

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,

Email: psic21@punjabmail.gov.in



Charan Kamal Singh,
246 A, New Shampura Colony,
Near Shahnai Palace, Village Shampura,
Tehsil & District Ropar – 140 001

Versus

Public Information Officer,
o/o District Education Officer (SE),
Roopnagar.
First Appellate Authority,
o/o District Education Officer (SE),
Roopnagar.

Appeal Case No. 2714 of 2019

PRESENT:

Jarpreet Singh (for the Appellant / father of the appellant)
Harpreet Singh, Clerk (for the Respondent) 98152-26320
Sandeep Bhatt, Clerk (for the Respondent) 96460-09094

ORDER:

1. The RTI application is dated **27.4.19** vide which the appellant has sought information **regarding details of GPF of Jaspreet Singh, a retired lecturer,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **3.6.19** and second appeal was filed in the Commission on **26.7.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **19.2.19**.
2. Both parties are present. The respondent PIO represented by Harpreet Singh, Clerk and Sandeep Bhatt, Clerk, have submitted that the information requested by the appellant at points 1 to 4 of his RTI application, has been provided to him.
3. The appellant, however, stated that he also needed to physical inspection of the file in respect of point 5 of the RTI application. This record pertains to the appellant's own service.
4. This Commission directs the respondent PIO to arrange physical inspection of the appellant's PF file at 11:00 am on 24.2.2020.
5. **Next hearing on 23.4.2020 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.2.2020

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Tehsil & District Ropar – 140 001

Versus

Public Information Officer,
o/o District Education Officer (SE),
Roopnagar,
First Appellate Authority,
o/o District Education Officer (SE),
Roopnagar,

Appeal Case No. 2778 of 2019

PRESENT:

Jarpreet Singh (for the Appellant / father of the appellant)

Harpreet Singh, Clerk (for the Respondent) 98152-26320

Sandeep Bhatt, Clerk (for the Respondent) 96460-09094

ORDER:

*(To be read in continuity with earlier orders on **5.9.19**, **11.10.19**, and **28.11.19**)*

1. The RTI application is dated **20.4.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **4.6.19**, and second appeal was filed in the Commission on **31.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **28.11.19**.

2. Both parties are present. The respondent PIO, represented by Harpreet Singh, clerk and Sandeep Bhatt, clerk, are present. The appellant, after due discussion at this hearing, admitted that all the physical information (documents etc.) requested in this RTI application of 20.4.19 has been furnished by the respondent PIO. He, however, did emphasize that the respondent Public Authority has yet not implemented an Order of the Punjab & Haryana High Court that was in the appellant's favour. It was then explained to him that directing any public authority to implement Orders/Judgements handed down by judicial courts, is not within the jurisdiction of this Commission.

3. There is no further cause for action and this appeal case is herewith, **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.2.2020

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Charan Kamal Singh,
246 A, New Shampura Colony,
Near Shahnai Palace, Village Shampura,
Tehsil & District Ropar – 140 001

Versus

Public Information Officer,
o/o Director Public Instructions (SE),
Mohali, Punjab.
First Appellate Authority,
o/o Director Public Instructions (SE),
Mohali, Punjab.

Appeal Case No. 3430 of 2019

PRESENT:

Jarpreet Singh (for the Appellant / father of the appellant)
Dinesh Kumar, Senior Assistant (for the Respondent) 99886-62313

ORDER:

1. The RTI application is dated **27.6.19** vide which the appellant has sought information **regarding his father Jaspreet Singh's seniority in the Master Cadre for schools**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **29.7.19** and second appeal was filed in the Commission on **17.9.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **19.2.19**.

2. Both parties are present. The respondent PIO, represented at this hearing by Dinesh Kumar, Senior Assistant, had submitted a written reply which was received in the Commission on 13.2.20. He has argued that the Civil Writ Petition No. 11705/89, referred in the RTI application, does not pertain to the subject matter cited by the appellant. The appellant contested the respondent PIO's contention, insisting that the aforesaid petition was in fact regarding the Master Cadre seniority.

