**STATE INFORMATION COMMISSION, PUNJAB**

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**Near Rose Garden, Sector 16, Chandigarh**

**Tel. No.0172-2864100-01, Fax No.0172-2864110.**

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Shri Harpreet Singh

r/o H.No.355, Jassian Road,
(GT Road Side), Fridents Colony,

Ludhiana. --------Complainant, Vs.

Public Information Officer

o/o Station House Officer,

Police Station, Salem Tabri,

Ludhiana. -------Respondent

**Complaint Case No.731 of 2017**

Present:- Shri Harpreet Singh complainant in person.

 Shri Janak Raj, ASI on behalf of the respondent.

ORDER

 Failing to get any information within 30 days as mandated under Section 7(1) of the RTI Act 2005, the appellant had filed complaint under Section 18 of the Right to Information Act, 2005, which was received in the commission on 24.07.2017 under Life and Liberty Clause of the Right to Information Act, 2005. Accordingly, a notice of hearing was issued to the parties for today.

2. The complainant has sought information on 4 points as enumerated in his application.

3. The respondent is directed to supply the information, which can be supplied under the RTI Act, 2005. If the information cannot be provided under the RTI Act, 2005, the respondent-PIO is directed to pass speaking order and send a copy of the same to the appellant as well as to the Commission before the next date of hearing which is fixed for 19.9.2017.

4. To come up on **19.09.2017** at **11.30 A.M.** to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Ludhiana.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

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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.

Shri Sanjeev Gupta, Divisional Engineer ( C), PUDA, Patiala and Shri Devinder Kumar, Sub Divisional Engineer, GMADA, Mohali on behalf of the respondent-public authority.

ORDER

 This order may be read with reference to the previous order dated 17.07.2017 vide which the respondent-PIO was directed to trace the missing record or reconstruct the record so that the requisite information could be supplied to the complainant. He was further directed to submit written submissions to the Show Cause notice issued to him and avail the opportunity of personal hearing.

2. In compliance to the previous order, Shri Sanjeev Gupta, XEN-Cum-PIO appeared and places on record copies of various letters written to different offices/PIOs regarding the availability of record. In response to that concerned offices have reverted back to PIO that no relevant record is available. He has not filed any reply to the show cause notice issued to him on 14.6.2017.

Contd….p/2

**Complaint Case No. 1565 of 2016**

-2-

3. The respondent-PIO is directed to file appropriate reply to show cause notice issued on 14.6.2017 and also file inquiry report fixing the responsibility of the concerned, who has misplaced the record. He is further directed to supply the information to the appellant after reconstructing the record.

4, To come up on **19.09.2017** at **11.30 A.M.** for further proceedings.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

 After the hearing of the present case, the appellant- Shri Dharamvir come present and he was apprised of the abovesaid order in the case.

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Madan Lal Thapar,

Sabka Sarpanch, H.No.1,

Prof. Jaswant Rai Colony,

Village Bambiya Wal, P.O. Kukar Village,

Jalandhar. --------Appellant Vs.

**Public Information Officer,**

O/o Deputy Commissioner of Police,

Jalandhar.

 **First Appellate Authority**

O/o Commissioner of Police,

Jalandhar. -------Respondents

**Appeal Case No. 2799 of 2016**

Present:- Shri Madan Lal Thapar, appellant, in person.

Shri Ravinder Kumar, Sub Inspector and Shri Balwinder Kumar, ASI on behalf of the respondent.

ORDER

 This order may be read with reference to the previous order dated 19.7.2017 vide which the respondents were directed to provide the remaining information before the next date of hearing.

2. The appellant states that no information has been provided to him by the respondents after the previous date of hearing i.e. dated 19.07.2017 and requests that penalty should be imposed on the respondents for not supplying the information..

3. The representatives of the respondents state that no information except already supplied to him is pending.

4. The respondents are directed to allow inspection to the appellant of relevant record as per his application for seeking information under RTI Act, 2005 and

Contd….p/2

**Appeal Case No. 2799 of 2016**

-2-

supply copies of the same after identification free of cost. They are further directed, if the record is not available then a speaking order should be passed and supply a copy of the same to the appellant. With these observations, the case is consigned to record and need not to be heard again.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Gurdeep Singh

s/o Late Shri Manmohan Singh,

Village Dayalpur, Tehsil Dera Bassi,

District SAS Nagar. --------Appellant Vs.

**Public Information Officer**

o/o Director General of Police, Punjab,

Sector 9, Chandigarh.

