

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

.. ...Appellant

**Vs**

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

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

.....Respondents

## **Appeal Case No. 2030 of 2018**

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

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

### **ORDER**

The case was last heard on 04.10.2018, when the representative of the respondents informed that information regarding copies of Government letter dated 1.7.2017 and 23.2.2017 and Punjab Public Service Commission's letter dated 21.10.2016 for reconsideration of case and Commission's advice dated 27.2.2018 had been supplied to the appellant. The appellant informed that partial information had been received from the respondents vide their letter dated 23.07.2018 and no information regarding file notings and correspondence between the Government and Punjab Public Service Commission had been provided to him till date. Accordingly, the respondents were directed to provide the remaining information or pass a speaking order spelling out reasons for denying the information, before the next date of hearing.

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The case was adjourned for today.

2. Today, the representative of the respondents submits a letter No. P&G 62/2011/A-7/4789, dated 12.11.2018 from PIO of the office of Punjab Public Service Commission, Patiala vide which he has submitted as under:-

- "1. Reference Appeal Case No. 2030 of 2018 dated 04.10.2018.*
- 2. It may be informed that the Commission is a multimember body and takes decisions based on majority opinion in the Commissions meetings. Being a multimember body, its decision making is not based on a hierarchy based minute sheets/noting sheets as it happens in most other government departments.*
- 3. The authority to take decisions on these issues is vested jointly with the Commission, which works on a majority vote on the floor of the Commission. After that, the Secretary conveys the decision of the Commission to the Government.*
- 4. In this particular case, the Government had referred the case back to PPSC for review and had made a fresh plea to the Commission for stringent punishment to the Applicant and explained the serious gravity of the offence committed by the applicant. Therefore, the Commission after due deliberation, agreed with the punishment proposed by the Government, based on merit of the case.*

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5. *The relevant documents have already been supplied to the applicant. “*

3. Consequently, after hearing both the parties and discussing the matter at length, it is observed that the deliberations taken place in the Punjab Public Service Commission and are available in any shape or form needs to be provided to the appellant. It is also observed that what-ever documents are available on record, needs to be shared with the appellant as the plea put forth by the Punjab Public Service Commission is not tenable . Accordingly, it is directed that the original file pertaining to this case be brought on the next date of hearing for the perusal of the Commission to enable it to arrive at a logical conclusion.

4. To come up on **06.12.2018 at 11.30 A.M. for further proceedings.**

**Dated : 13.11.2018**

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

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

-----Appellant

**Vs.**

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

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

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

-----Respondents

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

Present:- None on behalf of the appellant.

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

### **ORDER**

The case was last heard on 11.10.2018, when none was present on behalf of the appellant as well as the respondents. Viewing the absence of the respondent seriously, last opportunity was afforded to the PIO to supply complete information to the appellant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 would be initiated against him. The case was adjourned for today.

2. Today, the appellant is not present. However, a letter dated 13.11.2018 has been received from him informing that he is unable to attend hearing due to some

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domestic problems. He has further informed that he has sought copies of Police Rules which have been denied by the PIO.

3. The representative of the respondents submits a letter No. 21+37/Appeal/RTI, dated 12.11.2018 from SSP, Sangrur vide which it has been informed that it is not possible to supply the sought for information, which is in the form of questionnaire. The respondent informs that reply has been sent twice to the appellant. Accordingly, last opportunity is provided to the appellant to seek specific information, which is in the material form. Besides, the PIO is directed to supply copies of Rules to the appellant, if they are available on the subject.

4. To come up on **06.12.2018 at 11.30 A.M. for further proceedings.**

**Sd/-**

**Dated : 13.11.2018**

**( S.S. Channy)  
Chief Information Commissioner  
Punjab**

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Shri Rajinder Pal Singh  
s/o Late Shri Gurdiyal Singh  
c/o Shri Gurmail Singh Nahar,  
Advocate, 5th Floor, New Chamber No.5032,  
Court Complex, Ludhiana.

-----Appellant

**Vs.**

Public Information Officer  
o/o Commissioner of Police,  
Ludhiana.

First Appellate Authority,  
O/o Commissioner of Police,  
Ludhiana.

-----Respondents

## **Appeal Case No. 887 of 2018**

Present:- Shri Rajinder Pal Singh, appellant, in person.  
Shri Dev Raj, Inspector and Shri Jaspal Singh, ASI on behalf of the respondents.

