

PUNJAB STATE INFORMATION COMMISSION

**Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.**

Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in

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Sh. Akash Verma (8360401417)

Sh. Ashok kumar verma,
#80, New Officer Colony, Stadium Road,
Patiala

Appellant

Versus

Public Information Officer
(Regd. Post) O/o Intelligence Bhawan,
Sector-77, Sohana,
Opposite Sohana Eye Hospital,
SAS Nagar

First Appellate Authority

O/o Punjab Police Intelligence Wing,
Punjab Police HQ, Sector-9,
Jan Marg, Chandigarh-160009

Respondent

Appeal Case No.: 1027 of 2020
Heard through CISCO WEBEX

Present: Advocate, Vipin Sharma on behalf of the appellant.
For the respondent: ASI, Rajinder Singh (9779718110)

ORDER

1. This order may be read with reference to the previous order dated 26.08.2020 vide which Representative of the appellant, Advocate, Vipin Sharma states that requisite information relates with shelter homes of Patiala and is demanded in public interest as minor children are affected by HIV and sexual harassment but respondent PIO denied supplying the requisite information in the concealment of Section 24(4). He added that children are begging on roads without treatment. Respondent, ASI, Rajinder Singh is present for today's hearing.

Notice of hearing which was sent to the respondent PIO returned to the Commission without any remarks but sector-77, Mohali mentioned at the PIO address. A copy of previous order was sent to the respondent PIO, O/o Intelligence Bhawan, Sector-77, Sohana, opposite Sohana Eye Hospital, SAS Nagar through registered post for his ready reference. He is also directed to file a reply before the next date of hearing regarding section 24(4) as representative of the appellant states that it is not applicable.

Matter was adjourned for further hearing on 14.10.2020 i.e. today.

2. In today's hearing, representative of the appellant, Advocate, Vipin Sharma states that matter was investigated by the intelligence wing. He added that respondent giving contradictory statement and reply has been given that email IDs which are mentioned in RTI application does not exist but on the official website same email IDs are available. He added that on 01.10.2019 raid was taken place as per reply supplied by the DSP, Sh. Sukhbir Singh.

3. On this, ASI, Rajinder Singh states that no raid took place on 01.10.2019 and no emails have been received in this regard on the official email IDs. He also mentioned that intelligence wing is exempted from providing any information as per Section 24(4) of the RTI Act, 2005. He further added that emails which are mentioned by the appellant in RTI applications are not in use from approximately last four years.

4. After hearing both the parties and examining the case file, it is observed that an email dated 09.10.2020 was received from the respondent PIO by the undersigned bench stating as follows:

That the above mentioned information sought by the appellant was denied u/s 24(4) of RTI Act and in view of the Punjab Government's Notification No. 2/27/05-1A.R/191, dated 23.02.06 vide which Intelligence Wing is exempted from providing any information under RTI Act as this Act does not apply to the Intelligence and Security Organization subject to the proviso contained therein. The appellant was informed accordingly vide letter dated 26.08.19 (**Annexure-A**).

Annexure-A in the above para (letter no. 167 dated 26.08.2019) wherein the appellant is addressed.

5. Respondent PIO is directed to go through the RTI application once again and supply the point-wise reply/information to the appellant as per queries raised by him in RTI application with a copy to the Commission before the next date of hearing positively.

6. Both the parties are advised to represent this case in person or through their representative(s), who is well aware about the facts of this case on the next date of hearing, failing to which case will be decided on merit basis.

7. It is observed that in the Order passed by the Commission in Appeal No. 1027 of 2020 dated 26.08.2020 a clerical mistake occurred in para 1, as it was mentioned as 'Sh. Darshan Modi' whereas it was written as 'Sh. Akash Verma' inadvertently, which may be read as Sh. Akash Verma.

8. Matter is adjourned for further hearing on **15.12.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISCO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).

9. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 14.10.2020

(Dr.Pawan Kumar Singla)
State Information Commissioner