.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

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Sh. Inderjeet Singh, Advocate

R/o Sunder Nagar, St.No.3,1st Crossing

Hanumangarh Road, Abohar.

Distt. Fazilka. Appellant

Versus

Public Information Officer,

O/o Special Secretary to Govt of Punjab,

Department of Home Affairs & Justice,

Punjab Civil Sectt.-II, Sector-9,

Chandigarh

First Appellate Authority

O/o Secretary to Govt. of Punjab

Department of Home Affairs & Justice,

Punjab Civil Sectt.-II, Sector-9,

Chandigarh Respondents

 **APPEAL CASE NO.2559/2017**

Date of RTI application : 03.07.2017

Date of First Appeal : 03.08.2027

Date of Order of FAA : 06.09.2017

Date of 2nd Appeal/complaint :11.09.2017

**Present:** Adv. Inderjeet Singh, Appellant in person.

 1. Sh. Baljinder Singh, PIO – cum –Superintendent, Judicial – 1 Br., Pb. Civil Sectt., and

 2. Sh. P.S.Bajwa, Additional Advocate General, Punjab – for Respondents.

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**ORDER**

This be read in continuation of the orders passed on 15.11.2017.

 Sh. P.S.Bajwa, Additional Advocate General, Punjab, seeks an adjournment to comply with the orders passed on 15.11.2017. The request is acceded with the proviso that the needful shall be done well before the next date of hearing under intimation to the appellant.

 To come up on **25.01.2018 at 11.30 AM.**

 **Sd/-**

**19.12.2017 (Yashvir Mahajan)**

 **State Information Commissioner**

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Sh. Ashwani Kumar

S/o Sh. Sat Parkash Sood,

R/o Ward No.2, Thana Road, Bhadson,

Tehsil Nabha Distt. Patiala Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Panchayat, Bhadson,

Teshil Nabha Distt. Patiala.

First Appellate Authority

O/o Regional Deputy Director,

Local Government, Pb.

Mini Secretariat, Patiala. Respondents

 **APPEAL CASE NO.3108/2017**

Date of RTI application : 05.10.2016

Date of First Appeal : 17.11.2016

Date of Order of FAA : 14.07.2017

Date of 2nd Appeal/complaint :03.11.2017

**Present:** Sh. Ashwani Kumar, Appellant in person.

 Sh. Rajeev Bhatia, Accountant, O/o Nagar Panchayat, Bhadson – for Respondents.

**ORDER**

 It is a long standing case. The appellant seems to be pursuing the issue with the respondents from October, 2016 onwards. He has sought information on an alleged irregular NOC issued in favour of somebody for release of power connection. Some other concomitant information has also been sought. The respondent No. 1 is evasive without any tangible defence. So much so the directions issued by the First Appellate Authority have not elicited any response from him.

 The Commission considers it as a willful denial of information in contravention of the provisions of Section 7(1) of the Act. The respondents are directed to provide him the complete information forthwith.

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 -2-

**APPEAL CASE NO.3108/2017**

 Sh. Ashish Kumar, PIO – cum – Executive Officer, Nagar Panchayat, Bhadson is directed to appear in person on the next date of hearing and explain his conduct as to why the penalty should not be imposed upon him.

 To come up on **04.01.2018 at 11.30 AM.**

 **Sd/-**

**19.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

**CC:** Sh. Ashish Kumar, PIO – cum – Executive Officer, Nagar Panchayat, Bhadson for n/a.

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Sh. Deepak Sharma

S-128, Shivalik Nagar,

BHEL, Haridwar, Uttarakhand, Complainant

Versus

Public Information Officer,

O/o NRI & Women Wing,

Phase -7, S.A.S. Nagar Respondent

 **COMPLAINT CASE NOs.1228 and 1229 of 2017**

Date of RTI application : 18.08.2017

Date of First Appeal : Nil

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint :30.10.2017

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

 ASI Amandeep Singh, O/o I.G., NRI Wing, Phase 7, Mohali – for Respondent.

**ORDER**

 The complainant had sought information on a complaint made by one Smt. Vandana Sharma in a case of marital dispute.

 ASI Amandeep Singh appearing on behalf of the respondent says that a copy of the complete file including the enquiry report of the issue has been forwarded to the complainant. No more document according to them is available. The Complainant has also acknowledged the receipt of information. The Commission does not find any reason of further intervention in the matter.

