**STATE INFORMATION COMMISSION, PUNJAB**

 **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** **scic@punjabmail.gov.in**

Shri Kashmir Singh, Panch,

Village Sahi Wala, Block Jalalabad,

Tehsil and District Fazilika.. --------Appellant

  **Vs.**

Public Information Officer

o/o Block Development and Panchayats Officer,

Jalalabad,

First Appellate Authority,

O/o District Development and Panchayats Officer,

Fazilika. -------Respondents

**Appeal Case No. 1134 of 2017**

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

Shri Manjit Singh, VDO, office of BDPO, Jalalabad, on behalf of the respondents.

**ORDER**

This case was last heard on 24.07.2017, when Shri Manjit Singh, VDO, office of BDPO, Jalalabad, appearing on behalf of the respondents, submitted a letter No. 2159, dated 21.07.2017 from BDPO, Jalalabad vide which it had been informed that requisite information had been provided to the appellant. A copy of receipt taken from the appellant was also sent alongwith the said letter in which the appellant had confirmed that he had received the requisite complete information. Accordingly, the case was disposed of and closed.

2. Now, the appellant vide his letter dated 02.08.2017 has informed the Commission that the information regarding Points No. 1, 3, 7, 8 and 12 has not been

Contd…..p/2

**AC - 1134 of 2017 -2-**

supplied to him as yet. Accordingly, a fresh Hearing Notice has been issued to the parties for today.

3. Today, the appellant is not present without any intimation. Shri Manjit Singh, VDO, office of BDPO, Jalalabad, appearing on behalf of the respondents, has brought the information for handing over the same to the appellant. Since the appellant is not present, the representative of the respondents is directed to send this information to the appellant by registered post and the appellant is directed to send his observations, if any, to the PIO, with a copy to the Commission.

4. To come up on **10.10.2017 at 11.30 A.M. through Video Conference Facility available in the office of Deputy Commissioner, Fazilka.**

 **Sd/-**

**Dated : 06.09.2017 ( S.S. Channy)**

 **Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

 **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** **scic@punjabmail.gov.in**

Sh. Surinder Singh Retd. Superintendent,

S/o Shri Mukand Singh,

r/o House No. 69, Ward no. 2-A,

Janta Nagar, Dhuri, District: Sangrur. --------Appellant

 **Vs.**

Public Information Officer,

O/o Block Development and Panchayat Officer,

Dhuri, District: Sangrur.

First Appellate Authority,

O/o District Development and Panchayat Officer,

Sangrur. -------Respondents

**Appeal Case No. 2591 of 2016**

Present:- None on behalf of the appellant.

Shri Gurmeet Singh, Deputy Secretary-cum-PIO, on behalf of the respondents.

**ORDER**

 In this case, during hearing on 12.04.2017, a letter No. 248/RTI, dated 31.03.2017 was received from DDPO-cum-PIO, Sangrur informing that Director, Rural Development and Panchayat, Punjab, Mohali had been written vide letter No. 36/D.AS., dated 11.01.2017 for the deduction of penalty amount of Rs. 25,000/- from the salary of Shri Jaspreet Singh, BDPO Dhuri (now BDPO Moga – under suspension). Accordingly, Director, Rural Development and Panchayat, Punjab, Sector: 62, Mohali was directed to get the order of the Commission complied with by deducting the penalty amount of Rs. 25,000/- from the salary of Shri Jaspreet Singh, BDPO Dhuri(now BDPO Moga – under suspension), in two equal monthly installments and depositing the same in the State Treasury under the relevant head. The case was adjourned to 02.08.2017.

2. On 02.08.2017, none was present on behalf of the appellant as well as the

Contd……p/2

**AC - 2591 of 2016 -2-**

respondents. Since Shri Jaspreet Singh, BDPO Dhuri (now BDPO Moga) was under suspension, it was realised that he would not be getting his salary. In those circumstances, Shri Gurmeet Singh, Deputy Secretary, office of Director Rural Development and Panchayats, Punjab, Mohali, was directed to submit a report on the next date of hearing to facilitate the Commission to get its order complied with. A copy of the order was forwarded to Director, Rural Development and Panchayats, Punjab, Mohali to ensure the compliance of the orders. The case was adjourned for today.