FAA-Inspector General of Police (Crimes),

Punjab, Chandigarh. -------Respondents

**Appeal Case No. 3985 of 2017**

Present:- Shri Karamveer Singh, Advocate, on behalf of the appellant.

 Shr Narinder Kumar, ASI on behalf of the respondents.

ORDER

 This order may be read with reference to the previous order dated 17.07.2017 with the director to Shri Narinder Kumar, ASI, Police Station, Zirakpur to take necessary action in the matter and furnish a report before the next date of hearing, with a copy to the appellant.

2. The representative of the respondents/SHO, Police Station, Zirakpur states that inquiry has been conducted by the Vigilance Bureau, Punjab on the report of that office and no more action is required by their office. He further states complete information, as per its availability in the record, has been supplied to the appellant and nothing is pending, which can be supplied to him.

3. The representative of the respondents is directed to allow inspection of concerned record and on identification of documents, supply copies of the documents free of cost.

Contd…..p/2

**Appeal Case No. 3985 of 2017**

-2-

4. With these observations, the present case is disposed of and closed. Copies of the order be sent to the parties.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Paramveer Singh

s/o Shri Manjeet Singh, H.No.107,

Mohalla Rampura, Dalhousie Road,

Pathankot-145001. --------Appellant Vs.

Public Information Officer

o/o Director General Secondary Education (SE), Punjab,

Mohali.

FAA-Director General Secondary Education (SE), Punjab,

Mohali. -------Respondents

**Appeal Case No. 1389 of 2017**

Present:- None on behalf of the appellant.

 Shri Vidhu, Assistant Manager Finance on behalf of the respondents.

ORDER

 This order may be read with reference to the previous order dated 17.07.2017 vide which the respondents were directed to get the record inspected by the appellant on a mutually agreed date and time to identify the documents required by him and supply the same, on the spot.

2. In response to the previous order, the respondent-PIO has sent a letter received in the Commission on 26.7.2017 that the appellant was advised to receive the information and inspect the record on 19.7.2017 but he has not appeared on that day.

3. The representative of the respondents states that the information seeker visited their office on 16.8.2017 without prior intimation whereas he was supposed to contact the respondents after the hearing dated 17.07.2017. However, he chose to visit the office yesterday only just one day before the date of hearing. He places on record a copy of letter given to their office on 16.8.2017 by the appellant seeking the following information. He states that asked for information is voluminious and cannot be given.

Contd……p/2

**Appeal Case No. 1389 of 2017**

-2-

(i) PAB d/ nB[;ko gqkgs czvF BRC ns/ CRC salary bJh 2004 s'A 2017 se

(ii) f;fynk gq'tkJhvoK B{z sBykj ikoh eoB s'A pknd w[y dcaso ns/ fiabQk dcsoK ftu pfunk czv 2004 s'A 2017

(iii) w[y dcaso tb'A w[y dcaso ns/ fiabQk dcasoK ftu pfunk czv feE/ you ehsk frnk.

(iv) fJj czv fiE/ fiE/ you ehsk frnk j?. T[; dk g{ok foekov w[jJhnK eotkfJnk ikt/. fe; nEkoNh d/ j[ewK s/ czv you ehsk frnk j?. t/otk fdsk ikt/.

4. To avoid any inconvenience to both the parties to inspect the record on 07.09.2017 at 11.00 A.M. in the respondent-PIO's office and after inspection of the record, he may identify the documents of which he wants copies. The respondents are directed to give 20 pages of documents, identified by him, to the appellant free of cast. This will be the last opportunity to the appellant.

5. However, if still he has any query and no record is available then PIO is directed to pass speaking order regarding availability of the record in his office. Information should be supplied as per its availability in the office record. No public authority is supposed to create or manufacture information for the benefit of the information seeker. This is a crux of the judgment rendered by the Hon’ble Supreme court of India.

6. To come up on 19.9.2017 at 11.30 A.M.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Ranjit Singh Advocate,

Chamber No.122, Mahatma Gandhi Complex,

District Courts, Patiala. --------Appellant Vs.

Public Information Officer

o/o Senior Superintendent of Police,

Patiala.

FAA-Senior Superintendent of Police,

Patiala. -------Respondents

**Appeal Case No. 1003 of 2017**

Present:- Shri Ranjit Singh, appellant, in person.

Shri Bhupinder Singh, ASI alongwith Shri Chamkaur Singh, Steno, Shri Ajit Singh, ASI and Shri Prem Masih, ASI on behalf of the respondents.

