



Sh Ashok Kumar,
89, MayurVihar Society,
Sector-48-A, Chandigarh.

... Complainant

Versus

Public Information Officer,
O/o Chairman-cum-Managing Director,
PSPCL, Head Office, The Mall,
Patiala.

...Respondent

Complaint Case No. 1185 of 2018

Present: Ashok Kumar as Complainant
Sh.Daljit Singh, Sr.Xen(South), PSPCL Patiala for the Respondent

Order:

The case was last heard on 06.02.2019. The order is reproduced hereunder:

“The complainant through RTI application dated 12.09.2018 has sought information regarding instructions/rules/regulations empowering the Chief Engineer to charge sheet an UDC cadre post, to transfer the same charge sheet to another Chief engineer and other information concerning the office of Chairman-cum-Managing Director, PSPCL Patiala. The appellant was not satisfied with the reply of the PIO dated 16.10.2018 vide which the PIO O/o Dy Chief Engineer (South) informed the complainant that the information does not relate to them and they have already transferred the RTI application to PIO O/o Dy.CE(Tech) after which the complainant filed complaint in the Commission on 12.11.2018.

The respondent present from the office of Deputy Chief Engineer (South) pleaded that the information has been sent to the complainant vide letter dated 01.02.2019 and a copy of the same is submitted to the Commission. The respondent further pleaded that since the information had to be collected from the different divisions, the information has been delayed.

The PIO is directed to submit complete reply for the reasons which caused delay in providing the information.”

Hearing dated 05.03.2019:

The respondent present pleaded that the information has already been provided to the complainant. Regarding delay in providing the information, the respondent has submitted an affidavit which is taken on the file of the Commission. The respondent pleaded that since the information was to be collected from the different PIOs, the information has been delayed.

Having gone through the reply, the Commission finds no malafide on the part of the PIO in attending to the RTI application and the reply is accepted.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Ashok Kumar,
89, MayurVihar Society, Sector-48-A,
Chandigarh.
Complainant

Versus

Public Information Officer,
O/oChairman-cum-Managing Director,
PSPCL, Patiala.
...Respondent

Complaint Case No. 1193 of 2018

Present: Sh.Ashok Kumar as Complainant
Sh.Daljit Singh, APIO for the Respondent

Order:

The complainant through RTI application dated 12.09.2018 has sought information regarding instructions/rules/regulations empowering the Chief Engineer to charge sheet an UDC cadre post, to transfer the same charge sheet to another Chief engineer and other information concerning the office of Chairman-cum-Managing Director, PSPCL Patiala. The appellant was not satisfied with the reply of the PIO dated 16.10.2018 vide which the PIO O/o Dy Chief Engineer (South) informed the complainant that the information does not relate to them and they have already transferred the RTI application to PIO O/o Dy.CE(Tech) after which the complainant filed complaint in the Commission on 14.11.2018.

During hearing, it came to the notice that the information sought in this case is similar to the information sought in another case No.1185/2018 and since the information has been provided in case No.1185/2018, no further course of action is required.

The case is **disposed off and closed.**

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
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Sh.Narinder Kumar, S/o ShDalip Singh,
R/o Village WareamKhera, Tehsil Abohar,
Distt.Fazilka..

... Appellant

Versus

Public Information Officer,
O/o SSP,
Fazilka.

First Appellate Authority,
O/o IGP, Ferozpur Range,
Ferozpur Cantt.

...Respondent

AppealCase No. 3803 of 2018

Present: Sh.Narinder Singh as Appellant
Sh.Dalip Kumar ASI O/o SSP Fazilka for the Respondent

Order:

The appellant through RTI application dated 28.08.2018 has sought information regarding copies of jimnies recorded in the investigation of FIR No222 dated 21.10.2007 u/s 302/342/148/149 of IPC and other information concerning the office of SSP Fazilka.

