

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



Sh Ranjit Singh, S/o Late Sh. Gian Singh  
Village Kailo, PO Landra, Distt. Mohali (8968567318)

..Vs

Public Information Officer,  
O/o SSP, Mohali

.....Complainant

.....Respondent

**CC No. 481 of 2022**

Present: (i) Sh. Ranjit Singh the complainant alongwith Sh. Randhir Singh  
(ii) For the respondent : Smt. Rajwinder Kaur, HC

**ORDER**

1. The RTI application is dated 13.04.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 22.07.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 05.09.2022 in the Commission.
3. The complainant states that no information has been given to him so far.
4. The respondent states that information cannot be provided as an enquiry is pending. She has also filed reply regarding the same.
5. After hearing both the parties and going through the file, it is observed that the respondent has not filed proper point-wise reply. Hence, the respondent is directed to file point-wise reply in the Commission on the next date of hearing with a copy to the complainant.
6. To come up on **23.09.2022 at 12.00 PM** in the Commission for further proceedings. Copy of the order be sent to the parties.

**Chandigarh**  
**05.09.2022**

**Sd/-**  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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Sh. Satpal Khariwal,  
S/o Sh. Ram Gopal R/o House No. 1074,  
Street No. 3, Abohar, Distt. Fazilka  
(9417066428)

..Vs

**Public Information Officer,**  
O/o Secretary, Home Affairs, Punjab Civil Sectt., Punjab  
Main Civil Sect., Sector 1, Chandigarh  
**First Appellate Authority,**  
O/o Secretary, Home Affairs, Punjab Civil Sectt., Punjab  
Main Civil Sectt., Sector 1, Chandigarh

.....Appellant

.....Respondent

**AC No. 3380 of 2022**

Present: (i) Sh. Satpal Khariwal the appellant  
(ii) For the respondent : None is present on behalf of the respondent

**ORDER**

1. The RTI application is dated 15.03.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 20.07.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 05.09.2022 in the Commission.
3. The appellant Sh. Satpal States that no information has been given to him so far.
4. The respondent is absent today.
5. After hearing both the parties and going through the case file, it is observed that the respondent is absent today. This is the first date of hearing, hence one more opportunity is given to the respondent to appear before the Commission and state his case.
6. To come up on **12.10.2022 at 12.00 PM** for further proceedings in the Commission.  
Copy of the order be sent to the parties.

**Chandigarh**  
**05.09.2022**

**Sd/-**  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

Note : After the hearing, the respondent appeared in the Commission and states that the information cannot be provided to the appellant as an enquiry is pending. The

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**AC No. 3380 of 2022**

respondent is directed to file an affidavit stating the same on the next date of hearing.  
The case stands adjourned on **12.10.2022 at 12.00 PM** for further proceedings.

Sd/-

**Chandigarh**  
**05.09.2022**

**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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Sh. Tejinder Singh (Advocate)  
Civil Court, Tehsil Complex, Backside Sanjh Kender  
Phiallaur- 144410 (9041004313)

.....Appellant

..Vs

**Public Information Officer,**  
O/o Sub Registrar, Kharar  
Distt. Mohali

**First Appellate Authority ,**  
O/o SDM, Kharar, Distt. Mohali

.....Respondent

**AC No. 5293 of 2021**

Present: None for the parties.

## **ORDER**

This order may be read with reference to the previous order dated 08.08.2022, passed by the Commission vide which last opportunity was given to the respondent to appear before the Commission to file the reply of show cause notice issued.

2. Today again the respondent is not present.
3. Despite repeated directions, the Respondent-PIO is not appearing before the Commission. Hence, bailable warrant be issued to him through SSP, Mohali so that he should appear before the Commission to present his case personally.
4. To come up on \_23.09.2022 at 12.00 PM for further proceedings in the Commission. Copy of the order be sent to the parties.

**Sd/-**

**Chandigarh**  
**05.09.2022**

**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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**BAILABLE WARRANT OF PRODUCTION**

BEFORE SH. AMRIT PARTAP SINGH SEKHON, STATE INFORMATION COMMISSIONER, PUNJAB

In case of Tejinder Singh (Advocate) v/s Public Information Officer, O/o Sub Registrar , Kharar , Distt. Mohali.

Complaint/Appeal No. : AC : 5293/2021

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005.

**NEXT DATE OF HEARING : 23.09.2022**

To

**SSP, Mohali**

Whereas the Public Information Officer, O/o Sub Registrar, Kharar, Distt. Mohali has failed to appear before the State Information Commissioner despite the issuance of repeated notices/directions in the above mentioned appeal case. Therefore, you are hereby directed to serve this bailable warrant on Public Information Officer, O/o Sub Registrar, Kharar, Distt. Mohali to appear before Sh. Amrit Partap Singh Sekhon, State Information Commissioner Punjab at Red Cross Building, Near Rose Garden, Sector 16, Chandigarh on 23.09.2022-at 12.00 PM and submit his written submissions in regard to the order dated 04.07.2022.