ORDER

 This order may be read with reference to the previous order dated 21.06.2017 vide which PIOs offices of the Director General of Police, Punjab, Chandigarh, Senior Superintendent of Police, Vigilance Bureau, Patiala Range, Patiala and Senior Superintendent of Police, Patiala were directed to file written submissions on the next date of hearing depicting clearly as to how they have dealt with the case and also let the Commission know the status/fate of the case. On the last date of hearing, it was intimated by o/o Vigilance Bureau, Patiala Range, Patiala that a complaint was received from Shri Baljit Singh, which was sent to Chief Director Vigilance Bureau, Punjab, Chandigarh vide letter No.3337 dated 15.4.2015 for further necessary action and the complaint was further sent to the Director General of Police, Punjab Chandigarh and thus the information is to be supplied by the Director General of Police, Punjab, Chandigarh.

Contd…..p/2

**Appeal Case No. 1003 of 2017**

-2-

2. Shri Prem Masih, ASI appearing on behalf of the respondents states that no letter dated 25.5.2015 was received in their office, so action could not be taken on that.

3. No responsible officer is present from three public authorities. It seems that they are not taking any action but to talk of serious action. As still the matter is being taken in a very casual manner. The complaint was forwarded by office of the Chief Director Vigilance Bureau, Punjab, Chandigarh vide letter No. 22054 dated 25.5.2015 and there is no trace of that letter since then. This again reflects very casual, lackadaisical approach of the department. Therefore, show cause notice is issuedto PIOs/Director General of Police, Punjab, Chandigarh, Senior Superintendent of Police, Vigilance Bureau, Patiala Range, Patiala and Senior Superintendent of Police, Patiala for not attending the case and not filing the proper reply. The respondents are directed to file formal replies in this behalf before the next date of hearing. They are further directed to expedite the information, which has been asked for at the availability of the record in their office. In case it is not available then they must be very specific and also state the reasons therefor.

4. They may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice.

5. To come up on 19.9.2017 at 11.30 A.M. for further proceedings in the case.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

CC: Director General of Police, Punjab,

 Sector 9, Chandigarh.

 Senior Superintendent of Police,

 Vigilance Bureau, Patiala Range,

Patiala.

Senior Superintendent of Police,

Patiala.

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Mukesh Kumar Sharma

Advocate, H.No.258, Sector 4,

MDC, Panchkula. --------Appellant Vs.

Public Information Officer

o/o Police Station,

Zirakpur.

FAA-Police Station,

Zirakpur. -------Respondents

**Appeal Case No. 852 of 2017**

Present:- Shri Mukesh Kumar Sharma, appellant, in person.

 Shri Nirbhey Singh, Head Constable, on behalf of the respondents.

ORDER

 This order may be read with reference to the previous order dated 17.07.2017.

2. The appellant states that information supplied to the appellant is partial.

3. The appellant is advised to give deficiencies in the information, so supplied as early as possible. The respondent-PIO is directed, on receipt of the deficiencies, to remove the same before the next date of hearing. The information available in their record should be supplied otherwise speaking order should be passed that the same is not available.

4. To come up on **19.9.2017** at **11.30 A.M.** for further proceedings.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Gulshan Mehta, Advocate,

Kothi No.58, Green Enclave, Zirakpur,

District SAS Nagar. --------Complainant Vs.

Public Information Officer

o/o Sub Tehsildar, Dera Bassi,

SAS Nagar. -------Respondent

**Complaint Case No. 1751 of 2017**

Present:- Shri Gulshan Mehta, advocate, appellant in person.

Shri Parveen Kumar Singla, Tehsildar, Dera Bassi on behalf of the respondents.

ORDER

 This order may be read with reference to the previous order dated 18.07.2017 vide which the respondent-PIO was directed to remove the deficiencies pointed out by the complainant. Besides, the PIO was directed to call the complainant in his office, on a mutually agreed date and time and get the record inspected by him to identify the documents required by him and supply the same to him, on the spot.

2. The appellant appeared before the Commission before the case is called for hearing. He places his observations on the record of the case file. He requests that he has to attend an important case in the Hon'ble High Court of Punjab and Haryana, so he may be allowed to leave the Commission. He is allowed to leave the Commission.

3. The respondent-PIO appears and states that the complainant was requested to visit their office and get the copies of the documents after identification. The complainant did not attend and identify the documents so the information could not be supplied to him.