The appellant pleaded that the case pertains to a murder case in which he was acquitted on 01/02/2011 after which the appellant sought jimnies report of related FIR. The appellant was not provided the information after which the appellant filed first appeal before the First Appellant Authority on 08.10.2018 which took no decision on the appeal.

The information was denied by the PIO on the ground that the jimney report is part of the secret documents of the appellant and cannot be provided. The PIO did not provide any coherent reply but provided a simple document with the objection from SHO Police Station Bahav Wala(the custodian of the record) that the information could not be provided.

It is clear that the PIO has not considered or applied his mind in rejecting the plea of the appellant as to why this information is secret and what could be the consequences of revealing it even though the case has already been disposed off and the appellant has been acquitted. After denial of the information, the appellant filed first appeal on 08.10.2018 and the First Appellate Authority passed an ambiguous order stating that the information if can be provided under the RTI Act, it should be provided.

Now the matter to be adjudicated is whether the jimney report of the case is a secret document or not and the consequences involved in revealing it. The Commission directs the PIO to reply accordingly.

Both the parties to be present on 18.03.2019 at **11.00 AM** for further hearing.

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
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Sh.Jasbir Singh,
Village Bolapur, Jhabewal, P.O Ramgarh,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/oSDM, Jalalabad,
DisttFazilka.

First Appellate Authority,
O/o DC,
Fazilka

...Respondent

AppealCase No. 3807of 2018

Present: Sh.Jasbir Singh as Appellant
Sh.Deepak Kumar, Clerk O/o SDM Jalalabad for the Respondent

Order:

The appellant through RTI application dated 13.08.2018 has sought information on 5 points regarding copy of cash register under form-K rule 4(6) concerning the office of SDM Jalalabad. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 17.09.2018.

The First Appellate Authority, DC Fazilka replied to the appellant stating that they are not the appellate authority and the SDM Jalalabad is the First appellate Authority and the appellant should file appeal with them. The appellant pleaded that the office of SDM Jalalabad has not displayed any signboard that states correct appellate authority, so he filed first appeal in DC Office. The point raised by the appellant is justified and the Commission directs that the name and designation of the First Appellate Authority be disclosed in the SDM office with immediate effect.

The respondent pleaded that the information has been provided to the appellant and the appellant has received the same. The Commission observed that the respondent has provided the information with a delay of four months. The Commission directs the PIO to be careful in future in attending to the RTI applications. With this observation, the case is closed.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Jasbir Singh,
Village Bolapur, Jhabewal, P.O Ramgarh,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SDM, Abohar,
DisttFazilka.

First Appellate Authority,
O/o DC,
Fazilka.

...Respondent

Appellant Case No. 3809 of 2018

Present: Sh.jasbir Singh as Appellant
Sh.Pawan Kumar o/o SDM Abohar for the Respondent

Order:

The appellant through RTI application dated 13.08.2018 has sought information on 5 points regarding copy of cash register under form-K rule 4(6) concerning the office of SDM Abohar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 19.09.2018 which took no decision on the appeal.

The respondent pleaded that the information has been provided. The appellant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Satpal Sharma, S/o ShGian Chand Sharma,
H No-3623, Street No-1,
Durga Puri Haibowal Kalan,
Ludhiana

...Appellant

Versus

Public Information Officer,
O/oGLADA,
Ludhiana.

First Appellate Authority,
O/oChief Administrator,
GLADA, Ludhiana.

...Respondent

Appellant Case No. 3810 of 2018

Present: None for the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 26.04.2018 has sought information on 5 points regarding allotment of land to Bal Bharati Public School Unit-1, Phase-2 Urban Estate Ludhiana and unit-II Phase-3 Urban Estate Dugri Ludhiana concerning the office of GLADA Ludhiana. The appellant was not satisfied with the reply of the PIO vide letter dated 19.07.2018 after which the appellant filed first appeal before the First Appellant Authority on 28.05.2018 which took no decision on the appeal.

