

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - pcic20@punjabmail.gov.in



Shri Rohit Sabharwal (President)

Kundan Bhawan, 126,

Model Gram, Ludhiana.

-----Appellant

Vs

Public Information Officer

o/o Deputy Commissioner of Police,

Ludhiana

First Appellate Authority

o/o Commissioner of Police,

Ludhiana.

-----Respondents

Appeal Case No. 109 of 2019

Present:- None for the Appellant.

Shri Pawandev Singh, S.I., on behalf of the respondents.

ORDER

In this case, Shri Rohit Sabharwal, Appellant, vide his RTI application dated 15.09.2018, addressed to the PIO sought copy of orders vide which photographs of two neighbours are required for renewal of Passport or Weapon Licence. On receiving no information, he filed an appeal with the First Appellate Authority vide application dated 22.10.2018 and subsequently approached the Commission in Second Appeal vide application dated 14.12.2018. Accordingly, a Notice of Hearing was issued to the concerned parties for 26.02.2019.

2. On 26.02.2019, the representative of the respondents submitted a letter No. AC-109/RTI, dated 23.02.2019 from PIO-cum-DCP, Commissionerate, Ludhiana vide which it had been informed that the reports received from Establishment Branch and Passport Branch had been sent to the appellant vide letter No. 322/F.A./RTI, dated 04.12.2018. The appellant was not present. However, a letter dated 25.02.2019 was received from Ms. Sukhjinder Kaur,

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Advocate, representative for the appellant seeking exemption from personal appearance. She further informed that the information had been received from Incharge, Passport Branch and Incharge, Arms License Unit but the information from the office of Commissioner of Police, Ludhiana was still pending. Accordingly, a copy of that letter was handed over to the representative of the respondents for furnishing reply to the appellant, with a copy to the Commission. The case was adjourned for today.

3. Today, the representative of the respondent seeks some more time to enable them to send reply to the appellant and supply the remaining information to him. The request of the respondent is accepted with the directions to supply complete information to the appellant, before the next date of hearing and submit status report on the next date of hearing.

4. Since my term is expiring on 04.05.2019, I am not in a position to fix next date for hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission.

Dated : 02.04.2019

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

CC: D.R.(alongwith original file)

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Shri Rohit Sabharwal (President)

Kundan Bhawan, 126,

Model Gram, Ludhiana.

-----Appellant

Vs

Public Information Officer

o/o Director General of Police, Punjab,

Chandigarh.

First Appellate Authority

o/o Director General of Police, Punjab,

Chandigarh..

-----Respondents

Appeal Case No. 110 of 2019

Present:- None for the complainant.

Shri Sukhwinder Singh, A.S.I., on behalf of the respondents.

ORDER

In this case, Shri Rohit Sabharwal, Appellant, vide his RTI application dated 15.09.2018, addressed to the PIO sought certain information regarding the total number of deaths that took place in the State of Punjab due to the Over Doze of Drugs from 01.01.2018 till date. The representative of the respondents submitted a letter No. 677/C.B.-4, dated 25.02.2019 from AIGP/Admn-cum-PIO Crime, office of Bureau of Investigation, Punjab, Chandigarh, with a copy to the appellant, vide which reply had been sent. Accordingly, the appellant was directed to send his observations, if any, on the reply of the PIO and the PIO was directed to supply the available information to the appellant, with a copy to the Commission. The case was adjourned for today.

2. Today, the representative of the respondents submits a letter No. 1064/C.B.-4, dated 19.03.2019 from AIGP, Admn-cum-PIO Crime, office of Bureau of Investigation, Punjab, Chandigarh vide which requisite information has been sent to the appellant after collecting from all the districts of the State.

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3. The appellant is not present. However, a letter dated 20.03.2019 has been received from Ms. Sukhjinder Kaur, Counsel for the appellant informing that the provided information is satisfactory but there is a delay of 180 days in the supply of the information. She has requested that a Show-Cause be issued to the PIO under Section 20(1) of the RTI Act, 2005 for malafidely with-holding the sought information . She has further requested that the applicant may be compensated for undue aggravation.