Sd/-

**Chandigarh**  
**05.09.2022**

**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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Sh. Manu, S/o Sh. Vijay Kumar,  
Vrindavan House Back Side Aman Hospital  
Mohalla Kali Kambli Ashram, Hoshiarpur – 146001  
(978146834)

..Vs

**Public Information Officer,**  
O/o DC, Fatehgarh Sahib  
**First Appellate Authority,**  
O/o DC, Fatehgarh Sahib

.....Appellant

.....Respondent

**AC No. 2896 of 2022**

Present: None for the parties.

## **ORDER**

This order may be read with reference to the previous order dated 29.07.2022, passed by the Commission vide which the appellant was not present.

2. Today again the appellant is not present. He has sent an email that no information has been given to him so far. Further he has sought next date on video conference.

3. The respondent is also absent.

4. During the last hearing, the respondent stated that the information has been sent to the appellant, therefore the appellant was asked to point out deficiencies in the information. Today again the appellant is not present. One last opportunity is given to the appellant to appear before the Commission and state his case. It is made clear that in case the appellant does not appear on the next date of hearing, appropriate order in his absence shall be passed.

5. To come up on **23.09.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

**Chandigarh**  
**05.09.2022**

**Sd/-**  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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Sh Jagshir Singh, (M-8195800345)  
S/o Late Sh Gnan Singh,  
#9/20, Mandi Mullanpur, Ludhiana

.....Appellant

..Vs

**Public Information Officer,**  
O/o DGP, Pb,  
Punjab Police Headquarter, Sector-9,  
Chandigarh

**First Appellate Authority**

O/o DGP, Pb,  
Punjab Police Headquarter, Sector-9,  
Chandigarh

**2. Public Information Officer,**

O/o Bureau of Investigation, Punjab  
Punjab Police Headquarter, Sector -9, Chandigarh

.....Respondent

**AC No. 5247 of 2021**

Present: (i) None is present on behalf of the appellant  
(ii) For the respondent : Sh. Parshotam Kumar, ASI , o/o DGP Punjab and Sh.  
Bhoora Ali, HC (9915546786) , o/o BOI, Punjab

**ORDER**

This order may be read with reference to the previous order dated 17.08.2022, passed by the Commission.

2. The appellant is absent today.

3. During the last hearing, respondent, o/o BOI stated that the information pertaining to complaint no. 2806/PA/DIR/BOI dated 26.11.2019 is lying with C.P.Ludhiana. Therefore, PIO, o/o C.P. Ludhiana was directed to come present. Today, PIO, o/o C.P.Ludhiana is not present. Respondent, o/o DGP Punjab and Respondent o/o BOI, Punjab has sought some time on behalf of the PIO, o/o C.P.Ludhiana.

4. Request of the respondents is acceded to and the appeal is fixed for hearing **21.09.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Sd/-

**Chandigarh**  
**05.09.2022**

**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

**REGISTERED POST**

CC: PIO, o/o Commissioner of Police, Ludhiana

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Sh. Amarjit Singh Dhamotia,  
House No. 60-35-P-376-1,  
Street 08, Maha Singh Nagar,  
Ludhiana – 141014 (Punjab)  
(9888490031)

..Vs

.....Appellant

**Public Information Officer,**  
O/o The Executive Officer  
Nagar Council, Gobindgarh, Distt. Fatehgarh Sahib  
(Punjab)  
**First Appellate Authority,**  
O/o The Executive Officer  
Nagar Council, Gobindgarh, Distt. Fatehgarh Sahib  
(Punjab)

.....Respondent

**AC No. 2892 of 2022**

Present: (i) None is present on behalf of the appellant  
(ii) For the respondent : Sh. Rajinder Kumar, Inspector ( 9888553915)

**ORDER**

This order may be read with reference to the previous order dated 29.07.2022.

2. The appellant is absent today. He has informed on phone that he is unable to attend today's hearing.
3. The respondent states that the appellant has not demanded specific information so far.
4. After hearing the respondent and going through the case file, it is observed that the appellant demanded voluminous information and as per directions of the Commission during the last hearing, the appellant has not specific the information so far. Today the appellant is absent for second consecutive hearing. Taking a lenient view, one last opportunity is given to the appellant to visit the office of the respondent on any working day with prior intimation to Sh. Rajinder Kumar, Inspector on phone number (9888553915), inspect the record and obtain the information. The appellant may take note that this is the last opportunity given to him to appear before the Commission.



