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Sh. Akash Verma, S/o Sh Ashok Kumar Verma, # 80, New Officers Colony, Stadium Road, Patiala.

... Appellant

Versus

## **Public Information Officer**,

O/o Senior Superintendent of Police, Block-B, Mini Secretariat, Patiala.

## First Appellate Authority,

O/o Inspector General of Police, Patiala Range, Chhoti Baradari, Patiala.

...Respondent

**Appeal Case No. 1550 of 2020** 

**PRESENT:** None for the Appellant

Sh.Hakam Singh, ASI O/o SSP Patiala for the Respondent

### ORDER:

This order should be read in continuation to the previous order dated 05.11.2020.

The appellant through the RTI application dated 21.02.2020 has sought information by way of certified copies and action taken on FIR No.234/18, 203/18 PS Tripuri, Patiala State Vs Akash Verma U/s 353, 186 IPC dated 15.09.2018, as enumerated in the RTI application from the office of SSP Patiala. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 19.03.2020 which took no decision on the appeal.

The case was first heard by Sh.Asit Jolly, State Information Commissioner on 11.09.2020. The respondent PIO sent a reply to the appellant that the information is pending with the IG Community Policing Wing at Mohali. The appellant insisted that the respondent's contention was not factual.

In view of the contradictory contentions, the PIO was directed to provide a duly notarized affidavit to the appellant with a copy to the Commission clearly stating this contention that the information requested in the RTI application is pending with the IG Community Policing Wing at Mohali

On the date of next hearing on 05.11.2020, the respondent failed to comply with the Commission's order. The PIO was given a period of 5 days to submit the affidavit as per the earlier order of the Commission, failing to which the Commission will be constrained to initiate action as per the RTI Act.

The case was adjourned.

The case has now been allotted to the full Bench vide order of the CIC dated 23.12.2020.

### **Appeal Case No. 1550 of 2020**

The case has come up for hearing **today** before this Bench. The respondent present pleaded that since the case is still pending with IGP-Community Policing, the information cannot be provided under section 8(1)(h).

Having gone through the record, the Commission observes that the case was earlier heard by Sh.Asit Jolly, State Information Commissioner and order has already been passed on 11.09.2020 to provide a duly notarized affidavit to the appellant with a copy to the Commission. The order is as follows -

"....in view of the contradictory contentions, the respondent PIO-cum-SSP Patiala is directed to submit a duly Notarized Affidavit clearly stating this contention that the information requested in this RTI application is pending with the IG. Community Policing Wing at Mohali The original Affidavit is to be handed over to the appellant and his receiving taken and to be sent to this Commission before the next hearing. A copy of the aforesaid affidavit is to be scanned and emailed to this Commission. Failing this, this Commission will be contrained to initiate strict penal action as per the RTI Act, 2005".

The full bench is of the view that an appropriate order has already been passed However, the order of the Commission has not been complied with by the PIO even after a lapse of fifteen months' time.

In view of the facts above, the Commission has taken a serious view of this. The Commission hereby directs the PIO to show cause why penalty be not imposed on him under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time as well as for not complying with the order of the Commission. He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such person(s) of the show cause and direct them to appear before the Commission along with the written replies.

To come up for further hearing on 07.09.2022 at 02.00 PM.

Sd/- Sd/-

Chandigarh (Asit Jolly) (Sanjiv Garg)

Dated :08.02.2022 State Information Commissioner State Information Commissioner

Sd/-

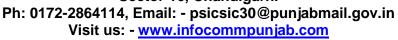
(Khushwant Singh)
State Information Commissioner

Note: The appellant appeared late and the status of the hearing was apprised to him.

CC: - Ld Sh Sanjiv Garg, State Information Commissioner, Punjab, Chandigarh.

Ld Sh Asit Jolly, State Information Commissioner, Punjab, Chandigarh.

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Sh. Akash Verma, S/o Sh Ashok Kumar Verma, # 80, New Officers Colony, Stadium Road, Patiala.

