**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 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 Additional Chief Secretary Home,

(Home-4 Branch), Punjab Civil Secretariat,

Chandigarh. -------Respondents

**Complaint Case No. 21 of 2017**

Present:- Shri Baljinder Singh, on behalf of the complainant.

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

**ORDER**

In this case, during hearing on 06.09.2017, the representative of the respondents informed that the said letter issued by Home-4 Branch had been received in their office and further action would be taken accordingly. Therefore, the respondent-PIO was directed to take action on the said letter and send a report to the complainant, with a copy to the Commission. The case was adjourned to 11.10.2017, which was further postponed to 15.11.2017, due to certain administrative reasons.

2. On 15.11.2017, Shri Sukhwinder Singh, ASI, appearing on behalf of the

Contd…….p/2

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

respondents, sought some more time to enable them to supply the requisite information to the complainant, which granted with the directions that the requisite information be supplied to the complainant before the next date of hearing, under intimation to the Commission. The case was adjourned for today.

3. Today, the respondent states that the matter relates to Home Department and the instructions regarding Compulsory Registration of FIR u/s 154 Cr. P.C. when the information makes out a cognizable offence, issued by Government of India vide letter No. 15011/91/2015-SC/ST, dated 05.02.2014 were received by them and sent to DGP vide Memo. No. 6/27/14-3H4/388306/1, dated 12.01.2015, which were forwarded to the field offices.

4. A letter No. 4530-33/C.B.-4, dated 12.12.2017, addressed to Home Department(Home-4 Branch) and a copy endorsed to the Commission, has been received from AIGP Admn-cum-PIO, Crime office of B.O.I., Punjab, Chandigarh vide which Home Department has been requested that Punjab State Scheduled Castes Commission, Punjab State Human Rights Commission, Punjab State Women Commission, Punjab Protection of Child Rights Commission and Punjab State Minorities Commission may also be apprised of the instructions of Government of India. It is noted with concern that office of D.G.P. has wasted about 3 years just to ascertain whether the instructions have been forwarded to the said Commissions or not and has requested to do so now as it does not fall within their jurisdiction. They should have

applied their mind and given quick response to the Home Department and forward the

Contd…….p/3

**CC - 21 of 2017 -3-**

instructions to the field offices. Such a kind of lapse is not justifiable and should be taken care of especially while dealing with an important legislation like the RTI. A copy of the order is forwarded to DGP for his perusal and further necessary action so that no such lapse recur.

5. Besides, the PIO of the office of Additional Chief Secretary Home is impleaded as a necessary party in this case to make written submission explaining as to when the instructions of Government of India were received and what action was taken. It seems that instructions of Government of India have not been forwarded to the said Commissions by the Home Department. Accordingly, it is directed that necessary action be taken so that requisite information could be supplied to the complainant without any further delay as violations of provisions of RTI Act, is not desirable.

6. A copy of the order is sent to Additional Secretary Home for his personal presence and submitting compliance report.

7. To come up on **21.03.2018 at 11.30 A.M. for confirmation of compliance of orders.**

**Sd/-**

**Dated : 08.02.2018 ( S.S. Channy)**

**Chief Information Commissioner Punjab**

**CC: Additional Secretary Home, REGISTERED**

**(Home-4 Branch), Punjab Civil Secretariat-1,**

**Chandigarh.**

**Director General of Police, REGISTERED**

**Punjab, Sector:9, Chandigarh.**

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Shri Harish Chander

s/o late Shri Durga Dass, H.No.HL-405,

PHB Colony, Focal Point, Ludhiana.

--------Complainant Vs.

**Public Information Officer**

**o/o Commissioner of Police,**

**Ludhiana.**

-------Respondent.

**Complaint Case No. 1044 of 2017**

Present:- None on behalf of the complainant.

Shri Dev Raj, Inspector on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 08.01.2018 vide which the respondent PIO was directed to supply complete information to the complainant before the next date of hearing.

2. In compliance to the previous order, the representative of the respondent states that information has been furnished to the complainant on 23.08.2017 except inquiry report. Now inquiry has been completed on 6.2.2018 and he has brought the inquiry report to be furnished to the complainant, who is absent.

3. The representative of the respondent is directed to send copy of the inquiry report to the complainant through registered post.