Since both the parties are absent, in the interest of justice, one more opportunity is provided and the case is adjourned.

Both the parties to be present on **24.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Jabir Singh,
Army Public School, VPO Nangalbhur,
Tehsil &Distt.Pathankot.

Appellant

Versus

Public Information Officer,
O/oSDO, PSPCL,
Sub Division NarotJaimal Singh,
Distt.Pathankot

First Appellate Authority,
O/o Addl, SE/DS City Division,
Pathankot..

...Respondent

Appellant Case No. 3815 of 2018

Present: None for the Appellant
None for the Respondent

Order:

The appellant through RTI application dated 16.07.2018 has sought information regarding generation of electricity bill for a/c No.G52NJ430333N in the name of Sh.Raghuveer Singh s/o Surat Singh concerning the office of SDO PSPCL Sub Division NarotJaimal Singh, Distt.Pathankot. The appellant was not provided the information after which the appellant filed first appeal before the First Appellant Authority on 30.08.2018 which took no decision on the appeal.

Since both the parties are absent, in the interest of justice, one more opportunity is provided and the case is adjourned.

Both the parties to be present on **24.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sushil Kumar, S/o ShJoginder Nath,
VPO Sohana Baroti Wala Mohalla,
Near Water Tank, Sector-77,
Sohana, Mohali.

...Appellant

Versus

Public Information Officer,
O/o E.O, GMADA,
Mohali.

First Appellate Authority,
O/o GMADA,
Mohali.

...Respondent

Appellant Case No. 3834 of 2018

Present: Sh. Himmat Singh representative of Sh.Sushil Kumar, appellant
Sh.Gulshan Kumar, PIO for the Respondent

Order:

The appellant through RTI application dated 04.07.2018 has sought information regarding charging of 5% extra against allotment price of plot allotted under Land Pooling Scheme in Aero city concerning the office of EO GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First Appellant Authority on 13.08.2018 which took no decision on the appeal.

The respondent pleaded that the information has been provided to the appellant on 14.02.2019. The appellant is not satisfied with the information and stated that he wants the policy circular regarding charging of 5% extra cost for the plot allotted under land pooling scheme.

The Commission observed that the appellant has asked for policy notification for charging 5% extra whereas the PIO has merely provided allotment letter and not provided any documents which leads towards the conclusion that the department will charge 5% extra for facing park. The PIO is directed to provide with whatever the document that is available to the appellant within a week and send a compliance report to the Commission.

The case is adjourned. Both the parties to be present on **03.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Mangal Singh,
296, SJS Avenue, Ajnala Road,
Amritsar.

...Appellant

Versus

Public Information Officer,
O/oChief Engineer, Border Zone,
PSPCL, Amritsar.

First Appellate Authority,
O/oChief Engineer, Border Zone,
PSPCL, Amritsar

...Respondent

Appellant Case No. 3835 of 2018

Present: None for the Appellant
Sh.Sarvjit Kumar Sharma, APIO-cum-Addl.SE/Op (East Div) PSPCL
Amritsar for the Respondent

Order:

The appellant through RTI application dated 25.07.2018 has sought information regarding shifting of electric meters from the houses to outside and replacement of electromechanic meters with electronic meters and other information concerning the office of The Chief Engineer, Border Zone, PSPCL Amritsar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellant Authority on 03.09.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been provided to the appellant vide letter dated 30.11.2018 and a copy of the same is submitted to the Commission. The appellant is absent to point out the discrepancies if any.

I have gone through the RTI application and found it incoherent and largely in complaint form. The PIO has replied to the RTI application efficiently to the best possible extent. However, the PIO's reply is with four months delay whereas the RTI mandates reply within 30 days. The PIO is hereby directed to be careful in future in attending to the RTI applications with seriousness that it deserves. The appellant if still interested to seek information, the appellant is directed to file a fresh coherent and legible RTI application.

No further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Tahaf Bains, S/o Sh.Dipender Singh,
1562, Sector-18-D, Chandigarh.

