

# **PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Bhawan, Near Rose Garden, Madhya Marg,  
Sector: 16, Chandigarh.**

**Tel. No.0172-2864100-01, Fax No.0172-2864110**

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Shri Rajesh Aggarwal  
s/o Shri Ram Roop,  
Social Workier and RTI Activist,  
Hanjra Marg, Indra Marg,  
Sunam (Sangrur).

-----Appellant

**Vs.**

Public Information Officer,  
O/o Principal Secretary to Government of Punjab,  
Department of Local Government,  
Municipal Bhawan, Plot No.3, Sector 35-A,  
Chandigarh.

First Appellate Authority,  
O/o Principal Secretary to Government of Punjab,  
Department of Local Government,  
Municipal Bhawan, Plot No.3, Sector 35-A,  
Chandigarh.

-----Respondents

## **Appeal Case No. 3263 of 2016**

Present:- Shri Rajesh Aggarwal, appellant, in person.

Shri Jasvinder Kumar, Senior Assistant, on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 11.09.2018 vide which the appellant was awarded a compensation of Rs.2000/- (Rupees two thousand only) under Section 19(8)(b) of the RTI Act, 2005. The case was adjourned to 15.10.2018, which was postponed for today, due to certain administrative reasons.

2. In compliance to the previous order, the appellant states that he has received a cheque of Rs.2000/- (Rupees two thousand only) as compensation alongwith

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information consisting of 13 pages during the hearing. He wants some time to peruse the same and revert back to the authorities, in case of deficiencies.

3. The representative of the respondents places on record copy of letter dated 14.11.2018, the relevant contents of which are reproduced below:-

"ਵਿਸ਼ਾ ਅੰਕਿਤ ਕੇਸ ਵਿਚ ਆਪ ਜੀ ਦੇ ਹੁਕਮ ਮਿਤੀ 01.08.2018 ਵਿਚ ਹੋਏ ਹੁਕਮਾਂ ਦੀ ਪਾਲਣਾ ਵਿਚ ਅਪੀਲਕਰਤਾ ਨੂੰ ਦਿਤੀ ਜਾਣ ਵਾਲੀ ਸੂਚਨਾ ਦੀਆਂ ਕਾਪੀਆਂ ਨਾਲ ਨੱਥੀ ਕੀਤੀਆਂ ਜਾਂਦੀਆਂ ਹਨ। ਜਿਨ੍ਹਾਂ ਵਿਚ ਮੁੱਖ ਇੰਜੀਨੀਅਰ ( ਨ ਕੋ ) ਸਥਾਨਕ ਸਰਕਾਰ ਵਲੋਂ ਕੀਤੀ ਗਈ ਰਿਪੋਰਟ ਅਤੇ ਉਸ ਮੁਤਾਬਿਕ ਸਰਕਾਰ ਵਲੋਂ ਕਾਰਜ ਸਾਧਕ ਅਫ਼ਸਰ, ਨਗਰ ਕੌਂਸਲ, ਸੁਨਾਮ ਨੂੰ ਜਾਰੀ ਕੀਤੀ ਗਈ ਹਦਾਇਤ ਦੀ ਕਾਪੀ ਨੱਥੀ ਹੈ।

ਇਸ ਸੰਬੰਧ ਵਿਚ ਵਿਜੀਲੈਂਸ ਬਿਓਰੋ ਪੰਜਾਬ ਵਿਚ ਦਰਜ ਸ਼ਿਕਾਇਤ ਨੰ: 168/13-ਸੰਗਰੂਰ ਵਿਰੁਧ ਨਗਰ ਕੌਂਸਲ ਸੁਨਾਮ ਅਤੇ ਗੋਦਾਮ ਦੇ ਮਾਲਕ ਦੇ ਕੇਸ ਵਿਚ ਨਾਮਜ਼ਦ ਸ੍ਰੀ ਰਣਬੀਰ ਸਿੰਘ, ਕਾਰਜ ਸਾਧਕ ਅਫ਼ਸਰ, ਸ੍ਰੀ ਬੂਟਾ ਸਿੰਘ, ਸਹਾਇਕ ਮਿਊਂਸੀਪਲ ਇੰਜੀਨੀਅਰ, ਸ੍ਰੀ ਅਸੋਕ ਸ਼ਰਮਾ ਜੂਨੀਅਰ ਇੰਜੀਨੀਅਰ ਅਤੇ ਸ੍ਰੀ ਸਲੀਮ ਮੁਹੰਮਦ ਜੂਨੀਅਰ ਇੰਜੀਨੀਅਰ ਨੂੰ ਸਮਰਥ ਅਥਾਰਟੀ ਵਲੋਂ ਦੋਸ਼-ਮੁਕਤ ਕੀਤਾ ਗਿਆ ਸੀ ਅਤੇ ਬਾਕੀ ਰਹਿੰਦੇ ਸ੍ਰੀ ਰਵਨੀਤ ਸਿੰਘ ਕਾਰਜ ਸਾਧਕ ਅਫ਼ਸਰ, ਸ੍ਰੀ ਅਜੀਤ ਸਿੰਘ ਕਾਰਜ ਸਾਧਕ ਅਫ਼ਸਰ (ਹੁਣ ਰਿਟਾ:), ਸ੍ਰੀ ਰਾਜਿੰਦਰ ਸਿੰਘ ਜੂਨੀਅਰ ਇੰਜੀਨੀਅਰ ਅਤੇ ਸ੍ਰੀ ਸੁਖਜਿੰਦਰ ਸਿੰਘ ਜੰਡੂ ਸਹਾਇਕ ਮਿਊਂਸੀਪਲ ਇੰਜੀਨੀਅਰ (ਹੁਣ ਰਿਟਾ:) ਦੇ ਖਿਲਾਫ ਵਿਭਾਗੀ ਅਨੁਸਾਸਨੀ ਕਾਰਵਾਈ ਕਰਨ ਲਈ ਸਰਕਾਰ ਵਲੋਂ ਨਿਯੁਕਤ ਕੀਤੇ ਗਏ ਪੜਤਾਲੀਆ ਅਫ਼ਸਰ ਵਲੋਂ ਪੇਸ਼ ਕੀਤੀ ਜਾਣ ਵਾਲੀ ਪੜਤਾਲੀਆ ਰਿਪੋਰਟ ਲੰਬਿਤ ਹੈ। ਜਿਸ ਸੰਬੰਧੀ ਸੂਚਨਾ ਮਾਨਯੋਗ ਮੁਖ ਸੂਚਨਾ ਕਮਿਸ਼ਨਰ ਜੀ ਰਾਹੀਂ ਪ੍ਰਾਰਥੀ ਨੂੰ 9/47/2016-ਤਸਸ3/1395-96 ਮਿਤੀ 19.9.2017 ਰਾਹੀਂ ਪਹਿਲਾਂ ਵੀ ਦਿਤੀ ਗਈ ਹੈ।