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**AC No. 2892 of 2022**

5. To come up on **23.09.2022 at 12.00 PM** for further proceedings in the Commission.  
Copy of the order be sent to the parties.

**Chandigarh**  
**05.09.2022**

**Sd/-**  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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Sh. Amarjit Singh Dhamotia,  
House No. 60-35-P-376-1,  
Street 08, Maha Singh Nagar,  
Ludhiana – 141014 (Punjab)  
(9888490031)

..Vs

.....Appellant

**Public Information Officer,**  
O/o The Executive Officer  
Nagar Council, Gobindgarh, Distt. Fatehgarh Sahib  
(Punjab)  
**First Appellate Authority,**  
O/o The Executive Officer  
Nagar Council, Gobindgarh, Distt. Fatehgarh Sahib  
(Punjab)

.....Respondent

**AC No. 2894 of 2022**

Present: (i) None is present on behalf of the appellant  
(ii) For the respondent : Sh. Rajinder Kumar, Inspector ( 9888553915)

**ORDER**

This order may be read with reference to the previous order dated 29.07.2022.

2. The appellant is absent today. He has informed on phone that he is unable to attend today's hearing.
3. The respondent states that the appellant has not demanded specific information so far.
4. After hearing the respondent and going through the case file, it is observed that the appellant demanded voluminous information and as per directions of the Commission during the last hearing, the appellant has not specific the information so far. Today the appellant is absent for second consecutive hearing. Taking a lenient view, one last opportunity is given to the appellant to visit the office of the respondent on any working day with prior intimation to Sh. Rajinder Kumar, Inspector on phone number (9888553915), inspect the record and obtain the information. The appellant may take note that this is the last opportunity given to him to appear before the Commission.

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**AC No. 2894 of 2022**

5. To come up on **23.09.2022 at 12.00 PM** for further proceedings in the Commission.  
Copy of the order be sent to the parties.

**Chandigarh**  
**05.09.2022**

**Sd/-**  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

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Sh Gagandeep Singh Bawa, (M-9779125117)  
R/o #3132/A, Sector 39-D,  
Chandigarh

.....Appellant

..Vs

**Public Information Officer,**  
O/o AIG Admn. Technical Service Wing, Pb

**First Appellate Authority,**  
O/o Deputy Inspector General of Police, Pb  
Sector-9, PP Hqrs, Chandigarh

.....Respondent

**AC.No. 3275 of 2022**

Present: (i) Sh. Gagandeep Singh Bawa the appellant  
(ii) For the respondent : Sh. Parmod Kumar NAgath, ASI (9592902013), Sh.  
Lakhvir Singh, ASI (9779709517) and Smt Sarabjit Kaur, Sr. Assistant  
(9876103362)

**ORDER**

This order may be read with reference to the previous order dated 12.08.2022 vide which the respondent PIO Sh. Bikramjit Singh, AIG was directed to come present.

2. The appellant Sh. Gagandeep Singh Bawa states that no information has been given to him so far.

3. The respondent has denied the information as sought by the appellant claiming that the same was exempt from disclosure under Section 8(1)(h) of the Act.

4. After hearing both the parties and going through the case file, it is observed that during the last hearing dated 12.08.2022, the respondent was directed to justify the usage of exemptions given in and give in writing that why disclosure of information will hamper the investigation process. Further Sh. Bikramjit Singh, AIG –PIO was directed to come present. But, today neither the PIO is present nor he has sent his reply. This shows that the respondent-PIO has no regard for the orders issued by the Commission. This is totally disregard to the provisions of the RTI Act 2005.



**AC.No. 3275 of 2022**

5. However, Today, Sh. Parmod Kumar Nagrath, ASI o/o Technical Services, Punjab Police appeared as respondent in the above mentioned case. The language used by Sh. Parmod Kumar Nagrath is couched in un-parliamentary words and leveled uncalled for allegation against the undersigned alleging that the Commission was biased and favouring the appellant intentionally. It is observed that leveling of baseless and frivolous allegations against the Commission is not expected from a civil servant, particularly from Police official, which is called a disciplined force of the State machinery.

I would, therefore, recommend that the matter be brought to the notice of DGP Punjab for taking strict disciplinary action against this official for his misbehavior and leveling uncalled for allegations against the Commission. A compliance report in this regard be sent to the Commission accordingly.

5. However, before proceeding further, it would be necessary to refer to Section 8(1)(h) of the Act which reads as under:-

*8(1)(h):- information which would impede the process of investigation or apprehension of prosecution of offenders."*

6. A plain reading of the aforesaid provision indicates that information which would impede the process of investigation or apprehension or prosecution of offenders could be denied. In order to deny information, the public authority must form an affirmative opinion that the disclosure of information would impede investigation, apprehension or prosecution of offenders; a mere perception or an assumption that disclosure of information may impede prosecution of offenders is not sufficient.

