

PUNJAB, STATE INFORMATION COMMISSION
Sector-16, Madhya Marg, Near Rose Garden, Chandigarh

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[E-mail-Psicsic30@punjabmail.gov.in](mailto:Psicsic30@punjabmail.gov.in)

Sh Mewa Singh, S/o Sh Narata Singh,
H No-2135, Street No-2-C, Shaheed Karnail Singh Nagar,
Ludhiana.

... Compliant

Versus

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

...Respondent

Complaint Case No. 991 of 2018

Present: **Sh.Mewa Singh as Complainant**
 Sh.Pawandeep Singh, ASI O/o Commissioner of Police Ludhiana for the
 Respondent

ORDER:

The complainant through RTI application dated 02.05.2018 has sought information regarding action taken on his application submitted to the Commissioner of Police on 31.01.2017 regarding FIR No.161 dated 24.12.2016 Police Station Dugri. The complainant was not provided the information and not being satisfied with the reply, the complainant filed complaint with the Commission on 17.09.2018.

The respondent present pleaded that since the enquiry is still pending with ADCP-2 Ludhiana, the information cannot be provided till the enquiry is complete and the complainant has already been informed vide letter dated 22.05.2018.

The Commission observed that there is an inordinate delay in completing the enquiry and recommends that the enquiry be completed on time. The PIO is directed to send a report about the status of the application of the complainant to the Commission and the appellant be provided the information he is seeking.

Both the parties to be present on **30.01.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Amandeep Pathak,
H No-553, Ward No-3,
Shaheed Udham Singh Nagar, Malout.

Versus

... Compliant

Public Information Officer,
Tehsildar, Amritsar-2,
Amritsar.

...Respondent

Complaint Case No. 995 of 2018

Present: None for the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 05.07.2018 has sought information regarding name of village and khasra No., jamabandi and ownership of Ekta Bhawan behind office of Smt.Bimla Dang,in old Ranjit Pura Chharatha and other information concerning the office of Tehsildar Amritsar-2. The complainant was provided the information after which the complainant filed complaint with the Commission on 17.09.2018.

The respondent is absent. The complainant came late and submitted a letter stating that he has received the information and is satisfied. The complainant has requested to file the complaint.

Since the information has been provided, no further course of action is required.

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

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Tejinder Singh,
Village Bholapur, P.O Ramgarh,
Chandigarh Road, Ludhiana.

... Appellant

Versus

Public Information Officer,
MC,
Fazilka.

First Appellate Authority,
Regional Deputy Director,
Local Bodies, Ferozepur.

...Respondent

Appeal Case No. 2710 of 2018

Present: None for the Appellant
 None for the Respondent

ORDER:

The case was last heard on 31.10.2018. The order is reproduced hereunder:

“The appellant through RTI application dated 17.02.2018 has sought information regarding dustbins installed in the jurisdiction of the Municipal Council under Swachh Bharat Abhiyan Campaign and the process to make people aware and other information concerning the office of MC Fazilka. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 03.05.2018 which took no decision on the appeal.

The respondent is absent without intimation to the Commission. The Commission has received a letter diary No.21628 dated 25.10.2018 vide which it has been informed by the PIO that the information has been sent to the appellant vide letter dated 23.03.2018. The appellant has informed that he has received the information but the information is incomplete.

The PIO is directed to provide the information to the appellant as per RTI application and be present on the next date of hearing.”

Hearing dated 05.12.2018:

The appellant is absent to point out the discrepancies and has not intimated to the Commission.

In the last hearing the PIO was directed to provide the information as per RTI application and be present on the next date of hearing. The respondent is absent on second consecutive hearing and has not sent any compliance report. The Commission has taken a serious note of this and hereby directs the PIO to send compliance report to the Commission and be present on the next date of hearing.

Both the parties to be present **on 30.01.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Krishan Gopal Singla S/o Sh Brij Lal,
Ward No-16-B/190, Sangrur Road,
Dhuri, Dist Sangrur.

Appellant.

Versus

Public Information Officer

O/o Director, Land Record,
(Revenue Department), Kapurthala Road,
Jalandhar.

First Appellate Authority,

O/o Director, Land Record,
(Revenue Department), Kapurthala Road,
Jalandhar..