3. Today, Shri Gurmeet Singh, Deputy Secretary, office of Director Rural Development and Panchayats, Punjab, Mohali, submits a Memo. No. 17/88/16-2 R.D.E-1/3346, dated 06.09.2017 vide which it has been informed that DDPO Moga was directed vide letter dated 31.08.2017 to deduct penalty amount of Rs. 25,000/- from the salary of Shri Jaspreet Singh, BDPO Moga(Under Suspension) and deposit in the State Treasury and DDPO passed on these directions to BDPO Moga-1, who has informed vide letter No. 1025, dated 04.09.2017 that salary bill of Shri Jaspreet Singh, BDPO, Moga(Under Suspension) has been sent to District Treasury Officer, Moga and after drawing his salary, penalty amount of Rs. 25,000/- will be deposited in the State Treasury under the relevant Head. The respondent-PIO has sought adjournment of the case so that orders of the Commission could be complied with in due course of time.

4. On the request of the respondent PIO, the case is adjourned to **11.10.2017 at 11.30 A.M. for confirmation of compliance of orders.**

  **Sd/-**

**Dated: 06.09.2017 (S.S. Channy) Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

 **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** **scic@punjabmail.gov.in**

Shri Balvir Singh Saini,

H.No.349, St. No.3,

Dashmesh Nagar, Digana Road,

Hoshiarpur. --------Appellant

  **Vs.**

Public Information Officer

o/o Punjab State Board of Technical Education and

Industrial Training, Sector 36-A, Chandigarh.

First Appellate Authority,

O/o Punjab State Board of Technical Education and

Industrial Training, Sector 36-A, Chandigarh. -------Respondents

**Appeal Case No. 221 of 2015**

Present:- Shri Balvir Singh Saini, Appellant, in person.

Smt. Naresh Kamal,DDA-cum-PIO alongwith his counsel Shri Amrinderjit Singh Sandhu Advocate, on the behalf of the respondents.

**ORDER**

 This case was last heard 02.08.2017, when Ld. Counsel for the respondents informed that the information, available on record, running into 1370 pages, had been supplied to the appellant. The appellant submitted that deficiencies, in the provided information ,had been furnished to the PIO and he handed over a copy of the same to the Ld. Counsel for the respondents. Accordingly, the respondent PIO was directed to supply complete information to the appellant after removing the deficiencies pointed out by him and in case any information was not available or could not be supplied, then a speaking order to this effect be passed. Besides, a

Contd…….p/2

**AC - 221 of 2015 -2-**

 compensation of Rs. 2000/- was awarded to the appellant for the loss and detriment

suffered by him. The case was adjourned for today for confirmation of compliance of orders.

2. Today, the PIO hands over a Bank Draft for Rs. 2000/- as compensation amount to the appellant. Ld. Counsel for the appellant informs that information has been sent to the appellant by post and a Speaking Order has also been passed. The appellant informs that he has not received the information as yet. Accordingly, the appellant is directed to send his observations, if any, on the provided information to the PIO, with a copy to the Commission.

3. To come up on **11.10.2017 at 11.30 A.M. for confirmation of compliance of orders.**

 **Sd/-**

**Dated : 06.09.2017 ( S.S. Channy)**

 **Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

 **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** **scic@punjabmail.gov.in**

Shri Iqbal Singh Rasulpur, General Secretary,

University human Rights Org. ,

VPO: Rasulpur, Tehsil: Jagraon,

District Ludhiana-142035. --------Complainant

  **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), Jagraon. -------Respondents

**Complaint Case No. 17 of 2017**

Present:- Shri Iqbal Singh Rasulpur, complainant, in person.

Shri Prem Masih, ASI and Shri Harpreet Singh, Head Constable, on behalf of the respondents.

**ORDER**

 The case was last heard on 02.08.2017, when Shri Naveen Saini, AIGP-cum-PIO informed that the RTI application of the complainant had been transferred to SSP Ludhiana(Rural) vide letter No. 1543/C.C.-2, dated 22.06.2016 for taking necessary action and sending a report in the matter but the report had not been received so far. Accordingly, the PIO of the office of SSP Ludhiana(Rural) was impleaded as a necessary party in this case and he was directed to send requisite

Contd……p/2

**CC - 17 of 2017 -2-**

report in the matter and explain the status of the case on the next date of hearing, so that requisite information could be provided to the complainant without any further delay. The case was adjourned for today.

