



Ramesh Kumar
S/o Sh. Amarnath,
H. No. U-1652, Sardar Nagar,
Opp. Old Central Jail,
Amritsar - 143008(Punjab)
(98558-33536)

....Appellant

V/s

Public Information Officer,
O/o The Director,
Defence Services Welfare, Punjab,
Sainik Bhawan, Sector 21 – D,
Chandigarh

First Appellate Authority,
O/o The Director,
Defence Services Welfare, Punjab,
Sainik Bhawan, Sector 21 – D,
Chandigarh

...Respondents

Appeal Case No. 1583 of 2022

Present : Sh. Ramesh Kumar, the appellant in person.
Sh. Naresh Rattan, Superintendent-cum-APIO (98159-36557), on behalf of the respondent.

ORDER

The RTI request is dated 05.01.2021. First appeal is dated 09.02.2022. Second appeal has been received in the Commission on 30.03.2022.

2. The appellant, Sh. Ramesh Kumar, who appeared in person in today's hearing, states that he has provided all the necessary documents but no information has been given to him by the respondent PIO till date.

3. Sh. Naresh Rattan, Superintendent-cum-APIO, who appeared on behalf of the respondent PIO in today's hearing, states that the information demanded through RTI request is regarding action taken report on his complaint dated 10.10.2021 and the case-file is put before the Secretary, Defence for comments and seeks an adjournment in this case.

4. Nevertheless, last opportunity is given to the respondent PIO concerned to supply the certified copies of the required information to the appellant or send a reply to the queries raised by the appellant through his RTI request through registered post with a copy to the Commission by the next date of hearing

5. With this, the case is **adjourned to 7th October, 2022 (Friday) at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 12 August, 2022

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

D. R. Singla,
H. No. 4961,
Sector 38 (West),
Chandigarh
(7087079234)

....Appellant

V/s

Public Information Officer,
O/o The Sub Divisional Magistrate,
Kharar (Punjab)

First Appellate Authority,
O/o The Deputy Commissioner,
S. A. S. Nagar(Mohali) (Punjab)

...Respondents

Appeal Case No. 2511 of 2022

Present : Sh. D. R. Singla, the appellant in person.
None on behalf of the respondent.

ORDER

The RTI request is dated 29.10.2021. First appeal is dated Nil. Second appeal has been received in the Commission on 23.05.2022.

2. On the last date of hearing, held on 15.07.2022, another opportunity was given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request through registered post

3. The appellant, Sh. D. R. Singla, who appeared in person in today's hearing, states that no information has been given to him by the respondent PIO till date.

4. Neither the respondent PIO nor any of his representative is present in today's hearing. He has also not sent any intimation regarding his non-availability. Moreover, the requisite information has not been supplied by the respondent PIO to the information seeker even after the directions were given by the Commission vide orders dated 15.07.2022. The Commission took a serious view of this casual approach of the respondent PIO.

5. In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Sub Divisional Magistrate, Kharar as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

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

7. Last opportunity is given to the respondent PIO concerned to supply the certified copies of the required information or a point-wise proper reply to the appellant as per queries raised by him through RTI request, through registered post with a copy to the Commission by the next date of hearing.

8. A copy of this order be sent through registered post to Deputy Commissioner, S. A. S. Nagar, with the advice to ensure presence of the concerned PIO office of Sub Divisional Magistrate, Kharar and also to ensure compliance of the above-announced order.

With this, the case is **adjourned to 9th September, 2022 (Friday) at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 12 August, 2022

CC:

(Regd. Post)

The Deputy Commissioner,
S. A. S. Nagar(Mohali) (Punjab)

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



Sandeep Khattri,
H. No. 126/B6, Gulmohar City,
Dera Bassi,
Distt. – S. A. S. Nagar(Mohali)(Punjab)
(7009178045)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council, Zirakpur,
Distt. – S. A. S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 2543 of 2022

Present : Sh. Sandeep Khattri, the appellant in person.
i) Sh. Kulwant Singh, Junior Engineer (96143-02036) ;
ii) Sh. Gulshan Mehta, Advocate(98764-68637), on behalf of the
respondent.