4. The representative of the respondent assures that he will send the same to the complainant today itself. On his assurance, the present case is disposed of and closed. Copy of the order be sent to the parties.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

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Shri Sanjeev Goyal

s/o Dr. Harbans Goyal

s/o late Shri Sohan Lal,

r/o H.No.91, Block-G, Shivalik Vihar,

Naya Gaon (Mohali). --------Complainant Vs.

**Public Information Officer**

**o/o the Director General of Police,**

**Punjab, Chandigarh.**

PIO/Senior Superintendent of Police,

Mohali. -------Respondents.

**Complaint Case No. 1028 of 2017**

Present:- None on behalf of the complainant.

Shri Parshotam Kumar, Head Constable on behalf of the respondent No.1.

ORDER

This order may be read with reference to the previous order dated 8.1.2018 vide which the representative of the respondent-PIO stated that applications received under RTI Act, 2005 has been transferred by the Assistant Inspector General of Police, Punjab, Chandigarh to PIO/Senior Superintendent of Police, Mohali, which were received in their office on 14.12.2017. Accordingly, the PIO/Senior Superintendent of Police, Mohali was impleaded as a necessary party and he was directed to supply the requisite information to the complainant before the next date of hearing.

2. The complainant is absent without any intimation.

3. Today, none is present on behalf of the respondent No.2, without any intimation. Viewing the callous and lackadaisical attitude of the PIO seriously, last opportunity is afforded to supply the information asked for by the appellant before the

Contd……p/2

**Complaint Case No. 1028 of 2017**

-2-

next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 will be initiated against him.

4. To come up on 21.03.2018 at 11.30 A.M. Copies of the order be sent to the parties.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

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Shri Raj Singh s/o Shri Ishar Singh,

Village Todarwal, P.O. Babarpur,

Tehsil Nabha, Distt. Patiala. --------Complainant Vs.

**Public Information Officer**

**o/o Additional Director General of Police (Crime),**

**Police Headquarters,**

**Chandigarh.**

**FAA-Additional Director General of Police (Crime),**

**Police Headquarters, Chandigarh.**  -------Respondents.

**Complaint Case No. 1001 of 2017**

Present:- Shri Iqbal Singh on behalf of the complainant.

Shri Purshotam Kumar, Head Constable on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 08.01.2018 vide which the respondent-PIO was directed to decide as to whether he is in a position to pass on the entire record or he has any reservation and in case any part of record cannot be supplied than a speaking order be passed spelling out clearly as to why the record cannot be supplied.

2. The representative of the respondent-PIO states that he has brought complete information to be handed over to the complainant, The complainant is absent but Shri Iqbal Singh is appearing on his behalf. The information brought by the representative of the respondent is handed over to him with the advice to peruse the same and let the Commission know whether he is satisfied with the same or not. He states that he will forward the same to the complainant, who will revert back to the authorities and the Commission, in case of any deficiency.

3. The case is adjourned to 21.03.2018 at 11.30 A.M. for further proceeding in the matter.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

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Shri Iqbal Singh Rasulpur,

General Secretary,

University human Rights Org. ,

VPO Rasulpur,

Tehsil Jagraon,

District Ludhiana-142035

M 8872200515 --------Complainant Vs.

Public Information Officer

O/o Additional Director General of Police, Punjab,

Chandigarh.

First Appellate Authority

O/o Additional Director General of Police, Punjab,

Chandigarh. -----Respondents

**Complaint Case No. 19 of 2017**

Present:- Shri Iqbal Singh Rasulpur complainant in person.

Shri Gurvinder Singh, Law Officer alongwith Shri Balraj Singh, AIG (IVC) on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 08.01.2018 vide which the respondent-Shri Balraj Singh. Superintendent of Police stated that the complainant has visited their office and inspected the concerned record but has not submitted any specific request while indicating the documents required by him. In the absence of that, they are not in a position to provide the information. In that order, it is further mentioned that the complainant is advised to submit a request to the PIO asking for specific documents required by him within 10 days.

2. The complainant states that he has inspected the record and identified

Contd…..p/2

**Complaint Case No. 19 of 2017**

-2-

156 pages. Out of 156 pages, the respondent has given partial information on 2.2.2018 but has not supplied copies of the entire identified documents. He further states that in compliance to the previous order dated 08.01.2018, he has given deficiencies in writing to the respondents.