4. Since the information had to be collected from all the districts of the State, no malafide is proved on the part of the PIO for the delay in the supply of information.

5. Accordingly, the case is **disposed of and closed.**

Dated : 02.04.2019

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

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Mrs. Nirmaljeet Kaur,
w/o Shri (Late) Yashpal Uppal,
r/o H.No.422, Ram Nagar, Verka,
District Amritsar.

-----Appellant

Vs

Public Information Officer
o/o Sub Divisional Magistrate,
Amritsar-II.

First Appellate Authority
o/o Sub Divisional Magistrate,
Amritsar-II.

-----Respondents

Appeal Case No. 124 of 2019

Present:- None on behalf of the appellant as well as the respondents.

ORDER

In this case, Smt. Nirmaljeet Kaur, Appellant, vide her RTI application dated 06.09.2018, addressed to the PIO sought Action Taken Report on her letter dated 06.09.2017.

2. The case was last heard on 26.02.2019, when the appellant informed that copy of Jamabandi had been provided but Fard and Mutation had not been supplied as yet. She further informed that Action Taken Report on her letter dated 06.09.2017 had not been furnished.

3. After the hearing was over and the appellant had left, Shri Avinesh Kumar, Superintendent, office of SDM, Amritsar-II appeared before the Commission. He submitted a letter dated 26.02.2019 vide which reply, narrating the position of the case, has been filed, which was taken on record. Accordingly, he was directed to send a copy of that letter to the appellant and the appellant was directed to send her observations, if any, on the reply of the respondents, to the PIO, with a copy to the Commission. The case was adjourned for today.

4. Today, none is present on behalf of the appellant as well as the respondents without any intimation. Since no observations, on the reply of the respondents, have been received from the appellant, it shows that she is satisfied with the provided information.

5. Accordingly, the case is **disposed of and closed**.

Dated : 02.04.2019

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

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Shri Jagshir Singh
s/o Shri Gian Singh,
#9/20, Mandi Mullanpur,
Ludhiana.

-----Appellant

Vs

Public Information Officer
o/o Senior Superintendent of Police,
Ludhiana (Rural)

First Appellate Authority
o/o Deputy Inspector General of Police,
Ludhiana Range, Ludhiana.

-----Respondents

Appeal Case No.135 of 2019

Present:- Shri Jagshir Singh, Appellant, in person.
Shri Sukhmandar Singh, A.S.I, on behalf of the respondents.

ORDER

In this case, Shri Jagshir Singh, Appellant, vide his RTI application dated 29.08.2018, addressed to the PIO sought Action Taken Report on his complaint No. 144-5CF-DSP Dakha, dated 16.11.2017.

2. The case was last heard on 26.02.2019, when the representative of the respondents informed that the record was not traceable. The appellant informed that the application was still pending with DSP, Dakha. Viewing his callous and lackadaisical attitude seriously, a Show-Cause Notice was issued to Shri Gurbans Singh Bains, DSP Dakha for imposition of penalty upon him for the delay in the supply of information and awarding compensation to the appellant for the loss and detriment suffered by him. Besides, an opportunity of personal hearing was afforded to him on the next date of hearing in the interest of natural justice before imposition of penalty. The case was adjourned for today.

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3. Today, the representative of the respondents explains the position of the case and submits a letter No. 99-5A, PS Dakha, dated 01.04.2019 from SHO-cum-PIO, Police Station Dakha vide which it has been informed that the requisite information has sent to the appellant at his e-mail address vide Speaking Order No. 98-5A, PS Dakha, dated 01.04.2019. The respondent submits a copy of FIR to the Commission and hands over a copy of the same to the appellant.

4. The appellant states that he wants Action Taken Report on his complaint No. 144-5CF-DSP Dakha, dated 16.11.2017. Consequently, after hearing both the parties and discussing the sought for information, the PIO is directed to send detailed reply to the appellant, with a copy to the Commission, narrating as to what action has been taken on the said complainant of the appellant from 16.11.2017 to 01.04.2019.

5. Since my term is expiring on 04.05.2019, I am not in a position to fix next date for hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission.