Contd……p/2

**Complaint Case No. 1751 of 2017**

-2-

4. A copy of the observations placed on record by the complainant, is handed over to the respondent-PIO with the direction to peruse and send his reply/available information as per application under RTI Act, 2005 to the appellant with a copy to the Commission. Last opportunity is afforded to the appellant to visit office of respondent-PIO on a mutually agreed date and time and inspect the documents of which he requires copy. After inspection and identification of the documents, the respondent-PIO is directed to supply the information on the spot. If the sought information is not available on the record of the respondent-PIO, he is directed to pass speaking order in this behalf.

5, To come up on 19.09.2017 at 11.30 A.M. for further proceedings.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Vijay Kumar

S/o Shri Prem Nath,

Ward No.7, Guru Arjun Dev Nagar,

Sahnewal, District Ludhiana. --------Appellant Vs.

**Public Information Officer**

**o/o Additional Deputy Commissioner of Police-4,**

**Ludhiana.**

**FAA-Commissioner of Police, Ludhaina.** -------Respondents

**Appeal Case No. 1848 of 2017**

(Through video conference)

Present:- None on behalf of the appellant.

 Shri Jasbir Singh, ASI on behalf of the respondents.

ORDER

 This order may be read with reference to the previous order dated 02.08.2017 vide which the respondents were directed to supply the remaining information and in case any information is not available in record or cannot be supplied otherwise, then a Speaking Order to this effect be passed within a week.

2. The appellant is absent without intimation.

3. The representative of the respondents states that they have supplied the remaining information to the appellant to his satisfaction on 4.8.2017 by hand and got his signature. He places on record a copy of receipt given by the appellant.

4. After hearing the representative of the respondents and perusing the record available in the case file, it is revealed that instant appeal case is disposed of and closed. Copies of the order be sent to the parties.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Naresh Devgan Sharma, Advocate,

Chamber No.7022/2, District Courts,

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

**Public Information Officer**

**o/o Economic Offence Wing,**

**Police Line, Ludhiana.**

**FAA-Assistant Commissioner of Police (West),**

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

**Appeal Case No. 1849 of 2017**

(Through Video Conference)

Present:- None on behalf of the appellant.

 Shri Sukhdev Singh, ASI on behalf of the respondents.

ORDER

 This order may be read with reference to the previous order dated 02.08.2017 vide which the respondents were directed to hand over one more copy to the appellant and after perusing the same, the appellant was directed to send his observations, if any, to the PIO, with a copy to the Commission, before the next date of hearing.

2. The representative of the respondents states that he tried to hand over one more copy of the reply to the appellant during the hearing but he left the office of the Deputy Commissioner, Ludhiana and did not turn up for receiving the same. They have sent a copy of reply to the appellant on 9.8.2017 through speed post, which has not been received back undelivered. It means that might have been reached the appellant. After receiving the receipt of the same, no observation/deficiency has been received by the respondents till date.

Contd….p/2

**Appeal Case No. 1849 of 2017**

-2-

3. After hearing the representative of the respondents and perusing the record available on the case file of the Commission, it is revealed that complete information has been supplied to the appellant. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.

**STATE INFORMATION COMMISSION, PUNJAB**

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Shri Naresh Devgan Sharma, Advocate,

Chamber No.7022/2, District Courts,

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

Public Information Officer

o/o Economic Offence Wing,

Police Line, Ludhiana.

FAA-Assistant Commissioner of Police (West),

Ludhiana. -------Respondents

**Appeal Case No. 1795 of 2017**

(Through Video Conference)

Present:- None on behalf of the appellant.

 Shri Sukhdev Singh, ASI on behalf of the respondents.

ORDER

 This order may be read with reference to the previous order dated 02.08.2017 vide which the respondents were directed to hand over one more copy to the appellant and after perusing the same, the appellant was directed to send his observations, if any, to the PIO, with a copy to the Commission, before the next date of hearing.

2. The representative of the respondents states that he tried to hand over one more copy of the reply to the appellant during the hearing but he left the office of the Deputy Commissioner, Ludhiana and did not turn up for receiving the same. They have sent a copy of reply to the appellant on 9.8.2017 through speed post, which has not been received back undelivered. It means that might have been reached the appellant. After receiving the receipt of the same, no observation/deficiency has been received by the respondents till date.

Contd…..p/2

**Appeal Case No. 1795 of 2017**

-2-

3. After hearing the representative of the respondents and perusing the record available on the case file of the Commission, it is revealed that complete information has been supplied to the appellant. Hence, the present case is disposed of and closed. Copies of the order be sent to the parties.

 Sd/-

Dated : 17.08.2017 ( S.S. Channy)

 Chief Information Commissioner Punjab.