.....Appellant

Versus

Public Information Officer,
O/o Sub Registrar, Jalalabad,
Distt.Fazilka..

First Appellate Authority,
O/oSDM, Jalalabad,
Distt.FAzilka.

...Respondent

Appellant Case No. 3838 of 2018

Present: Sh.Tahaf Bains as Appellant
None for the Respondent

Order:

The appellant through RTI application dated 28.12.2017 has sought information on 5 points regarding details of revenue record comprising agreement to sell, sale deed, deed of transfer, conveyance deed, mortgage deed, gift deed or any lien towards the property, mutation of land bearing khata/khatauni/khasra numbers as per RTI application situated in village Aamir Khas, Tehsil Jalalabad, District Fazilka concerning the office of Sub Registrar, Jalalabad. The appellant was not satisfied with the reply of the PIO dated 20.06.2018 vide which the PIO denied the information stating that the information is question form and it cannot be provided. On being denied the information, the appellant filed first appeal before the First Appellate Authority on 28.07.2018 which disposed off the appeal on 20.08.2018 with the order that the information is third party information.

The appellant claims that he being a co-parcener and legal heir as per law, is legally entitled to a share in the coparcenary property of his father and fore-fathers and for implementing that right, he requires details of the property. The respondent is absent. The PIO is directed to appear personally on the next date of hearing and explain the reasons for not providing the information in accordance with the RTI Act.

Both the parties to be present on **26.03.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Simranjit Singh, S/o ShJagdisth Singh,
93/2, Adarsh Nagar,
Jalandhar.

...Appellant

Versus

Public Information Officer,
O/o JDA,
Jalandhar.

First Appellate Authority,
O/oJDA,
Jalandhar.

...Respondent

Appellant Case No. 3851 of 2018

Present: Sh.Simranjit Singh as Appellant
Sh.Ashok Kumar, Superintendent, JDA Jalandhar for the Respondent

Order:

The appellant through RTI application dated 28.12.2017 has sought information by allowing inspection of the record of Jalandhar Heights-1, Jalandhar Heights-2 on 66 ft road and record of Hamilton Mayfair Flats project situated on 66 ft road including all sanctioned plan files, revise plan and other information concerning the office of Jalandhar Development Authority, Jalandhar. The appellant was not satisfied with the reply of the PIO dated 24.09.2018 vide which the PIO raised requisite fee of Rs.10000/- after which the appellant filed first appeal with the First Appellate Authority on 03.10.2018 which disposed off the appeal on 01.11.2018 upholding the decision of the PIO.

The respondent present pleaded that the appellant was asked to inspect the record vide letter dated 23.07.2018 and after inspecting the record, the appellant submitted a list of documents vide letter dated 31.08.2018. Thereafter, the appellant was asked to deposit requisite fee of Rs.10000/- vide letter dated 24.09.2018 which the appellant has not deposited.

The appellant has refuted this claim of the department and stated that as per envelope of the letter, the dispatch date is 01.10.2018 and the appellant received the letter only on 06.10.2018. The respondent is directed to bring dispatch register to ascertain the date of dispatch of the letter. The appellant has also raised objection stating that the detail of Rs.10000/- has not been provided. The PIO is directed to provide break up of Rs.10000/-.

The case is adjourned. To come up for further hearing on **24.04.2019 at 11.00 AM.**

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Nirmal Singh S/o Gian Singh,
VPO BhochhiRajputtan,
Tehsil Baba Bakala,
District Amritsar.

... Appellant

Versus

Public Information Officer,
SSP (Rural) Amritsar.

First Appellate Authority,
Inspector General of Police,
Border Range, Amritsar.

...Respondent

Appeal Case No. 1251 of 2018

Present: None for the Appellant
Sh.Kulwinder Singh, ASI for the Respondent

ORDER:

The case was first heard on **12.06.2018**. The Appellant was directed to tally the information provided by the respondent with his RTI application and inform the discrepancies if any and the PIO is was also directed to send the remaining information to the appellant by registered post and come with proof of sending the information with dispatch receipt.