... Appellant

Versus

**Public Information Officer**, O/o AIG, Community Policing, Phase-7, Punjab, Mohali.

First Appellate Authority, O/o IGP, Community Policing, Phase-7, Punjab, Mohali.

...Respondent

**Appeal Case No. 1568 of 2020** 

PRESENT: Sh.Akash Verma as the Appellant

None for the Respondent

#### ORDER:

This order should be read in continuation to the previous order dated 28.09.2020.

The appellant through RTI application dated 12.02.2020 has sought information regarding tampering of PP Saanjh Kendra reports/records of UID 519127 Dt.10.06.2014 Rajpura PP Sanjh Kendra and CCTNS record tampering FIR 203/18 PS Tripari Patiala as enumerated in the RTI application from the office of AIG Community Policing, Pb Mohali. The appellant was not satisfied with the information supplied by the PIO dated 04.03.2020 after which the appellant filed the first appeal before the First Appellate Authority on 11.03.2020 which took no decision on the appeal.

The case was first heard by Dr.Pawan Kumar Singla, State Information Commissioner on 28.09.2020. The appellant claimed that the PIO has not provided the information. The respondent was absent.

The PIO was directed to file reply/supply information before the next date of hearing.

The case was adjourned.

As per the order of the CIC dated 23.12.2020, the case has been allotted to the undersigned bench for hearing and final decision.

The case has come up for hearing today before this bench. The respondent from the office of AIG Community Policing is absent and vide letter dated 04.12.2020 received in the Commission on 09.12.2020 has informed that the requisite information has been provided to the appellant.

As per the appellant, partial information has been provided by the PIO vide letter dated 14.12.2020 relating to the enquiry conducted by AIG Community Policing pertaining to Saanih Kendra. The appellant, however, insisted that no information has been provided with regard to alleged CCTNS tampering as cited in his RTI application dated 12.02.2020 and the deficiencies on the information have already been communicated to the office of AIG Community Policing vide email dated 11.03.2020.

### Appeal Case No. 1568 of 2020

The PIO is directed to file a reply on the enquiry into the matter with regard to alleged CCTNS record tampering pertaining to FIR No.203 of 2018, PS Tripari and FIR No.234 /2018 PS Tripri Patiala. The reply should be filed before the next date of the hearing.

To come up for further hearing on 07.09.2022 at 02.00 PM.

Sd/- Sd/-

Chandigarh (Asit Jolly) (Sanjiv Garg)
Dated: 08.02.2022 State Information Commissioner State Information Commissioner

Sd/-

(Khushwant Singh)
State Information Commissioner

Note: The appellant appeared late and the status of the hearing was apprised to him.

CC: - Ld Sh Sanjiv Garg, State Information Commissioner, Punjab, Chandigarh.

Ld Sh Asit Jolly, State Information Commissioner, Punjab, Chandigarh.

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Sh. Akash Verma, S/o Sh Ashok Kumar Verma, # 80, New Officers Colony, Stadium Road, Patiala.

... Appellant

**Public Information Officer,**O/o Principal Govt Medical College,
Patiala.

**First Appellate Authority,**O/o Principal Govt Medical College,
Patiala.

...Respondent

Appeal Case No. 2040 of 2020

PRESENT: Sh.Akash Verma as the Appellant

None for the Respondent

#### ORDER:

This order should be read in continuation to the previous order dated 26.10.2020.

Versus

The appellant through RTI application dated 02.03.2020 has sought information regarding Departments- Anatomy, Anaesthesiology and intensive care, Biochemistry, Blood Bank/Transfusion Medicine, Chest and Tuberculosis, Community Medicine, ENT etc/ as enumerated in the RTI application from the office of Principal Govt. Medical College, Patiala. appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 09.06.2020 which took no decision on the appeal.

The case was first heard by Smt.Preety Chawla, State Information Commissioner on 28.09.2020. The respondent stated that the information has been provided to the appellant. The appellant claimed that the information is not complete.

The appellant was directed to send in writing the deficiencies and the PIO was directed to send complete information to the appellant after the removal of deficiencies. Further Dr.Anjleen Kaur-PIO was directed to appear personally on the next date of hearing.

On the date of hearing on 26.10.2020, the appellant claimed that he has not been provided with the complete information. The respondent stated that the information has been supplied to the appellant.

The PIO was absent. The PIO-Dr.Anjleen Kaur was issued a show-cause notice and directed to file an affidavit under section 20(1) of the RTI Act.

The First Appellate Authority O/o Govt. Medical College, Patiala was also directed to be present personally on the next date of hearing.

The case was adjourned.

As per the order of the CIC dated 23.12.2020, the case has been allotted to the undersigned bench for taking a decision.

### Appeal Case No. 2040 of 2020

The case has come up for hearing today before this bench. The appellant claims that he has already communicated the deficiencies to the PIO but the PIO has not addressed the same.

The respondent-PIO is absent nor is represented. At the hearing on 26.10.2020, the PIO-Dr.Anjleen Kaur was issued a show-cause notice and directed to file a reply on an affidavit. The PIO has failed to comply with the order of the Commission. It is clear that the PIO has nothing to say on the matter.

To come up for further hearing on 07.09.2022 at 02.00 PM.

Sd/- Sd/-

Chandigarh (Asit Jolly) (Sanjiv Garg)

Dated: 08.02.2022 State Information Commissioner State Information Commissioner

Sd/-

(Khushwant Singh)
State Information Commissioner

Note: The appellant appeared late and the status of the hearing was apprised to him.

CC: - Ld Sh Sanjiv Garg, State Information Commissioner, Punjab, Chandigarh.

Ld Sh Asit Jolly, State Information Commissioner, Punjab, Chandigarh.

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Sh. Akash Verma, S/o Sh Ashok Kumar Verma, # 80, New Officers Colony, Stadium Road, Patiala.

... Appellant

Versus

#### **Public Information Officer**,

O/o Director, Bureau of Investigation, Punjab, Punjab Police HQ, Sector-9, Chandigarh.

First Appellate Authority,

O/o Director, Bureau of Investigation, Punjab, Punjab Police HQ, Sector-9, Chandigarh.

...Respondent

### Appeal Case No. 2073 of 2020

PRESENT: Sh.Akash Verma as the Appellant

Sh.Parmod Kumar, Incharge-RTI O/o AIG and Sh.Hakam Singh, ASI O/o SSP Patiala and Sh.Ram Parsad, Sr.Assistant O/o Director Bureau of

**Investigation for the Respondent** 

ORDER:

This order should be read in continuation to the previous order dated 22.10.2020.

The appellant through RTI application dated 24.02.2020 has sought information regarding CCTNS record tampering of PS Tripuri Patiala in FIR 213/18, 234/18, u/s 353, 186IPC dated 15.09.2018 Comp No.256/G(2)/DGP dated 11.10.2019 – enquiry and action were taken report – report of CCTNS HQ regarding online/offline and record tampering etc. as enumerated in the RTI application from the office of Director Bureau of Investigation Punjab, Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 11.06.2020 which took no decision on the appeal.

The case was first heard by Sh.Avtar Singh Kaler, State Information Commissioner on 07.10.2020. The respondent was absent. The Commission received an email from the PIO which was a copy of a letter dated 06.10.2020 stating that the report regarding a complaint of Sh.Akash Verma is received from the office of IGP, Patiala Range, Patiala which is pending in this office to be decided, therefore, information cannot be provided at this stage. The PIO was directed to send a reply/information to the appellant with a copy to the Commission within a week.

On the date of the next hearing on 22.10.2020, the respondent was absent.

The PIO was directed to file a detailed reply regarding the status of the complaint and send the same to the commission at least one week before the next date of hearing.

The case was adjourned.

### Appeal Case No. 2073 of 2020

As per the order of the CIC dated 23.12.2020, the case has been allotted to the undersigned bench for hearing and final decision.

The case has come up for hearing today before this bench. As per the appellant, the information has not been provided by the PIO.

