

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - pcic20@punjabmail.gov.in



Shri Rajesh Kumar.
S/o late Shri Om Parkash
r/o #80, near Police Station Sadar, Railway Station,
Nabha (Patiala)

-----Appellant

Vs.

Public Information Officer
o/o Director General of Police, Punjab,
Sector 9, Chandigarh.

First Appellate Authority,
O/o Director General of Police, Punjab,
Sector 9, Chandigarh.

Public Information Officer,
O/o Senior Superintendent of Police, Patiala.

Public Information Officer,
O/o A.D.G.P Security,
O/o Director General of Police,
Punjab, Sector:9, Chandigarh.

-----Respondents

Appeal Case No. 228 of 2018

Present: Shri Rajesh Kumar, appellant, in person.

Shri Bhajan Singh, S.I.; Shri Manjit Singh, S.I.; Shri Ajeet, ASI and Shri Kulveer Singh, H.C., on behalf of the respondents.

ORDER

The case was last heard on 08.10.2018, when the representative of the respondents informed that the information regarding Points No. 2 to 8 had been supplied to the appellant. He further informed that a reply had been sent to the appellant that the information regarding Point No. 1 was not available in their record. The appellant informed that the information provided regarding Points No. 2 to 8 was incomplete. Accordingly, he was directed to furnish deficiencies in the provided information to the PIO, with a copy to the Commission. With regard to information regarding Point No. 1, the PIO of the office of ADGP Security was

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impleaded as a necessary party in this case and he was directed to supply the requisite information to the appellant and explain the factual position, on the next date of hearing. The case was adjourned to 08.11.2018, which was further postponed to 04.12.2018 due to certain administrative reasons.

2. On 04.12.2018, the appellant was not present. The representatives of the respondents had brought information running into 16 pages for handing over to the appellant. Since the appellant was not present, the respondents were directed to send this information to the appellant by registered post and the appellant was directed to send his observations, if any, on the provided information to the PIO, with a copy to the Commission. The case was adjourned to 04.02.2019.

3. On 04.02.2019, the appellant submitted a letter dated 04.02.2019 vide which he had furnished point-wise deficiencies in the provided information. Shri P.S. Sandhu, AIG Security, appearing on behalf of the respondents, stated that the information asked for at Point No. 1 regarding supply of entry passes cannot not be supplied to the appellant. Consequently, after hearing both the parties and discussing the matter at length, the respondent was directed to submit a detailed reply explaining reasons for denying the information. Besides, a copy of letter dated 04.02.2019 submitted by the appellant, vide which he had furnished deficiencies, was handed over to the respondent to give point-wise reply to the appellant, with a copy to the Commission. The respondent was also directed to bring entry passes for the perusal of the Commission, on the next date of hearing to enable it to arrive at a logical conclusion. The case was adjourned for today.

4. Today, the representative of the respondents submits a letter No. 7527/DDSB, dated 05.03.2019 from IGP Security-cum-PIO, Punjab, Chandigarh vide which detailed security

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reasons for not providing information regarding Point No. 1 i.e. gate passes have been intimated concluding that this information cannot be provided to the appellant. I agree with the plea put forth by the PIO for denying this information to the appellant. A copy of the said letter from the PIO is handed over to the appellant.

5. The representative of the respondents submits letter No. 1073/AS/D.S.P/Nabha, dated 04.03.2019 from DSP Nabha vide which information asked for at Points No. 2 to 9 has been provided, a copy of which is handed over to the appellant, who is directed to send his observations, if any, to the PIO, with a copy to the Commission, within 10 days.

6. To come up on **10.04.2019 at 11.30 A.M. for further proceedings.**

Dated : 05.03.2019

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

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Smt. Anita Kiran
w/o Shri Surinder Pal, H.No.293,
St. No.4, Mohalla Janta Colony,
Rahon Road, Post Office Basti Jodhewal,
Tehsil and District Ludhiana.

-----Appellant

Vs.