...Respondent

Appeal Case No. 3114 of 2018

Present: **None for the Appellant**
 Sh.Sukhwinder Kumar, Junior Assistant O/o Director, Land Records,
 Jalandhar for the Respondent

ORDER:

The appellant through RTI application dated 17.05.2018 has sought information regarding employees participating in the department exams of the Naib Tehsildar conducted on 23.10.2017 to 26.10.2017 alongwith the qualification prescribed for the said exam and other information concerning the office of Director Land Records (Revenue Department) Jalandhar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 16.06.2018 which took no decision on the appeal.

The respondent present has pleaded that the information has been provided to the appellant vide letter dated 15.06.2018. The Commission has received a letter diary No.24127 dated 30.11.2018 from the PIO stating that the information has been sent to the appellant vide letter dated 15.06.2018 and the reply to the first appeal of the appellant has also been sent vide letter dated 18.07.2018. The PIO has further stated in the letter that the appellant had filed another appeal seeking similar information and the appeal case was heard by SIC Sh.A.S.Chanduraian on 30.10.2018 and disposed off as the information had already been provided to the appellant.

The appellant is absent and has not pointed out any discrepancy. It is assumed that the appellant has received the information and is satisfied, hence no further course of action is required.

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

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Smt Tara Devi, W/o Lt Sh Ramesh Arora,
319/3, Gurdeep Nagar, Jagraon,
Distt Ludhiana.

.... Appellant.

Versus

Public Information Officer
O/o ADC, Jagraon,
Distt Ludhiana.

First Appellate Authority,
O/o DC,
Ludhiana.

...Respondent

Appeal Case No. 3153 of 2018

Present: Sh.Jaspal Singh son of Mrs.Tara Devi for the Appellant
Sh.Sukhdev Singh, Reader O/o Tehsildar Jagraon for the Respondent

ORDER:

The appellant through RTI application dated 29.06.2018 has sought information regarding action taken on the application dated 03.05.2018 regarding Pankaj Arora alongwith copy of notice issued to Pankaj Arora, statement of Pankaj Arora and other information concerning the office of ADC Jagraon District Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 02.08.2018 which took no decision on the appeal.

The respondent present has submitted reply of the PIO dated 04.12.2018 which is taken on the file of the Commission. In the letter, the PIO has stated that the information has been provided to the appellant vide letter dated 30.07.2018 and again on 26.11.2018 and copy of the same is submitted to the Commission.

The appellant stated that the information has not been provided except information regarding point No.1 which is also not certified. The respondent pleaded that the information regarding points 2 & 3 is available on their website and the information regarding points 4 & 5 is part of enquiry report. The respondent further informed that the enquiry has been completed and the copy of the report will be provided to the appellant.

The PIO is directed to provide certified copy of application regarding point No.1. The PIO is also directed to provide information regarding points 4 & 5 and copy of enquiry report to the appellant within a week and send compliance report to the Commission.

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

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Naresh Sakhri,
H No-1906/89, Street N0-1-B,
Basant Nagar, Near Baghi Stand,
New Shimlapuri, Ludhiana.

... Appellant

Versus

Public Information Officer,
DCP,
Ludhiana.

First Appellate Authority,
Police Commissioner,
Ludhiana.

...Respondent

Appeal Case No. 3177 of 2018

Present: **Sh.Naresh Sekhri as Appellant**
 Sh.Pawandeep Singh,ASI for the Respondent

ORDER:

The appellant through RTI application dated 14.05.2018 has sought information regarding action taken on the complaint filed vide No.UID-1294731 dated 16.03.2018 with the Commissioner of Police Ludhiana and other information concerning the office of DCP Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 10.07.2018 which took no decision on the appeal.

The respondent present has submitted a letter of the PIO dated 30.11.2018 which is taken on the file of the Commission. The PIO has stated in the letter that the enquiry is pending with ADCP, Security Ludhiana and the appellant has been informed vide letter dated 27.08.2018. The PIO has further stated in the letter that since the enquiry is pending, the information cannot be provided as per section 8(1) of the RTI Act.

I have gone through the RTI application and the reply of the PIO and hereby direct the PIO to provide information regarding points 1,2 &3. Regarding the information relating to points 4 & 5, the PIO to provide reasons for denial and explain how the information will interrupt the investigation process. The PIO is directed to provide the information within 15 days and send compliance report to the Commission.

To come up **on 30.01.2019 at 11.00AM** for further hearing.

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Jai Chand,
H No-3/130, Street No-1,
Ram Sharnam Colony,
Fazilka.