2. Today, the representative of the respondents informs that a report has been received from SSP, Ludhiana(Rural) which is with reference to Ms. Manpreet Kaur Dhaliwal. Accordingly, the respondent PIO is directed to supply the report in respect of the complainant, before the next date of hearing, with a copy to the Commission.

3. Adjourned to **11.10.2017 at 11.30 A.M. for further proceedings**

 **Sd/-**

**Dated : 06.09.2017 ( S.S. Channy)**

 **Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

 **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** **scic@punjabmail.gov.in**

Shri Iqbal Singh Rasulpur, General Secretary,

University human Rights Org. ,

VPO Rasulpur, Tehsil Jagraon,

District Ludhiana-142035. --------Complainant

  **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. -------Respondents

**Complaint Case No. 21 of 2017**

Present:- Shri Iqbal Singh Rasulpur, complainant, in person.

Shri Prem Masih, ASI, on behalf of the respondents.

**ORDER**

 The case was last heard on 02.08.2017, when Shri Naveen Saini, IPS, AIG-cum-PIO, informed that the letter regarding which Action Taken Report had been sought by the appellant, had not been received in their office. He further informed that a report had also been sought from different Branches of the Department and it had been informed by them that the said letter had not been received in their Branches. Consequently, during deliberations, it emerged that the said letter issued by Home-4 Branch must have been addressed to the DGP, Punjab. Therefore, it was directed that efforts be made to locate the said letter and supply the Action Taken Report to the appellant before the next date of hearing. The case was adjourned for today.

Contd…..p/2

**CC - 21 of 2017 -2-**

2. Today, the representative of the respondents informs that the said letter issued by Home-4 Branch has been received in their office and further action will be taken accordingly. Therefore, the respondent-PIO is directed to take action on the said letter and send a report to the complainant, with a copy to the Commission.

3. To come up on **11.10.2017 at 11.30 A.M. for confirmation of compliance of orders.**

  **Sd/-**

**Dated : 06.09.2017 ( S.S. Channy)**

 **Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

 **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** **scic@punjabmail.gov.in**

Shri Iqbal Singh Rasulpur, General Secretary,

University human Rights Org. ,

VPO Rasulpur, Tehsil Jagraon,

District Ludhiana-142035. --------Complainant

 **Vs.**

Public Information Officer

 O/o Additional Chief Secretary to Government of Punjab,

Departmentof Home Affairs and Justice,Chandigarh.

First Appellate Authority

 O/o Additional Chief Secretary to Government of Punjab,

Departmentof Home Affairs and Justice,Chandigarh.

Public Information Officer

 O/o Deputy Inspector General of Police, Crime,

Punjab, Sector: 9, Chandigarh.

Public Information Officer-cum-

Superintendent Home-4 Branch,

Punjab Civil Secretariat-1, Chandigarh. -------Respondents

**Complaint Case No. 22 of 2017**

Present:- Shri Iqbal Singh Rasulpur, complainant, in person.

Shri Harpal Singh, PIO-cum-Superintendent(Home-4 Branch); Shri Baljit Singh, Senior Assistant and Shri Prem Masih, ASI, on behalf of the respondents.

**ORDER**

 In this case, during hearing on 06.06.2017, the representative of the respondents submitted a letter No. 1255-57/Special Cell/Crime, dated 18.05.2017 from Superintendent Commission-cum-APIO Crime, office of Bureau of Investigation, Punjab, Chandigarh vide which PIO of the office of Home Affairs and Justice (Home-4 Branch) had been requested to provide a copy of requisite instructions of Government of India so that the same could be supplied to the appellant. Accordingly, Superintendent-cum-PIO, Home-4 Branch was impleaded as a necessary party in this case and he was directed to supply a copy of letter No. 15011/91/2013-SC/ST-W, dated 12.10.2015 issued by Government of India, Department of Home Affairs so

Contd……p/2

**CC - 22 of 2017 -2-**

that the same could be supplied to the complainant. The case was adjourned to 02.08.2017.