Public Information Officer
O/o Station House Officer,
Basti Jodhewal, District Ludhiana.

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

-----Respondents

Appeal Case No. 2476 of 2017

Present:- Smt. Anita Kiran, appellant, in person.
Shri Gurmukh Singh, ASI, on behalf of the respondents.

ORDER

The case was last heard on 04.02.2019, when the appellant was not present. As per the orders of the Commission passed on the last date of hearing i.e. 04.12.2018, Shri Gurbinder Singh, Inspector/SHO, Police Station, Basti Jodhewal, Ludhiana was present. He submitted a letter No. 76-A-5A/PS Basti Jodhewal/Ludhiana, dated 02.02.2019 vide which factual position of the case vis-à-vis status report has been submitted, which was taken on record. He informed that he had brought Bank Draft for Rs. 3000/- as compensation amount vis-à-vis requisite information for handing over to the appellant. Since the appellant was not present, the respondent was directed to send the Bank Draft as well as the requisite information to the appellant by registered post and the appellant was directed to send her observations, if any, to the PIO, with a copy to the Commission, before the next date of hearing. The case was adjourned for today.

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2. Today, the appellant informs that she has received compensation amount of Rs. 3,000/- but complete information has not been provided to her by the PIO as yet.
3. The representative of the respondents informs that the available information has been supplied to the appellant. He further states that inquiry into the matter has been completed and Inquiry Report has been submitted to Assistant Commissioner of Police for its approval. Accordingly, it is directed that as and when the Inquiry Report is approved by the competent authority, a copy of Inquiry Report be furnished to the appellant, with a copy to the Commission.
4. To come up on **10.04.2019 at 11.30 A.M. for further proceedings.**

Dated : 05.03.2019

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

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Smt. Anita Kiran
w/o Shri Surinder Pal, H.No.293,
St. No.4, Mohalla Janta Colony,
Rahon Road, Post Office Basti Jodhewal,
Tehsil and District Ludhiana.

-----Appellant

Vs.

Public Information Officer
o/o Station House Officer,
Basti Jodhewal, District Ludhiana.

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

-----Respondents

Appeal Case No. 2480 of 2017

Present:- Smt. Anita Kiran, appellant, in person.
Shri Gurmukh Singh, ASI, on behalf of the respondents.

ORDER

The case was last heard on 04.02.2019, when the appellant was not present. As per the orders of the Commission passed on the last date of hearing i.e. 04.12.2018, Shri Gurbinder Singh, Inspector/SHO, Police Station, Basti Jodhewal, Ludhiana was present. He submitted a letter No. 76-A-5A/PS Basti Jodhewal/Ludhiana, dated 02.02.2019 vide which factual position of the case vis-à-vis status report has been submitted, which was taken on record. He informed that he had brought Bank Draft for Rs. 3000/- as compensation amount vis-à-vis requisite information for handing over to the appellant. Since the appellant was not present, the respondent was directed to send the Bank Draft as well as the requisite information to the appellant by registered post and the appellant was directed to send her observations, if any, to the PIO, with a copy to the Commission, before the next date of hearing. The case was adjourned for today.

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2. Today, the appellant informs that she has received compensation amount of Rs. 3,000/- but complete information has not been provided to her by the PIO as yet.
3. The representative of the respondents informs that the available information has been supplied to the appellant. He further states that inquiry into the matter has been completed and Inquiry Report has been submitted to Assistant Commissioner of Police for its approval. Accordingly, it is directed that as and when the Inquiry Report is approved by the competent authority, a copy of Inquiry Report be furnished to the appellant, with a copy to the Commission.
4. To come up on **10.04.2019 at 11.30 A.M. for further proceedings.**

Dated : 05.03.2019

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

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Dr. Sandeep Kumar Gupta,
#1722m Sector 14, Hisar-125001.

-----Appellant

Vs.

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

First Appellate Authority,
O/o Department of Personnel, Punjab,
PP-3 Branch, Punjab Civil Secretariat, Chandigarh.

