

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Helpline No. 0172-2864100



Sh.Amit Kumar Thakur,
49, Royal Residency, Chajju Majra, Mohali -140307
(9855548535)

.....Appellant

..Vs

Public Information Officer,
O/o MC, Kharar, Distt. Mohali

First Appellate Authority
O/o MC, Kharar, Distt. Mohali

.....Respondent

AC No.2973 of 2021

Present : (i) Sh. Amit Kumar Thakur the appellant alongwith Sh. Lal Chand
(9814867290) through Video conference
(ii) For the respondent :Sh.Jaswinder Singh, Draftsman in the Commission
office (8295271122)

ORDER

The RTI application is dated 20.02.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 01.04.2021 and second appeal was filed in the Commission on 25.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.10.2021 i.e. today.
3. The appellant states that no information has been given to him so far.
4. The respondent Sh. Jaswinder Singh is appearing in the commission office and states that the point-wise reply has been sent to the commission office through mail. He further states that the same will be handed over to the appellant within two hours. He adds that the appellant has raised many questions in his RTI.
5. After hearing both the parties and examining the case file, it is observed that the respondent has sent his reply to the Commission. He has also sent the reply to the appellant through whatsapp. Further, he has promised that the same will be provided to the appellant within two hour by hand. The perusal of the RTI shows that the appellant has

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AC No.2973 of 2021

raised many queries in his RTI application. He may take note that there is the judgment of the Central Information Commission vide order dated 21.04.2006 in case no. CIC/AT/A/2006/00045 has decided that -

(The RTI Act does not cast on the public authority any obligation to answer queries, as in this case, in which a petitioner attempts to elicit answers to his questions with prefixes, such as, why, what, when and whether. The petitioner's right extends only to seeking information as defined in Section 2 (f) either by pinpointing the file, document, paper or record, etc., or by mentioning the type of information as may be available with the specified public authority.)

6. However, on the request of the appellant, the appeal is adjourned to **05.01.2022 at 12.00 PM** for further proceedings in the Commission office. Copy of the order be sent to the parties.

Dated : 06.10.2021

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

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Sh.Manjit Singh, S/o Sh. Gurbachan Singh
R/o Ward No. 10, Namdev Marg, Tehsil and Distt. Mansa
(9915865633)

.....Appellant

..Vs

Public Information Officer,
O/o D.G.P.Punjab, Punjab Police Headquarter, Sector 9
Chandigarh

First Appellate Authority
O/o D.G.P.Punjab, Punjab Police Headquarter, Sector 9
Chandigarh

Registered post
Public Information Officer
o/o SSP, Mansa

.....Respondent

AC No. 3026 of 2021

Present : Sh. Manjit Singh the appellant through video conference
For the respondent : Sh. Ram Parshad , Sr. Assistant (9855464748)

ORDER

The RTI application is dated 06.01.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 10.03.2021 and second appeal was filed in the Commission on 30.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.10.2021 i.e. today.
3. The appellant Sh. Manjit Singh states that no information has been given to him so far.
4. The respondent Sh. Ram Parshad states that the information is lying with the PIO, SSP, Mansa, hence RTI of the appellant has been transferred to PIO, SSP, Mansa.
5. Hearing the parties and examining the case file, it is observed that the appellant filed RTI with the PIO, o/o DGP, Punjab. Further PIO, DGP Punjab transferred the RTI of the appellant to the PIO, o/o BOI, Punjab. PIO, BOI Punjab has transferred the RTI to PIO, o/o SSP, Mansa.
6. Since, the information is to be provided by the PIO, O/o SSP, Mansa I, therefore, order that PIO, O/o SSP, Mansa be impleaded as Respondent No.2. I further direct that PIO,

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AC No. 3026 of 2021

O/o SSP, Mansa should supply the information to the appellant before the next date of hearing.

Copy of the RTI be sent to the PIO, SSP, Mansa alongwith the orders.

7. To come up on **06.12.2021 at 12.00 PM** for further proceedings in the commission. Copy of the order be sent to the parties.

Dated : 06.10.2021

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

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Sh.Akash Verma , # 80,
New Officers Colony,
Stadium Road, Patiala – 147001 (9501125474)

.....Appellant

..Vs

Public Information Officer,
O/o AIG, Intelligence, Punjab
c/o DGP Intelligence, Sector 76, Mohali

First Appellate Authority
O/o IGP, Admn, Intelligence Wing,
c/o DGP Intelligence, Sector 76, Mohali

.....Respondent

AC No. 3060 of 2021

Present : (i) Sh. Akash Verma the appellant through VC
(ii) For the respondent : Sh. Bhaskar, I.A (9888028429) on phone and Sh. Ram Parshad, Sr. Assistant , o/o BOI

ORDER

The RTI application is dated 20.11.2020 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 31.12.2020 and second appeal was filed in the Commission on 02.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.10.2021 i.e. today.
3. The appellant Sh. Akash Verma states that no information has been given to him so far.
4. The respondent states that the information demanded by the appellant cannot be provided under Section 24(4) of the RTI Act 2005.
5. After hearing both the parties and perusing the case file, it is observed that the appellant has demanded information on three points, which is as under:-

“Total number of e-mails complaints transferred by intelligence/CID HQ Pb to BOI Pb which were filed by the applicant.