Contd.....p/3

ਇਸ ਤੋਂ ਇਲਾਵਾ ਆਪ ਜੀ ਦੇ ਹੁਕਮ ਮਿਤੀ 11.9.2018 ਵਿਚ ਹੋਏ ਹੁਕਮਾਂ ਦੀ ਪਾਲਣਾ ਵਿਚ ਅਪੀਲਕਰਤਾ ਨੂੰ ਮੁਆਵਜ਼ੇ ਦੀ ਅਦਾਇਗੀ ਕਰਨ ਹਿਤ ਰਕਮ 2000/- ਰੁਪਏ ਦੇ ਐਕਸਿਜ਼ ਬੈਂਕ ਲਿਮਟਿਡ ਦਾ ਚੈਕ ਨੰ:013333 ਮਿਤੀ 12.10.2018, ਜੋ ਕਿ ਅਪੀਲਕਰਤਾ ਸ਼੍ਰੀ ਰਾਜੇਸ਼ ਅਗਰਵਾਲ ਦੇ ਨਾਮ ਤੇ ਹੈ ਨਾਲ ਨਥੀ ਕੀਤਾ ਜਾਂਦਾ ਹੈ।”

4. The appellant places letter dated 17.11.2018 during the hearing, a copy of which has been handed over to the representative of the respondent-PIO to go through the same and send point wise reply to the appellant with a copy to the Commission.

5. From the foregoing, it appears that there has been some remissness in the office of the Additional Chief Secretary to Government of Punjab, Departments of Local Government, Chandigarh in the matter of receipt / taking of appropriate action on the RTI application sent to it. This is a matter which requires looking into by the Additional Chief Secretary to Government of Punjab, Department of Local Government, Chandigarh. I, therefore, direct that he shall conduct a thorough enquiry into this matter and identify the official/s, who is/are responsible for the lapse and thereafter take suitable disciplinary action against the delinquent officer/official(s) as contemplated under Section 20 (2) RTI Act 2005

6. To come up on **06.02.2019** at **11.30 A.M.**

**Dated : 06.12.2018**

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

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Shri Nirmaljit Singh s/o  
Late Shri Joginder Singh,  
MIG-485, Urban Estate, Phase-1,  
Patiala.

-----Appellant

**Vs.**

Public Information Officer  
o/o Assistant Inspector General of Police (Crime)  
o/o the Director General of Police, Punjab,  
Chandigarh.

First Appellate Authority,  
O/o Inspector General of Police (Crime),  
o/o the Director General of Police, Punjab,  
Chandigarh.

-----Respondents.

## **Appeal Case No. 3207 of 2017**

Present:- Shri Nirmaljit Singh, appellant, in person.

Shri Sukhpreet Singh, Head Constable alongwith Shri Ajit Sharma, Assistant Sub  
Inspector on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 15.11.2018 vide which the respondents were directed to file reply, whether the documents sought by the appellant are available in the file or not. If these are available, then supply copies of these documents, if not, then speaking order be passed where these are before the next date of hearing.

3. In compliance to the previous order, the respondents places speaking order on record of the case file , the necessary contents of which are reproduced below:-

1. ਸਟੇਟਮੈਂਟ ਆਫ਼ ਅਪੀਲੈਂਟਸ ਮਿਤੀ 28.08.2014 ਮੁਤਾਬਿਕ ਪੁਲਿਸ ਫਾਈਲ ਨਹੀਂ ਹੈ।
2. ਐਡੀਡੈਵਿਟਸ ਮਿਤੀ 17.03.2015 ਅਪੀਲੈਂਟਸ ਮੁਤਾਬਿਕ ਪੁਲਿਸ ਫਾਈਲ ਨਹੀਂ ਹੈ।
3. ਫੋਟੋ ਆਫ਼ ਬੋਥ ਪਾਰਟੀਆਂ ਮੁਤਾਬਿਕ ਚਲਾਣ ਜੁਡੀਸ਼ੀਅਲ ਫਾਈਲ ਨਾਲ ਲਗੀਆਂ ਹਨ।

Contd.....p/2

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4. ਸੀ.ਡੀ. ਮੁਤਾਬਿਕ ਚਲਾਣ ਜੁਡੀਸ਼ੀਅਲ ਫਾਇਲ ਨਾਲ ਨਬੀ ਹੈ।
5. ਬੈਂਕ ਡਿਟੇਲ ਮੁਤਾਬਿਕ ਪੁਲਿਸ ਫਾਇਲ ਨਹੀਂ ਹੈ।
6. ਪਾਸਪੋਰਟ ਮੁਤਾਬਿਕ ਪੁਲਿਸ ਫਾਇਲ ਨਹੀਂ ਹੈ।
7. ਰਾਸ਼ਨ ਕਾਰਡ ਦੀ ਫੋਟੋਸਟੇਟ ਕਾਪੀ ਲਫ ਪੁਲਿਸ ਫਾਇਲ ਹੈ ਜੋ ਮੁਹਈਆ ਕਰਵਾਈ ਜਾ ਰਹੀ ਹੈ।

4. After hearing both the parties and going through the record available on the case file, it is revealed that respondents have got inspected their original file from the appellant during the previous date of hearing and information consisting of 61 pages have been given. The respondents have given point-wise reply in compliance to the previous order dated 15.11.2018 and copy of ration card during the hearing. With the supply of ration card, complete information has been provided to the information-seeker and nothing is kept pending, which can be given to the information-seeker according to the RTI Act, 2005. Hence, the instant case is **disposed of** and **closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

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

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Ms. Kalyan Kaur,  
H.No.106, Sector 22-A,  
Chandigarh.

.....Appellant

**Vs**

Public Information Officer  
o/o Punjab Vidhan Sabha,  
Chandigarh.

First Appellate Authority  
o/o Punjab Vidhan Sabha,  
Chandigarh.

.....Respondents.

## **Appeal Case .No. 3119 of 2018**

Present:- Ms. Kalyan Kaur, appellant, in person.

Mr. Surinder Paul, Deputy Secretary-cum-PIO on behalf of the  
respondents.

### **ORDER**

This order may be read with reference to the previous order dated 15.11.2018 vide which the respondents were directed to send reply on receipt of the copies of the judgments from the appellant.