-----Respondents

Appeal Case No. 2092 of 2017

Present:- None on behalf of the appellant.

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

ORDER

In this case, during hearing on 08.10.2018, the representative of the respondents submitted a Memo. No. 16/7/2017-3PP3/797-798, dated 05.10.2018, addressed to the appellant, with a copy endorsed to the Commission, vide which detailed reply had been sent to the appellant in view of the deficiencies pointed out by him. Accordingly, last opportunity was afforded to the appellant to send his observations, if any, to the PIO, with a copy to the Commission. The case was adjourned to 08.11.2018, which was further postponed to 04.12.2018, due to certain administrative reasons.

2. On 04.12.2018, the representative of the respondents informed that complete information, available on record, had been supplied to the appellant and nothing more had been left, which could be shared with the appellant regarding the instant RTI application. Accordingly, final opportunity was afforded to the appellant to send his observations, if any, on the provided information, failing which case would be decided on merit on the basis of

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documents placed on record. The case was adjourned to 4.02.2019.

3. On 04.02.2019, the appellant was not present. However, a letter dated 29.01.2019 was received from him through e-mail informing that he was yet to get copy of application(with all enclosures) in respect of Ms. Jaspal Kaur who was administered the oath of the Member of Punjab Public Service Commission on 28.10.2014. He had requested to supply the pending information. The representative of the respondents stated that the record had been searched but the record in respect of Ms. Jaspal Kaur had not been traced as yet. During hearing it was observed that it is really a serious matter that the office record of Member of PPSC is not available. Accordingly, Secretary Personnel was directed to hold an inquiry and find out reasons for missing of very important record and submit report before the next date of hearing so that requisite complete information could be provided to the appellant without any further delay. A copy of this order was forwarded to Secretary Personnel, Government of Punjab, for its compliance. The case was adjourned for today.

4. Today, the appellant is not present. However, a letter dated 04.03.2019 has been received from him through e-mail seeking exemption from personal appearance. He has requested to issue directions to the respondent PIO for supply of complete certified information. He has also requested to impose penalty upon the PIO for the delay in the supply of information and award compensation to him for the detriment suffered by him. The representative of the respondents states that available information has already been supplied to the appellant. He further states that the record in respect of Ms. Jaspal Kaur, Member, has not become available. He informs that the order of the Commission reached their office on 01.03.2019, due to which file could not be put up to Secretary Personnel for conducting an inquiry as per the orders of the

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Commission. Accordingly, Secretary Personnel is again directed to hold an inquiry to find out reasons for missing of very important record and submit report before the next of hearing.

5. To come up on **10.04.2019 at 11.30 A.M. for further proceedings.**

Dated : 05.03.2019

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

**CC: Secretary to Government of Punjab,
Department of Personnel,
Punjab Civil Secretariat-1, Chandigarh.**

REGISTERED

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Shri Nirmal Singh
s/o Shri Gian Singh,
VPO Bharchhi Rajputan,
Tehsil Baba Bakala, District Amritsar.

-----Appellant

Vs

Public Information Officer
o/o Deputy Superintendent of Police,
Baba Bakala, Distt. Amritsar.

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

-----Respondents

Appeal Case No. 1808 of 2018

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

ORDER

The case was last heard on 04.02.2019, when the representative of the respondents submitted a copy of letter No. 258/RTI, dated nil from SSP-cum-PIO, Amritsar Rural vide which reply had been sent to the appellant. He handed over a copy of that letter to the appellant. Accordingly, the appellant was directed to send his observations, if any, on the reply of the PIO, to the PIO, with a copy to the Commission, before the next date of hearing. The case was adjourned for today.

2. Today, the appellant submits a letter dated 05.03.2019 vide which he has pointed out deficiencies in the provided information, a copy of which is handed over to the respondent to supply the complete information to the appellant after removing the deficiencies pointed out by him. The appellant further points out that the matter relates to Case No. 65, dated 19.10.2017 whereas the PIO has mentioned in their reply that Challan has been filed in the Court on 01.03.2016. Accordingly, the PIO is directed to clarify this discrepancy also.