### **ORDER**

The case was last heard on 11.10.2018, when the appellant informed that no information had been received from the respondents till date. The representative of the respondents informed that Inquiry Report was pending with the competent authority for orders. Accordingly, the respondents were directed to inform the appellant of the Action Taken, before the next date of hearing. The case was adjourned for today.

2. Today, the representative of the respondents submits a letter dated 11.11.2018 from S.H.O., Police Station, Sarabha Nagar, Ludhiana vide which it has been informed that Inquiry Report is pending with Commissioner of Police, Ludhiana

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for orders. Accordingly, it is directed that a copy of letter dated 11.11.2018 from S.H.O., Police Station, Sarabha Nagar, Ludhiana be provided to the appellant. It is also directed that as and when the orders in the case are passed by Commissioner of Police, Ludhiana, the requisite information be furnished to the appellant. The respondent assures to comply with the orders of the Commission.

3. On the assurance given by the respondent, the case is **disposed of and closed.**

**Dated : 13.11.2018**

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

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

.....Complainant

## **Versus**

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

.....Respondent

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

Present:- None on behalf of the complainant.

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

## **ORDER**

The case was last heard on 11.10.2018, when after hearing the respondent and going through the record available on the case file, the respondent-PIO was directed to send reasons for delay in sending the information to the complainant as well as to the Commission and the complainant was advised to send his observations, if any, on receipt of the reply from the PIO. The case was adjourned for today.

2. Today, the complainant is not present. However, a letter dated 30.10.2018 has been received from him informing that he has not received reasons for delay in the supply of information from the PIO as yet, as per the orders of the Commission. Accordingly, the PIO is again directed to send reasons for delay in the supply of information, in writing, to the complainant with a copy to the Commission and the complainant is advised to send his observations, if any, on receipt of reply from the PIO.

3. To come up on **06.12.2018 at 11.30 A.M., for further proceedings.**

**Dated : 13.11.2018**

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

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

.....Complainant

**Versus**

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

.....Respondent

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

Present:- None on behalf of the complainant.  
Shri Avtar Singh, ASI, on behalf of the respondent-PIO.

### **ORDER**

The case was last heard on 11.10.2018, when after hearing the respondent and going through the record available on the case file, the respondent-PIO was directed to send reasons for delay in sending the information to the complainant as well as to the Commission and the complainant was advised to send his observations, if any, on receipt of the reply from the PIO. The case was adjourned for today.

2. Today, the complainant is not present. However, a letter dated 30.10.2018 has been received from him informing that he has not received reasons for delay in the supply of information from the PIO as yet, as per the orders of the Commission. Accordingly, the PIO is again directed to send reasons for delay in the supply of information, in writing, to the complainant with a copy to the Commission and the complainant is advised to send his observations, if any, on receipt of reply from the PIO.

3. To come up on **06.12.2018 at 11.30 A.M., for further proceedings.**

**Dated : 13.11.2018**

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

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Shri Manjit Singh,  
S/o Shri Kuldip Singh,  
R/o H.No. 36,Phase-3, Urban Estate,  
Dugri, Ludhiana.

.....Complainant

**Versus**

Public Information Officer  
O/O S. H. O. , Police Station,  
Dugri, Ludhiana.

.....Respondent

## **Complaint Case No. 525 of 2018**

Present:- Shri Manjit Singh, complainant, in person.  
Shri Sukhdev Raj, ASI, on behalf of the respondent-PIO.

### **ORDER**

The case was last heard on 11.10.2018, when the complainant was not present.

The representative of the respondent informed that they had filed reply on 1.8.2018 stating that the matter was under investigation and therefore complete information could not be provided. Accordingly, the respondent-PIO was directed to complete investigation and supply complete information to the complainant before the next date of hearing. The case was adjourned for today.

2. Today, the complainant informs that the information has been provided to him but a copy of the MLR has not been supplied as yet. The representative of the respondent PIO states that MLR has not been received from the hospital. Accordingly, it is directed that a written submission in this regard be provided to the complainant, with a copy to the Commission. Consequently, written submission is submitted to the Commission by the respondent, which is taken on record.

3. Accordingly, the case is **disposed of and closed**.

**Dated : 13.11.2018**

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

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Shri Bhuvnesh Bhatt,  
B-31, H.No.14598, St. No.6,  
Maharana Partap Nagar, Tibba Road,  
Ludhiana

-----Appellant

**Vs**

Public Information Officer,  
o/o Police Commissioner, Ludhiana.

First Appellate Authority  
o/o Police Commissioner, Ludhiana.

-----Respondents

## **Appeal Case No. 2629 of 2018**

Present:- None for the appellant.