The case was again heard on **23.07.2018**. The PIO was absent. The Commission received a letter diary No.13324 dated 02.07.2018 from the PIO mentioning that in compliance with orders of the Commission, the information has been sent to the appellant through post registry No.746597195. The appellant was present and informed that there is some discrepancy regarding point No.7 i.e. statement of the alleged accused in FIR has not been provided. The PIO was directed to settle this discrepancy under the provisions of RTI Act.

The case was again heard on **28.08.2018**. The appellant informed that despite orders of the Commission, the information has not been provided to him. The respondent present pleaded that they will settle the discrepancy within 5 days. The PIO was again directed to settle the discrepancy regarding point No.7 of RTI i.e. the copy of record and/or statements of accused and/or witnesses recorded during the course of investigation, based on which the report and findings were drawn by the investigation officer within 5 days.

The case came up for hearing on **15.10.2018** through video conference facility available in the office of the Deputy Commissioner, Amritsar. Since both the parties were absent, the case was adjourned. The PIO was directed to send compliance report of the previous orders of the Commission.

The case was again heard on **03.12.2018**. The appellant pleaded that he has not received the information. The respondent was absent. The Commission had taken a serious note of this and directed the PIO to provide the information as per previous order within a week and send intimation to the Commission failing which the Commission will be constrained to take action under RTI Act.

Appeal Case No. 1251 of 2018

The case was last heard on **05.02.2019** through video conference facility available in the office of the Deputy Commissioner, Amritsar. The order is reproduced hereunder:

“The appellant pleaded that the information has not been provided so far.

The respondent is absent on 3rd consecutive hearing and has neither provided the information to the appellant. On the hearing of 23.07.2018, the PIO was absent and the PIO was directed to remove the discrepancy regarding point No.7 i.e. the copy of record and/or statements of accused and/or witnesses recorded during the course of investigation, based on which the report and findings were drawn by the investigation officer. On the hearing of 28.08.2018, Sh.Victor Singh, ASI was present on behalf of the PIO who assured to settle the discrepancy regarding point No.7 within 5 days. However, the PIO has not complied with the order of the Commission but has preferred to be absent on three consecutive hearings.

The Commission has taken a serious note of this and directs the PIO O/o SSP (Rural), Amritsar to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time** and for not complying with the order of the Commission, he should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies. The PIO is also directed to provide information to the appellant within 10 days of the receipt of order.”

Hearing dated 05.03.2019:

The representative appearing on behalf of the PIO does not know about the case and nor has brought any reply to the show cause notice. The Commission has taken a serious note of this. The PIO is given one more opportunity to be present on the next date of hearing and submit reply to the show cause notice on an affidavit. The PIO is also directed to comply with the earlier order of the Commission which still stands.

The case is adjourned. To come up for further hearing on **03.04.2019 at 11.00 AM.**

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Karan Singh, S/o . Singh,
79, High Land Society, Baltana, Zirakpur.

... Appellant

Versus

Public Information Officer,
State Transport Commissioner,
Sector-17, Chandigarh.

First Appellate Authority,
State Transport Commissioner,
Sector-17, Chandigarh.

...Respondent

Appeal Case No. 1754 of 2018

Present: None for the Appellant
Sh.Davinder Kumar, Superintendent-cum-PIO APIO for the Respondent

ORDER:

The case was last heard on **29.08.2018**. Sh.Gurpal Singh APIO was present. The respondent pleaded that the information has been provided to the appellant. The appellant was not satisfied. The respondent further pleaded that since the information is voluminous, the appellant be asked to inspect the record and get the requisite information. The appellant was directed to inspect the record on the date fixed i.e. 07.09.2018 and get the specific information, he wants. The PIO was directed to provide the information as per RTI.