3. The respondents are directed to furnish remaining information as per deficiencies pointed out by the appellant, before the next date of hearing, which is fixed for 21.3.2018. If there is any problem in supplying the information, the respondents are directed to pass speaking order for not supplying the same.

4. To come up on 21.3.2018 at 11.30 A.M.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

**PUNJAB STATE INFORMATION COMMISSION**

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Shri Jasmeet Singh

s/o Shri Rajinder Singh,

H.No.449, New Jawahar Nagar,

Jalandhar. --------Complainant Vs.

**Public Information Officer**

**o/o Commissioner of Police,**

**Jalandhar.** -------Respondent

**Complaint Case No. 512 of 2017**

Present:- None on behalf of the complainant.

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

ORDER

This case was lastly heard on 27.12.2017, in which it is mentioned that Shri Basant Singh, ASI had submitted a letter dated 26.12.2017 stating that after obtaining approval from the Commissioner of Police, Jalandhar, cancellation report in this case will be filed in the Court and they are unable to supply the information at this stage. He was directed after filing cancellation report in the Court, the requisite information be provided to the complainant.

2. None is present on behalf of the complainant but he has informed the office of the Commission that due to demise of his relative, he is unable to attend the Commission today and sought an adjournment.

3. The representative of the respondent-PIO states that they have filed cancellation report in the Court after obtaining approval of the Commissioner of Police, Jalandhar.

4. The respondent-PIO is directed to send pointwise reply to the complainant to his RTI application as early as possible. On receipt of the reply, the complainant is advised to go through the same and revert back to the authorities in case of deficiencies before the next date of hearing, which is fixed for 21.03.2018.

5. To come up on 21.3.2018 at 11.30 A.M.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

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Shri Gurdip Singh s/o Shri Chanan Singh

r/o #215, Ajit Nagar, Sultan Wind Road,

Sri Amritsar Sahib. --------Appellant Vs.

**Public Information Officer**

**o/o Town Planner, Municipal Corporation,**

**Sri Amritsar Sahib.**

FAA-Commissioner, Municipal Corporation,

Sri Amritsar Sahib. -------Respondents

**Appeal Case No. 1211 of 2017**

Present:- Shri Gurjit Singh on behalf of the appellant.

Shri Jagdev Singh, PIO on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 27.12.2017 vide which the respondent-PIO was directed to appear personally with original record and explain factual position on the next date of hearing.

2. In compliance to the previous order dated 27.12.2017, Shri Jagdev Singh, Assistant Town Planner-cum-PIO appeared and places on record written submissions, which is taken on record of the case file. A copy of the same has been handed over to the representative of the appellant.

3. The appellant is advised to go through the same and revert back to the authorities, in case of deficiencies with a copy to the Commission.

4. To come up on 21.03.2018 at 11.30 A.M. for further proceeding in the matter.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

**PUNJAB STATE INFORMATION COMMISSION**

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Shri Naresh Devgan Sharma,

Advocate, Chamber No.7022/2,

District Court Complex,

Ludhiana. --------Appellant Vs.

**Public Information Officer**

**o/o Ld. Chief Judicial Magistrate, Ludhiana.**

**FAA-Chief Judicial Magistrate, Ludhiana.** -------Respondents

**Appeal Case No. 2155 of 2017**

Present:- Shri NareshDevgan Sharma, appellant, in person.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 27.12.2017 vide which the respondent-PIO was directed to supply requisite information to the appellant. He was also directed to explain reasons, in person, on the next date of hearing as to why a show cause notice should not be issued to him for imposing penalty upon him and awarding suitable compensation to the appellant.

2. An e-mail dated 2.2.2018 was received from the appellant for imposing heavy penalty for not supplying the information on the delinquent official-Shri Sanjay Kumar, which is taken on record of the case file.

3. The appellant is advised to send a copy of the above said letter to the respondent-PIO. On receipt of the same, the respondent PIO is directed to send reply to the appellant with a copy to the Commission. Serious view was taken for his absence on 27.12.2017. He is again absent today without intimation. Serious view is taken for non-appearance and non-compliance of the order dated 27.12.2018. Viewing the callous and defying attitude of the respondent PIO seriously, a show cause notice is issued to Shri Sanjay Kumar, Reader to explain reasons through an affidavit as

Contd…………p/2.