7. A public authority which seeks to withhold information available with it has to show that the information sought is of the nature specified in [Section 8](#) RTI Act. As regards [Section 8 \(1\)\(h\) RTI Act](#), which is the only provision invoked by the Respondent to deny the Petitioner the information sought by him, it will have to be shown by the public



**AC.No. 3275 of 2022**

authority that the information sought "would impede the process of investigation." The mere reproducing of the wording of the statute would not be sufficient when recourse is had to [Section 8 \(1\) \(h\) RTI Act](#). The burden is on the public authority to show in what manner the disclosure of such information would 'impede' the investigation.

8. I have carefully considered the submissions made by the parties hereto and is of the view that the Respondent has failed to show how the disclosure of information demanded by the appellant would impede the progress of investigation/prosecution of the case against the appellant.

9. 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 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

10. However taking a lenient view, one last opportunity is given to the respondent to file his reply on or before the next date of hearing, failing which action under Section 20 (1) of the RTI Act will be initiated.

11. To come up on **28.09.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Sd/-

**Chandigarh**  
**05.09.2022**

**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

**REGISTERED POST**

- CC:
1. ADGP (Admn), Technical Services Wing, Punjab Police Headquarter, Sector 9, Chandigarh to take necessary action
  2. DGP, Punjab Police Headquarter, Sector 9, Chandigarh (For strict compliance, as directed hereinabove)
  3. Sh. Bikramjit Singh, AIG-cum-PIO, ADmn, Technical Services Wing, Punjab Police Headquarter, Sector 9, Chandigarh

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Helpline No. 0172-2864100



Sh. Rajinder Sharma,  
R/o 4002, Sector 22D, Chandigarh  
(9878614664)

..Vs

.....Appellant

**Public Information Officer,**  
O/o AIG/Admn, Technical Services Wing  
Sector 9, Chandigarh

**First Appellate Authority,**  
O/o DIG/Technical Services, Punjab  
Sector 9, Chandigarh

.....Respondent

**AC No. 3410 of 2022**

Present: (i) Sh. Rajinder Sharma the appellant  
(ii) For the respondent : Sh. Parmod Kumar NAgrath, ASI (9592902013), Sh. Lakhvir Singh, ASI (9779709517) and Smt Sarabjit Kaur, Sr. Assistant (9876103362)

**ORDER**

The RTI application is dated 27.10.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 21.07.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 22.09.2014 in the Commission.
3. The appellant states that no information has been given to him so far.
4. The respondent has denied the information as sought by the appellant claiming that the same was exempt from disclosure under Section 8(1)(h) of the Act.
5. Before proceeding further, it would be necessary to refer to Section 8(1)(h) of the Act which reads as under:-

8(1)(h) information which would impede the process of investigation or apprehension of prosecution of offenders.”



**AC No. 3410 of 2022**

6. A plain reading of the aforesaid provision indicates that information which would impede the process of investigation or apprehension or prosecution of offenders could be denied. In order to deny information, the public authority must form an affirmative opinion that the disclosure of information would impede investigation, apprehension or prosecution of offenders; a mere perception or an assumption that disclosure of information may impede prosecution of offenders is not sufficient. In the present case, neither the FAA nor the PIO has considered as to how the information as sought for would impede the process of investigation or apprehension or prosecution of the petitioner and other accused.

7. A public authority which seeks to withhold information available with it has to show that the information sought is of the nature specified in [Section 8 RTI Act](#). As regards [Section 8 \(1\) \(h\) RTI Act](#), which is the only provision invoked by the Respondent to deny the Petitioner the information sought by him, it will have to be shown by the public authority that the information sought "would impede the process of investigation." The mere reproducing of the wording of the statute would not be sufficient when recourse is had to [Section 8 \(1\) \(h\) RTI Act](#). The burden is on the public authority to show in what manner the disclosure of such information would 'impede' the investigation.

8. In view of the above the Respondent-PIO is directed to justify the usage of exemptions given in Section 8 and give in writing that how disclosure of information will hamper the investigation process.

9. 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



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**AC No. 3410 of 2022**

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. Hence, Sh. Bikramjit Singh, AIG is directed to come present on the next date of hearing and file his reply.

10. To come up on **28.09.2022 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

**Chandigarh**  
**05.09.2022**

**Sd/-**  
**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

**REGISTERED POST**

- CC:
1. ADGP (Admn), Technical Services Wing, Punjab Police Headquarter, Sector 9, Chandigarh to take necessary action
  2. DGP, Punjab Police Headquarter, Sector 9, Chandigarh for information
  3. Sh. Bikramjit Singh, AIG-cum-PIO, Admn, Technical Services Wing, Punjab Police Headquarter, Sector 9, Chandigarh