  **Disposed.**

 **Sd/-**

**19.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

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Sh. Dilbagh Chand,

S/o Sh. Ram Ji Dass,

Village Hiyat Pur P.O. Haibowal,

Sarmala Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Director, Vigilance Bureau, Punjab,

SCO No.60-61,Sector-17-D,

Chandigarh

First Appellate Authority

O/o Director, Vigilance Bureau, Punjab,

SCO No.60-61,Sector-17-D,

Chandigarh Respondents

 **APPEAL CASE NO.2604 /2017**

Date of RTI application : 23.06.2017

Date of First Appeal : 14.08.2017

Date of Order of FAA : Nil

Date of 2nd Appeal/complaint : 14.09.2017

**Present:** Sh. Dilbagh Chand, Appellant in person.

 1. Smt. Satya Devi, Sr. Assistant, O/o Director, Rur. Dev. & Panchayats, Punjab,

 2. Smt. Balwinder Kaur, Supdt., O/o Director, Rur. Dev. & Panchayats, Punjab,

 3. Sh. Ishwar Singh, Steno, O/o Director, Rur. Dev. & Panchayats, Punjab – for Respondents.

**ORDER**

 The following order was observed on 22.11.2017:

 *“The respondents have filed a reply in which they have mentioned that the original application was forwarded to the Financial Commissioner to Govt., Punjab, Department of Rural Dev. & Panchayats as the information sought relates to them.*

 *Since no information as on record is available with Vigilance Bureau, Punjab, it shall be of no use to make them accountable for the same. The application having been forwarded to the Financial Commissioner, Rur. Dev. & Panchayats, Punjab, the PIO in the office of the Financial Commissioner, Rur. Dev. & Panchayats, Punjab, is advised to take suitable call on the issue and apprise the Commission of the action thus taken. The PIO, O/o Financial Commissioner to Govt., Punjab, Department of Rural Dev. & Panchayats is thus impleaded as a necessary Party. The PIO, O/o Vigilance Bureau, Punjab, is exempted from appearance in this case.”*

The case has come up today.

 Contd..page…2

 -2-

 **APPEAL CASE NO.2604 /2017**

The perusal of the original application suggests that the appellant is seeking action on his various complaints of alleged irregularities/malfeasance on the part of the functionaries of the government as well as the private individuals. A closer look will suggest that information sought does not conform to its definition as enunciated in Section 2(f) of the Act. The information which is not available cannot obviously be provided.

 The respondents say that his complaints have been forwarded to the District Development & Panchayat Officer, Ludhiana to probe them. As and when an enquiry report is received he will be suitably informed. The appellant has a grave resentment on the inaction on the part of the departments on the serious complaints that he is regularly making and pursuing.

 The Director, Rural Development & Panchayats may look into it personally and take appropriate action in public interest so as to retain the faith of the common man alive in the governance and administration of justice.

 ` To come up on **06.02.2018 at 11.30 AM.**

 **Sd/-**

**19.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

**PS: Sh. Amarjit Singh, Samiti Clerk, O/o BDPO, Machhiwara appeared after the hearing was over. He was apprised of the above order.**

**CC: PIO, O/o Financial Commissioner to Govt., Punjab, Department of Rural De Panchayats, Vikas Bhawan, Sector – 62, Mohali for information and n/a.**

**CC: The Director, Punjab Vigilance Bureau, SCO No. 60-61, Sector – 17 D, Chandigarh.**

**CC: The Director, Rural Dev. & Panchayats, Punjab, Vikas Bhawan, Sector – 62, Mohali.**

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

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Sh. Baldev Singh Sirsa

Village Khanwala, Dr. Sarang Dev.

Tehsil Ajnala Distt. Amritsar.

 Appellant

Versus

Public Information Officer,

O/o Shiromani Gurdwara Parbhandhak Committee,

Amritsar.

First Appellate Authority

O/o Chief Secretary,

Shiromani Gurdwara Parbhandhak Committee,

Amritsar. Respondents

 **APPEAL CASE NOs.2639 and 2640 of 2017**

Date of RTI application : 10.04.2017

Date of First Appeal : 06.07.2017/09.05.2017

Date of Order of FAA : Reply 09.05.2017/Reply 06.07.2017

Date of 2nd Appeal/complaint : 25.09.2017/11.09.2017

**Present:** None.

**ORDER**

The respondents have requested for adjournment. The request is acceded. Meanwhile they are directed to provide him admissible information as per law before the next date of hearing.