As per the respondent present from the office of BOI, the information has been supplied to the appellant vide letter dated 05.01.2022. The respondent further informed that no enquiry was conducted and no action is taken.

As per the appellant, the complaint was filed with the office of DGP which was marked to Bureau of Investigation. In this instance, what the appellant wants is the action taken on the complaint relating to FIR No.203 and 234.

However, the respondent present from the office of BOI informed that the complaint was further transferred to SSP Patiala on 11.10.2019.

Hearing the parties, the Bench is of the view that since the complaint was filed to the office of DGP which marked the same to Bureau of Investigation, the office of Bureau of Investigation is directed to file a reply to this RTI application indicating the action taken on the complaint of Sh.Akash Verma received from the office of DGP on 11.10.2019.

To come up for further hearing on 07.09.2022 at 02.00 PM.

Sd/- Sd/-

Chandigarh (Asit Jolly) (Sanjiv Garg)
Dated: 08.02.2022 State Information Commissioner State Information Commissioner

Sd/-

(Khushwant Singh) State Information Commissioner

Note: The appellant appeared late and the status of the hearing was apprised to him.

CC: - Ld Sh Sanjiv Garg, State Information Commissioner, Punjab, Chandigarh.

Ld Sh Asit Jolly, State Information Commissioner, Punjab, Chandigarh.

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Sh. Akash Verma, S/o Sh Ashok Kumar Verma, # 80, New Officers Colony, Stadium Road, Patiala.

... Appellant

Versus

**Public Information Officer,** O/o SSP,

Block-B, Mini Secretariat, Patiala.

First Appellate Authority,

O/o IGP,

Chhotti Baradari, Patiala. ...Respondent

Appeal Case No. 2638 of 2020

PRESENT: None for the Appellant

Sh.Hakam Singh-ASI O/o SSP Patiala for the Respondent

ORDER:

The appellant through RTI application dated 16.06.2020 has sought information regarding Register No.17-Register of Licenses comprising licences under explosive Act-License under Patroleim Act – License under Poisons act – Licenses under Excise Act for vend in the police station - updated list of license holders, period of validity of license as enumerated in the RTI application from the office of SSP Patiala. The appellant was denied the information by the PIO vide letter dated 29.06.2020 stating that the information does not cover under section 2(f) of the RTI Act after which the appellant filed the first appeal before the First Appellate Authority on 13.07.2020 which disposed of the appeal on 05.08.2020 upholding the PIO's view and under section 8(1)(j).

The case was earlier allotted to the bench of Sh. Asit Jolly, State Information Commissioner. Now the case has been reallotted to the full bench vide order of the Chief Information Commissioner dated 23.12.2020.

The case has come up for hearing today before this bench. The respondent present pleaded that the information being 3<sup>rd</sup> party information, it cannot be provided under section 8(1)(j) of the RTI Act.

Having gone through the RTI application, the Bench overrules the order of the First Appellate Authority and directs the PIO to provide information on all points as per the RTI application before the next date of hearing failing which penal proceedings will follow.

To come up for further hearing on **07.09.2022 at 02.00 PM**.

Sd/- Sd/-

Chandigarh (Asit Jolly) (Sanjiv Garg)

Dated: 08.02.2022 State Information Commissioner State Information Commissioner

Sd/-

(Khushwant Singh)
State Information Commissioner

Note: The appellant appeared late and the status of the hearing was apprised to him.

CC: - Ld Sh Sanjiv Garg, State Information Commissioner, Punjab, Chandigarh.

Ld Sh Asit Jolly, State Information Commissioner, Punjab, Chandigarh.

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Sh. Akash Verma, S/o Sh Ashok Kumar Verma, # 80, New Officers Colony, Stadium Road, Patiala.

... Appellant

Versus

**Public Information Officer,** 

O/o SSP, Block-B, Mini Secretariat, Patiala.