**Appeal Case No. 2155 of 2017**

-2-

to why a penalty @ Rs.250/- per day, subject to a maximum of Rs.25,000/- be not imposed upon him, for delay in supply of information. Besides, in exercise of powers conferred by Section 19(8)(b) of the RTI Act, 2005, a compensation of Rs.2000/- (Rupees two thousand only) is awarded to Shri Naresh Devgan Sharma, Appellant, for loss and detriment suffered by him to be paid by the Public Authority through a Bank Draft on the next date of hearing. The PIO is also directed to supply complete information to the appellant, before the next date of hearing, which is fixed for 21.03.2018

4. To come up on 21.3.2018 at 11.30 A.M.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Dharamvir s/o Shri Ratu Ram,

r/o House No. 2479, Sector 39C,

Chandigarh --------Complainant Vs.

Public Information Officer,

O/o GMADA Mohali.

First Appellate Authority

O/o GMADA Mohali. -------Respondents

**Complaint Case No. 1565 of 2016**

Present:- None on behalf of the complainant.

Ms. Suman Bala, Assistant Estates Officer, GMADA on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 27.12.2017 vide which the respondent-PIO was directed to file an affidavit on behalf of the respondent-Public Authority as the matter is very sensitive.

2. The complainant is absent without any intimation.

3. In compliance to the previous order dated 27.12.2017, the respondent-PIO places on record affidavit of Shri Ravi Bhagat, IAS, Chief Administrator, PUDA and GMADA, the contents of which are reproduced below:-

*"1. That the deponent humbly submits that having perused the affidavits dated 23.10.2017 and 27.12.2017 filed by the A.E.O.-cum-PIO GMADA, in which the entire background facts of the present complaint case had been elaborated in ample detail, vide order dated 27.12.2017, this Hon'ble Commission was pleased to direct that a similar affidavit be submitted by the Public Authority on the next date of hearing, explaining reasons as to why the record cannot be reconstructed. The present affidavit is being filed in compliance of the said order, dated 27.12.2017.*

*Contd……p/2*

**Complaint Case No. 1565 of 2016**

*-2-*

*2. That presently the deponent is holding the dual charge of Chief Administrator, both PUDA and GMADA and is competent to file the present affidavit on behalf of the Public Authority i.e. GMADA, as directed by this Hon'ble Commission.*

*3. That at the outset, the deponent most humbly submits that since the entire background facts/details of the present Complaint Case have already been enumerated in the replies/affidavits dated 23.10.2017 and 27.12.2017 filed by the A.E.O.-cum-P.I.O. GMADA, the deponent prays for indulgence of this Hon'ble Commission to permit the deponent to skip the repartition of those background facts/details for the sake of brevity and treat the present affidavit to be in continuation of the afore-mentioned affidavits dated 23.10.2017 and 27.12.2017.*

*4. That deponent further humbly submits that to ascertain as to why the record cannot be reconstructed or who were the officials responsible for the non-availability of the record, the deponent had passed strict verbal instructions to make another sincere effort to trace the record. But a thorough search by all Divisions to trace such an old record has not yielded any fruitful result. For the same reason, it is not feasible to reconstruct such an old record in the absence of related documents at such belated stage.*

*5. That in a sincere effort one again, the deponent has constituted a Committee vide order No.3355-59 dated 06.02.2018, comprising Additional Chief Administrator, GMADA, Superintendent Engineer, GMADA, Estate Officer (Plots), GMADA and Legal Advisor, GMADA for investigating the reasons due to which the record is not traceable and try to ascertain as to who were the persons who could be held responsible for such an eventuality. The Committee has been directed to submit the report after investigation to the deponent along with its recommendations. A copy of the order dated 06.02.2018 is annexed as Annexure A/1."*

3. Keeping the above said affidavit of the Chief Administrator, PUDA and GMADA in view, the present case is **disposed of** and **closed** with the direction to the public authority to apprise the Commission about the finding of the Committee constituted for the purpose within a period of three months.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

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Shri Navdeep Gupta,

Kothi No.455, Gillco Valley,

Kharar, District SAS Nagar-140301.