 To come up on **17.01.2018 at 11.30 AM through video conference at Amritsar.**

 **Sd/-**

**19.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Public Information Officer,

O/o Executive Officer,

Nagar Council, Nabha,

Distt. Patiala. Appellant

Versus

First Appellate Authority (Respondent No. 1)

O/o Regional Deputy Director,

Urban Local Bodies, Patiala

Sh. Rajesh Kumar (Respondent No. 2)

S/o Sh. Om Parkash

R/o Near Thana Sadar Railway Road,

Nabha Distt. Patiala. Respondents

**APPEAL CASE NO. 2697/2017**

 **Date of RTI Application : 22.07.2017**  **Date of First Appeal : -**

 **Date of letter of FAA : 27.07.2017**

 **Date of Second Appeal : 11.09.2017**

**Present:** Sh. Iftkhar Ahmed, Superintendent, Nagar Council, Nabha and

 None is present on behalf of the Respondent No.1 and 2.

**ORDER**

 None is present on behalf of Respondent No. 1.

 The respondent No. 2 has requested for an adjournment. His request is acceded.

 The matter shall be reheard on **04.01.2018 at 11.30 AM.**

 **Sd/-**

**19.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Sandeep Tomar,

S/o Sh. Mangal Singh

C/o A-136 (MIG), Near Andha Kua Barra-8,

Kanpur -208027 Complainant

Versus

Public Information Officer,

O/o Assistant Chemical Examiner,

Chemical Laboratory, Kharar

Distt. S.A.S. Nagar. Respondent

**COMPLAINT CASE NO.1010/2017**

 **Date of RTI Application : 08.05.2017**  **Date of First Appeal : Nil**

 **Date of letter of FAA : Nil**

 **Date of Second Appeal : 11.09.2017**

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

 Sh. Lov Kumar, Medical Lab. Technician Grade, Kharar Chemical Lab. – for Respondent.

**ORDER**

 The Commission had observed on 14.11.2017 as under:

 *“The complainant seeks an exemption from appearance as he is indisposed.*

 *The complainant had sought a report from the respondent about the analysis report of viscera examination of the deceased Smt. Shweta Singh wife of Sh. Sandeep Tomar and allied information.*

 *The respondent submits in a written reply that the information was sent to the Superintendent, Central Jail, Ferozepur on 18.04.2017. The perusal of the record suggests that it does not satisfy the requisition made in the application of the complainant.*

 *The Commission directs the respondent to dispatch the admissible information to the complainant under intimation to the Commission before the next date of hearing positively.”*

The case has come up today.

 Sh. Lov Kumar, Lab. Tech. appearing on behalf of the respondent submits that in compliance with the directions the information was dispatched under registered cover to the complainant on 21.11.2011. The complainant may like to react on the submissions thus made by the respondent.

 To come up on **25.01.2018 at 11.30 AM.**

 **Sd/-**

**19.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. K.N.S. Sodhi,

House No.1634, Sector-70,

S.A.S. Nagar (Mohali) Appellant

Versus

Public Information Officer,

O/o Municipal Corporation,

Sector-68, S.A.S.Nagar (Mohali)

First Appellate Authority

O/o Commissioner,

Municipal Corporation,

Sector-68, S.A.S.Nagar (Mohali) Respondents

 **APPEAL CASE NO.1937/2017**

Date of RTI application : 20.04.2017

Date of First Appeal : 05.06.2017

Date of Order of FAA : -

Date of 2nd Appeal/complaint : -

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

 Sh. Nandan Bansal, JE, MC Office, Mohali – for Respondents.

**ORDER**

 This may be read in continuation of our earlier order dated 07.11.2017.

 The case has been taken up today. Vide his e.mail the appellant has communicated that he has met with an accident and is not in position to attend hearing and has sought exemption. Simultaneously, he makes a prayer for imposition of penalty on the PIO for having failed to provide him the information.

 Sh. Nandan Bansal, JE is present on behalf of the respondents. He has brought along the entire record pertaining to the matter in hand. He says that during the course of the visits of the appellant entire record was laid bare before him. However, he failed to pin-point any specific document/documents to provide him the certified copy thereof.

 Contd…page…2

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**APPEAL CASE NO.1937/2017**

 The Commission senses that he is dissatisfied on the alleged inaction on the part of the respondents to ensure re-laying of the roads/verges dug up by some contractors to lay the communication lines.

 The Commission feels that it is not within its domain to take cognizance of such issues. He should approach the appropriate authority to look into the matter. In case there is a dereliction of duty he should urge them to take appropriate action against the delinquent officials. The Commission can only assist him in providing the information available on record. However, in the interest of natural justice another opportunity is afforded to him to pinpoint the record he is seeking after inspection in the office of the Municipal Corporation so that the identified copies not beyond 100 pages can be provided to him.

 To come up on **09.01.2018 at 11.30 AM.**

 **Sd/-**

**19.12.2017 ( Yashvir Mahajan )**

 **State Information Commissioner**