2. The respondent-PIO states that no copies of the judgments were received from the appellant, hence, the reply could not be sent to her. They have sent necessary reply according to which copies of the answer-sheets of others candidates cannot be given vide their letter dated 29.11.2018, the necessary contents of the reply are reproduced below:-

*It is submitted that the Hon'ble Supreme Court in its decision in UPSC vs. Angesh Kumar (2018) 4 SCC 530 set aside the judgment of the Division Bench of the Delhi High Court, whereby the High Court had directed to supply complete result of all the candidates to the unsuccessful candidates because it is likely to conflict with other*

*Contd.....p/2*

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*public interests including efficient operation of the Government, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information.*

So far as the case cited by the appellant "Shailendra Kumar Singh vs. PIO EPFO", is concerned, in this case a departmental examination for promotion was held in which only 5 candidates qualified. In the final list four candidates were selected and appellant was at Sr. No.5. He had also qualified in the examination. The appellant wanted to check the answers given by four selected candidates and where he lacked.

In the present case, the appellant is not successful, her answer sheets have already been given and in view of the latest decision of the Apex Court in UPSC vs. Angesh Kumar (2018) 4 SCC 530, the present has no merit and deserve to be dismissed. It is, therefore, prayed that the same may kindly be dismissed being devoid of any merit.

3. The appellant submits a copy of decision passed by Prof. M.Sridhar Acharyulu, Central Information Commissioner in CIC/BS/A/2016/000142 decided on 24.08.2017 vide which it is stated that it is the duty of the respondent authority to strictly follow the DoPT office memorandum dated 29.06.2015 as per which all the promotion, recruitment information to be disclosed.

4. After hearing both the parties and going through the record available on the case file, it is observed that copy of decision given by the appellant to the respondent-PIO is old one and it is the decision of CIC which is not applicable to the case of the appellant. The respondent-PIO has taken right decision for not providing copies of answer-sheets of other candidates as per the latest judgment of the Apex Court in UPSC vs. Angesh Kumar (2018) 4 SCC 530. Hence, the present case is **disposed of and closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

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

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Shri Gurinder Pal Singh  
s/o S. Jaswant Singh,  
H.No.2988, Old Gate, Jandiala Guru,  
Amritsar.

--Appellant.

Vs.

Public Information Officer  
o/o Senior Superintendent of Police,  
Amritsar (Rural).

FAA-Inspector General of Police, Punjab,  
Amritsar.

-----Respondents.

## **Appeal Case No. 595 of 2018**

Present:- None is present on behalf of the appellant.

Shri Sukhdev Singh, Head Constable, on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 15.11.2018 vide which the absence of the respondents was viewed seriously and one last opportunity was afforded to the PIO to comply with the orders of the Commission issued on 17.09.2018, failing which punitive action under the provisions of the RTI Act, 2005 will be initiated against him.

2. The appellant is absent without intimation.

3. Shri Sukhdev Singh, Head Constable, appearing on behalf of the respondents states that the matter is of the year 2009. He has not produced any written reply to the deficiencies of the appellant vide his letter 03.07.2018.

4. The respondents are directed to remove the deficiencies communicated by the appellant on 03.07.2018. No reply to the hearing notice issued by the Commission has been filed by the respondents till date. On the last date of hearing,

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absence of the PIO was viewed seriously and one last opportunity was afforded to remove the deficiencies sent by the appellant on 03.07.2018. Therefore, a show cause notice is issued to PIO/Senior Superintendent of Police, Amritsar (Rural) for non compliance. The respondent-PIO is directed to file formal reply in this behalf before the next date of hearing. He is further directed to expedite to remove the deficiencies in the information already supplied to the information-seeker. In case it is not available then they must be very specific and also state the reasons therefore.

5. He may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice.

6. To come up on **06.02.2019** at **11.30 A.M.**

**Dated : 06.12.2018**

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

CC

Senior Superintendent of Police,  
Amritsar (Rural)

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Shri Rakesh Kumar Gupta  
#8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana.

.....Appellant

**Vs**

Public Information Officer  
o/o Senior Superintendent of Police,  
Ludhiana (Rural) at Jagraon.

First Appellate Authority  
o/o Inspector General of Police,  
Zonal-II, Jalandhar.

.....Respondents.

## **Appeal Case No. 2042 of 2018**

Present:- Shri Rakesh Kumar Gupta, appellant, in person.

Shri Hakam Singh alongwith Shri Harpreet Singh, both Assistant Sub  
Inspectors, on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 15.11.2018 vide which the respondent-Senior Superintendent of Police, Ludhiana (Rural) at Jagraon was directed to expedite the inquiry to be completed before the next date of hearing and supply a copy of the inquiry report to the appellant.

2. The representative o/o Senior Superintendent of Police, Ludhiana (Rural) at Jagraon submits that the matter is still under investigation.

3. After hearing both the parties and going through the record available on the case file, it is revealed that the matter cannot be kept pending until the inquiry is concluded. Hence, during the pendency of the inquiry, report cannot be supplied to the appellant. The respondents are directed to supply inquiry report on its finalization. With these observations, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

Sd/-  
( S.S. Channy)  
Chief Information Commissioner  
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Shri Rakesh Kumar Gupta  
#8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana.

.....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,  
Ludhiana (Rural) at Jagraon.

.....Respondents.

## **Appeal Case .No. 2041 of 2018**

Present:- Shri Rakesh Kumar Gupta, appellant, in person.

Shri Vidya Rattan, Assistant Sub Inspector, on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 15.11.2018 vide which the respondent-Senior Superintendent of Police, Ludhiana (Rural) at Jagraon was directed to expedite the inquiry to be completed before the next date of hearing and supply a copy of the inquiry report to the appellant.

2. The representative o/o Senior Superintendent of Police, Ludhiana (Rural) at Jagraon submits that the matter is still under investigation and it will take some more time to complete the inquiry.

3. After hearing both the parties and going through the record available on the case file, it is observed that the matter cannot be kept pending until the inquiry is concluded and report cannot be supplied until the inquiry is concluded. The respondents are directed to supply the information on its finalization. The representative of the respondents assures that he will send inquiry report on its completion. With these observations, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

Sd/-  
( S.S. Channy)  
Chief Information Commissioner  
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Shri Rakesh Kumar Gupta  
#8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana.

.....Appellant

**Vs**

Public Information Officer  
o/o Chief Secretary to Govt.of Punjab,  
Chandigarh.

First Appellate Authority  
o/o Chief Secretary to Government of Punjab,  
Chandigarh.

.....Respondents.

## **Appeal Case No. 2040 of 2018**

Present:- Shri Rakesh Kumar Gupta, appellant, in person..

Shri Resham Kumar, Superintendent alongwith Shri Gurpreet Singh,  
Senior Assistant, on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 15.11.2018 vide which the appellant was advised to go through the information supplied by SHO, P.S. Dakha running into 21 pages and revert back to the authorities in case of deficiencies in the information already provided on 4.6.2018. Accordingly, the respondents were directed to remove the deficiencies furnished by him. Besides, the PIO o/o Additional Chief Secretary, Home Affairs and Justice Department was directed to submit Action Taken Report on the next date of hearing.