--------Appellant Vs.

**Public Information Officer**

**o/o Deputy Commissioner of Police,**

**Amritsar.**

FAA-Commissioner of Police,

Amritsar. -------Respondents

**Appeal Case No. 2535 of 2017**

Present:- None on behalf of the complainant.

Shri Parkash Singh, Sub Inspector alongwith Shri Surinder Singh, ASI on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 27.12.2017 vide which the complainant was advised to send his observation on the provided reply dated 24.10.2017 to the PIO, with a copy to the Commission.

2. The complainant is absent but he has sent a letter received in the Commission on 22.1.2018 stating that:-

*"(i) That due to personal financial reasons, I cannot attend hearing of Honorable State Information Commission, Punjab.*

*(ii) That I request Honorable CIC to kindly consider page No.7of my second appeal wherein a document on the subject concerned is attached from Ministry of Home Affairs stating it is State Subject and I should apply there under Section 6(1) of RTI ACT, 2005.*

*(iii) That in case PIO reply is appreciated by Honorable CIC, it will just leave me unnecessary maneuvers around different authorities and keep rotating between MHA and State of Punjab.*

*Contd…..p/2*

**Appeal Case No. 2535 of 2017**

*-2-*

*I have successfully pleaded my case before the Honorable CIC and request hereby that PIO either be directed to provide me complete information or to transfer my application to concerned public authority or action as deem it fit may kindly be taken."*

3. The representatives of the respondent-PIO state that no information is available in their office.

4. Keeping in view the above noted facts that no information is available with the PIO/Commissioner of Police, Amritsar. I am of the view that ends of justice would be met if clear cut reply from Commissioner of Police, Amritsar be sent on the application of the complainant under the RTI Act, 2005 (copy enclosed). He is directed to send his reply before the next date of hearing, which is fixed for 21.3.2018.

5. To come up on 21.03.2018 at 11.30 A.M.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

**PUNJAB STATE INFORMATION COMMISSION**

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

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Shri Navdeep Gupta,

Kothi No.455, Gillco Valley,

Kharar, District SAS Nagar-140301. --------Complainant. Vs.

**Public Information Officer**

**o/o Deputy Commissioner,**

**Amritsar.** -------Respondents

**Complaint Case No. 967 of 2017**

Present:- None on behalf of the complainant.

Shri Parkash Singh, Sub Inspector alongwith Shri Surinder Singh, ASI on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 27.12.2017 vide which the complainant was advised to send his observation on the provided information to the PIO, with a copy to the Commission.

2. The complainant is absent but he has sent a letter received in the Commission on 18.1.2018 stating that:-

*"(i) That due to personal financial reasons, I cannot attend hearings of Honorable State Information Commission, Punjab.*

*(ii) That PIO states in his reply dated 24.01.2018 regarding information being 38 years old and hence cannot be supplied, which is clearly breach of public records. Kindly find attached copy of decision of Honorable Central Information Commission, New Delhi which was never challenged in any court of law to date.*

*I have successfully pleaded my case before the Honorable CIC and request hereby that PIO either be directed to provide my complete information or to action as deem fit may kindly be taken. "*

Contd…….p/2

**Complaint Case No. 967 of 2017**

**-2-**

2. The complainant has relied upon the order dated 5.9.2014 passed by Prof. M. Sridhar Acharyulu (Madabhushi Sridhar) Central Information Commissioner in case-Shri Om Parkash Vs. Land & Building Deptt, GNCD (CIC/DS/A/2013/001788-SA), the operative part of the order is reproduced below:-

*"Unless proved that record was destroyed as per the prescribed rules of destruction/ retention policy, it is deemed that record continues to be held by public authority. Claim of file missing or not traceable has no legality as it is not recognized as exception by RTI Act. By practice ‘missing file’ cannot be read into as exception in addition to exceptions prescribed by RTI Act. It amounts to breach of Public Records Act, 1993 and punishable with imprisonment up to a term of five years or with fine or both. Public Authority has a duty to initiate action for this kind of loss of public record, in the form of ‘not traceable’ or ‘missing’. The Public Authority also has a duty to designate an officer as Records Officer and protect the records. A thorough search for the file, inquiry to find out public servant responsible, disciplinary action and action under Public Records Act, reconstruction of alternative file, relief to the person affected by the loss of file are the basic actions the Public Authority is legitimately expected to perform."*

