

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh Yogesh Bains, S/o Sh Nagarmal,
Sh Inderjeet Singh, (M-7626891165)
S/o Sh Balwinder Singh,
R/o Village Bhadsa, PO Ronta,
Tehsil Shahkot, Distt Jalandhar

.....Complainant

..Vs

Public Information Officer,
O/o SSP Kapurthala

.....Respondent

CC No. 716 of 2022

Present: (i) Sh Inderjeet Singh, Complainant
(ii) for the Respondent: Sh Balbir Singh, ASI (8847579004)

ORDER

This order may be read with reference to the previous order dated 23.12.2022

2. The Respondent states that the information sought by the complainant cannot be provided to him as the same is covered under Section 8(1) (g) of the RTI Act. They have also filed their reply regarding the same.

3. The Complainant states that no information has been given to him so far.

4. After hearing both the parties and perusing the case file, it is ascertained that the Respondent has filed their reply that the information demanded by the complainant cannot be provided to him as the same is covered under Section 8(1)(g). The perusal of the file shows that he complainant demanded information regarding CCTV footage dated 28.08.2022 (from 11.20 AM to 8.00 PM). The respondent may note that being a record available in electronic form, CCTV footage falls under the definition of 'information under Section 2(f) of the RTI Act. Consequently, Central Information Commission ("the CIC") too, in its various decisions, held that CCTV footage is an information as per the RTI Act.

5. The Commission observes that the purpose of installing CCTV cameras in public places is to ensure surveillance, so as to keep a vigil on the anti-social elements and illicit happenings like vandalism etc., to check crime and facilitate a quick response during an emergency. These are related to the maintenance of law and order. CCTV footage can also

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provide evidence in case crimes do occur and help the law enforcement agencies. However, while such systems continue to enjoy general public support they do involve intrusion into the lives of ordinary people as they go about their day to day business and can raise wider privacy concerns.

6. In view of the foregoing observations, the Commission observes that though the information sought was withheld by invoking a wrong exemption, it cannot be said that it was malafidely withheld by the respondent. In view of this, information pertaining to CCTV footage dated 28.08.2022 (from 11.20 AM to 8.00 PM) can be provided to him.

7. Further, it is observed that the respondents are being represented by very low level officials who are not in a position to satisfy the commission and the appellant. From the next date of hearing, no person below the PIO or APIO will be allowed to appear. Appearance of low level officials will amount to disrespect to the RTI Act besides invoking the provisions of imposition of penalty and also award of compensation to the appellant and also recommendation of disciplinary action against the PIO under Section 20 of RTI Act, 2005.

8. To come up on **20.02.2023 at 12.00PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Dated :30.01.2023

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab