

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - pcic20@punjabmail.gov.in



Shri Shingara Singh,  
General Secretary All India Freedom Fighters Federation,  
S/o Shri Sarwan Singh r/o Village Hargana,  
Tehsil Khamano, District: Fatehgarh Sahib.

-----Appellant

**Vs.**

Public Information Officer  
o/o Tehsildar (East), Ludhiana.

First Appellate Authority,  
O/o Deputy Commissioner, Ludhiana.

-----Respondents

## **Appeal Case No. 789 of 2018**

Present:- Shri Shingara Singh, appellant, in person.  
Ms. Alka, Clerk, on behalf of the respondents.

### **ORDER**

The case was last heard on 29.11.2018, when the appellant informed that he had received compensation amount of Rs.2000/- from the respondent-PIO through bank draft but no information had been provided to him. The respondent-PIO states that there is no record available regarding allotment of land against Hadbast Nos.179, 180 and 183 in the villages Hargana, , Tehsil Khamano, District Ludhiana, to the persons who participated in World War 1<sup>st</sup> and World War 2<sup>nd</sup> . On the request of the appellant, the respondent-PIO was directed to give in writing to the appellant that no record is available and if the record has been misplaced, inquiry be got conducted and responsibility be fixed and report be submitted to the Commission. The case was adjourned for today.

2. A letter No. 425/426/RTI, dated 26.12.2018 has been received from Tehsildar-cum-PIO, Ludhiana(East) vide which the appellant has been informed that Village Hargana Hadbast No. 179 and Village Suhavi, Hadbast No. 180 are not in Tehsil Ludhiana and no record

Contd.....p/2



is available regarding allotment of land to any person at the time of 1st World War and 2<sup>nd</sup> World War due to which it is not possible to supply the requisite information to the appellant.

3. The appellant states that he has contacted the offices of Deputy Commissioner Ludhiana and Deputy Commissioner Fatehgarh Sahib for getting copies of the said record. He further states that District Revenue Officer, Ludhiana had sent the record to Tehsildar Samrala and Tehsildar Samrala had sent the some record back to Ludhiana and the remaining record to Tehsildar Khamano. The appellant further informs that he has copies of letters of correspondence between these officers, which he will submit to the Commission for its perusal on the next date of hearing. He asserts that if the relevant record has been misplaced or lost, then FIR should be lodged with the Police.

4. To come up on **27.03.2019 at 11.30 A.M. for further proceedings.**

**Dated : 20.02.2019**

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

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - pcic20@punjabmail.gov.in



Shri Ramesh s/o Shri Jaila,  
Village Theh Banehra,  
Tehsil Guhla, District Kaithal.

-----Appellant

**Vs**

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

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

----Respondents

## **Appeal Case No. 3056 of 2018**

Present:- Shri Ramesh, appellant, in person.  
Shri Harwinder Singh, ASI, on behalf of the respondents.

### **ORDER**

The case was last heard on 14.01.2019, when the representatives of the respondents informed the Commission that the investigation in the matter was still in progress. Accordingly, the respondent PIO was directed to expedite the investigation and supply the requisite information to the appellant before the next date of hearing, under intimation to the Commission. The case was adjourned for today.

2. Today, the representative of the respondents informs that the investigation has been completed and Inquiry Report has been submitted to the competent authority for approval. He assures that after the approval of the Inquiry Report by the competent authority, requisite information will be provided to the appellant within 10 days.

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

**Dated : 20.02.2019**

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

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.  
Ph: 0172-2864100,  
Email: - pcic20@punjabmail.gov.in



Ms. Kiran,  
H.No.611/7, Adarsh Nagar,  
Naya Gaon, District: Mohali.

-----Appellant

**Vs**

Public Information Officer  
o/o Punjab Police, Headquarters, Chandigarh.

First Appellate Authority  
o/o Punjab Police, Headquarters, Chandigarh.

-----Respondents

## **Appeal Case No. 2990 of 2018**

Present:- Shri Kamal Singh Rana, on behalf of the appellant.  
Shri Shyam Singh, ASI, on behalf of the respondents.