3. Both the respondent and appellant are directed to furnish documentary evidence to back up their mutually conflicting contentions, before the next hearing.

4. **Next hearing on 23.4.2020 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.2.2020

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Charan Kamal Singh,
246 A, New Shampura Colony,
Near Shahnai Palace, Village Shampura,
Tehsil & District Ropar-140001

Versus

Public Information Officer,
o/o Director Public Instructions (S),
Mohali, Punjab.
First Appellate Authority,
o/o Director Public Instructions (S),
Mohali, Punjab.

Appeal Case No. 4428 of 2019

PRESENT:

Jarpreet Singh (for the Appellant)

Dinesh Kumar, Senior Assistant (for the Respondent) 99886-62313

ORDER:

1. The RTI application is dated **16.8.19** vide which the appellant has sought information **regarding the seniority of one Bimla Rani, a school lecturer**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) On 17.9.19 and second appeal was filed in the Commission on **28.11.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **19.2.19**.

2. Both parties are present. The respondent PIO, is represented at this hearing by Dinesh Kumar, Senior Assistant from the office of Director Public Instruction (SE). The appellant is represented by his father, Jaspreet Singh.

3. The Commission notes that the information requested in this RTI application pertains to the service record of a 'third party' namely Bimla Rani, who is stated to be a serving school lecturer. Although the appellant has submitted an authority letter from the said third party, the Commission must verify its authenticity. The appellant is advised to provide Bimla Rani's address and telephone number so she can be given an opportunity to be heard in person. Alternatively, the appellant could request the afore mentioned 'third party' to accompany him to the next hearing.

4. **Next hearing on 23.4.2020 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner
Chandigarh
19.2.2020

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REGISTERED

Jasbir Singh,

Village Bolapur,

Jhabewal, PO Ramgarh,

District Ludhiana.

Versus

Public Information Officer,

o/o Secretary,

Regional Transport Authority, Ludhiana.

First Appellate Authority,

o/o State Transport Commissioner,

SCO No. 174-175, Sector-17, Near Mehfil Hotel,

Punjab, Chandigarh.

Appeal Case No. 2477 of 2019

PRESENT :

Jasbir Singh (Appellant) 98882-96107

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 21.8.19, 25.9.19, 6.11.19, and 27.12.19)

1. The RTI application is dated **8.4.19** vide which the appellant has sought information **regarding the checking of school vehicles under Safe School Vehicle Policy**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **13.5.19**, and second appeal was filed in the Commission on **10.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.12.19**.

2. The respondent PIO is absent without intimation. This is despite the directions given to him at the last hearing on 27.12.19 to bring the original record pertaining to this RTI application to this hearing. This was because the respondent PIO had contended that the information requested is too voluminous and would amount to disproportionate diversion of public resources.

3. This Commission takes a very serious view of the respondent PIO's conduct.

4. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on **8.4.19**.

In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) proviso there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not

Contd. ...2

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Appeal Case No. 2477 of 2019

avail himself of the opportunity of personal hearing on the 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*."

5. Next hearing on 23.4.2020 at 11.00 am.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

19.2.2020

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Jasbir Singh,

Village Bolapur,

Jhabewal, PO Ramgarh,

District Ludhiana.

Versus

Public Information Officer,

o/o Chief Administrator,

Punjab Urban Planning and Development Authority (PUDA),

Roopnagar.

First Appellate Authority,

o/o Chief Administrator,

Punjab Urban Planning and Development Authority,

Mohali

Appeal Case No. 2736 of 2019

PRESENT:

Jasbir Singh (Appellant) 98882-96107

Jaswinder Singh, PIO-Cum-ADO (Respondent) 97795-77892

Rajwinder Raju, ADO (for the Respondent) 98766-99089

Gagandeep Singh, Clerk (for the Respondent)

ORDER:

*(To be read in continuity with earlier orders on **29.8.19, 25.9.19, 6.11.19, and 27.12.19**)*

1. The RTI application is dated **7.5.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **13.6.19**, and second appeal was filed in the Commission on **29.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.12.19**.