3. To come up on **03.04.2019 at 11.30 A.M. for further proceedings.**

Sd/-

Dated : 05.03.2019

**(S.S. Channy)
Chief Information Commissioner
Punjab**

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Shri Gurdip Singh s/o Shri Chanan Singh
r/o #215, Ajit Nagar, Sultan Wind Road,
Sri Amritsar Sahib.

-----Appellant

Vs.

Public Information Officer
o/o Town Planner, Municipal Corporation,
Sri Amritsar Sahib.

First Appellate Authority,
O/o Commissioner, Municipal Corporation,
Sri Amritsar Sahib.

-----Respondents

Appeal Case No. 1211 of 2017

Present:- Shri Gurjeet Singh, appellant, on behalf of the appellant.
None on behalf of the respondents.

ORDER

The case was last heard on 28.01.2019, when the representative of the appellant submitted that after the lapse of 20 months, no information had been provided to him. Consequently, after hearing the parties and going through the record available on the case file, a compensation of Rs.5000/- (Rupees Five Thousand Only) was awarded to the Appellant to be paid by the Public Authority within 15 days from the receipt of this order under intimation to the Commission. Besides, viewing the lackadaisical and highly irresponsible attitude of the respondents, seriously, a Show-Cause Notice was issued to Shri Jagdev Singh, Assistant, Town Planner-cum-PIO for imposition of penalty for the delay in the supply of information. An opportunity of personal hearing was also afforded to him to avail on the next date of hearing in the interest of natural justice. It was observed that during all the hearings in this case, the PIO had taken only one stand that the record of 'building plans' is maintained date-wise and not building-wise. It was felt that it was not a plausible way of keeping the record. The reply

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furnished by the concerned PIO was also found ridiculous as due transparency and accountability is to be ensured under the RTI Act. Accordingly, Smt. Sonali Giri, Commissioner, Municipal Corporation, Amritsar was directed to look into those aspects and explain the procedure for maintaining the record and as to how the information can be made available, when the information-seeker/owner of the property does not know the date of approval of building plan especially when it involves violations of bye-laws by other owners. The case was adjourned for today.

2. Today, the representative of the appellant informs that complete information has not been provided to the appellant nor compensation amount of Rs. 5,000/- has been paid to him as yet.

3. None is present on behalf the respondents. However, an affidavit dated 01.03.2019 has been received from Shri Jagdev Singh, Assistant Town Planner, Municipal Corporation, Amritsar, a copy of which is handed over to the representative of the appellant for furnishing his observation, if any, to the PIO, with a copy to the Commission. Besides, the respondent PIO is directed to pay compensation amount of Rs. 5,000/- through a Bank Draft to the appellant, before the next date of hearing.

4 To come up on **10.4.2019 at 11.30 A.M. for further proceedings.**

Dated : 05.03.2019

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

PUNJAB STATE INFORMATION COMMISSION

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Shri Kartar Singh,
#555, Agarsen Colony,
Sirsa, Haryana.

-----Complainant

Vs

Public Information Officer-cum-
Commissioner of Police,
Amritsar.

-----Respondent

Complaint Case No. 410 of 2018

Present:- Shri Kartar Singh, complainant, in person along with his Counsel Shri Varinder Singh, Advocate.

Shri Surinder Singh, RTI Incharge and Shri Chander Mohan, ASI on behalf of the respondent-PIO.

ORDER

The case was last heard on 28.01.2019, when the representatives of the respondent-PIO submitted a copy of reply/information to the Commission, with a copy to the complainant and the complainant was advised to go through the same and revert back to the authorities, in case of any deficiency in the provided information. The case was adjourned for today.