### **ORDER**

The case was last heard on 14.01.2019, when the representative of the respondents handed over a copy of the information to the representative of the appellant. Accordingly, the appellant was directed to send her observations, if any, on the provided information to the PIO, with a copy to the Commission, before the next date of hearing. The case was adjourned for today.

2. The appellant has failed to furnish any deficiency in the provided information. On the request of the representative of the appellant, one last opportunity is afforded to the appellant to furnish the deficiency, if any, in the provided information to the PIO, with a copy to the Commission, failing which case will be decided on merit on the basis of documents placed on the record.

3. To come up on **27.03.2019 at 11.30 A.M. for further proceedings.**

**Dated : 20.02.2019**

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

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.  
Ph: 0172-2864100,  
Email: - pcic20@punjabmail.gov.in



Shri Mehar Singh  
s/o Shri Tarlok Singh,  
H.No.87, Street No.1,  
Guru Teg Bahadur Nagar, Faridkot.

-----Appellant

**Vs**

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

First Appellate Authority  
O/o Deputy Inspector General of Police, Punjab (Admn.),  
O/o Director General of Police, Punjab,  
Chandigarh.

-----Respondents

## **Appeal Case No. 3077 of 2018**

Present:- None on behalf of the appellant.  
Shri Parshotam Kumar, Head Constable, on behalf of the respondents.

### **ORDER**

In this case, during hearing on 30.10.2018 the appellant wanted to seek information with regard to the selection of only two candidates out of total 13 candidates namely Ms. Anchyal Walyat d/o Shri Dinesh Kumar and Ms. Baljit Kaur D/o Shri Inderjit Singh. The information had been denied to the appellant by the PIO and the First Appellate Authority on the basis of exemption under Section 8(1)(g) of the RTI Act, 2005. Consequently, after hearing both the parties and discussing the matter at length, it was directed that a Speaking Order in this regard be passed spelling out clearly as to why their selection criteria vis-z-vis their antecedents cannot be shared. The case was adjourned to 29.11.2018.

2. On 29.11.2018, the appellant was not present. The representative of the respondents placed on record a copy of speaking order, which was taken on record.

Accordingly, the respondents were directed to send a copy of speaking order to the appellant through registered post and the appellant was advised to go through the same and send his

Contd.....p/2



observations, if any, to the PIO, with a copy to the Commission. The case was adjourned to 14.01.2019.

3. On 14.01.2019, the appellant was not present without any intimation. The representatives of the respondents informed that no observations had been received from the appellant on the provided information. Accordingly, one last opportunity was afforded to the appellant to furnish his observations, if any, on the provided information. The case was adjourned for today.

4. Today, the appellant is not present. However, a letter dated 31.01.2019 has been received from him informing that he is unable to attend hearing due to ill health. He has requested that the respondents be directed to provide him a copy of the Speaking Order to him so that he could furnish his comments. Accordingly, the respondent PIO is directed to send a copy of the Speaking Order to the appellant and the appellant is directed to furnish his observations, if any, on the Speaking Order to the PIO, with a copy to the Commission.

5. To come up on **27.03.2019 at 11.30 A.M. for further proceedings.**

**Dated : 20.02.2019**

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

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - pcic20@punjabmail.gov.in



Shri Manjit Singh  
s/o Shri Bachan Singh, Village Daba,  
Near Nirmal Palace, Ludhiana.

-----Appellant

**Vs.**

Public Information Officer  
o/o Additional Deputy Commissioner of Police-II,  
Sherpur, Ludhiana.

First Appellate Authority,  
O/o Additional Deputy Commissioner of Police-II,  
Sherpur, Ludhiana.

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

-----Respondents

## **Appeal Case No. 782 of 2018**

Present:- Shri Manjit Singh, appellant, in person.  
Shri Daljit Singh, S.I., on behalf of the respondents.

### **ORDER**

The case was last heard on 14.01.2019, when the representative of the respondents informed that the requisite information had been supplied to the appellant. The appellant expressed dis-satisfaction with the provided information while stating that he had sent the deficiencies in the provided information. He handed over a copy of the deficiencies, in the provided information, to the respondent. Accordingly, the respondent PIO was directed to supply complete information to the appellant after removing the deficiencies pointed out by him, before the next date of hearing. It was also directed that in case any information was not available in the record, then a written submission to this effect be submitted on the next date of hearing. The case was adjourned for today.