Dated : 02.04.2019

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

CC: D.R. (alongwith original file)

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Shri Gurdeep Singh Kahlon,
#947 HIG, PHB Colony,
Jamalpur, Ludhiana.

-----Appellant

Vs

Public Information Officer
o/o Punjab Public Service Commission,
Patiala.

First Appellate Authority
o/o Punjab Public Service Commission,
Patiala.

Public Information Officer
o/o Punjab and Haryana High Court,
Chandigarh.

-----Respondents

Appeal Case No. 151 of 2019

Present:- None for the appellant.

Shri Satish Kumar Wing, Joint Registrar and Shri Charanjeet Singh, Assistant,
Punjab & Haryana High Court, on behalf of the respondents.

ORDER

In this case, Shri Gurdeep Singh Kahlon, Appellant, vide his RTI application dated 19.09.2018, addressed to the PIO sought certain information in respect of service record of Shri Bhupinder Mittal, Judicial Magistrate, Class-1, Ludhiana

2. The case was last heard on 26.02.2019, when the appellant was not present. The representative of the respondents submitted a letter No. P&G-03/2018/ਮ10/6466, dated 25.02.2019 from the PIO of the office of Punjab Public Service Commission, Patiala vide which it had been informed that the RTI application of the appellant had been transferred to Registrar(Recruitment), Punjab and Haryana High Court, Chandigarh vide letter No. P&G-03/2018/ਮ10/4462, dated 26.10.2018 for supplying the information except Point No.2, regarding which reply had been sent to the appellant. Accordingly, the PIO of the office of

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Punjab and Haryana High Court was impleaded as a necessary party in this case and he was directed to supply the requisite information to the appellant, with a copy to the Commission, before the next date of hearing. The case was adjourned for today.

3. Today, the representatives of Punjab and Haryana High Court submit that the same information was sought by the appellant in AC-4208/2018, which was heard by this Bench and disposed of on 13.02.2019. They further submit that the information had been denied to the appellant as per the judgement passed by Hon'ble Supreme Court of India on 31.08.2017 in Civil Appeal No. 22 of 2009 – Canara Bank Vs. C.S. Shyam & Anr.

4. Consequently, after hearing the respondents and going through the order passed in AC-4208/2018, the instant case is **disposed of and closed**.

Dated : 02.04.2019

**Sd/-
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Chief Information Commissioner
Punjab**

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Shri Yadwinder Singh
s/o Shri Simarjit Singh,
District Jail, Roopnagar – 140001.

-----Appellant

Vs

Public Information Officer
o/o Commissioner of Police, Ludhiana.

First Appellate Authority
o/o Commissioner of Police, Ludhiana.

-----Respondents

Appeal Case No. 156 of 2019

Present:- Shri Yadwinder Singh, appellant, in person.
Shri Gurmeet Singh, ASI, on behalf of the respondents.

ORDER

In this case, Shri Yadwinder Singh, Appellant, vide his RTI application dated 13.08.2018, addressed to the PIO sought copies of certain documents regarding Case No. 125/2014 registered at Police Station Jamalpur.

2. The case was last heard on 02.04.2019, when the representative of the respondents submitted reply while denying the information as the matter was under investigation and Challan had been filed in the court, which was handed over to the appellant. The representative of the respondents also handed over a copy of the judgment of the Court in their defence to the appellant. The appellant also handed over copies of four judgments in his support to the representative of the respondents. Accordingly, both the parties were directed to furnish their reply to each other, with a copy to the Commission. The case was adjourned for today.

3. Today, the appellant submits a letter dated 02.04.2019 vide which he has submitted his reply, which is taken on record. A copy of this letter is handed over to the

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representative of the respondents. The respondents have failed to submit their reply on the four judgments handed over to them by the appellant on the last date of hearing. Accordingly, they are again directed to pass appropriate order and send their reply on the judgments submitted by the appellant, to the appellant, with a copy to the Commission. They are also directed to send their reply, on the letter submitted by the appellant today, to him with a copy to the Commission.

4. Since my term is expiring on 04.05.2019, I am not in a position to fix next date for hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission.

