

Shri Karamjit Singh,
S/o Shri Manjeet Singh,
R/o Jaagroop, Distt. Ludhiana.

--Complainant.

Versus

Public Information Officer
O/o SSP (Rural),
Ludhiana.

...Respondent

Complaint Case No. 1254 of 2021
(Heard through CISCO Webex)

Present:- Shri Karamjit Singh, complainant/applicant is absent.
SI Davinder Kumar, SHO, Police Station, Dakha, Ludhiana is present.

O R D E R

The present complaint was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

Shri Karamjit Singh, complainant/applicant filed RTI application dated 07.08.2021 and sought some information from the SPIO, O/o SSP (Rural), Ludhiana. When no information was provided to him by the PIO then he filed complaint against the PIO before the Punjab State Information Commission on 29.10.2021. Notice of hearing was issued to both the parties for 19.01.2022, but the case is now heard today.

The applicant is absent today, whereas SI Davinder Kumar, SHO, Police Station, Dakha, Ludhiana is present and stated that the applicant sought information regarding UID No.83 dated 20.04.2021 in which investigation has been completed on 18.01.2022 and the requisite information has been sent to the applicant on his whatsapp number 99143-62021 on 19.01.2022.

The Commission has received an e-mail sent by the SHO, Police Station, Dakha, which is a copy of letter no.34 dated 20.01.2022 along with copy of inquiry report dated 18.01.2022 and other documents.

The Hon'ble Supreme Court of India in its Order rendered on 12.12.2011 in Civil Appeal Nos. 10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The matter is remanded to the First Appellate Authority to take appropriate decision after hearing both the parties and examining the record brought on file.

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So, I disposed of the present complaint case with the direction to the First Appellate Authority i.e. Commissioner of Police, Ludhiana that he should call the complainant-applicant within 30 days and personally hear him and resolve the matter involved in the RTI application by passing a speaking order and compliance report be sent back to the Commission. With this observation the present complaint case is **disposed of and closed**.

Sd/-

(Maninder Singh Patti)

State Information Commissioner, Punjab.

Dated: 20.01.2022

(Regd.) CC: Commissioner of Police, Ludhiana. – For compliance of the Order.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Smt. Shimla Garg,
W/o Shri Sham Lal,
H.No. 40-41, Central Town,
Pakhawal Road, VPO Daad,
Ludhiana.

..... Complainant

Vs

Public Information Officer,
O/o SHO, Police Station,
Sadar, Ludhiana.

.....Respondent

Complaint Case No. 497 of 2021
(Heard through CISCO Webex)

Present:- Smt. Shimla Garg, complainant/applicant is absent.
ASI Bikramjit Singh, O/o SHO, Police Station, Sadar, Ludhiana is present.

O R D E R

The present appeal was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

Smt. Shimla Garg, complainant/applicant filed RTI application dated 27.09.2019 and sought some information from the SPIO, O/o SHO, Police Station, Sadar, Ludhiana.

This Order may be read with reference of previous Order dated 14.12.2021 passed by the Ld. State Information Commissioner, Shri Avtar Singh Kaler.

The applicant is absent today, whereas ASI Bikramjit Singh, O/o SHO, Police Station, Sadar, Ludhiana is present and stated that the information has already been sent to the applicant on 27.09.20219 and now again sent on 19.01.2022.

The applicant is absent today, however she has sent an e-mail to the Commission through his son, Shri Arun Garg and submitted that neither the proper reply/response nor the compensation has been received from the respondent.

The Hon'ble Supreme Court of India in its Order rendered on 12.12.2011 in Civil Appeal Nos. 10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The matter is remanded to the First Appellate Authority to take appropriate decision after hearing both the parties and examining the record brought on file.

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Complaint Case No. 497 of 2021

So, I disposed of the present complaint case with the direction to the First Appellate Authority i.e. Commissioner of Police, Ludhiana that he should call the complainant-applicant within 30 days and personally hear him and resolve the matter involved in the RTI application by passing a speaking order and compliance report be sent back to the Commission. The compliance of paying the amount of compensation of Rs.3,000/- to the applicant would

remain pending till the First Appellate Authority would resolve the matter after hearing both the parties. With this observation the present complaint case is **disposed of and closed**.

Sd/-

(Maninder Singh Patti)

State Information Commissioner,

Dated: 20.01.2022
Punjab.

(Regd.) CC: Commissioner of Police, Ludhiana. – For compliance of the Order.