2) Date/Diary no./UID under which the said complaints have been regd/transferred by Intelligence CID to BOI Punjab

3) Action taken report/Disposal report.

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AC No. 3060 of 2021

6. Hearing the parties, the respondent is directed to bring complete information in the Commission on the next date of hearing. Further, the commission will decide that whether the information will be given to the appellant or not.

7. To come up on **05.01.2022 at 12.00 PM** for further proceedings in the Commission office. Copy of the order be sent to the parties.

Sd/-

Dated : 06.10.2021

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Sarabjit Singh, Advocate
Civil Courts, Dasuya, Distt. Hoshiarpur

.....Appellant

..Vs

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

First Appellate Authority
o/o Home Secretary, Punjab,
Chandigarh

.....Respondent

AC No. 2431 of 2021

Present (i) Sh. Sarabjit Singh the appellant (on telephone)
(ii) For the respondent : Sh. Naresh Kumar, Sr. Assistant (9592916925) in the Commission office

ORDER

This order may be read with reference to the previous order dated 28.07.2021 vide which the respondent had sought some time.

2. Today the appellant is absent. He is contacted on phone. He states that he is not satisfied with the information provided by the respondent.

3. The respondent Sh. Naresh Kumar states that the information, as exists, in the record has been provided to the appellant.

4. After hearing both the parties and going through the case file, it is observed that the appellant is not satisfied with the information provided by the respondent. Hence, Today, both the parties mutually agreed that the applicant shall visit the office of respondent on 11.10.2021 at 11.00 AM, inspect the relevant records, identify the documents copies whereof are required by him; and the respondent shall provided copies thereof, according to his RTI application, within a fortnight, in accordance with the relevant provisions of the RTI Act, 2005.

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AC No. 2431 of 2021

5. To come up on **05.01.2022 at 12.00 PM** for further proceedings in the Commission office. Copy of the order be sent to the parties.

Dated : 06.10.2021

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

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Sh. Ramandeep Singh Ahluwalia (RTI Activist)
Ward No. 18, Street No. 2, Kartar Nagar,
Amloh Road, Khanna -141401

.....Appellant

..Vs

Public Information Officer,
O/o EO, MC, Mandi Gobindgarh

First Appellate Authority
o/o Regional Deputy Director,
Urban Local Government, Mini Sectt.
Ferozpur Road, Ludhiana

.....Respondent

AC No. 2731 of 2021

Present: (i) Sh. Ramandeep Singh Ahluwalia the appellant (*in the Commission office*)
(ii) For the Respondent: Sh. Sandeep Singh, J.E. (M.C., Mandi Gobindgarh) 9508100568

ORDER

This order may be read with reference to the previous order dated 28.07.2021 vide which the respondent was directed to bring complete record in the Commission office.

2. Today, the respondent Sh. Sandeep Singh, J.E. states that he has brought the information in pen drive to deliver it to the appellant, which is handed over to the appellant Sh. Ramandeep Singh Ahluwalia.

3. The appellant wants to go through the same, hence he has sought some time. On the request of the appellant, the appeal case is adjourned to **06.12.2021 at 12.00 PM** for further proceedings. Copy of the order be sent to the parties.

Dated : 06.10.2021

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

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Registered post

Sh. Ramandeep Singh Ahluwalia (RTI Activist)
Ward No. 18, Street No. 2, Kartar Nagar,
Amloh Road, Khanna -141401

.....Appellant

..Vs

Public Information Officer,
O/o EO, MC, Mandi Gobindgarh

First Appellate Authority
o/o Regional Deputy Director,
Urban Local Government, Mini Sectt.
Ferozepur Road, Ludhiana

.....Respondent

AC No. 2732 of 2021

Present: (i) Sh. Ramandeep Singh Ahluwalia the appellant (*in the Commission office*)
(ii) For the Respondent: Sh. Sandeep Singh, J.E. (M.C., Mandi Gobindgarh) 9508100568

ORDER

This order may be read with reference to the previous order dated 28.07.2021 vide which the respondent Sh. K.S. Brar, EO stated that the information running into 129 pages had already been sent to the appellant and the appellant stated that no information has been given to him. Therefore, the respondent PIO was directed to bring the complete information in the commission office.

2. Today, the appellant Sh. Ramandeep Singh Ahluwalia states that no information has been given to him so far.

3. The respondent Sh. Sandeep Singh states that the information demanded by the appellant has been sent to him. He further states that copy of the same has also been sent to the commission.