2. Today, the representative of the respondents submits an affidavit from Shri Pawitter Singh, Inspector/S.H.O., Police Station, Daba, District: Ludhiana stating that requisite

Contd.....p/2



information has been provided to the appellant and there is no other information relating to the instant RTI application available in the Police Station. A copy of the affidavit is handed over to the appellant.

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

**Dated : 20.02.2019**

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



# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - pcic20@punjabmail.gov.in



Shri Naresh Devgan Sharma,  
Advocate, Chamber No.7022/2,  
District Courts, Ludhiana.

-----Appellant

**Vs**

Public Information Officer  
o/o Police Post, Kochhar Market,  
Ludhiana.

First Appellate Authority  
o/o Station House Officer, Police Station,  
Division No.5, Ludhiana.

-----Respondents

## **Appeal Case No. 2175 of 2018**

Present:- Shri Tejinder Singh, on behalf of the appellant.  
Shri Jagjiwan Singh, Head Constable, on behalf of the respondents.

## **ORDER**

The case was last heard on 14.01.2019, when the appellant was not present. However, a letter dated 14.01.2019. The representative of the respondents stated that complete information had been supplied to the appellant after removing the deficiencies furnished by him. Accordingly, the appellant was directed to send his observations, if any, on the provided information to the PIO, with a copy to the Commission. The case was adjourned for today.

2. Today, the representative of the respondents states that complete information running into 7 pages, after removing the deficiencies pointed out by the appellant, has been provided to him, which has been duly received by him. The receipt given by the appellant is shown to his representative. The representative of the appellant is unable to point out any deficiencies in the provided information.

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

**Dated : 20.02.2019**

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

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Madhya Marg, Sector 16, Chandigarh.**  
**Ph: 0172-2864100,**  
**Email: - pcic20@punjabmail.gov.in**



Smt. Neena Gupta,  
H.No.1410, Phase-1, Urban Estate,  
Dugri Road, Ludhiana.

-----Complainant

**Vs.**

Public Information Officer  
o/o Sub Registrar/Tehsildar (West),  
Humbran Road, Ludhiana.

-----Respondent

**Complaint Case No. 1163 of 2017**

Present:- Shri Sushil Kumar, on behalf of the complainant.  
Shri Amanpreet Singh, Junior Assistant, on behalf of the respondent.

**ORDER**

The case was last heard on 14.01.2019 by Smt. Preety Chawla, SIC as the undersigned was unable to hold the court due to certain administrative reasons, when none was present on behalf of the complainant as well as the respondent without any intimation. Viewing the callous and lackadaisical attitude of the PIO seriously, one last opportunity was afforded to him to supply the requisite information to the complainant and submit reply to the Show-Cause Notice issued to him. The case was adjourned for today.

2. Today, the representative of the respondents submits a letter No. 10-23/1024/SR(W), dated 18.02.2019 from Sub Registrar-cum-PIO, Ludhiana(West) vide which it has been informed that a reply was sent to the appellant vide letter No. 55/SR(W), dated 04.05.2017, which inter-alia reads as under:-

“ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਆਪ ਦੀ ਦਰਖਾਸਤ ਮਿਤੀ 29-03-2017 ਜੋ ਕਿ ਇਸ ਦਫਤਰ ਵਿਚ ਮਿਤੀ 05-04-2017 ਨੂੰ ਪ੍ਰਾਪਤ ਹੋਈ ਹੈ, ਦੇ ਸਬੰਧ ਵਿਚ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕ ਆਪ ਨੂੰ ਜਿਸ ਪਿੰਡ ਦੀ ਜਗ੍ਹਾ ਦੀ ਜਾਣਕਾਰੀ ਲੋੜੀਂਦੀ ਹੈ ਉਸ ਦਾ ਖਸਰਾ ਨੰਬਰ ਅਤੇ ਖਾਤਾ ਨੰਬਰ ਦਸ ਕੇ ਇਸ ਸਬੰਧੀ ਰੂਲਾਂ ਮੁਤਾਬਿਕ ਬਣਦੀ