ORDER

The RTI request is dated 17.02.2022. First appeal is dated 24.03.2022. Second appeal has been received in the Commission on 24.05.2022.

2. On the last date of hearing, held on 15.07.2022, last opportunity was given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request, only after collecting the required charges as prescribed under the provisions of the RTI Act, from him (the appellant).

3. The appellant, Sh. Sandeep Khattri, appeared in person in today's hearing.

4. Sh. Kulwant Singh, Junior Engineer, who appeared with Sh. Gulshan Mehta, Advocate, in today's hearing, seek an adjournment in this case.

5. Nevertheless, last opportunity is given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request within fifteen days from today.

6. With this, the case is **adjourned to 9th September, 2022 (Friday) at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 12 August, 2022

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



Sandeep Khattri,
H. No. 126/B6, Gulmohar City,
Dera Bassi,
Distt. – S. A. S. Nagar(Mohali)(Punjab)
(7009178045)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council, Zirakpur,
Distt. – S. A. S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 2542 of 2022

Present : Sh. Sandeep Khattri, the appellant in person.
i) Sh. Kulwant Singh, Junior Engineer (96143-02036) ;
ii) Sh. Gulshan Mehta, Advocate(98764-68637), on behalf of the
respondent.

ORDER

The RTI request is dated 17.02.2022. First appeal is dated 24.03.2022. Second appeal has been received in the Commission on 24.05.2022.

2. On the last date of hearing, held on 15.07.2022, last opportunity was given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request, only after collecting the required charges as prescribed under the provisions of the RTI Act, from him (the appellant).

3. The appellant, Sh. Sandeep Khattri, appeared in person in today's hearing.

4. Sh. Kulwant Singh, Junior Engineer, who appeared with Sh. Gulshan Mehta, Advocate, in today's hearing, seek an adjournment in this case.

5. Nevertheless, last opportunity is given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request within fifteen days from today.

6. With this, the case is **adjourned to 9th September, 2022 (Friday) at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 12 August, 2022

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



Sandeep Khattri,
H. No. 126/B6, Gulmohar City,
Dera Bassi,
Distt. – S. A. S. Nagar(Mohali)(Punjab)
(7009178045)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council, Zirakpur,
Distt. – S. A. S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 2541 of 2022

Present : Sh. Sandeep Khattri, the appellant in person.
i) Sh. Kulwant Singh, Junior Engineer (96143-02036) ;
ii) Sh. Gulshan Mehta, Advocate(98764-68637), on behalf of the
respondent.

ORDER

The RTI request is dated 17.02.2022. First appeal is dated 24.03.2022. Second appeal has been received in the Commission on 24.05.2022.

2. On the last date of hearing, held on 15.07.2022, last opportunity was given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request, only after collecting the required charges as prescribed under the provisions of the RTI Act, from him (the appellant).

3. The appellant, Sh. Sandeep Khattri, appeared in person in today's hearing.

4. Sh. Kulwant Singh, Junior Engineer, who appeared with Sh. Gulshan Mehta, Advocate, in today's hearing, seek an adjournment in this case.

5. Nevertheless, last opportunity is given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request within fifteen days from today.

6. With this, the case is **adjourned to 9th September, 2022 (Friday) at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 12 August, 2022

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

Sukhwinder Singh
S/o Sh. Shande Hasham,
Teh. & Distt.- Ferozepur-152004 (Punjab)
(97800-61008)

....Appellant

V/s

Public Information Officer,
O/o The Panchayat Secretary,
Gram Panchayat – Sher Khan Wala,
Block Ghall- Khurd,
Distt. - Ferozepur (Punjab)

First Appellate Authority,
O/o The District Development
and Panchayat Officer,
Ferozepur (Punjab)

...Respondents

Appeal Case No. 3379 of 2021

Present : Sh. Sukhwinder Singh, the appellant in person.
i) Sh. Mohinder Singh, Panchayat Secretary (98557-88566);
ii) Sh. Gurnam Singh, Panch (99883-50010);
iii) Sh. Dilbagh Singh, Block Samiti Member (94173-88283), for the respondent.