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Smt. Bhawna,
S/o Late Shri Mukesh Kumar,
H.No. 16, Opposite Green Field,
Opposite Banshi Dhaba,
Ludhiana.

--Appellant.

Versus

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

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

Respondent

(Heard through CISCO Webex)

Present:- Smt. Bhawna, appellant is absent.
ASI Ramesh Kumar, RTI Cell, O/o Commissioner of Police, Ludhiana is present.

O R D E R

The present appeal was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

Smt. Bhawna, appellant filed RTI application dated 20.07.2021 and sought some information from the SPIO, O/o Commissioner of Police, Ludhiana. When no information was provided to her by the PIO then she filed First Appeal before the First Appellate Authority on 07.09.2021. Then the appellant filed Second Appeal before the Punjab State Information Commission on 01.11.2021. Notice of hearing was issued to both the parties for today.

The appellant is absent today, whereas ASI Ramesh Kumar is present on behalf of the PIO and stated that the information has already been provided to the appellant by hand on 08.11.2021.

The Commission has received an e-mail sent by the PIO, which is a copy of letter no.AC 4997/21 dated 17.01.2022 along with a copy of letter no.343-FA dated 09.09.2021.

I have gone through letter no.343-FA dated 09.09.2021 and the appellant, Smt. Bhawna has executed a duly signed noting on the said letter after receiving the information "received the information and satisfied".

As the PIO has provided the requisite information to the appellant by hand and the appellant is satisfied with the information, so the present appeal case is **disposed of and closed**.

Sd/-

(Maninder Singh Patti)

State Information Commissioner, Punjab.

Dated: 20.01.2022

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Shri Karamjit Singh,
S/o Shri Manjeet Singh,
R/o Jaagroop, Distt. Ludhiana.

--Complainant.

Versus

Public Information Officer
O/o SSP (Rural),
Ludhiana.

...Respondent

Complaint Case No. 1254 of 2021
(Heard through CISCO Webex)

Present:- Shri Karamjit Singh, complainant/applicant is absent.
SI Davinder Kumar, SHO, Police Station, Dakha, Ludhiana is present.

O R D E R

The present complaint was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler. However since the Ld. State Information Commissioner,

Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

Shri Karamjit Singh, complainant/applicant filed RTI application dated 07.08.2021 and sought some information from the SPIO, O/o SSP (Rural), Ludhiana. When no information was provided to him by the PIO then he filed complaint against the PIO before the Punjab State Information Commission on 29.10.2021. Notice of hearing was issued to both the parties for 19.01.2022, but the case is now heard today.

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An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The matter is remanded to the First Appellate Authority to take appropriate decision after hearing both the parties and examining the record brought on file.

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Complaint Case No. 1254

of 2021

So, I disposed of the present complaint case with the direction to the First Appellate Authority i.e. Commissioner of Police, Ludhiana that he should call the complainant-applicant within 30 days and personally hear him and resolve the matter involved in the RTI application by passing a speaking order and compliance report be sent back to the Commission. With this observation the present complaint case is **disposed of and closed**.

Dated: 20.01.2022

**(Maninder Singh Patti)
State Information Commissioner, Punjab.**

(Regd.) CC: Commissioner of Police, Ludhiana. – For compliance of the Order.



Smt. Shimla Garg,
W/o Shri Sham Lal,
H.No. 40-41, Central Town,
Pakhawal Road, VPO Daad,
Ludhiana.

..... Complainant

Vs

Public Information Officer,
O/o SHO, Police Station,
Sadar, Ludhiana.

.....Respondent

Complaint Case No. 497 of 2021
(Heard through CISCO Webex)

Present:- Smt. Shimla Garg, complainant/applicant is absent.
ASI Bikramjit Singh, O/o SHO, Police Station, Sadar, Ludhiana is present.

ORDER

The present appeal was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

Smt. Shimla Garg, complainant/applicant filed RTI application dated 27.09.2019 and sought some information from the SPIO, O/o SHO, Police Station, Sadar, Ludhiana.

This Order may be read with reference of previous Order dated 14.12.2021 passed by the Ld. State Information Commissioner, Shri Avtar Singh Kaler.

The applicant is absent today, whereas ASI Bikramjit Singh, O/o SHO, Police Station, Sadar, Ludhiana is present and stated that the information has already been sent to the applicant on 27.09.20219 and now again sent on 19.01.2022.

The applicant is absent today, however she has sent an e-mail to the Commission through his son, Shri Arun Garg and submitted that neither the proper reply/response nor the compensation has been received from the respondent.