2. The respondent PIO-cum-ADO, Jaswinder Singh and Gagandeep Singh, RTI clerk, are present. At the last hearing of this appeal case, this Commission had imposed a penalty of Rs.5,000.00 upon the PIO-cum-Administrative Officer, Rajwinder Raju, who is no longer the PIO (he was relieved on 14.1.20).

3. Appearing in person, Rajwinder Raju contended that he was made the PIO on 27.9.19, whereas the Commission's first Notice of Hearing is dated 16.8.19. He also claimed that he did not receive this Commission's Show Cause Notice of 6.11.19. Based on the aforesaid, he requested that the penalty imposed upon him be reviewed.

4. In view of his plea, this Bench refers this appeal case to the Hon'ble Chief Information Commissioner for reassignment to some other Bench or Double Bench.

Contd. ...2

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Appeal Case No. 2736 of 2019

5. Further hearing to be notified following Chief Information Commissioner's decision.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.2.2020

CC: Deputy Registrar, Punjab State Information, for information/further necessary action alongwith case file.

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Krishan Lal (advocate),
s/o DarshanLal,
B1/171, Mohalla Chaudhrian (Near Shiv Mandir),
Tehsil Phillaur, District Jalandhar.

Versus

Public Information Officer,
o/o Police Commissioner,
Ludhiana.
First Appellate Authority,
o/o Police Commissioner,
Ludhiana.

Appeal Case No. 2784 of 2019

PRESENT :

Sunil Mallan (Advocate for the Appellant) 98140-96353

Pawandev Singh, Sub Inspector (for the Respondent) 78887-41866

ORDER:

(To be read in continuity with earlier orders on 5.9.19, 25.9.19, 6.11.19, and 27.12.19)

1. The RTI application is dated **8.4.19** vide which the appellant has sought information **regarding complaint against ASI Jawala Parshad** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **15.5.19**, and second appeal was filed in the Commission on **10.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.12.19**.

2. Both parties are present. The respondent PIO is represented at this hearing by Sub Inspector Pawandev Singh. The appellant in an e-mail dated 18.2.20, had listed deficiencies in the information furnished by the respondent PIO. However, he did not send a copy of this to the respondent. A copy has now been supplied to the respondent PIO who is requested to peruse the listed deficiencies and submit a pointwise reply.

3. **Next hearing on 31.3.2020 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.2.2020

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Yogesh Bakshi,

National Vice President Shiv Sena Hind,

1615, Street No. 3, New Chander Nagar, Civil Lines,

District Ludhiana.

Versus

Public Information Officer,

o/o Police Commissioner,

District Ludhiana.

First Appellate Authority,

o/o Police Commissioner,

Ludhiana Range, Ludhiana.

Appeal Case No. 3984 of 2019

PRESENT :

Yogesh Bakshi (Appellant) 98152-56861

Pawandev Singh, Sub Inspector (for the Respondent) 78887-41866

ORDER:

(To be read in continuity with earlier orders on 27.12.19)

1. The RTI application is dated **1.8.19** vide which the appellant has sought **information regarding a number of complaints and a list of GOs and other officers in the Ludhiana Police Commissionerate**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **23.10.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.12.19**.

2. Both parties are present. The respondent PIO, represented at this hearing by Sub Inspector Pawandev Singh, had submitted a detailed reply, wherein it was stated that the complaints regarding which the appellant has requested information are still under investigation in the different offices of Police Commissionerate. The appellant, in a letter to this Commission on 31.12.19, had claimed that the information furnished was "deficient". However, it has been explained to him at this hearing that no further information, other than that already furnished by the respondent, can be disclosed before the investigation of the above mentioned complaints has been completed.

3. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

19.2.2020

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Bhim Sain Singla,

s/o Sh. Miri Mal,

Kothi Opposite PSEB, MK Road, Dhuri,

District Sangrur – 148 024

Versus

Public Information Officer,

o/o Director General of Police,

Punjab Police Headquarters,

Sector 9, Chandigarh.