2. Today, the complainant, while expressing dis-satisfaction with the provided information, informs that he has sent deficiencies in the provided information to the PIO, which have been received by him. The representatives of the respondent inform that the CD demanded by the appellant is not available in record and thus cannot be provided. They further inform that a complaint filed by one Shri Gaganpreet Singh against the complainant is also not available in their record. Consequently, after discussing the matter and hearing both the parties, respondents are directed to check as to whether a complaint filed by Shri Gaganpreet Singh has been received in their office and is available in their record and in case it is available, then supply a copy of the same to the appellant, else provide a written submission to this effect to the appellant, with a copy to the Commission, before the next date of hearing.

3. To come up on **10.04.2019 at 11.30 A.M. for further proceedings.**

Dated : 05.03.2019

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

PUNJAB STATE INFORMATION COMMISSION

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Shri Gurdeep Singh Kahlon
r/o H.No.947 HIG, Jamalpur Colony,
Ludhiana.

-----Complainant

Vs

Public Information Officer
o/o Court of Hon'ble Judge Bhupinder Mittal,
Judicial Magistrate, Ludhiana.

-----Respondent

Complaint Case No. 1027 of 2018

Present:- None on behalf of the parties.

ORDER

In this case, during hearing on 20.11.2018, none was present on behalf of the complainant as well as the respondent. The respondent PIO was directed to supply the requisite information to the complainant before the next date of hearing and explain reasons for absence and delay in the supply of information. The case was adjourned to 28.01.2019.

2. On 28.01.2019 again, none was present on behalf of the complainant as well as the respondent without any intimation nor any reply had been filed by the respondent PIO. No response to the order of the Commission being tantamount to disrespect for RTI proceedings, warranted invoking the penalty provisions under the RTI Act, 2005. Accordingly, a Show Cause notice was issued to the respondent-PIO for imposition of penalty upon him and an opportunity of personal hearing was also afforded to him on the next date of hearing, before imposition of penalty. The case was adjourned for today.

3. Today again, none is present on behalf of the complainant as well as the respondent without any intimation. Viewing the defying attitude of Shri Hans Kumar, Reader-cum-PIO, seriously, one last opportunity is afforded to him to submit reply to the Show-Cause

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Notice issued to him and supply requisite information to the complainant, before the next date of hearing, failing which action for imposing penalty will be taken, ex-parte.

4. To come up on **10.04.2019 at 11.30 A.M. for further proceedings.**

Dated : 05.03.2019

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

**CC: Shri Hans Kumar,
Reader-cum-PIO,
Court of Hon'ble Judge Shri Bhupinder Mittal,
Judicial Magistrate, Ludhiana.**

REGISTERED

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Shri Gurdeep Singh Kahlon
r/o H.No.947 HIG, Jamalpur Colony,
Ludhiana.

-----Complainant

Vs

Public Information Officer
o/o Police Commissioner.
Ludhiana.

-----Respondent

Complaint Case No. 1028 of 2018

Present:- None for the complainant.
Shri Pawandev Singh, S.I., on behalf of the respondent.

ORDER

The case was last heard on 28.01.2019, when none was present on behalf of the appellant as well as the respondents, without any intimation. Viewing the callous and lackadaisical attitude of the PIO seriously, last opportunity was afforded to the PIO supply the requisite information to the complainant, failing which punitive action under the provisions of RTI Act, 2005 would be initiated against him. The case was adjourned for today.

2. Today, the complainant is not present without any intimation. The representative of the respondent informs that inquiry has been completed and Inquiry Report has been approved by the competent authority. Accordingly, the respondent is directed to send a copy of the Inquiry Report to the complainant by registered post.

3. With these directions, the case is **disposed of and closed**.

Dated : 05.03.2019

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

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Shri Tejinder Singh
r/o Village Bholapur, P.O. Ramgarh,
Chandigarh Road, Ludhiana.

-----Appellant

Vs.

Public Information Officer
o/o Station House Officer,
Police Station, Ladhowal, Ludhiana.