ORDER

The RTI request is dated 30.03.2021. First appeal is dated 17.05.2021. Second appeal has been received in the Commission on 27.07.2021.

2. On the last date of hearing, held on 15.07.2022, neither the respondent PIO nor any of his representative was present. Last and final opportunity is also given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request, through registered post with a copy to the Commission. A compensation of Rs. 5000/- (Rupees Five Thousand only) was also awarded to the appellant.

3. The appellant, Sh. Sukhwinder Singh, who appeared in person in today's hearing, states that no information has been given to him by the respondent PIO.

4. Sh. Mohinder Singh, Panchayat Secretary ; Sh. Gurnam Singh, Panch and Sh. Dilbagh Singh, Block Samiti Member, who appeared on behalf of the respondent PIO in today's hearing, seek an adjournment in this case to supply the required information and also to pay compensation, which was awarded vide orders dated 15.07.2022 .

5. Nevertheless, last and final opportunity is also given to the respondent PIO concerned to either to supply the certified copies of the required information or send a reply in the shape of an affidavit to the queries raised through RTI request to the appellant with a copy to the Commission by the next date of hearing.

6. With this, the case is **adjourned to 9th September, 2022 (Friday) at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 12 August, 2022

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

Ramesh Kumar
S/o Sh. Amarnath,
H. No. U-1652, Sardar Nagar,
Opp. Old Central Jail,
Amritsar - 143008(Punjab)
(98558-33536)

....Appellant

V/s

- i) Public Information Officer,
O/o The Director General of Police, Pb.,
Police Head Quarter,
Sector - 9, Chandigarh

- (Regd. Post) ii) Public Information Officer,
O/o The Senior Superintendent of Police,
Amritsar (Rural) (Punjab)

Encl: RTI request

First Appellate Authority,
O/o The Director General of Police, Pb.,
Police Head Quarter,
Sector - 9, Chandigarh

...Respondents

Appeal Case No. 1771 of 2022

Present : None on behalf of the appellant.
Sh. Bhoora Ali, Head Constable (99155-46786) on behalf of the respondent.

ORDER

The RTI request is dated 06.01.2022. First appeal is dated 20.02.2022. Second appeal has been received in the Commission on 11.04.2022.

2. On the last date of hearing, held on 15.07.2022, a copy of the order was sent to Assistant Inspector General of Police/Admin office of Bureau of Investigation, Punjab, Chandigarh alongwith RTI request through registered post with the directions to supply the certified copies of the required information, as per queries raised by him through RTI request, to the appellant through registered post with a copy to the Commission.

3. The appellant, Sh. Ramesh Kumar, who appeared in person in today's hearing, states that no information has been given to him by the respondent PIO till date.

4. Sh. Bhoora Ali, Head Constable, who appeared on behalf of the respondent PIO in today's hearing, states that the RTI request was transferred under Section 6 (3) of the RTI Act to Senior Superintendent of Police, Amritsar Rural vide letter no. 134 dated 21.03.2022 under intimation to the Commission.

5. As the information demanded through RTI request relates with office of Senior Superintendent of Police, Amritsar Rural, accordingly, Public Information Officer office of be impleaded as necessary party in this case.

6. A copy of this order be sent to him alongwith RTI request through registered post with the directions to supply the certified copies of the required information to the appellant as per queries raised by him in his RTI request, by the next date of hearing. He is directed to represent this case in person or through his representative on the next date of hearing so that facts of this case could be cleared.