Appellant.

Versus

Public Information Officer
O/o MC,
Fazilka.

First Appellate Authority,
O/o Regional Deputy Director,
Local Govt, Ferozepur.

...Respondent

Appeal Case No. 3217 of 2018

Present: Sh.Jai Chand as Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 28.05.2018 has sought information regarding action taken on their requests dated 26.07.2017 and 14.05.2018 alongwith details of funds received in last 4 years for upkeep of the streets and other information concerning the office of MC Fazilka. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 09.07.2018 which took no decision on the appeal.

The respondent is absent. The Commission has received a letter diary No.23349 dated 20.11.2018 from the PIO stating therein that the information has been provided to the appellant vide letter dated 30.06.2018 and a copy of the same is submitted to the Commission. The appellant is not satisfied with the information provided except information regarding point 2(a) & 2(b) The appellant further stated that he has received the information only on 17.11.2018 after the submission of second appeal with the Commission.

I have gone through the RTI application and the reply of the PIO and hereby direct the PIO to relook at point 2 (c) & 2(d) of the RTI application and provide the complete information within a week. The PIO is also directed to submit proof of sending information on 30.06.2018 and produce dispatch register.

To come up for further hearing **on 11.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Fazilka. Copies of the order be sent to the parties ***through registered post***

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Harpreet Singh, S/o Sh Gurdev Singh,
Professor Colony, Near DAV College,
Jalalabad, Distt Fazilka.

Appellant.

Versus

Public Information Officer

O/o SSP,
Fazilka.

First Appellate Authority,

O/o IG, Police Ferozepur Range,
Ferozepur.

...Respondent

Appeal Case No. 3230 of 2018

Present: None for the Appellant
Sh.Dalip Singh ASI O/o SSP Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 18.06.2018 has sought information regarding a departmental enquiry on the complaint against Sh.Bagicha Singh No.140/Fazilka which was ordered vide letter No.2087-CP-FZK dated 30.11.2017 and other information concerning the office of SSP Fazilka. The appellant was not satisfied with the reply of the PIO vide letter dated 03.07.2018 whereby the PIO denied the information citing that the information being personal is exempted u/s 8(1) of the RTI Act. On being denied the information, the appellant filed first appeal before the First Appellate Authority on 14.08.2018 which took no decision on the appeal.

The respondent present has informed that the departmental enquiry report has been sent to the appellant vide letter dated 10.11.2018 and a copy of the same is submitted to the Commission. The appellant is absent and vide email has sought adjournment due to medical problem. The adjournment is granted.

To come up for further hearing **on 05.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Fazilka. Copies of the order be sent to the parties ***through registered post***

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Jugraj Singh, S/o Sh Harish Kumar,
H No-21-22, Street No-8, Ferozepur Cantt,
Ferozepur.

....Appellant.

Versus

Public Information Officer
O/o SSP,
Shri Mukatsar Sahib.

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

...Respondent

Appeal Case No. 3245 of 2018

Present: **Sh.Jugraj Singh as Appellant**
 Sh.Manjit Singh,ASI O/o SSP Sri Mukatsar Sahib for the Respondent

ORDER:

The appellant through RTI application dated 05.06.2018 has sought information regarding Case No.62 (FIR No.62) dated 17.06.2015 in police station Giddarbaha District Sri Mukatsar Sahib and other information concerning the office of SSP Sri Mukatsar Sahib. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 04.07.2018 which took no decision on the appeal.

The respondent present has pleaded that the challan has been filed in the Hon'ble Court on 17.08.2018 and the appellant Sh.Jugraj Singh has obtained copies of the information from the Court of SDJM Giddarbaha on 28.08.2018.

During the course of hearing, it was observed that the application was filed on 21.04.2018 and the reply was sent on 19.05.2018 whereby the information was denied by the respondent since the investigation was going on. The appellant stated that he did not receive any reply from the department till 25.06.2018 for which he produced a copy of an envelope which has stamp of postal department.

The circumstances of the case have changed since the time the reply was sent as the challan has already been produced in the Hon'ble Court and on 28.08.2018, and the appellant has been able to procure all the documents that he sought, from the Court of CJM. The appellant has stated that he has not received the certified copy. The appellant pleaded that his various requests have been ignored which is not in the spirit of the upholding of RTI Act. The Commission directs the PIO to attend to the RTI application with seriousness it deserves and respond to them well within the prescribed time under the RTI Act.