The Hon'ble Supreme Court of India in its Order rendered on 12.12.2011 in Civil Appeal Nos. 10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case. The matter is remanded to the First Appellate Authority to take appropriate decision after hearing both the parties and examining the record brought on file.

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of 2021

So, I disposed of the present complaint case with the direction to the First Appellate Authority i.e. Commissioner of Police, Ludhiana that he should call the complainant-applicant within 30 days and personally hear him and resolve the matter involved in the RTI application by passing a speaking order and compliance report be sent back to the Commission. The compliance of paying the amount of compensation of Rs.3,000/- to the applicant would remain pending till the First Appellate Authority would resolve the matter after hearing both the parties. With this observation the present complaint case is **disposed of and closed**.

Dated: 20.01.2022
Punjab.

(Maninder Singh Patti)
State Information Commissioner,

(Regd.) CC: Commissioner of Police, Ludhiana. – For compliance of the Order.



Smt. Bhawna,
S/o Late Shri Mukesh Kumar,
H.No. 16, Opposite Green Field,
Opposite Bansi Dhaba,
Ludhiana.

--Appellant.

Versus

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

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

Respondent

Appeal Case No. 4997 of 2021
(Heard through CISCO Webex)

Present:- Smt. Bhawna, appellant is absent.
ASI Ramesh Kumar, RTI Cell, O/o Commissioner of Police, Ludhiana is present.

O R D E R

The present appeal was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

Smt. Bhawna, appellant filed RTI application dated 20.07.2021 and sought some information from the SPIO, O/o Commissioner of Police, Ludhiana. When no information was provided to her by the PIO then she filed First Appeal before the First Appellate Authority on 07.09.2021. Then the appellant filed Second Appeal before the Punjab State Information Commission on 01.11.2021. Notice of hearing was issued to both the parties for today.

The appellant is absent today, whereas ASI Ramesh Kumar is present on behalf of the PIO and stated that the information has already been provided to the appellant by hand on 08.11.2021.

The Commission has received an e-mail sent by the PIO, which is a copy of letter no.AC 4997/21 dated 17.01.2022 along with a copy of letter no.343-FA dated 09.09.2021.

I have gone through letter no.343-FA dated 09.09.2021 and the appellant, Smt. Bhawna has executed a duly signed noting on the said letter after receiving the information "received the information and satisfied".

As the PIO has provided the requisite information to the appellant by hand and the appellant is satisfied with the information, so the present appeal case is **disposed of and closed**.

(Maninder Singh Patti)

Dated: 20.01.2022

State Information Commissioner, Punjab.



Shri Iqbal Singh Rasulpur,
C/o Advocate Satinderpal Singh Dhaliwal,
Office : Guru Nanak Nagar,
Street No.4, Kacha Malk Road,
Jagraon, Distt. Ludhiana.

--Appellant.

Versus

Public Information Officer
O/o SSP (Rural),
Ludhiana.

First Appellate Authority:
O/o IGP,
Ludhiana.

Respondent

Appeal Case No. 4992 of 2021
(Heard through CISCO Webex)

Present:- Shri Iqbal Singh Rasulpur, appellant is present.
ASI Nirmal Kumar is present on behalf of the PIO, O/o SSP (Rural), Ludhiana.

O R D E R

The present appeal was earlier allocated to the Bench of Ld. State Information Commissioner, Shri Avtar Singh Kaler. However since the Ld. State Information Commissioner, Shri Avtar Singh Kaler has demitted his office on the completion of his tenure, the case has been re-allocated to the Bench of the undersigned vide Office Order dated 03.01.2022.

Shri Iqbal Singh Rasulpur, appellant filed RTI application dated 18.07.2021 and sought some information from the SPIO, O/o SSP (Rural), Ludhiana. When no information was provided to her by the PIO then she filed First Appeal before the First Appellate Authority on 25.08.2021. Then the appellant filed Second Appeal before the Punjab State Information Commission on 01.11.2021. Notice of hearing was issued to both the parties for today.

Both the parties are present today. The appellant stated that partial information has been provided to him by the PIO.

The respondent assured the Commission that the remaining information will be provided to the appellant within 2-3 days.

So, the PIO is directed to provide the attested copies of remaining information to the appellant within 2-3 days and compliance report be sent back to the Commission. With this observation the present appeal case is **disposed of and closed**. However liberty is given to the appellant that he can approach the Commission within 20 days from the issue of this order in case he would not feel satisfied.

Dated: 20.01.2022

(Maninder Singh Patti)
State Information Commissioner, Punjab.