First Appellate Authority,

O/o IGP,

Chhotti Baradari, Patiala. ....Respondent

Appeal Case No. 2639 of 2020

**PRESENT:** None for the Appellant

Sh.Hakam Singh-ASI O/o SSP Patiala for the Respondent

ORDER:

The appellant through RTI application dated 19.06.2020 has sought information on 09 points regarding the purchase of Air Surveillance CCTV drone camera, drone autopilot purchased with bills – total number of CCTV drone cameras purchased by Patiala police – violators detected and challaned through CCTV – bills/receipt of purchase of CCTV – total contract amount paid to the company etc as enumerated in the RTI application from the office of SSP Patiala. The appellant was denied the information by the PIO vide letter dated 30.06.2020 stating that the information does not cover under section 2(f) of the RTI Act after which the appellant filed first appeal before the First Appellate Authority on 27.07.2020 which took no decision on the appeal.

The case was earlier allotted to the bench of Sh.Asit Jolly, State Information Commissioner. Now the case has been re-allotted to the full bench vide order of the Chief Information Commissioner dated 23.12.2020.

The case has come up for hearing today before this bench. The respondent present pleaded that the information being 3<sup>rd</sup> party information, it cannot be provided under section 8(1)(j) of the RTI Act.

Having gone through the RTI application, the Bench over-rules the PIO's view and directs the PIO to file a point-wise reply on an affidavit.

To come up for further hearing on **07.09.2022 at 02.00 PM**.

Sd/- Sd/-

Chandigarh (Asit Jolly) (Sanjiv Garg)

Dated: 08.02.2022 State Information Commissioner State Information Commissioner

Sd/-

(Khushwant Singh)
State Information Commissioner

Note: The appellant appeared late and the status of the hearing was apprised to him.

CC: - Ld Sh Sanjiv Garg, State Information Commissioner, Punjab, Chandigarh.

Ld Sh Asit Jolly, State Information Commissioner, Punjab, Chandigarh.

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Sh. Akash Verma, S/o Sh Ashok Kumar Verma, # 80, New Officers Colony, Stadium Road, Patiala.

... Appellant

Versus

Public Information Officer, O/o SHO, Police Station, Urban Estate Ph-1, Patiala.

First Appellate Authority, O/o SSP, Block-B, Mini Secretariat, Patiala.

...Respondent

## Appeal Case No. 2640 of 2020

PRESENT: Sh.Akash Verma as the Appellant

Sh.Hakam Singh-ASI O/o SSP Patiala and Sh.Kuldeep Singh, ASI-PS-Urban

**Estate Patiala for the Respondent** 

#### ORDER:

The appellant through RTI application dated 24.02.2020 has sought information on 06 points regarding FIR No.148/2017 PS Urban Estate Patiala dated 19.07.2017 in the matter of PSPCL Meter reversal scam —Report No.577+663+675+2017,53/C/DSP/Inv/Patiala dated 23.04.2018-Report No.213 DA Legal dated 10.05.2018 —Report No.616/PC dated 19.05.2017 etc. comprising the record of cancellation report prepared by SHO PS Urban Estate & DA-Legal, supporting evidence, date of approval of cancellation report, ground for not filing the cancellation report in the court as enumerated in the RTI application from the office of SHO Police Station, Urban Estate Phase-1 Patiala. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 10.06.2020 which took no decision on the appeal. After filing of the first appeal, the PIO sent a reply to the appellant vide letter dated 17.07.2020 stating that the information cannot be provided under section 8(1)(j) of the RTI Act.

The case was earlier allotted to the bench of Sh.Asit Jolly, State Information Commissioner. Now the case has been re-allotted to the full bench vide order of the Chief Information Commissioner dated 23.12.2020.

The case has come up for hearing today before this bench. The respondent present pleaded that the information cannot be provided under section 8(1)(j) of the RTI Act and the reply has already been sent to the appellant vide letter dated 17.07.2020 & 29.12.2020. The respondent further informed that the cancellation report has been filed in the court for approval but the court has ordered re-investigation vide order dated 19.01.2022 which is pending.

### Appeal Case No. 2640 of 2020

Having gone through the RTI application, and hearing both the parties, the Bench overrules the plea of the PIO and directs the PIO to provide information point-wise till the filing of the RTI application.