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

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Satnam Singh,
R/o Village Sadakwala 2FDM, PO-3FDM,
Panchayat Smiti Suratgarh,
Distt Shri Ganga Nagar.

Appellant.

Versus

Public Information Officer
O/o SSP,
Fazilka..

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

...Respondent

Appeal Case No. 3246 of 2018

Present: **None for the Appellant**
 Sh.Dalip Singh, ASI O/s SSP Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 25.04.2018 has sought information regarding photo copy of dak register of the office of SSP from 20.05.2017 to 20.06.2017 containing the receipt of dak and other information concerning the office of SSP Fazilka. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 30.05.2018 which took no decision on the appeal.

The respondent present has pleaded that the reply was sent to the appellant vide letter dated 29.05.2018 and the appellant was asked to specify for which branch of the SSP office, he has sought information but the appellant has not specified.

The appellant is absent. The appellant is directed to specify the particular branch from where he wants information and be present on the next date of hearing otherwise the case will be decided ex-parte.

To come up for further hearing **on 11.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Fazilka. Copies of the order be sent to the parties ***through registered post***

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Rakesh Kumar,
8/237, Jagraon Road, Mandi Mullanpur,
Distt Ludhiana.

Appellant.

Versus

Public Information Officer

O/o STF, Punjab Police, C/o Headquarter, Sec-77,
SAS Nagar, Mohali.

First Appellate Authority,

O/o ADGP (STF), C/o CID Headquarter, Sec-77,
SAS, Mohali...

...Respondent

Appeal Case No. 3139 of 2018

Present: None for the Appellant
Sh.Sanjiv Rampal, DIG, STF, Punjab Police Mohali for the Respondent

ORDER:

The appellant through the RTI application dated 28.04.2018 has sought information regarding *Rojnamcha*, log books of vehicles of Punjab Police's Special Task Force (STF) posts of the area of police Commissionerate Ludhiana from 11.07.2017 to 05.08.2017 and other information concerning the office of STF, Punjab Police, C/o Headquarter, Sec-77, SAS Nagar, Mohali. The appellant on being denied the information by the PIO vide letter-dated 28.05.2018, filed the first appeal before the First Appellate Authority on 04.06.2018, which did not decide on the appeal. Aggrieved by the First Appellate's indecision on the matter, the appellant filed a second appeal with the State Information Commission.

The appellant is absent, and the respondent present has pleaded that since the Special Task Force is exempted U/s 24(4) of the RTI Act 2005 as per Punjab Govt notification No.11/C.A.22/2005/S.24/2018 dated 16.02.2018, the information cannot be provided. The respondent has pleaded that sharing of the information can be hazardous to the operational working of the staff of the STF as well as divulge operational details, which are secret. The respondent has submitted a copy of the Punjab Government notification, which is taken on the file of the Commission.

The appellant via an email, which is taken on the file of the Commission, has stated some cases whereby the courts have held that the RTI Act 2005 is applicable even on exempt organizations if allegations pertain to corruption, violation of human rights and fundamental rights.

However, after careful perusal of facts of the RTI application and the arguments of the appellant nowhere has the appellant been able to establish that the information sought is for reasons pertaining to corruption or violation of human rights by any member of the STF.

Appeal Case No. 3139 of 2018

Keeping the above facts in mind, I reject the appeal of the appellant on the grounds the information sought regarding the *Rojnamcha* and logbooks of Govt Vehicles is related with the operational and routine working of STF and does not fall under the provision of section 24(4) i.e. corruption or violation of human rights.

The respondent has further informed that the appellant had filed an exactly similar appeal in the State Information Commission seeking similar information on 28.04.2018, which had come up for hearing in the court of SIC Sh.A.S.Kaler, who disposed off the matter on 04.12.2018.

The Commission has taken a very serious view of this matter, which literally means that the appellant has concealed the facts while filing the second appeal and has made a false declaration that the appeal has not been previously filed or pending or decided by any of the Commissioner. The Commission hereby warns the appellant not to mislead the court in future otherwise the commission will be constrained to take appropriate action.

Keeping the above in view, the Commission finds that the appeal/application of the appellant is without any merit and hence the present appeal case is **disposed off and closed**.

Chandigarh
Dated: 05.12.2018

Sd/-
(Khushwant Singh)
State Information Commissioner