Dated : 02.04.2019

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

CC: D.R.(alongwith original file)

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Shri Ujjagar Singh
s/o (Late) Shri Bant Singh
r/o Street No.1, Mann Colony,
Daba, Ludhiana.

-----Appellant

Vs

Public Information Officer
o/o Additional Director General of Police (Crime), Punjab,
Police Headquarters, Chandigarh.

First Appellate Authority
o/o Director General of Police, Punjab (Crime),
Police Headquarters, Chandigarh.

-----Respondents

Appeal Case No. 157 of 2019

Present:- Shri Ujjagar Singh, appellant, in person.

Shri Prem Masih, ASI, office of ADGP(Crime); Shri Harpal Singh, ASI and Shri Shareet Khan, ASI, PS Mehal Kalan, on behalf of the respondents.

ORDER

In this case, Shri Ujjagar Singh, Appellant, vide his RTI application dated 08.10.2018, addressed to the PIO sought Action Taken Report on his letter dated 18.09.2018.

2. The case was last heard on 26.02.2019, when the representative of the respondents submitted a letter No. 118/RTI/CC, dated 05.02.2019 from AIGP, Bureau of Investigation-cum-PIO, Punjab, Chandigarh vide which it had been informed that the letter of the appellant had not been received in their office and he had been asked vide letter No. 1570/RTI/CC, dated 11.12.2018 to furnish detail of the information asked for by him but no reply had been received from him. The appellant stated that he had not received letter dated 11.12.2018 from the respondents. Accordingly, the appellant was directed to hand over a copy of his letter dated 18.09.2018 to the representative of the respondents and the PIO was

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directed to supply the available information to the appellant, with a copy to the Commission. The case was adjourned for today.

3. Today, the representatives of the respondents state that FIR in the matter has been registered and the information asked for by the appellant is in question form, which cannot be provided under the provisions of RTI Act, 2019. Consequently, after hearing both the parties and discussing the sought for information, the appellant is advised to intimate specific information required by him to the PIO and the respondents are directed to supply the available information to the appellant, before the next date of hearing and in case any information is not available in their record then a written submission to this effect be made on the next date of hearing.

4. Since my term is expiring on 04.05.2019, I am not in a position to fix next date for hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission.

Dated : 02.04.2019

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

CC: D.R. (alongwith original file)

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Shri Amrit Pal Pathak
o/o Punjab Public Service Commission,
Baradari Garden, P. B. No.39, Patiala.

-----Appellant

Vs

Public Information Officer
o/o Department of Personnel,
PP-3, Punjab Civil Secretariat, Chandigarh.

First Appellate Authority
o/o Department of Personnel,
Punjab Civil Secretariat, Chandigarh.

-----Respondents

Appeal Case No.180 of 2019

Present:- Shri Amrit Pal Pathak, appellant, in person.

Shri Sandeep Singh, Senior Assistant, on behalf of the respondents.

ORDER

The case was last heard on 26.02.2019, when the representative of the respondents submitted a letter No. 16/7/2017-3PP3/1428234/1, dated 26.02.2019 from PIO and the First Appellate Authority vide which it had been informed that the sought for information could not be provided under Section 8(1)(j) of the RTI Act to the appellant while referring to the Judgement of Hon'ble Supreme Court of India passed on SLP© No. 27734/2012 as no larger public interest was involved. Consequently, the matter was discussed in detail and it was observed that the reply submitted by the respondents was not tenable as the appellant was directly involved in the matter. Accordingly, the respondent PIO was directed to take necessary action and submit Action Taken Report on the next date of hearing. The case was adjourned for today.

2. Today, the representative of the respondents seeks some more time to complete investigation in the matter, which is granted with the directions to supply Action Taken Report to the complainant, with a copy to the Commission.

3. Since my term is expiring on 04.05.2019, I am not in a position to fix next date for hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission.

Dated : 02.04.2019

**Sd/-
(S.S. Channy)
Chief Information Commissioner
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CC: D.R.(alongwith original file)

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Shri Ranjit Singh s/o S. Sawarn Singh
r/o Minhas Cottage, LIC Colony,
Sector 4, Mundi Kharar, District Mohali.