3. After hearing the representatives of the respondent and going through the record available in the case file, it is revealed that the respondent-PIO has already supplied a copy of FIR available in their record to the complainant. Stating this that

Contd…….p/3

**Complaint Case No. 967 of 2017**

**-3-**

remaining information sought by the complainant is not available in the office of the public authority is not an exemption and a thorough search for the file, inquiry to find out public servant responsible, disciplinary action and action under Public Records Act, reconstruction of alternative file, relief to the person affected by the loss of file are the basic actions, the Public Authority is legitimately expected to perform. Therefore, the PIO is directed to conduct an inquiry for loss/destroy/weed out of the record. If the record is lost then responsibility be fixed, who is at fault. In case, the record is destroyed/weeded out then a copy of orders of competent authority be provided to the complainant before the next date of hearing, which is fixed for 21.03.2018.

4. To come up on 21.03.2018 at 11.30 A.M.

Sd/-

Dated : 08.02.2018 ( 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**

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**Shri Naresh Devgan Sharma (Advocate),**

**Chamber No.7022/2, District Courts,**

**Ludhiana.** --------Appellant Vs.

**Public Information Officer**

**o/o Incharge, Police Post,**

**Kochhar Market, Ludhiana.,**

**Ludhiana.**

**FAA-Station House Officer,**

**Police Station, Division No.5,**

**Ludhiana.** -------Respondents

**Appeal Case No. 1938 of 2017**

Present:- Shri Naresh Devgan Sharma, appellant, in person.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 08.01.2018 vide which compensation of Rs.2000/- was awarded to the appellant to be paid through Bank Draft from the account of public authority for loss and detriment suffered by him. The respondents were further directed to supply complete information to the appellant.

2. An email dated 2.2.2018 was received from the appellant for imposing penalty on the erring, delinquent and corrupt policemen, which is taken on record of the case file. He states that no information and amount of compensation has been received from the respondents till date.

3. The appellant is advised to send a copy of the above said letter to the respondent-PIO. On receipt of the same, the respondent PIO is directed to send pointwise reply to the appellant with a copy to the Commission. The respondent is absent without any intimation. Serious view is taken for non-appearance and for non-

Contd……….p/2

**Appeal Case No. 1938 of 2017**

-2-

compliance of the order dated 08.01.2018. Last opportunity is afforded to the respondent-PIO to pay compensation of Rs.2000/- and file his explanation through an affidavit as to why a penalty @ Rs.250/- per day, subject to a maximum of Rs.25,000/- be not imposed upon him.

4. To come up on 21.3.2018 at 11.30 A.M.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

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Shri Navdeep Gupta,

Kothi No.455, Gillco Valley,

Kharar, District SAS Nagar-140301. --------Complainant. Vs.

**Public Information Officer**

**o/o Deputy Commissioner,**

**Amritsar.** -------Respondents

**Complaint Case No. 966 of 2017**

Present:- None on behalf of the complainant.

Shri Munish Sharma, Clerk, on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 27.12.2017 vide which the PIO was directed to submit a certificate on the next date of hearing to the effect that the sought information is not available in their office. It is also directed that this certificate should not come from DRO alone, rather it should be from the Deputy Commissioner as Public Authority or atleast from the head of the concerned Branch.

2. In compliance to the previous order, the representative of the respondent-PIO submits the following certificate:-

s;dhe ehsk iKdk j? fe gqkoEh ;aqh Btdhg r[gsk tb'A nkoHNhHnkJh n?eN 2005 sfjs wzrh rJh ;{uBk ;zpzXh e'Jh th foekov fJ; ;akyak ftu T[gbpX Bjha j?. fi; ;zpzXh fJj ;{uBk gqkoEh B{z fJ; ;akyak tb'A w[jJhnK BjhA eotkJh ik ;edh.

Contd……p/2

**Complaint Case No. 966 of 2017**

-2-

3. From perusal of the above certificate, it is revealed that this certificate is again for the concerned Branch and not for the entire Deputy Commissioner's office. It is again directed that this certificate should be from the Deputy Commissioner as Public Authority that information sought by the complainant is not available in the Deputy Commissioner's office.