Contd.....p/2



ਸਰਕਾਰੀ ਫੀਸ ਜਮਾਂ ਕਰਵਾ ਕੇ ਕਿਸੇ ਵੀ ਕੰਮ ਵਾਲੇ ਦਿਨ ਦਫਤਰ ਵਿਚ ਹਾਜਰ ਆ ਕੇ ਪ੍ਰਾਪਤ ਕਰ ਸਕਦੇ ਹੋ।”

The appellant expresses dis-satisfaction while stating that a copy of Jamabandi is required by him. Consequently, after hearing both the parties and discussing the matter, the respondent PIO is directed to provide a copy of Jamabandi to the appellant, before the next date of hearing.

3. To come up on **27.03.2019 at 11.30 A.M. for further proceedings.**

**Dated : 20.02.2019**

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

**CC: Shri Ajit Pal, Tehsildar,  
Ludhiana West, Mini Secretariat  
Ferozepur Road, Ludhiana.**

**REGISTERED**

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - pcic20@punjabmail.gov.in



Shri Ranjit Singh  
S/o Shri Sandeep Singh, Village Tong,  
Tehsil Baba Bakala Sahib,  
District Sri Amritsar Sahib.

-----Appellant

**Vs.**

Public Information Officer  
O/o Additional Deputy Commissioner,  
Sri Amritsar Sahib.

First Appellate Authority,  
O/o Deputy Commissioner,  
Sri Amritsar Sahib.

-----Respondents

## **Appeal Case No. 3015 of 2017**

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

None on behalf of the respondents.

### **ORDER**

In this case, during hearing on 20.11.2018, SDM-II, Amritsar was directed to intimate as to whether the relevant record is available or has gone missing, if so, then efforts be made to trace the missing record and fix responsibility for the same. He was also directed to submit status report on the next date of hearing. The case was adjourned to 11.12.2018.

2. On 11.12.2018, the appellant informed that he tried to meet Shri Vikas Hlra, Sub Divisional Magistrate, Amritsar-II but could not do so. None was present on behalf of the respondents without any intimation. Viewing the callous attitude of the respondents, seriously a show cause notice was issued to PIO o/o Sub Divisional Magistrate, Amritsar-II for non compliance of the orders of the Commission. He was directed to file a formal reply in this behalf before the next date of hearing. Besides, an opportunity of personal hearing was also afforded to him in the interest of natural justice. The case was adjourned to 14.01.2019.

3. On 14.01.2019, the case was heard by Smt. Preety Chawla, SIC as the

Contd.....p/2



undersigned was unable to hold the court due to certain administrative reasons.

4. As per the orders of the Commission, Shri Vikas Hira, SDM-2, Amritsar was present. He explained the position of the case and submitted a detailed reply from Dr. Shivraj Singh Bal, Assistant Commissioner(G), Officer In-Charge ALA Branch, Amritsar, a copy of which was handed over to the appellant for furnishing his observations, if any, to the PIO, with a copy to the Commission. The case was adjourned for today.

5. A letter dated 14.01.2019 has been received from Shri Vikas Hira, SDM-II, Amritsar vide which a reply to the Show-Cause Notice has been submitted stating categorically that record file is not available in the concerned branch. The reply submitted by SDM-II, Amritsar is considered and while accepting the plea put forth by him, Show-Cause Notice issued to him is hereby dropped.

6. Since the record file is not available, the appellant is advised to submit a new file and the instant case is **disposed of and closed**.

**Dated : 20.02.2019**

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

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Madhya Marg, Sector 16, Chandigarh.**  
**Ph: 0172-2864100,**  
**Email: - pcic20@punjabmail.gov.in**



Shri Mukesh Kumar,  
S/o Shri Krishan Lal,  
H.No. 33229, Street – 08,  
Partap Nagar, Bathinda.

-----Appellant

**Vs**

Public Information Officer  
O/o Senior Superintendent of Police,  
Bathinda.

First Appellate Authority  
O/o Inspector General of Police,  
Bathinda Zone, Bathinda.

-----Respondents

**Appeal Case No. 1821 of 2016**

Present: Shri Mukesh Kumar, Appellant, in person alongwith his Counsel Shri Sanjiv Gupta, Advocate.