2. The representative of the respondent-PIO i.e Departments of Home and Justice, Punjab, Chandigarh places on record letter dated 4.12.2018, necessary

Contd.....p/2

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contents of the same are reproduced below:-

ਵਿਸ਼ਾ ਅੰਕਿਤ ਮਾਮਲੇ ਸੰਬੰਧੀ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਆਪ ਜੀ ਦੇ ਹੁਕਮਾਂ ਮਿਤੀ 17.09.2018 ਦੇ ਸਨਮੁਖ ਗ੍ਰਹਿ ਵਿਭਾਗ ਵਲੋਂ ਮੀਮੋ ਨੰ:6/43/2018-ਗ4(1ਗ4)/5869 ਮਿਤੀ 05/11/2018 (ਕਾਪੀ ਨੱਥੀ) ਰਾਹੀਂ ਆਪਣੀ ਐਕਸ਼ਨ ਟੇਕਨ ਰਿਪੋਰਟ ਦਾਇਰ ਕੀਤੀ ਗਈ ਸੀ ਜਿਸ ਵਿਚ ਜ਼ਿਕਰ ਕੀਤਾ ਗਿਆ ਸੀ ਕਿ ਸਹਾਇਕ ਰਜਿਸਟਰਾਰ, ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ, ਪੰਜਾਬ ਵਲੋਂ ਪ੍ਰਾਪਤ ਪੱਤਰ ਨੰ: ਪੀ.ਐਸ.ਆਈ.ਸੀ/ਲੀਗਲ/2018/13443 ਮਿਤੀ 27.06.2018 ਦੀ ਕਾਪੀ ਦੇ ਸਨਮੁਖ ਉਕਤ ਅਪੀਲ ਨਾਲ ਸੰਬੰਧਤ ਜਵਾਬਦਾਵਾ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਵਿਖੇ ਦਾਇਰ ਕਰਨ ਲਈ ਡਾਇਰੈਕਟਰ ਜਨਰਲ ਆਫ ਪੁਲਿਸ, ਪੰਜਾਬ ਜੀ ਨੂੰ ਪੱਤਰ ਨੰ: 3379 ਮਿਤੀ 13/07/2018 (ਕਾਪੀ ਨਥੀ) ਰਾਹੀਂ ਲਿਖਿਆ ਗਿਆ ਸੀ।

3. ਇਸ ਸੰਬੰਧੀ ਦਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਪ੍ਰਾਰਥੀ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਪੁਲਿਸ ਵਿਭਾਗ ਨਾਲ ਹੀ ਸੰਬੰਧਤ ਸੀ ਅਤੇ ਇਸੇ ਕਾਰਨ ਹੀ ਡਾਇਰੈਕਟਰ ਜਨਰਲ ਆਫ ਪੁਲਿਸ, ਪੰਜਾਬ ਨੂੰ ਸੂਚਨਾ ਮੁਹਈਆਂ ਕਰਵਾਉਣ ਲਈ ਲਿਖਿਆ ਗਿਆ ਸੀ ਪਰੰਤੂ ਆਪ ਜੀ ਵਲੋਂ ਆਪਣੇ ਹੁਕਮਾਂ ਮਿਤੀ 15.11.2018 ਵਿਚ ਜ਼ਿਕਰ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਗ੍ਰਹਿ ਵਿਭਾਗ ਵਲੋਂ ਸੂਚਨਾ ਮੁਹਈਆਂ ਕਰਵਾ ਦਿਤੀ ਗਹ. ਹੈ ਜਦ ਕਿ ਗ੍ਰਹਿ ਵਿਭਾਗ ਵਲੋਂ ਸੂਚਨਾ ਮੁਹਈਆ ਕਰਵਾਉਣ ਜਾਂ ਨਾਂ ਕਰਵਾਉਣ ਸੰਬੰਧੀ ਕੋਈ ਅੰਡਰਟੇਕਿੰਗ ਨਹੀਂ ਦਿਤੀ ਗਈ ਹੈ। ਸੂਚਨਾ ਮੁਹਈਆਂ ਕਰਵਾਉਣ ਸੰਬੰਧੀ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਪੁਲਿਸ ਵਿਭਾਗ ਵਲੋਂ ਹੀ ਕੀਤੀ ਜਾਣੀ ਹੈ।

3. After hearing both the parties and going through the record available on the case file, it is revealed that the respondents-Additional Chief Secretary to Government of Punjab, Departments of Home Affairs and Justice, Chandigarh has transferred the complaint of the appellant to the Director General of Police, Punjab, Chandigarh, who has further transferred the same to SHO, Police Station, Dakha,

Contd.....p/3.

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District Ludhiana as he is holding the information. As action taken report has been furnished to the appellant by the respondent-PIO. If the appellant wants to get the information, then he should apply to the concerned PIO and get the necessary reply/information from him. In view of action taken report sent by the respondents, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

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

# **PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Bhawan, Near Rose Garden, Madhya Marg,**

**Sector: 16, Chandigarh.**

**Tel. No.0172-2864100-01, Fax No.0172-2864110**

**Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email-ID [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)**

Shri Gurdeep Singh Kahlon,  
r/o 947, HIG, Jamalpur Colony,  
Ludhiana.

..... Complainant

**Vs**

Public Information Officer  
o/o Judicial Magistrate Ist Class,  
Ludhiana.

.....Respondent

## **COMPLAINT CASE No. 656 of 2018**

Present:- None is present on behalf of the complainant.

None on behalf of the respondent-PIO.

### **ORDER**

This order may be read with reference to the previous order dated 22.10.2018 vide which the respondent-PIO was directed to comply with the previous order dated 22.10.2018.

2. The complainant is absent without intimation.

3. None is present on behalf of the respondent-PIO without intimation. She has sent reply in compliance to the previous order vide her letter dated 17.09.2018 alongwith receipts of registered letters sent to the appellant. After going through the record, it is revealed that letter under reference has been received without Registration receipts. The respondent-PIO is directed to send registration receipts alongwith a certified copy of exemption application dated 09.06.2018 for seeking exemption from appearance in a case fixed for 11.06.2018 titled as State vs. Kulwant Singh and others

Contd.....p/2

**COMPLAINT CASE No. 656 of 2018**

-2-

pending before the Court of Ms. Sumit Sabharwal, JMIC, Ludhiana, which was said to have been received in their office on 13.06.2018. She is further directed to furnish formal reply alongwith receipts of registered letter sent to the complainant to the Commission for its record.