The case was again heard on **17.10.2018**. The appellant informed that he visited the office of the PIO on 07.09.2018 but he was not allowed to inspect the record. The respondent present pleaded that the information cannot be parted with and submitted a memo dated 15.10.2018 from the office of State Transport Commissioner, Punjab which states (1) that the cars and drivers allocated to the Chief Minister, Cabinet Minister, MLA/MPs by the Ministers Car Branch, are as per the norms prescribed by the Motor Vehicle Board;(2)That it is the Chief Minister's Security Wing that deploys vehicles/drivers with the Chief Minister;

(3)That due to the above reasons, the RTI Act is not applicable to the Chief Minister's Security and Vehicles. They have attached an order of the Government of Punjab dated 23.02.2006 whereby it had notified exempting certain organizations from the Act.

On close scrutiny of the reply submitted by the PIO, it was observed that the PIO's reply is not in accordance with the RTI sought since the information sought is about distance covered, name of the drivers and name of Ministers with whom the vehicles were attached and hence has nothing to do with the Chief Minister's security. The reasoning provided to seek exemption is bereft of any logic and no section of the RTI Act has been invoked to seek exemption. It appears to be an attempt to willfully stonewall flow of information on one pretext or the other.

The appellant pleaded that his RTI application pertains to the expenditure and names of drivers attached to former Minister's vehicles and has nothing to do with the security cover provided to the minister, Chief Minister or the Minister concerned. The appellant sought an adjournment due to ill health as well as to prepare and file his reply to the exemption that the respondent has sought.

The case was last heard on **22.01.2019**. The order is reproduced hereunder:

“The appellant is absent without intimation to the commission. In the last hearing the appellant had sought an adjournment to file a reply to respondent’s reasons for not providing the information which are recorded in the order of the earlier hearing of 17.10.2018.

Contrary to the earlier facts whereby the appellant had pleaded that his RTI application pertains to the expenditure and names of drivers attached to former Minister’s vehicles and has nothing to do with the security cover provided to the minister, Chief Minister or the Minister concerned, a new fact has emerged at this hearing. The respondent has stated that the information pertains to the vehicles attached with the CM Security wing, and does not come under the purview of the RTI Act. The respondent has submitted a copy of the notification dated 23.02.2006 issued by the Government of Punjab which states that the RTI Act does not apply to the information pertaining to the security wing.”

Hearing dated 05.03.2019:

The order is to be read in continuation with the observations of the last hearing whereby the respondent had pleaded that the sought information pertained to the vehicles and drivers attached with the Chief Minister’s security and could not be provided. According to a written submission at the third hearing, the respondent had stated that issues related to the Chief Minister’s security had been taken out of the preview of the RTI Act of 2005 via a notification dated 23.02.2006 of the Punjab Government where the Security wing had been exempted.

This submission by the respondent had also brought to the notice of the commission that the entire information of seven points sought did not pertain to vehicles of a former minister as stated by the appellant in an earlier hearing but the incumbent Chief Minister, and all the vehicle numbers about which information was sought were part of the security of the current Chief Minister.

I have gone through the proceedings of the entire case and carefully weighed the options that whether revealing the information serves a larger public interest or its revealing can jeopardize the security and cause a life-threatening situation to the Chief Minister, about whose security vehicles the information has been sought. The information sought is about fuel consumption, kilometers travelled, name of drivers and officials attached to the a set of vehicles (numbers provided) and fuel expenses from the period 1.03.2017 to 31.12.2017.

The commission during the course of the hearing of the case provided ample opportunity to the appellant on two occasions to establish to the commission that revealing of this information is in larger public interest, in the interest of transparency and that the respondent’s contention to deny the information is not plausible. The appellant was however absent on the both the occasions when the commission was determining the security consequences vis-a-vis larger public interest in case of disclosure of the sought information.