Shri Vineet Sharma, Head Constable, on behalf of the respondents.

**ORDER**

In this case, Shri Mukesh Kumar, Appellant, vide his RTI application dated 16.01.2016 sought photo copy of Police Verification of Shri Sandeep Sharma S/o Shri Sat Pal Sharma, resident of Partap Nagar, Street No. 8, Bathinda employed as Constable in the Punjab Police. This case was allotted to Shri A. S. Chanduraian, S.I.C.

2. During hearing on 20.10.2016, the appellant was not present. The representatives of the respondents submitted that the information sought for by the appellant could not be supplied to him as it is 'third party' information under clause (j) of Section 8(1) of the RTI Act. Consequently, after examining the documents placed on record and observing that the information sought for by the appellant is personal information in nature, the case was disposed of and closed.

3. The order of the Commission dated 20.10.2016 was challenged in the

Contd.....p/2



Hon'ble Punjab and Haryana High Court by Shri Mukesh Kumar, Appellant, vide CWP No. 26089 of 2016 and Shri Rajan Gupta, Ld. Judge set-aside the order of the Commission vide his order dated 26.09.2017 and the matter was remitted to the same authority for decision afresh after affording an opportunity of hearing to the concerned parties.

4. Consequently, the case was heard by Shri A. S. Chanduraian, SIC on 27.12.2017 and the respondent PIO was directed to supply the certified copies of the available/giveable information to the applicant as per his queries raised by him in his RTI request, by the next date of hearing.

5. This order of the Commission dated 27.12.2017 was challenged by Shri Sandeep Sharma(Third Party) vide CWP No. 397 of 2018, whose information has been sought by Shri Mukesh Kumar, Appellant. Hon'ble Punjab & Haryana High has passed order on 10.09.2018, which inter-alia reads as under:-

*“ The order dated 27.12.2017 is hereby set aside. The matter is remanded back to the State Information Commission, Punjab, for fresh decision. Parties are directed to appear before the State Information Commission, Punjab, on 01.10.2018.*

*Liberty is also granted to the parties to file their respective pleadings/objections within a period of two weeks from the date of appearance before the State Information Commission, which shall, thereafter, consider the respective contentions/claims/objections and pass a speaking order in accordance with law.*

*Writ petition stands disposed of accordingly.*

*Any observations made herein above by this Court on merits shall have no bearing upon the appeal to be decided by the Commission.”*

Contd.....p/3



6. It was decided that this case would be heard by the Bench of C.I.C.

As per above noted orders of Hon'ble Punjab & Haryana High Court, Shri Mukesh Kumar, Appellant and Shri Sandeep Kumar(third party) appeared before the Commission on 01.10.2018. None was present on behalf of the respondent PIO. Accordingly, all the three parties were directed to furnish their written submissions to the Commission within two weeks to enable the Commission to arrive at a logical conclusion. The case was adjourned to 30.10.2018.

7. On 30.10.2018, Shri Mukesh Kumar, appellant and Shri Sandeep Sharma(Third Party) stated that they had already made their written submissions. Counsel for the appellant stated the appellant wanted only copy of police verification in respect of the recruitment of Shri Sandeep Sharma(Third Party) as it was a public document. Counsel for Shri Sandeep Sharma(Third Party) stated that he had no objection if only copy of police verification was provided to the appellant but the identify of witnesses should not be disclosed. The representative of the office of Senior Superintendent of Police, Bathinda had not brought the original file. He had brought copies of the documents of the file, which were not at all legible. Therefore, the respondent of the office of Senior Superintendent of Police, Bathinda was directed to bring the original file for the perusal of the Commission to enable it to arrive at a logical conclusion. The case was adjourned to 26.11.2018.

8. On 26.11.2018, Shri Gurmeet Singh, ASI, office of SSP, Bathinda appearing on behalf of the respondents submitted original file for the perusal of the Commission stating that this file only contains Police Verification Report, Statements of Witnesses and C.I.D. report and no other document is available in the file.

Contd.....p/4





9. After perusing the original file and hearing both the parties, it was directed that Police Verification Report without disclosing the identify of the witnesses (Names, addresses etc.) be provided to the appellant. The respondent assured to comply with the orders of the Commission.