2. On 02.08.2017, none was present on behalf of the respondent without any intimation. Viewing the callous and lackadaisical attitude of Shri Harpal Singh, Superintendent-cum-PIO, Home-IV Branch, Department of Home Affairs and Justice, Punjab Civil Secretariat-1, Chandigarh, a Show-Cause Notice was issued to him for imposing penalty. He was also afforded an opportunity of personal hearing on the next date of hearing, in the interest of natural justice, before taking any action, for imposition of penalty. However, after the hearing was over, Shri Mohan Singh, Senior Assistant, Home-4 Branch appeared before the Commission. He explained reasons for his late arrival. Accordingly, he was apprised of the proceedings taken place during the hearing of the case. The case was adjourned for today.

3. Today, Shri Harpal Singh, Superintendent-cum-PIO, Home-IV Branch, Department of Home Affairs and Justice, Punjab Civil Secretariat-1, Chandigarh, submits a Memo. No. 7/202/15-4H4/3008-3011, dated 14.08.2017 vide which a copy of requisite instructions of Government of India has been sent to DGP, Punjab; Superintendent Commission-cum-APIO, office of Bureau of Investigation, Punjab, Chandigarh, Complainant and the Commission.

4. Shri Harpal Singh also submits an affidavit vide which reply to the Show-Cause Notice has been given. While accepting the plea put forth by him, the Show-Cause Notice issued to him is dropped.

5. Since the requisite information stands supplied to the complainant to his satisfaction, the case is **disposed of and closed.**

  **Sd/-**

**Dated : 06.09.2017 ( S.S. Channy)**

 **Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

 **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** **scic@punjabmail.gov.in**

Sh. Karandeep Singh Kairon,

President RTI Activist, 7-South Model Gram,

Sampuran Colony, Ludhiana. --------Appellant

 **Vs.**

Public Information Officer,

O/o DGP, Punjab Police,

Sector: 09, Chandigarh.

First Appellate Authority,

O/o DGP, Punjab Police,

Sector:09, Chandigarh. -------Respondents

**Appeal Case No. 3404 of 2016**

Present:- Shri Sanjeev Kumar on behalf of the appellant.

Shri Harpreet Singh,PPS, Assistant Inspector General of Police, Punjab, on behalf of the respondents.

**ORDER**

 It shall be prudent to reproduce the proceedings taken place on the last date of hearing, i.e., 03.08.2017 so as to take the things in clear perspective. The same are reproduced here under:-

*“This order may be read with reference to the previous order dated 06.06.2017 vide which the respondents were directed to file a detailed written reply regarding voluminous information and the record which has been weeded out giving reasons and mentioning relevant instruction therein.*

Contd….p/2

**AC - 3404 of 2016 -2-**

*2. In compliance to the previous order dated 06.06.2017, the respondents places on record detailed reply, which is taken on record. Operative part of their reply is as under:-*

 *i) Information sought by the applicant is voluminous. Department will have to take the services of at least 7/8 officials to prepare such a large/time consuming/complicated information. Most of the information, particularly, mentioned at Point No.1, 3, 4, 6 & 7 relates to field units/districts.*

 *ii) Police Department has to deal other sensitive issues, which are directly association with the law & order situation of State. Department will have to hold up the other important works of the department to prepare the information, which could badly, affect the functioning of the department. This will not only cause extra financial burden on the Govt. exchequer but also not be in the public interest at large.*

 *3. The representatives of the respondents further submit that the respondent-department purchase vehicles in bulk. After receiving quotations/tenders, they negotiate with the parties/manufacturers/suppliers and sharing the information will hit the parties/manufacturer's trade secrets. They are willing to provide the details of the vehicles so purchased and not willing to share the negotiation part of the file. They further state that the appellant is seeking information relating to the field offices.*

Contd….p/3

**AC - 3404 of 2016 -3-**

 *4. After hearing both the parties and going through the record available in the case file, it is revealed that the appellant was required under law to approach the PIO of the concerned public authority which holds or controls the information, which in the present case would mean the PIOs of the field offices. The information sought by the appellant is in public interest but even the cause of public good is no ground to set wrong procedural precedents which would get cited in future to short circuit the law. Consequently, it must be held that the PIO of the office of DGP is under no legal obligation to collect, collate and supply information to the appellant from other public authorities spread all over Punjab. Of course, it goes without saying that PIO of the office of DGP is obligated to provide the information pertaining to the office of DGP only. The plea of the respondents is accepted that they should supply the details of vehicles so purchased without sharing the trade secrets of the manufacturers/parties for the last five years only relating to DGP's office only and relating to field offices, the appellant may approach the field offices to get the information from the concerned offices.*