To come up for further hearing on 07.09.2022 at 02.00 PM.

Sd/-

Chandigarh (Asit Jolly) (Sanjiv Garg)
Dated: 08.02.2022 State Information Commissioner State Information Commissioner

Sd/-

(Khushwant Singh)
State Information Commissioner

Note: The appellant appeared late and the status of the hearing was apprised to him.

CC: - Ld Sh Sanjiv Garg, State Information Commissioner, Punjab, Chandigarh.

Ld Sh Asit Jolly, State Information Commissioner, Punjab, Chandigarh.

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Sh. Akash Verma, S/o Sh Ashok Kumar Verma, # 80, New Officers Colony, Stadium Road, Patiala.

... Appellant

Versus

Public Information Officer, O/o District Attorney Legal, B-Block, Mini Secretariat,

Patiala.

First Appellate Authority,

O/o Director Prosecution Punjab, SCO-94-95, Near Hot Millions-2, Sector-17-C, Chandigarh.

...Respondent

Appeal Case No. 2641 of 2021

PRESENT: Sh.Akash Verma as the Appellant

Sh.Hakam Singh-ASI O/o SSP Patiala and Sh.Vishal Khullar, DA Legal for

the Respondent

### ORDER:

The appellant through RTI application dated 24.02.2020 has sought information on 06 points regarding FIR No.148/2017 PS Urban Estate Patiala dated 19.07.2017 in the matter of PSPCL Meter reversal scam –Report No.577+663+675+2017,53/C/DSP/Inv/OPatiala dated 23.04.2018-Report No.213 DA Legal dated 10.05.2018 –Report No.616/PC dated 19.05.2017 etc. comprising report of DA legal, cancellation report at O/o DA Legal & diary no., ground for not filing the cancellation report in the court as enumerated in the RTI application from the office of District Attorney Legal Patiala. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 09.06.2020 which took no decision on the appeal. After filing the appeal, the PIO sent a reply to the appellant vide letter dated 03.07.2020 stating that the information is not available in their office and relates to SSP Office Patiala.

The case has come up for hearing today before this bench. As per the appellant, the PIO has not supplied the information.

As per respondent Sh.Vishal Kullar, the DA legal returns all documents to the concerned SSP office after providing the sought legal opinion and no record is being maintained at their level.

The appellant, however, contended that the record is available with the DA-Legal and DA-Legal is the PIO in this case.

The Commission has received a letter from the office of Director Prosecution & Litigation Punjab (First Appellate Authority) dated 23.08.2021 whereby they have informed that District Attorney (Legal) works as Legal advisor to SSP Patiala and the record of the office of District Attorney remains at SSP office Patiala and that SSP office Patiala is a separate and independent authority having its own public information officer as well as first appellate authority under RTI Act to cater to the needs of citizens regarding supply of information. Further, the answering authority is not the first appellate authority of PIO of SSP office Patiala and hence the appellant has been informed that the information sought relates to SSP office Patiala.

### Appeal Case No. 2641 of 2021

Given the facts above, the technical question before the Bench is to ascertain who is the PIO for DA-Legal to proceed further since the appellant has sought information from DA Legal whereas the DA legal has claimed that the PIO of the office of DA Legal is SSP Patiala. Further, the question that arises is whether the DA-Legal falls under the office of SSP Patiala or not pertaining to the matter of RTI applications? The Director of Prosecution & Litigation is directed to clarify and ascertain who is the PIO (DA-Legal or SSP Patiala) in this case since the RTI application was filed in the office of DA-Legal.

To come up for further hearing on 07.09.2022 at 02.00 PM.

Sd/- Sd/-

Chandigarh (Asit Jolly) (Sanjiv Garg)

Dated: 08.02.2022 State Information Commissioner State Information Commissioner Sd/-

(Khushwant Singh)

State Information Commissioner

CC: - Ld Sh Sanjiv Garg, State Information Commissioner, Punjab, Chandigarh.

Ld Sh Asit Jolly, State Information Commissioner, Punjab, Chandigarh.