4. To come up on **06.02.2019** at **11.30 A.M.**

**Dated : 06.12.2018**

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



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Dr. Rajesh Gupta,  
#738, Sector 41-A,  
Chandigarh.

.. ...Appellant

Vs

Public Information Officer  
o/o Secretary, Punjab Public Service Commission,  
Patiala.

First Appellate Authority  
o/o Secretary, Punjab Public Service Commission,  
Patiala.

.....Respondents

## Appeal Case No. 2030 of 2018

Present:- Dr. Rajesh Gupta, appellant, in person.

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

### ORDER

This order may be read with reference to the previous order dated 13.11.2011 vide which the respondents were directed to bring original file pertaining to this case on the next date of hearing for the perusal of the Commission to enable it to arrive at a logical conclusion.

2. In compliance to the previous order the representative of the respondents brought original file for the perusal of the Commission.

3. The original file was got inspected from the appellant, who states that he will be satisfied if a copy of the proceedings of the meeting be provided to him.

4. After hearing both the parties and going through the record available on the case file, it is revealed that complete information except proceedings of the meeting of the Punjab Public Service Commission, Patiala, where the decision regarding imposition of punishment, has been provided. The respondents are directed to give a copy of extract of proceedings without signatures of the members to the appellant. With this direction to the respondents, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

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

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Shri G.P. Singh  
s/o Shri Balwant Singh,  
Ward No.11/241, Ahmedgarh,  
District Sangrur.

-----Appellant

**Vs.**

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

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

Public Information Officer,  
o/o Senior Superintendent of Police,  
Sangrur.

-----Respondents

## **Appeal Case No. 885 of 2018**

Present:- None on behalf of the appellant.

Shri Ajaib Singh, ASI, on behalf of the respondents.

### **ORDER**

This order may be read with reference to the previous order dated 13.11.2018 vide which the appellant was advised to seek specific information, which is in the material form. Besides the PIO was directed to supply copies of Rules to the appellant, if they are available on the subject.

2. The representative of the respondents states that in compliance to the previous order, no application for seeking specific information has been received from the appellant. He places on record letter dated 5.12.2018, the contents of which are reproduced below:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸੰਬੰਧ ਵਿਚ ਬੇਨਤੀ ਹੈ ਕਿ ਸ੍ਰੀ ਜੀ.ਪੀ. ਸਿੰਘ ਪੁੱਤਰ ਸ੍ਰੀ ਬਲਵੰਤ ਸਿੰਘ ਵਾਸੀ ਮਕਾਨ ਨੰ: 11/241 ਅਹਿਮਦਗੜ੍ਹ ਜ਼ਿਲ੍ਹਾ ਸੰਗਰੂਰ ਵਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਰਾਹੀਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦਾ ਜਵਾਬ

**Contd.....p/2**

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ਭੇਜ ਕੇ ਇਸ ਦਾ ਇਕ ਉਤਾਰਾ ਇਸ ਦਫ਼ਤਰ ਵਲੋਂ ਪ੍ਰਾਰਥੀ ਜੀ.ਪੀ.ਸਿੰਘ ਉਕਤ ਨੂੰ ਪੱਤਰ ਦੀ ਕਾਪੀ ਡਾਕ ਰਾਹੀਂ ਭੇਜੀ ਗਈ ਸੀ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਵਿਚ ਪ੍ਰਾਰਥੀ ਨੇ ਨਾਂ ਹੀ ਦਰਖਾਸਤ ਨੰਬਰ, ਨਾਂ ਹੀ ਦਸਤੀ ਦਰਖਾਸਤ ਨੰਬਰ ਅਤੇ ਨਾਂ ਹੀ ਕਿਸੇ ਮੁਕੱਦਮੇ ਦਾ ਜ਼ਿਕਰ ਕੀਤਾ ਗਿਆ ਹੈ, ਬਿਨਾਂ ਨੰਬਰ ਤੇ ਬਿਨਾਂ ਮੁਕੱਦਮੇ ਦੇ ਵੇਰਵੇ ਤੋਂ ਸੂਚਨਾ ਮੁਹਈਆ ਕਰਨੀ ਅਸੰਭਵ ਹੈ। ਇਸ ਤੋਂ ਬਿਨਾਂ ਆਰ.ਟੀ.ਆਈ. ਦੀ ਧਾਰਾ 8(1) ਤਹਿਤ ਜੇਕਰ ਇਤਲਾਹ ਪ੍ਰਸ਼ਨਾਵਲੀ ਦੇ ਰੂਪ ਵਿਚ ਹੋਵੇ, ਤਾਂ ਉਹ ਦੇਣੀ ਅਸੰਭਵ ਹੈ।

ਮਾਨਯੋਗ ਡਿਪਟੀ ਇੰਸਪੈਕਟਰ ਜਨਰਲ ਪੁਲਿਸ ਵਲੋਂ ਕੋਈ ਵੀ ਮਾਮਲੇ ਸੰਬੰਧੀ ਐਸ.ਪੀ. ਰੈਂਕ ਦੇ ਅਫ਼ਸਰ ਤੋਂ ਪੜਤਾਲ ਕਰਵਾਉਣ ਉਪਰੰਤ ਮੁਕੱਦਮਾ ਦਰਜ ਹੋਣ ਪਰ ਜੇਕਰ ਕੋਈ ਨਵੇਂ ਤੱਥ ਸਾਹਮਣੇ ਆਉਂਦੇ ਹਨ, ਤਾਂ ਜ਼ਿਲ੍ਹਾ ਪੁਲਿਸ ਮੁਖੀ ਕਿਸੇ ਵੀ ਰੈਂਕ ਦੇ ਪੁਲਿਸ ਅਫ਼ਸਰ ਤੋਂ ਤਫ਼ਤੀਸ਼ ਕਰਵਾ ਸਕਦਾ ਹੈ।

ਅਗਰ ਮੁਕੱਦਮੇ ਦਾ ਦੋਸ਼ੀ ਜੁਡੀਸ਼ੀਅਲ ਕਸਟੋਡੀ ਵਿਚ ਬੰਦ ਨਹੀਂ ਹੈ, ਤਾਂ ਤਫ਼ਤੀਸ਼ ਲਈ ਮੁਕੱਦਮੇ ਦੀ ਤਫ਼ਤੀਸ਼ ਕਰਨ ਸੰਬੰਧੀ ਕੋਈ ਸਮਾਂ ਮੁਕਰਰ ਨਹੀਂ ਹੈ, ਪਰੰਤੂ ਪੁਲਿਸ ਨੂੰ ਸੀ.ਆਰ.ਪੀ.ਸੀ. ਦੀ ਧਾਰਾ 468 ਵਿਚ ਦਿਤੇ ਸਮੇਂ ਦੇ ਦਾਇਰੇ ਵਿਚ ਰਹਿੰਦਿਆਂ ਚਲਾਨ ਸਮਾਇਤ ਲਈ ਪੇਸ਼ ਅਦਾਲਤ ਕਰਨਾ ਹੁੰਦਾ ਹੈ ਜੀ।

3. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that appellant never appeared on any of the hearings held since 12.04.2018. In compliance to the previous order, he has not sent any application for seeking specific information to the respondents as well as to the Commission. The above letter of the respondents is self speaking. According to this letter, Senior Superintendent of Police is authorized to get inquiry conducted second time from any officer of any rank, if some new facts come to his knowledge. The Commission is satisfied with the reply given by the respondents. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 06.12.2018

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

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Shri Navdeep Gupta,  
Kothi No. 455, Gillco Valley,  
Kharar, District: Mohali.