 *5. It is further revealed that information sought by the appellant is very voluminous and most of the documents sought by the appellant is weeded out as per the Government instructions. Keeping in view the plea*

Contd….p/4

**AC - 3404 of 2016 -4-**

 *taken by the respondents and after due consideration, it is ordered that the record in original pertaining to the DGP's office for last five years will be shown to the appellant and on identification not more than 100 leaves will be provided from the concerned files. “*

2. Today, Shri Harpreet Singh, PPS, Assistant Inspector General of Police, Punjab, appearing on behalf of the respondents, informs that the record is ready for inspection by the appellant to identify the documents contained in maximum 100 leaves. Accordingly, the appellant is directed to inspect the record to identify the documents required by him, on a mutually agreed date of time, which will be supplied to him by the PIO.

3. To come up on **03.10.2017 at 11.30 A.M. for confirmation of compliance of orders.**

 **Sd/-**

**Dated : 06.09.2017 ( S.S. Channy)**

 **Chief Information Commissioner Punjab**

**STATE INFORMATION COMMISSION, PUNJAB**

 **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** **scic@punjabmail.gov.in**

Shri Harwinder Singh,

S/o Late Sri Gurdev Singh,

H.No. 200, Ground Floor,

Sector: 41-A, Chandigarh. --------Appellant

 **Vs.**

Public Information Officer,

O/o Deputy Director Local Fund Accounts,

SCO No. 173-174, Sector: 17-C, Chandigarh.

First Appellate Authority,

O/o Secretary to Government of Punjab(Expenditure),

Finance Department, Punjab Civil Secretariat-1,

Chandigarh. -------Respondents

**Appeal Cases No. 2874 and 3810 of 2017**

Present:- Shri Harwinder Singh, appellant, in person alongwith his Counsel

Shri Sumeet Singh Brar, Advocate.

Shri Jagdeep Bansal, Deputy Director-cum-PIO, on behalf of the respondents.

**ORDER**

 These cases were earlier heard by Prof.(Mrs.) Viney Kapoor Mehra, SIC on 11.04.2017 and 24.07.2017. During hearing on 24.07.2017, it was observed that an important service matter was involved in this case. Therefore, this case file was sent to the Registry Branch to place it before the Hon’ble CIC for appropriate orders and consequently a Larger Bench consisting of Dr. S.S. Channy, CIC; Shri Pawan Kumar Singla, SIC and Prof. (Mrs.) Viney Kapoor Mehra, SIC was constituted to hear these cases. Accordingly, a Hearing Notice was issued to the parties for today.

2. Today, Shri Jagdeep Bansal, Deputy Director-cum-PIO, appearing

Contd……p/2

**AC - 2874 and 3810 of 2017 -2-**

on behalf of the respondents states that the available information has already been supplied to the appellant. He further states that the record regarding remaining information is not traceable and Police Authorities have been written to file FIR in this regard. He also states that an inquiry is being conducted into the matter and departmental action will be taken against the erring officials. Accordingly, it is directed that Action Taken Report be furnished to the Commission as and when the inquiry is complete.

3. The appellant states that some relevant documents may be available in the personal file of a colleague of his father, which may help him in defending the case pending in the Hon’ble Punjab & Haryana High Court. Accordingly, it is directed that the appellant may approach the PIO, if he so desires, to inspect any file of a colleague of his father to identify any specific document required by him so that he could make use of it in defending his case pending in the Hon’ble Punjab and Haryana High Court, which will be supplied to him by the PIO.

4. To come up on **11.10.2017 at 1.30 P.M. for further proceedings.**

 **Sd/-**  **Sd/-** **Sd/-**

 **(Prof. Viney Kapoor Mehra) (Pawan Kumar Singla) (S.S. Channy)**

 **S.I.C. S.I.C. C.I.C.**

**Dated : 06.09.2017**

CC:-

 PS/CIC for kind information of Hon'ble CIC

 PS/Hon'ble SIC(PKS) for the kind information of Hon'ble SIC (PKS)

 PS/Hon'ble (VKM) for the kind information of Hon'ble SIC (VKM)