10. The Counsel for the appellant requested that copy of CID report might also be provided as it is part of Police Verification Report. During hearing it was observed that since CID report had not been asked for vide the said RTI application, it could not be allowed to be provided. Accordingly, the appellant was advised to file a fresh RTI application with the concerned PIO for seeking CID report.

11. On the assurance given by the respondent of the office of SSP, Bathinda to supply a copy of Police Verification Report without disclosing the identify of the witnesses, to the appellant, the case was disposed of and closed.

12. Later, a letter dated 29.11.2018 was received from the Counsel for the appellant informing that the complete information as per the orders of the Commission had not been provided to the appellant by the respondent PIO. He requested the Commission to direct the respondents to provide the requisite information to the appellant before the Hon'ble Commission on any date. Accordingly, the case was fixed for further hearing on 14.01.2019 for providing information to the appellant during hearing of the case.

13. On 14.01.2019, the case was heard by Smt. Preety Chawla, SIC as the undersigned was unable to hold the court to due to certain administrative reasons.

14. The appellant was not present. However, Shri Nand Lal, appearing on behalf of the appellant, requested for adjournment of the case to some other date as the Counsel for the appellant was unable to attend the hearing due to some personal reasons.

Contd.....p/5



Accordingly, while accepting the request of the representative of the appellant for adjournment of the case, the respondents were directed to bring the sought for information for handing over to the appellant on the next date of hearing. The case was adjourned for today.

15. Today, the representative of the respondents states that the requisite information was provided to the appellant but he refused to receive the same. The Counsel for the appellant states that the requisite Police Verification Report should be in the format as prescribed in the Police Rules. The representative of the respondents states that in this case Police Verification Report has not been prepared in the format but it is as per the provision of the Rules. He hands over the requisite information running into 6 pages including forwarding letter to the Counsel for the appellant, who after perusing the same, expresses satisfaction. The respondent submits a copy of the information to the Commission, which is taken on record.

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

**Dated : 20.02.2019**

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

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.  
Ph: 0172-2864100,  
Email: - [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Shri Rajesh Gupta,  
House No. 738, Sector: 41-A,  
Chandigarh.

-----Appellant

**Vs.**

Public Information Officer  
O/o Additional Chief Secretary to Govt. of Punjab,  
Department of Animal Husbandry,  
Chandigarh.

First Appellate Authority,  
O/o Additional Chief Secretary to Govt. of Punjab,  
Department of Animal Husbandry,  
Chandigarh.

-----Respondents

## **Appeal Case No. 2029 of 2018**

Present:- Shri Rajesh Gupta, Appellant, in person.  
None on behalf of the respondents.

### **ORDER**

This case was earlier heard by Dr. Pawan Kumar Singla, SIC on 08.08.2018, 16.10.2018, 13.11.2018 and 19.12.2018. On 19.12.2018, during hearing of the case, he recommended to constitute a Larger Bench to hear this case as an important issue is involved in this case. Accordingly, a Larger Bench comprising of the undersigned and Dr. Pawan Kumar Singla, SIC was constituted and the case was fixed for hearing for today.

2. Today, none is present on behalf of the respondents without any intimation. After hearing the appellant and discussing the sought for information, the respondent is directed to supply duly attested copies of requisite documents asked for by the appellant at Point No. 'C', free of cost and in case it is not possible to provide the

Contd.....p/2



asked for information, then a Speaking Order be passed spelling out clearly the reasons for denial of information.

3. To come up on **27.03.2019 at 11.30 A.M. for further proceedings.**

**Sd/-**

**( Pawan Kumar Singla)  
SIC**

**Sd/-**

**( S. S. Channy)  
CIC**

**Dated : 20.02.2019**

CC: PS/SIC(PKS) for information of Hon'ble SIC(PKS)

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Shri Jaswinder Singh,  
R/o Flower Dale Colony,  
Barewal Road, Ludhiana.

-----Appellant

**Vs.**

Public Information Officer  
O/o XEN, Water Supply and Sanitation,  
Sub-Division No. 1, Amritsar.

First Appellate Authority,  
O/o S.E., Water Supply and Sanitation Circle,  
Amritsar.