.....Complainant

**Versus**

Public Information Officer  
O/O Director General of Police,  
Punjab, Chandigarh.

.....Respondent

## **Complaint Case No. 581 of 2018**

Present:- None on behalf of the complainant.

Shri Avtar Singh, ASI, on behalf of the respondent-PIO

### **ORDER**

This order may be read with reference to the previous order dated 13.11.2018, in which it is mentioned that the complainant informed on 30.10.2018 stating that he had not received reasons for delay in the supply of the information from the PIO as yet, as per the orders of the Commission. Accordingly the PIO was directed to send again reasons for delay in the supply of information, in writing, to the Complainant with a copy to the Commission and the complainant was advised to send his observations, if any, on receipt of reply from the PIO and the case was adjourned to 6.12.2018 for further proceedings.

2. The complainant is absent but he has sent letter dated 27.11.2018, the contents of which are as under:-

(i) That causing non-compliance to the directions dated 13.11.2018 of Hon'ble CIC, PIO has not provided any reasoning so far.

(ii) That since I am before the Hon'ble Commission u/s 18 (1) (C) of RTI Act, 2005, I will go by the decision of Hon'ble CIC. So in case PIO is able to satisfy Hon'ble CIC bona fide, I will have no objection in closing of case.

(iii) That in case PIO fails to show his bona fide, action must be taken against him as per provisions of RTI Act, 2005.

Contd.....p/2

## Complaint Case No. 581 of 2018

-2-

3. The representative of the respondents, in compliance to the previous order, places on record copy of speaking reasons dated 16.11.2018, said to have been sent to the complainant, the contents of which are reproduced below:-

ਬੇਨਤੀ ਹੈ ਕਿ ਕੰਪਲੇਟ ਨੰਬਰ 581 ਆਫ਼ 2018 ਵਲੋਂ ਨਵਦੀਪ ਗੁਪਤਾ ਵਾਸੀ ਮਕਾਨ ਨੰਬਰ 455 ਗਿਲਕੋ ਵੈਲੀ ਖਰੜ ਨੇ ਸੂਚਨਾ ਅਧਿਕਾਰ ਕਮਿਸ਼ਨ ਪੰਜਾਬ ਚੰਡੀਗੜ੍ਹ ਵਿਚ ਪਾਈ ਸੀ ਜਿਸ ਸੰਬੰਧੀ ਸੂਚਨਾ ਬਾਰੇ ਉਪਰੋਕਤ ਦਫ਼ਤਰ ਤੋਂ ਮਿਤੀ 10.09.18 ਨੂੰ ਚੌਕੀ ਸੰਨੀ ਇਨਕਲੇਵ ਖਰੜ ਵਿਚ ਰਾਹੀਂ ਡਾਕ ਮੌਜੂਦ ਹੋਈ ਸੀ। ਜਿਸ ਸੰਬੰਧੀ ਸੂਚਨਾ ਇਕੱਠੀ ਕਰਕੇ ਰਾਹੀਂ ਸਪੀਡ ਪੋਸਟ ਨੰਬਰ 1362378881 ਮਿਤੀ 15.10.18 ਨੂੰ ਕੰਪਲੇਟ ਕਰਤਾ ਨਵਦੀਪ ਗੁਪਤਾ ਦੇ ਘਰ ਦੇ ਐਡਰੈਸ ਪਰ ਭੇਜੀ ਗਈ ਜਿਸ ਸੰਬੰਧੀ ਇਹ ਸੂਚਨਾ ਕੰਪਲੇਟ ਕਰਤਾ ਨੂੰ ਸੂਚਨਾ ਅਧਿਕਾਰ ਕਮਿਸ਼ਨਰ ਦੇ ਮਿਤੀ 15.10.18 ਨੂੰ ਤਰੀਕ ਦੀ ਪੇਸ਼ੀ ਪਰ ਵੀ ਤਿਆਰ ਕਰਕੇ ਲੈ ਗਏ ਸੀ ਜਿਥੇ ਕੰਪਲੇਟ ਕਰਤਾ ਨਵਦੀਪ ਗੁਪਤਾ ਹਾਜ਼ਰ ਨਹੀਂ ਹੋਇਆ ਤਾਂ ਸੂਚਨਾ ਕਮਿਸ਼ਨਰ ਜੀ ਦੇ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਕੰਪਲੇਟ ਕਰਤਾ ਨੂੰ ਸਪੀਡ ਸਪੀਡ ਪੋਸਟ ਕਰਵਾਈ ਗਈ ਇਸ ਸੰਬੰਧੀ ਕੰਪਲੇਟ ਕਰਤਾ ਨੂੰ ਮੌਜੂਦ ਹੋਣ ਤੇ 30 ਦਿਨਾਂ ਦੇ ਵਿਚ ਵਿਚ ਸਾਰੀ ਸੂਚਨਾ ਇਕੱਠੀ ਕਰਕੇ ਮੁਹਈਆਂ ਕਰਵਾਈ ਗਈ। ਇਸ ਵਿਚ ਕਿਸੇ ਤਰ੍ਹਾਂ ਦੀ ਵੀ ਅਣਗਿਹਲੀ ਨਹੀਂ ਕੀਤੀ ਗਈ, ਜਿਸ ਸੰਬੰਧੀ ਰਜਿਸਟਰ ਨੰਬਰ 5ਏ ਦੀ ਫੋਟੋ ਕਾਪੀ ਅਤੇ ਸਪੀਡ ਪੋਸਟ ਦੀ ਫੋਟੋ ਕਾਪੀ ਨਾਲ ਲਫ ਹੈ। ਇਸ ਸਾਡੇ ਪਾਸ ਨਹੀਂ ਆਇਆ।

4. After hearing the representative of the respondent-PIO and going through the record available on the case file, it is revealed that the complainant filed an application for seeking information with the Director General of Police, Punjab, Chandigarh, who has transferred the same to the Senior Superintendent of Police, Mohali under Section 6(3) of the RTI Act, 2005, who has further transferred the same to the concerned Police Station, Kharar. In the above said letter, it is mentioned that the respondent-PIO has provided complete information after collecting the same from different branches within 30 days on its receipt in their office. The Commission is satisfied with the reasons given by the respondent-PIO. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

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

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Shri Navdeep Gupta,  
Kothi No. 455, Gillco Valley,  
Kharar, District: Mohali.