Keeping the above facts in mind, I am clear that the safety of an individual is of paramount importance than assumed transparency. The latter cannot become a ground to jeopardize the security of an individual unless there is evidence of gross corruption or human rights violation within the security wing of the Chief Minister, and none of the two demons have come to my notice for me to set aside the plea of the PIO (no decision by the first appellate) citing the Government of Punjab’s notification, in larger public interest.

Appeal Case No. 1754 of 2018

Section 8 (g) of the RTI Act also provides exemption from revealing that information, which could endanger the life of any person. Though, I should make it clear that this proviso has to be used very objectively and in a miserly manner, however, this has been provided by the lawmakers for instances where there is solid ground to believe that publication of such information can indeed endanger the life of someone.

Having observed the above, the commission is also well versed with the prevailing security environment in the country and in the Punjab state, which has suffered long years of terrorism and due to which many individuals, including a sitting Chief Minister have had to lose their lives. In fact, with the benefit of hindsight at our disposal, an enquiry needs to be conducted as to how the vehicle numbers of the CM's security have come in public domain. It needs to be inquired that how numbers of nine vehicles of the Chief Minister's security are accessible to the public.

In conclusion, I concur with the reasons cited by the PIO for denying the information and for the reasons recorded herein above. I see no merit in disclosing the sought information as security is a complex matrix and each point asked, even though it might appear inconsequential and disclosable to the naked eye, can reveal some layer of the security, leading to its breach and misuse. And especially, when the information sought is about a current and ongoing security structure, and not of the past.

The order may be forwarded by the Deputy Registrar to both, the Principal Secretary, Home, Punjab and Director General of Police, Punjab bring the contents of this order to their pointed notice.

The case is **disposed off and closed**.

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
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Sh.Duli Chand, S/o Sh.Daya Ram,
R/o Village VariamKhera, Tehsil Abohar,
DistFazilka.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Fazilka.

First Appellate Authority,
O/o IGP,
Bathinda Zone, Bathinda.

...Respondent

Appeal Case No. 3607 of 2018

Present: Sh.Pardeep Kumar Advocate for the Appellant
Sh.Dalip Singh, ASI, O/o SSP Fazilka for the Respondent

Order:

The case was last heard on **04.02.2019**. The order is reproduced hereunder:

“The appellant through RTI application dated 04.05.2018 has sought information on 6 points regarding appointment/suspension/reinstatement of Sh.Bhagwan Singh, ASI No.756/Ferozepur and other information concerning the office of SSP Fazilka. The appellant was not satisfied with the reply of the PIO dated 02.07.2018 vide which the PIO denied the information stating that since the information is third party, it cannot be provided. On having denied the information, the appellant filed first appeal with the First Appellate Authority on 12.07.2018 which took no decision on the appeal.

The respondent present pleaded that since the information is third party information, it cannot be provided and the appellant has already been informed vide letter dated 02.07.2018. The PIO has taken plea that the information sought is the outcome of personal dispute between the appellant and one Sh.Rajesh Kumar and of personal nature, thus the information has been rejected by invoking section 8(1)(j) of the RTI Act.

Having gone through the RTI application, the Commission found that the appellant has sought information pertaining to the service record and complaints against the ASI Bhagwan Singh. The Commission wants to establish the public interest involved in disclosing the personal information of an employee and directs the appellant to provide sufficient evidence that the disclosure of such information is in larger public interest.”

Hearing dated 05.03.2019:

The respondent present reiterated his earlier plea that since the information is third party information, it cannot be provided. In the last hearing, the appellant was given a chance to establish that the disclosure of information is in larger public interest. However, the appellant has not availed the opportunity.

The advocate representing the appellant does not know about the case and has come only to mark the attendance, and also without any authority letter. I see no merits in this case since the information sought is service record of a police official with whom the appellant appears to have personal grudge and, revealing it serves no larger public interest.

The case is **disposed off and closed.**

Chandigarh
Dated: 05.03.2019

Sd/-
(Khushwant Singh)
State Information Commissioner