-----Appellant

Vs

Public Information Officer
o/o Director General of Police, Punjab, Chandigarh.

First Appellate Authority
o/o Director General of Police, Punjab, Chandigarh.

-----Respondents

Appeal Case No. 250 of 2019

Present:- Shri Ranjit Singh, appellant, in person.

Shri Parshotam Kumar, Head Constable, on behalf of the respondents.

ORDER

In this case, Shri Ranjit Singh, Appellant, vide his RTI application dated 07.09.2018, addressed to the PIO, sought certain information regarding promotions of Shri Balwant Singh and Shri Sant Singh to the rank of DSP.

2. The case was last heard on 26.02.2019, when the representative of the respondents submitted a Memo. No. 572/RTI-2, dated 25.02.2019 from AIGP/Pers.-1, Punjab, Chandigarh-cum-PIO, Admn. Wing vide which it had been informed that the sought for information had been denied to the appellant under Section 11 and 8(1)(j) of the RTI Act and he had been informed vide letter No. 4120/RTI-2, dated 02.11.2018. The appellant sought adjournment as his Counsel was not able to attend hearing. Consequently, after hearing both the parties, the appellant was directed to point out specific deficiencies in the information already provided to him in some other similar cases and the respondents were directed to submit detailed reply on the next date of hearing. The case was adjourned for today.

3. Today, the representative of the respondents informs that no deficiencies have been furnished by the appellant. Accordingly, the appellant is again directed to point out specific information required by him and the respondent is directed to supply the same, before the next date of hearing.

4. Since my term is expiring on 04.05.2019, I am not in a position to fix next date for hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission.

Dated : 02.04.2019

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

CC: D.R.(alongwith original file)

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Shri Boota Singh
s/o Shri Sher Singh,
VPO Malak, Tehsil Jagraon,
District: Ludhiana.

-----Appellant

Vs

Public Information Officer
o/o Additional Deputy Commissioner (Development),
Ludhiana.

First Appellate Authority
o/o Deputy Commissioner, Ludhiana.

Public Information Officer,
O/o District Social Welfare Officer,
Ludhiana.

-----Respondents

Appeal Case No. 253 of 2019

Present:- None on behalf of the appellant as well as the respondents.

ORDER

In this case, Shri Boota Singh, Appellant, vide his RTI application dated 15.05.2018, addressed to the PIO, sought detail of Old Age Pensions and Widow Pensions distributed by Village Panchayat Malak.

2. The case was last heard on 26.02.2019 when the Counsel for the appellant informed that no information had been supplied to the appellant as yet. None was present on behalf of the respondents. However, a letter No. 8255, dated 06.02.2019 was received from Additional Deputy Commissioner (Development) Ludhiana vide which it was informed that in this case District Social Welfare Officer, Ludhiana is the PIO and Director, Social Welfare and Women and Child Development, Punjab, Chandigarh is the First Appellate Authority. It had also been informed that the RTI application had been transferred to the PIO with the directions to

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pursue the case in the Commission. Accordingly, District Welfare Officer, Ludhiana was impleaded as a necessary party and he was directed to supply the requisite information to the appellant, before the next date of hearing, with a copy to the Commission and submit status report on the next date of hearing. The case was adjourned for today.

3. Today, the appellant is not present. However, a letter has been received from Shri S.P. Singh, Advocate, Counsel for the appellant through e-mail on 02.04.2019 informing that he is unable to attend the hearing. He has requested to adjourn the case to some other date.

4. None is present on behalf of District Social Welfare Officer, Ludhiana without any intimation. Viewing his callous attitude seriously, one last opportunity is afforded to him to supply the requisite information to the appellant before the next date of hearing, failing which punitive action, under the provisions of RTI Act, 2005 will be initiated against him.

5. Since my term is expiring on 04.05.2019, I am not in a position to fix next date for hearing in this case. Therefore, this case file is sent to Registry for taking further necessary action to get it re-allocated to some other Bench of the Commission.

Dated : 02.04.2019

**Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab**

CC: D.R.(alongwith original file)