.....Complainant

**Versus**

Public Information Officer  
O/O Director General of Police,  
Punjab, Chandigarh.

.....Respondent

## **Complaint Case No. 591 of 2018**

Present:- None on behalf of the complainant.

Shri Avtar Singh, ASI, on behalf of the respondent-PIO.

### **ORDER**

This order may be read with reference to the previous order dated 13.11.2018, in which it is mentioned that the complainant informed on 30.10.2018 stating that he had not received reasons for delay in the supply of the information from the PIO as yet, as per the orders of the Commission. Accordingly the PIO was directed to send again reasons for delay in the supply of information, in writing, to the Complainant with a copy to the Commission and the complainant was advised to send his observations, if any, on receipt of reply from the PIO and the case was adjourned to 6.12.2018 for further proceedings.

2. The complainant is absent but he has sent letter dated 27.11.2018, the contents of which are as under:-

(i) That causing non-compliance to the directions dated 13.11.2018 of Hon'ble CIC, PIO has not provided any reasoning so far.

(ii) That since I am before the Hon'ble Commission u/s 18 (1) (C) of RTI Act, 2005, I will go by the decision of Hon'ble CIC. So in case PIO is able to satisfy Hon'ble CIC bona fide, I will have no objection in closing of case.

(iii) That in case PIO fails to show his bona fide, action must be taken against him as per provisions of RTI Act, 2005.

Contd.....p/2

## Complaint Case No. 581 of 2018

-2-

3. The representative of the respondents, in compliance to the previous order, places on record copy of same speaking reasons dated 16.11.2018 filed in case No.CC-591/2018 in this case also, said to have been sent to the complainant, the contents of which are reproduced below:-

ਬੇਨਤੀ ਹੈ ਕਿ ਕੰਪਲੇਟ ਨੰਬਰ 581 ਆਫ਼ 2018 ਵਲੋਂ ਨਵਦੀਪ ਗੁਪਤਾ ਵਾਸੀ ਮਕਾਨ ਨੰਬਰ 455 ਗਿਲਕੋ ਵੈਲੀ ਖਰੜ ਨੇ ਸੂਚਨਾ ਅਧਿਕਾਰ ਕਮਿਸ਼ਨ ਪੰਜਾਬ ਚੰਡੀਗੜ੍ਹ ਵਿਚ ਪਾਈ ਸੀ ਜਿਸ ਸੰਬੰਧੀ ਸੂਚਨਾ ਬਾਰੇ ਉਪਰੋਕਤ ਦਫ਼ਤਰ ਤੋਂ ਮਿਤੀ 10.09.18 ਨੂੰ ਚੌਕੀ ਸੰਨੀ ਇਨਕਲੇਵ ਖਰੜ ਵਿਚ ਰਾਹੀਂ ਡਾਕ ਮੌਜੂਦ ਹੋਈ ਸੀ। ਜਿਸ ਸੰਬੰਧੀ ਸੂਚਨਾ ਇਕੱਠੀ ਕਰਕੇ ਰਾਹੀਂ ਸਪੀਡ ਪੋਸਟ ਨੰਬਰ 1362378881 ਮਿਤੀ 15.10.18 ਨੂੰ ਕੰਪਲੇਟ ਕਰਤਾ ਨਵਦੀਪ ਗੁਪਤਾ ਦੇ ਘਰ ਦੇ ਐਡਰੈਸ ਪਰ ਭੇਜੀ ਗਈ ਜਿਸ ਸੰਬੰਧੀ ਇਹ ਸੂਚਨਾ ਕੰਪਲੇਟ ਕਰਤਾ ਨੂੰ ਸੂਚਨਾ ਅਧਿਕਾਰ ਕਮਿਸ਼ਨਰ ਦੇ ਮਿਤੀ 15.10.18 ਨੂੰ ਤਰੀਕ ਦੀ ਪੇਸ਼ੀ ਪਰ ਵੀ ਤਿਆਰ ਕਰਕੇ ਲੈ ਗਏ ਸੀ ਜਿਥੇ ਕੰਪਲੇਟ ਕਰਤਾ ਨਵਦੀਪ ਗੁਪਤਾ ਹਾਜ਼ਰ ਨਹੀਂ ਹੋਇਆ ਤਾਂ ਸੂਚਨਾ ਕਮਿਸ਼ਨਰ ਜੀ ਦੇ ਹੁਕਮਾਂ ਅਨੁਸਾਰ ਕੰਪਲੇਟ ਕਰਤਾ ਨੂੰ ਸਪੀਡ ਸਪੀਡ ਪੋਸਟ ਕਰਵਾਈ ਗਈ ਇਸ ਸੰਬੰਧੀ ਕੰਪਲੇਟ ਕਰਤਾ ਨੂੰ ਮੌਜੂਦ ਹੋਣ ਤੇ 30 ਦਿਨਾਂ ਦੇ ਵਿਚ ਵਿਚ ਸਾਰੀ ਸੂਚਨਾ ਇਕੱਠੀ ਕਰਕੇ ਮੁਹਈਆਂ ਕਰਵਾਈ ਗਈ। ਇਸ ਵਿਚ ਕਿਸੇ ਤਰ੍ਹਾਂ ਦੀ ਵੀ ਅਣਗਿਹਲੀ ਨਹੀਂ ਕੀਤੀ ਗਈ, ਜਿਸ ਸੰਬੰਧੀ ਰਜਿਸਟਰ ਨੰਬਰ 5ਏ ਦੀ ਫੋਟੋ ਕਾਪੀ ਅਤੇ ਸਪੀਡ ਪੋਸਟ ਦੀ ਫੋਟੋ ਕਾਪੀ ਨਾਲ ਲਫ ਹੈ। ਇਸ ਸਾਡੇ ਪਾਸ ਨਹੀਂ ਆਇਆ।

4. After hearing the representative of the respondent-PIO and going through the record available on the case file, it is revealed that the complainant filed an application for seeking information with the Director General of Police, Punjab, Chandigarh, who has transferred the same to the Senior Superintendent of Police, Mohali under Section 6(3) of the RTI Act, 2005, who has further transferred the same to the concerned Police Station, Kharar. In the above said letter, it is mentioned that the respondent-PIO has provided complete information after collecting the same from different branches within 30 days on its receipt in their office. The Commission is satisfied with the reasons given by the respondent-PIO. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

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

# **PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Bhawan, Near Rose Garden, Madhya Marg,**

**Sector: 16, Chandigarh.**

**Tel. No.0172-2864100-01, Fax No.0172-2864110**

**Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com), Email-ID [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)**

Shri S.P. Goyal,  
2-C, Sarabha Nagar,  
Gurudwara Road,  
Ludhiana-141001.