First Appellate Authority,

o/o Inspector General of Police,

Punjab Police Headquarters,

Sector 9, Chandigarh.

Appeal Case No. 4009 of 2019

PRESENT :

H.C. Arora (for the Appellant) 98140-13764

Ravinder Singh, ASI (for the Respondent) 94638-44325

Rattandeep Singh, Head Constable (for the Respondent) 98559-11119

ORDER:

(To be read in continuity with earlier orders on 27.12.19)

1. The RTI application is dated **22.4.19** vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **24.10.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.12.19**.

2. Both parties are present. The appellant is represented by his lawyer H.C., Arora. The respondent PIO, represented by ASI, Ravinder Singh and Head Constable, Rattandeep Singh, have again submitted a reply states that the requested information pertains to investigation report that is still under consideration of Senior Police Officers.

3. Notably, the respondents made an identical plea at the last hearing on 27.12.19, where after this Commission had directed that the original record pertaining to the RTI application be brought to this Commission at today's hearing. The respondent PIO has distressingly, failed to comply with this Commission's directions.

4. The Commission will not tolerate any further lapses on the part of the respondent PIO, who is once again directed to bring original record/file/investigation report and supporting documents pertaining to this RTI application to the next hearing. Failing this, strict penal action as per the RTI Act, 2005, will be initiated against the respondent PIO.

5. **Next hearing on 31.3.2020 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

19.2.2020

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Sahil Kaushal,
s/o Ram Krishan,
Quarter No. 4,
Police Station Sadar, Kurali,
District Mohali – 140 103

Versus

Public Information Officer,
o/o Director General of Police,
Punjab Police Headquarters,
Sector-9, Chandigarh.

First Appellate Authority,
o/o Director General of Police,
Punjab Police Headquarters,
Sector-9, Chandigarh.

Appeal Case No. 4016 of 2019

PRESENT :

(Appellant) Absent

Parshotam Kumar, ASI (for the Respondent) 94171-31510

ORDER:

(To be read in continuity with earlier orders on 27.12.19)

1. The RTI application is dated **14.1.19** vide which the appellant has sought information **in regard to certificate of wards of police personnel category** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **20.2.19**, and second appeal was filed in the Commission on **24.10.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.12.19**.

2. The appellant is absent without intimation. The respondent PIO, represented by ASI, Parshotam Kumar, is present. At the last hearing, he was asked to furnish copies of certificates issued by office of the DGP, Punjab, to ward of police personnel, during the recruitment of constables after severing personal details i.e father name, residential address etc..

3. The respondent PIO is given one final opportunity to comply this Commission's directions.

4. **Next hearing on 1.4.2020 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.2.2020

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Iqbal Singh Rasulpur,
Village Rasulpur,
Tehsil Jagraon,
District Ludhiana – 142 035.

Versus

Public Information Officer,
o/o Director General of Police,
Punjab Police Head Quarter, Sector-9, Chandigarh.
First Appellate Authority,
o/o Additional Director General of Police (Admn),
Punjab, Chandigarh.

Appeal Case No. 4019 of 2019

PRESENT :
(Appellant) Absent
Parshotam, ASI (for the Respondent) 94171-31510

ORDER:
(To be read in continuity with earlier orders on **27.12.19**)

1. The RTI application is dated **4.1.19** vide which the appellant has sought **information by way of official instructions and orders pertaining to the appointment of SHOs etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **18.2.19**, and second appeal was filed in the Commission on **24.10.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.12.19**.
2. The appellant is absent without intimation to this Commission. The respondent PIO, represented by ASI Parshotam Kumar has submitted a reply supplying the information requested at point no. 6 of the RTI application. He is still to reply to point no. 4 and 5.
3. The respondent PIO is given another opportunity to submit a comprehensive reply in writing.
4. **Next hearing on 1.4.2020 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
19.2.2020