-----Respondents

## **Appeal Case No. 2391 of 2017**

Present:- Shri Jaswinder Singh, Appellant, in person.

Shri Puneet Bhasin, Executive Engineer-cum-PIO and Shri Ashish Tonk,  
S.D.E., on behalf of the respondents.

### **ORDER**

This case was earlier heard by Dr. Pawan Kumar Singla, SIC on 08.11.2017, 11.12.2017, 16.01.2018, 19.03.2018, 02.05.2018, 28.05.2018, 02.07.2018, 31.07.2018, 17.09.2018, 15.10.2018, 12.11.2018, 28.11.2018 and 31.12.2018. On 31.12.2018, during hearing of the case, he recommended to constitute a Larger Bench to hear this case as an important issue is involved in this case. Accordingly, a Larger Bench comprising of the undersigned and Dr. Pawan Kumar Singla, SIC was constituted and the case was fixed for hearing for today.

2. Today, the representatives of the respondents inform that point-wise complete information has been supplied to the appellant. The appellant expresses dissatisfaction while stating that the provided information is deficient. Consequently, after

Contd.....p/2



hearing both the parties and discussing the matter, the respondents are directed to get the original record inspected by the appellant to identify the specific documents required by him and supply the same to him. The respondents are also directed to submit status report on the next date of hearing.

3. To come up on **27.03.2019 at 11.30 A.M. for further proceedings.**

**Sd/-**

**( Pawan Kumar Singla )  
SIC**

**Sd/-**

**( S. S. Channy )  
CIC**

**Dated : 20.02.2019**

CC: PS/SIC(PKS) for information of Hon'ble SIC(PKS)

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in)



Shri Madan Lal,  
S/o Shri Om Parkash,  
Jain Niwas, House No. 10803,  
MCB Zone-2, Street No. 18,  
Parinda Road, Guru Teg Bahadur Nagar,  
Bathinda – 151001.

-----Appellant

**Vs.**

Public Information Officer  
O/o Principal, Government Senior Secondary School,  
Gobindpura, District: Bathinda.

First Appellate Authority,  
O/o Principal, Government Senior Secondary School,  
Gobindpura, District: Bathinda.

-----Respondents

## **Appeal Case No. 2360 of 2018**

Present:- None for the appellant.

Smt. Amandeep Kaur, Principal, on behalf of the respondents.

### **ORDER**

This case was earlier heard by Dr. Pawan Kumar Singla, SIC on 30.10.2018, 26.11.2018 and 19.12.2018. On 19.12.2018, during hearing of the case, he recommended to constitute a Larger Bench to hear this case as an important issue is involved in this case. Accordingly, a Larger Bench comprising of the undersigned and Dr. Pawan Kumar Singla, SIC was constituted and the case was fixed for hearing for today.

2. Today, the appellant is not present. However, a letter dated 19.02.2019 has been received from him through e-mail requesting the Commission to direct the PIO to provide certified, readable, point wise requisite information to him. He has also

Contd.....p/2



requested to award compensation to him and impose penalty upon the PIO. Smt. Amandeep Kaur, Principal, Government Senior Secondary School, Gobindpura, District: Bathinda, appearing on behalf of the respondents informs that the relevant record has been inspected by the appellant and admissible information has been supplied to him. She further states that voluminous information has been asked for by the appellant just to harass the Public Authority which cannot be provided under Section 7(9) of the RTI Act, 2005. Consequently, after hearing the respondent and discussing the matter at length, the appellant is advised to ask for specific information by filing a fresh RTI application with the concerned PIO, in case he so desires.

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

**Sd/-**

**( Pawan Kumar Singla )  
SIC**

**Sd/-**

**( S. S. Channy )  
CIC**

**Dated : 20.02.2019**

CC: PS/SIC(PKS) for information of Hon'ble SIC(PKS)



# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864100,

Email: - pcic20@punjabmail.gov.in



Smt. Sandeepika Malhotra,  
Wife of Shri Subhash Malhotra,  
House No. 610/27, Street No. 4  
Sham Nagar, Ludhiana – 141001.

-----Appellant

**Vs.**

Public Information Officer  
O/o DPI(Colleges) Punjab,  
Punjab School Education Board Complex,  
Sector: 62, S.A.S. Nagar.