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

-----Respondents

Appeal Case No. 3244 of 2017

Present:- Shri Jasbir Singh, on behalf of the appellant.
Shri Jaswant Singh, Head Constable, on behalf of the respondents.

ORDER

The case was last heard on 28.01.2019, when the appellant was not present. However, a letter was received from him through e-mail seeking exemption from personal appearance. He further informed he had received only partial information and had sent deficiencies to the PIO. Accordingly, the representative of the respondents was directed to supply complete information after removing he deficiencies furnished by him. The case was adjourned for today.

2. The representative of the respondents informs that complete information has been provided to the appellant. The representative of the appellant confirms that the information has been supplied but it is late by 14 months. Since the information had to be collected from different quarters, it has taken time and thus no malafide on the part of the PIO in delaying the information is proved.

3. Accordingly, the case is **disposed of and proved**.

Dated : 05.03.2019

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

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Shri Ranjit Singh
s/o Shri Rachhpal Singh,
r/o H.No.153, Gali No.3,
Near Gurudwara Bhai Kanhaya Ji,
Sultanwind Road, Amritsar.

-----Appellant

Vs.

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

First Appellate Authority,
O/o Commissioner of Police, Amritsar.

-----Respondents

Appeal Case No. 3297 of 2017

Present:- Shri Shubham Mehta, Advocate, on behalf of the appellant.
Shri Surinder Singh, Incharge (RTI Branch) alongwith Shri Mukhtiar Singh,
Inspector/SHO, on behalf of the respondents.

ORDER

The case was last heard on 28.01.2019, when the counsel for the appellant stated that they would be satisfied if the tower location of the concerned Mobile Number was provided to them. Consequently, after going through the Speaking Order dated 22.01.2019, passed by the Commissioner of Police, Amritsar and hearing both the parties at length, it was observed that Tower Location of the concerned Mobile Number had no link with the exemption claimed under Section 8(1)(g) of the Right to Information Act, 2005 by the respondents for not providing the sought for information to the appellant. In case they had any apprehension, they might eclipse any other information, to which any sensitivity is attached. Accordingly, the respondents were directed to provide the Tower Location of the concerned Mobile Number on a specific date and time to the appellant, before the next date of hearing. The case was adjourned for today.

2. Today, the Counsel for the appellant informs that as per the orders of the

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Commission passed on the last date of hearing, Tower Location of the concerned Mobile Number has not been provided to the appellant. Consequently, after discussing the matter in detail again, last opportunity is afforded to the respondent PIO to provide the Tower Location of the concerned Mobile Number on a specific date and time to the appellant, before the next date of hearing.

3. To come up on **10.04.2019 at 11.30 A.M. for confirmation of compliance of orders.**

Dated : 05.03.2019

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

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Ms. Sarabjit Kaur
d/o S. Baljeet Singh
r/o Village Midha, Tehsil Malout,
District Sri Mukatsar Sahib.

-----Complainant

Vs

Public Information Officer
o/o Director General of Police, Punjab,
Sector 9, Chandigarh.

-----Respondent

Complaint Case No. 910 of 2018

Present:- Ms. Sarabjit Kaur, Complainant, in person.

Shri Surinder Singh, S.I. alongwith Ms. Paramjit Kaur and Ms. Sarabjit Kaur, both Junior Assistants on behalf of the respondent-PIO.

ORDER

The case was last heard on 28.01.2019, when the complainant was not present.

However, she sought exemption from appearance vide a letter received through e-mail. The representatives of the respondent-PIO informed that they had sent a reply alongwith copy of affidavit given by father of the complainant. On the request of the complainant, the case was adjourned for today with the advice to revert back to the authorities in case of deficiencies in the information so provided.

2. Today, the representatives of the respondent inform that requisite information has been provided to the complainant. The complainant submits that she has received the requisite information to her satisfaction and the case may be closed.

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

Sd/-

Dated : 05.03.2019

**(S.S. Channy)
Chief Information Commissioner
Punjab**