4. After hearing both the parties and going through the case file, it is observed that the appellant has demanded following information i.e. “ *complete list of all contractors who have been debarred or blacklisted from the penal of enlistment as contractor for the period of 01.01.2020 til date by any official or Administrator of MC, Regional Deputy Director or any other office, complete file, proceedings, notings etc.*” During the last hearing E.O. Sh. K.S Brar



AC No. 2732 of 2021

stated that information running into 129 pages have already been sent to the appellant. Today Sh. Sandeep Singh, JE states that the information has been sent to the appellant running into three pages. After perusing the case file, it is observed that incomplete information has been given to the appellant. In both hearings, the respondent has given contradictory replies.

5. The plea of the respondent is quite untenable and does not hold good in the eye of law. He should desist from making unnecessary and controversial statements before the undersigned rather he should supply the information as per the provision of the RTI Act. He may take note that the RTI Act 2005 is meant for promoting transparency in governmental functioning by bringing to light governmental actions done behind closed doors so that the common man is kept well informed of the goings on in the public authorities with a view to strengthening democracy. The RTI Act 2005 is not to be used as a substitute for availing of services available under various statutes for matters not involving the bringing to light the mannerism of / flaws in the working of public authority.

6. Looking at the lackadaisical attitude of the respondents, **PIO- o/o EO,MC, Mandi Gobindgarh is directed to** show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the appellant under Section 19 (8)(b) of the Act for detriment suffered.

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

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AC No. 2732 of 2021

7. To come up on **06.12.2021 at 12.00 PM** for further proceedings in d Commission office. Copy of the order be sent to parties. Copy of the order be sent to the parties.

Dated : 06.10.2021

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

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Smt. Harjit Kaur, W/o Sh. Pawan Kumar,
R/o 123, Street No. 3, Gurbachan Colony,
Lalheri Road, Khanna, Distt. Ludhiana

.....Appellant

..Vs

Public Information Officer,
O/o Commandant, 13th Battalion, PAP,
New Secretariat, Sector 1, Chandigarh

First Appellate Authority
O/o ADGP/Armed BNS, Jalandhar

.....Respondent

AC No. 3003 of 2021

Present : (i) Smt. Harjit Kaur the appellant alongwith Advocate Shakti Paul Sharma (9216734709)
(ii) For the respondent : Sh. Sanjiv , ASI(9326900786) and Sh. Gagandeep Singh,
Constable

ORDER

The RTI application is dated 01.03.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 03.04.2021 and second appeal was filed in the Commission on 13.07.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.10.2021 i.e. today.

3. The appellant states that no information has been given to her so far.

4. The respondent states that the information cannot be provided under Section 24 (4) of the RTI Act 2005.

5. After hearing both the parties and examining the case file, the respondent is directed to file an affidavit stating the same on or before the next date of hearing . **Sh. J.S. Khara, Commandant-cum-PIO is directed to come present on the next date of hearing** alongwith reply.

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AC No. 3003 of 2021

6. To come up on **06.12.2021 at 12.00 PM** for further proceedings in the Commission.
Copy of the order be sent to the parties.

Dated : 06.10.2021

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

Registered post:

*cc: Sh. J.S. Khara, Commandant-cum-PIO 13th Battalion PAP New Secretariat, Sector 1,
Chandigarh*

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Sh.Gagneshwar Walia, Advocate

S/o Sh. R.S. Ahluwalia, Advocate
(Punjab and Haryana High Court)
R/o House No. 359, AOT Complex, Sector 48A,
Chandigarh

.....Appellant

..Vs

Public Information Officer,
O/o D.G.P Punjab,
Punjab Police Headquarter, Sector 9,
Chandigarh
First Appellate Authority-cum-DIG (Admn)
O/o DGP, Punjab, Sector 9
Chandigarh

.....Respondent

AC No.2987 of 2021

Present : None for the parties.

ORDER

The RTI application is dated 29.01.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 20.05.2021 and second appeal was filed in the Commission on 30.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.10.2021 i.e. today.

3. Today, neither the appellant nor the respondent is present. This is the first date of hearing and both the parties are absent. Hence, one more opportunity is given to both the parties to appear before the Commission and state their case. It is made clear that in case the both the parties do not appear on the next date of hearing, appropriate order in their absence shall be passed.

4. To come up on **05.01.2022 at 12.00 PM** for further proceedings in the commission office. Copies of the order be sent to the parties.

Dated : 06.10.2021

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

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Sh.K.N.S. Sodhi, # 1634, Sector 70, Mohali

..Vs

Public Information Officer,
O/o MC, Mohali
First Appellate Authority
O/o MC, Mohali

.....Appellant

.....Respondent

AC No. 3028 of 2021

Present : None for the parties.

ORDER

The RTI application vide which the appellant has sought information as enumerated in his RTI application. On not receiving the information, the appellant filed first appeal with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 28.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.10.2021 i.e. today.
3. Today neither the appellant nor the respondent is present. This is the first date of hearing and both the parties are absent. Hence one more opportunity is given to both the parties to appear before the Commission and state their case. It is made clear that in case the both the parties do not appear on the next date of hearing, appropriate order in their absence shall be passed.
4. To come up on **05.01.2022 at 12.00 PM** for further proceedings in the commission office. Copies of the order be sent to the parties.

Dated : 06.10.2021

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