With this, the case is **adjourned to 7th October, 2022 (Friday) at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 12 August, 2022

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



Yogesh Maini
S/o Late Sh. Kapil Bhushan Maini,
H. No. 678/1, Prem Nagar,
Shiv Mandir Road,
Civil Lines, Ludhiana(Punjab)
(99887-58800)

....Appellant

V/s

Public Information Officer,
O/o The Senior Superintendent of Police,
S. A. S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o The Senior Superintendent of Police,
S. A. S. Nagar (Mohali) (Punjab)

...Respondents

Appeal Case No. 2375 of 2022

Present : Sh. Yogesh Maini, the appellant in person.
None on behalf of the respondent.

ORDER

The RTI request is dated 17.01.2022. First appeal is dated 24.02.2022. Second appeal has been received in the Commission on 12.05.2022.

2. On the last date of hearing, held on 15.07.2022, the respondent PIO through a reply vide letter no. 4495 dated 14.07.2022, has intimated the Commission that the information sought through RTI request is regarding an enquiry report, which is under enquiry..

3. The appellant, Sh. Yogesh Maini, who appeared in person in today's hearing, states that no information or reply has been given to him by the respondent PIO till date.

4. Neither the respondent PIO nor any of his representative is present in today's hearing.

5. Nevertheless, last and final opportunity is given to the respondent PIO concerned to send a reply to the queries raised by the appellant through his RTI request in the shape of an affidavit through registered post to the appellant with a copy to the Commission by the next date of hearing.

6. With this, the case is **adjourned to 5th September, 2022 (Friday) at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date : 12 August, 2022

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

Sh Gagandeep Singh Bawa, (M-9779125117)
R/o #3132/A, Sector 39-D,
Chandigarh

.....Appellant

..Vs

Public Information Officer,
O/o AIG Admn. Technical Service Wing, Pb

First Appellate Authority,
O/o Deputy Inspector General of Police, Pb
Sector-9, PP Hqrs, Chandigarh

.....Respondent

Appeal Case No. 3275 of 2022

Present: (i) Sh. Gagandeep Singh the appellant
(ii) For the respondent: Sh Parmod Kumar Nagrath, ASI, Incharge RTI Cell, Technical Services Wing, Punjab (9592902013) and Sh Lakhbir Singh, ASI (97797-09517)

ORDERS

1. The RTI application is dated 04.10.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 15.07.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 12.09.2022 in the Commission. However, on the request of the Appellant the abovementioned appeal case was preponed to be heard on 12.08.2022, ie. today.
3. The Appellant states that the information has not been provided to him till date.
4. The Respondent states that the information demanded by the Appellant cannot be provided to him, as the matter demanded under the RTI, is under enquiry. Hence, the same cannot be provided under 8(1) (h) of the RTI Act, 2005.

5. After hearing both the parties and perusing the documents placed on record, it is ascertained that the Appellant through his RTI Application dated 04.10.2021 has sought the following information:-

“Merit list found from the record recovered by Chandigarh Police of Police strn.

Sector-3, Chandigarh

The Respondent has filed their reply mentioning that the information cannot be provided to the Appellant u/s 8(1)(h) of the RTI Act as the matter is pending for enquiry in FIR No. 18 dated 17.02.2017 u/s 380, IPC, Police Station, Sector-3, Chandigarh.

Section 8(1) (h) of the RTI Act, 2005 regarding exemption of disclosure of information, which stipulates as under:-

“information which would impede the process of investigation or apprehension or prosecution of offenders”

Hence, the burden is on the public authority to show in what manner the parting with the information would impede investigation or apprehension or prosecution of offender. Merely stating that the enquiry is pending is not the correct way to deny the information.

In view of the above, the Respondent-PIO is directed to justify the usage of exemptions given in Section 8 and give in writing that why disclosure of information will hamper the investigation process. Further, PIO-Sh Satinderpal Singh, AIG is directed to be present personally on the next date of hearing and file his reply.

6. To come up on **02.09.2022 at 12:00PM** In the Commission office. Copy of the orders be sent to the parties.

Date : 12 August, 2022

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

CC: PIO-Sh Satinderpal Singh, AIG (***through Registered Post***)

O/o AIG, Technical Wing, Punjab