4. To come up on 21.03.2018 at 11.30 A.M.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

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Shri Navdeep Gupta,

Kothi No.455, Gillco Valley,

Kharar, District SAS Nagar-140301. --------Complainant. Vs.

**Public Information Officer**

**o/o Deputy Commissioner of Police,**

**Amritsar.** -------Respondents

**Complaint Case No. 961 of 2017**

Present:- None on behalf of the complainant.

Shri Parkash Singh, Sub Inspector alongwith Shri Surinder Singh, ASI on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 27.12.2017 vide which the complainant was advised to send his observation on the provided information to the PIO, with a copy to the Commission.

2. The complainant is absent but he has sent a letter received in the Commission on 22.1.2018 stating that:-

*"(i) That due to personal financial reasons, I cannot attend hearing of Honorable State Information Commission, Punjab.*

*(ii) That please find attached letter from Ministry of Home Affairs stating it is State Subject and I should apply there under Section 6(1) of RTI Act, 2005.*

*(iii) That in case PIO reply is appreciated by Honorable CIC, it will just leave me unnecessary maneuvers around different authorities and keep rotating between MHA and State of Punjab.*

*I have successfully pleaded my case before the Honorable CIC and request hereby that PIO either be directed to provide my complete information or to transfer my application to concerned public authority or action as deem it fit may kindly be taken."*

*Contd……p/2*

**Complaint Case No. 961 of 2017**

-2-

3. The representatives of the respondent-PIO state that they have placed a letter dated 22.12.2017 mentioning that they have sent their reply to the complainant as well as to the Commission that except this, no information is available with their office. The representatives of the respondent states that no observation has been received from the complainant till date.

4. Keeping in view the above noted facts that no information is available with the PIO/Commissioner of Police, Amritsar. I am of the view that ends of justice would be met if reply from the Additional Chief Secretary to Government of Punjab, Departments of Home Affairs and Justice, Punjab Civil Secretariat, Chandigarh, Director General of Police, Punjab, Chandigarh and the Deputy Commissioner, Amritsar be obtained on the application of the complainant under the RTI Act, 2005 (copy enclosed). They are directed to send their reply before the next date of hearing, which is fixed for 21.3.2018.

5. To come up on 21.03.2018 at 11.30 A.M.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab

CC

1. The Additional Chief Secretary to Government of Punjab, Departments of Home Affairs and Justice, Punjab Civil Secretariat, Chandigarh.
2. The Director General of Police, Punjab, Sector 9, Chandigarh.
3. The Deputy Commissioner, Amritsar.

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Sh. Jasmeet Singh, 449,

New Jawahar Nagar, Jalandhar --------Appellant

Vs.

**Public Information Officer,**

O/o Commissioner of Police,

Jalandhar

**First Appellate Authority**

O/Commissioner of Police,

Jalandhar -------Respondents

**Appeal Case No. 3915 of 2016**

Present:- None on behalf of the complainant.

Shri Ram Rattan, ASI on behalf of the respondent-PIO.

ORDER

This case was lastly heard on 27.12.2017, in which it is mentioned that a copy of letter No.16-1/RTI dated 05.01.2018 from DCP-cum-PIO Jalandhar was sent to the appellant for furnishing his observations, if any, to the PIO, with a copy to the Commission.

2. The appellant was absent on the last date of hearing and he is again absent today. He has informed the office of the Commission that due to demise of his relative, he is unable to attend the Commission today and requests for an adjournment.

3. The representative of the respondent-PIO states that in compliance to the previous order dated 27.12.2017, he has not filed any observation in the respondent's office.

4. From the perusal of the record available in the case file of the Commission and hearing the representative of the respondents, it is revealed that no observation from the appellant has been received in the Commission. Last opportunity is given to the appellant to send his observations to the PIO before the next date of hearing which is fixed for 21.03.2018 with a copy to the Commission, otherwise the case will be decided on its merits.

5. To come up on 21.3.2018 at 11.30 A.M.

Sd/-

Dated : 08.02.2018 ( S.S. Channy)

Chief Information Commissioner Punjab