Shri Dev Raj, Inspector and Shri Jasbir Singh, ASI, on behalf of the respondents.

### **ORDER**

The case was last heard on 11.10.2018, when the appellant informed that no information had been provided to him till date. Accordingly, the respondents were directed to send point-wise reply to the appellant under intimation to the Commission and the appellant was advised to go through the same and revert back to the authorities, in case of deficiencies, under intimation to the Commission, before the next date of hearing. The case was adjourned for today.

2. Today, the representatives of the respondents inform that requisite information has been provided to the appellant, which has been duly received by him. They submit a copy of receipt taken from the appellant vide which he has expressed satisfaction and has requested to close the case.

3. Accordingly, the case is **disposed of and closed**.

**Dated : 13.11.2018**

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

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

-----Appellant

**Vs**

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

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

-----Respondents

## **Appeal Case No. 2334 of 2018**

Present:- None on behalf of the appellant.

Shri Inder Singh, PIO-cum-Joint Registrar(Rules) and Shri Charanjeet Singh, Senior Assistant, on behalf of the respondents.

### **ORDER**

The case was last heard on 18.10.2018, when the appellant was not present. The respondents filed their reply vide letter No. 1461/PIO/HC, dated 03.10.2018 enclosing a copy of reply sent to the appellant but no observations had been received from the appellant. Accordingly, the appellant was directed to send his observations, if any, on the reply of the PIO, before the next date of hearing. The case was adjourned for today.

2. Today, Shri Inder Singh, PIO-cum-Joint Registrar(Rules) states that the information asked for by the appellant needs not to be provided as per Section 2(f) of

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the RTI Act, 2005. He further states that the reply has already been sent to the appellant. Accordingly, the appellant is directed to send his observations, if any, on the reply of the PIO, before the next date of hearing.

3. The appellant is not present. However, a letter dated 23.10.2018 has been received from him vide which he has informed that he has engaged an Expert Advocate to attend the hearing of all his Appeals. He has further informed that the Advocate engaged by him can attend the hearing at Ludhiana only. Thus he has requested to fix the hearing of the case through Video Conferencing in the office of Deputy Commissioner, Ludhiana.

4. On the request of the appellant, the case is adjourned to **06.12.2018 at 11.30 A.M. for further proceedings through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

**Dated : 13.11.2018**

**Sd/-  
( S.S. Channy)  
Chief Information Commissioner  
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Shri S.P. Goyal,  
2-C, Sarabha Nagar,  
Gurudwara Road,  
Ludhiana-141001.

-----Appellant

**Vs**

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

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

-----Respondents

## **Appeal Case No. 2355 of 2018**

Present:- None on behalf of the appellant.

Smt. Kirti and Shri Karanbir Singh, Clerk, on behalf of the respondents.

### **ORDER**

The case was last heard on 18.10.2018, when the appellant was not present. The representatives of the respondents informed that reply to the hearing notice dated 21.09.2018 issued by the Commission had been sent to the Commission by the APIO o/o the Court of Ms. Manpreet Kaur, CJJD, Ludhiana. They further stated that personal information of Shri Japinder Singh, Chief Judicial Magistrate, Ludhiana could not be supplied under Section 8(1)(j) of RTI Act. as per the decision dated 03.10.2012 of the Hon'ble Supreme Court of India in SLP (civil no. 27734 of 2012) titled "Girish Ram Chandra Deshpande vs. CIC, New Delhi and others". They also stated that In the instant appeal case also there was no public interest involved in supply of information demanded by the appellant. Accordingly, the respondents were directed to

Contd.....p/2

send point wise reply to the information-seeker, who was advised to go through the same and send his observations, if any, before the next date of hearing. The case was adjourned for today.

2. Today, the representative of the respondents inform that a detailed reply has been sent to the appellant, with a copy to the Commission on 30.10.2018 by registered post. Accordingly, the appellant is directed to send his observations, if any, on the reply of the PIO, before the next date of hearing.

3. The appellant is not present. However, a letter dated 23.10.2018 has been received from him vide which he has informed that he has engaged an Expert Advocate to attend the hearing of all his Appeals. He has further informed that the Advocate engaged by him can attend the hearing at Ludhiana only. Thus he has requested to fix the hearing of the case through Video Conferencing in the office of Deputy Commissioner, Ludhiana.

4. On the request of the appellant, the case is adjourned to **06.12.2018 at 11.30 A.M. for further proceedings through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.**

**Dated : 13.11.2018**

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