-----Appellant

**Vs**

Public Information Officer,  
o/o Registrar, Punjab and Haryana High Court,  
Chandigarh.

First Appellate Authority  
o/o Registrar (Administration),  
Punjab and Haryana High Court,  
Chandigarh.

-----Respondents

## **Appeal Case No. 2334 of 2018** **(through Video Conference Facility)**

Present:- Shri S.P. Goyal, appellant, alongwith Shri Joginder Pal Sood, Advocate.  
Shri Inder Singh, PIO-cum-Joint Registrar(Rules) and Shri Charanjeet Singh,  
Senior Assistant, on behalf of the respondents in person at Chandigarh..

### **ORDER**

This order may be read with reference to the previous order dated 13.11.2018 vide which the case was fixed for hearing through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

2. The representative of the respondents has filed reply, necessary contents of which are reproduced below:-

(1) That the appellant had sought information under the Right to Information Act, 2005 (hereinafter referred as the Act) vide his application dated 6.9.2017 received by way of transfer under Section 6(3) of the Act from Superintendent-cum-Public Information Officer, Department of Home Affairs and Justice (Judicial 1 Branch), Govt. of Punjab, on 9.2.2018.

Contd.....p/2



## Appeal Case No. 2334 of 2018

-2-

- (2) That in response to the above said application filed by the appellant, vide this Court's letter No.348/PIO/HC dated 22.2.2018, the information regarding points No.1, to 5, 7, 8 & 11 was declined in view of the provisions of Section 2(f) of the Act. Regarding points No. 6 & 9 the information was provided to him.
- (3) That thereafter, the appellant filed first appeal before the First Appellate Authority of the Court, which was dismissed vide detailed speaking order dated 2.4.2018.
- (4) That in the present appeal, the appellant has also express his satisfaction over the information supplied to him in respect of points No.6 & 9 and no appeal has been filed against these points.
3. After hearing both the parties and going through the documents available on the case file, it is revealed that no reply can be given to the questions raised by the appellant under Section 2(f) of the RTI Act, 2005. The respondents have sent point wise reply to the information-seeker to his application with a copy to the Commission. The Commission is satisfied with the reply given by the respondents. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

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

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Shri S.P. Goyal,  
2-C, Sarabha Nagar,  
Gurudwara Road,  
Ludhiana-141001.

-----Appellant

**Vs**

Public Information Officer,  
o/o District & Sessions Judge,  
Ludhiana.

First Appellate Authority  
o/o District and Sessions Judge,  
Ludhiana.

-----Respondents

**Appeal Case No. 2355 of 2018**  
**(Through Video Conference Facility)**

Present:- Shri S.P. Goyal alongwith Shri Joginder Pal Sood, Advocate.  
Smt. Kirti and Shri Karanbir Singh, Clerk, on behalf of the respondents.

**ORDER**

This order may be read with reference to the previous order dated 13.11.2018 vide which the case was fixed for hearing through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana. In that order, it is mentioned that a detailed reply has been sent to the appellant by the respondents, with a copy to the Commission on 30.10.2018 by registered post. Accordingly, the appellant was advised to send his observations, if any, on the reply of the PIO, before the next date of hearing.

2. The counsel appearing on behalf of the appellant states that they are satisfied with the information provided to them regarding points from Sr. No. 1 to 8 and no information has been provided to them regarding point No.8.

3. The representatives of the respondents relied on the letter issued by the Government of India, Ministry of Personnel, Public Grievances and Public Grievance

Contd.....p/2

## Appeal Case No. 2355 of 2018

-2-

and Pensions, Department of Personnel and Training the operative part of which is as under:-

*"The performance of an employee/officer in an organization is primarily a matter between the employee and employer and normally those aspects are governed by the service rules which fall under the expression 'personal' information, the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which could cause unwarranted invasion of the privacy of that individual. The Supreme Court further held that such information could be disclosed only if it would serve a larger public interest."*

3. After hearing both the parties and going through the documents available on the case file, it is revealed that complete information/reply has been provided to the appellant except information at Sr. No.9 of information-seeker's application for information. No information is to be supplied to the appellant regarding point at Sr. No. 9 as the matter is between the employee and the employer. The Commission is satisfied with the reply given by the respondents. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

**Dated : 06.12.2018**

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

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Shri Jagmohan Singh Makkar,  
#334, G.T. Road, Salem Tabri,  
Ludhiana.

.....Appellant

**Vs**

Public Information Officer  
o/o Tehsildar (Central),  
Ludhiana.

First Appellate Authority  
o/o Sub Divisional Magistrate (West),  
Ludhiana.

.....Respondents.

## **Appeal Case No. 1948 of 2018**

(through video conference facility)

Present:- Shri Jagmohan Singh Makkar, appellant, in person.

Shri Harvinder Singh, Reader, on behalf of the respondents.

## **ORDER**

This order may be read with reference to the previous order dated 06.11.2018. On that date, both the parties were absent without intimation. On the request of the appellant, the case was fixed for today to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana. Viewing the absence of the respondents seriously, the PIO was directed to supply the requisite information to the complainant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

2. The representative of the respondents states that information is voluminous and is being prepared. He requests for one or two days' time to supply the information.

3. The appellant states that he has applied for information under the RTI Act, 2005 on 14.12.2017 but till date no information has been supplied to him.

Contd.....p/2

-2-

4. After hearing both the parties and going through the record, it is revealed that no information/reply has been supplied by the respondents to the appellant to his application for information dated 14.12.2017. Non-supply of information has resulted in much avoidable inconvenience and hardship to the Appellant. He is, therefore, entitled to be compensated under Section 19(8)(b) of RTI Act 2005 for the loss and detriment suffered by him. In the circumstances, I am of the view that ends of justice would be met if a sum of Rs.2000/- (Rupees Two Thousand Only) is awarded to the Appellant as compensation. I order accordingly.

5. This amount shall be payable by the Respondents from the State exchequer within fifteen days from the receipt of this order under intimation to the Commission.

6. The respondents are directed to supply requisite information before the next date of hearing failing which punitive action will be initiated against the respondents.

7. To come up on **6.2.2019** at **11.30 A.M.** to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

**Dated : 06.12.2018**

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