First Appellate Authority-cum-  
O/o DPI(Colleges) Punjab,  
Punjab School Education Board Complex,  
Sector: 62, S.A.S. Nagar.

-----Respondents

## **Appeal Case No. 1446 of 2016**

Present:- None for the appellant.

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

### **ORDER**

In this case, Smt. Sandeepika Malhotra, Appellant, vide her RTI application dated 22.06.2015, addressed to the PIO, sought certain information on 3 points regarding filled up and vacant posts of Punjab Government College Lecturers. This case was allotted to Shri Alwinderpal Singh Pakhoke, SIC for adjudication.

2. This case was last heard by Shri Alwinderpal Singh Pakhoke, SIC on 12.10.2017 when he imposed a penalty of Rs. 25,000/- (Rs. Twenty five thousand) on Shri Ashok Kumar Lohgari, PIO. He directed DPI(Colleges), Punjab, to deposit the penalty amount in the State Treasury under the relevant head after realizing the same from Shri Ashok Kumar Lohgari, PIO, before the next date of hearing.

3. Shri Alwinderpal Singh Pakhoke, SIC retired on 19.10.2017 and the case was allotted to Shri Hem Inder Singh, SIC for further hearing. The case was heard by Shri Hem

Contd.....p/2



Inder Singh, SIC on 19.12.2017, 21.03.2018, 08.05.2018, 12.07.2018 and 26.09.2018.

4. On 21.03.2018 complete information was handed over to the Counsel for the appellant by the respondents, who sought time to go through the same and point out deficiencies, if any.

5. On 08.05.2018, the Counsel for the appellant admitted that the respondent- PIO had supplied the information after collecting from all the 48 Government Colleges across the State.

6. On 12.07.2018, the respondent PIO was directed to submit an affidavit stating clearly that the available information has been supplied to the appellant and no more information is available on record.

7. On 26.09.2018, Shri Gurdarshan Singh Brar, PIO-cum-Joint Director(Admn.), office of DPI(Colleges) submitted a duly attested affidavit dated 25.09.2018 stating inter-alia as under:-

(1) *That complete consolidated information had been supplied to the appellant on 17.01.2017 in addition to the information already supplied directly by the different colleges and an affidavit was filed by the incumbent PIO at that time on 04.07.2017.*

(2) *That again the information, as available, in the office of deponent and as collected from the different colleges under the office of deponent, was supplied to the appellant in the court of Hon'ble State Information Commission on dated 21.03.2018 and it is further submitted that no more information in this regard is available in the record of the office of the deponent.*

Contd.....p/3



- (3) *It is, therefore, humbly prayed that the penalty of Rs. 25,000/- imposed on the respondent may kindly be remitted and the present appeal kindly be disposed of in the interest of justice.*

Consequently, to consider the prayer of the respondent PIO to remit the penalty amount of Rs. 25,000/-, Shri Hem Inder Singh, SIC, recommended for constitution of a Larger Bench. Accordingly, a Larger Bench comprising of Dr. S.S. Channy, Chief Information Commissioner and Shri Hem Inder Singh, State Information Commissioner was constituted and a Hearing Notice was issued to the concerned parties for 21.11.2018.

8. On 21.11.2018, Dr. Gurdarshan Singh Brar, Assistant Director-cum-PIO, appearing on behalf of the respondents, informed that complete information, after collecting from different colleges, had been supplied to the appellant. He further informed that the information in consolidated form had also been provided to the appellant. Consequently, he narrated the entire factual position of the case and requested that order of penalty passed in this case by Shri Alwinderpal Singh Pakhoke, former SIC, might be reviewed as there was no laxity on the part of the then PIO, Shri Ashok Kumar Lohgari, Assistant Director.

9. Since there is no provision in the RTI Act, 2005 to review its earlier order, the DPI Colleges, Punjab, was directed to deduct penalty amount of Rs. 12,500/- from the salary of Shri Ashok Kumar Lohgari, the then PIO-cum-Assistant Director for the month of December, 2018 and Rs. 12,500/- from the salary for the month of January, 2019 and deposit the same in the State Treasury under the relevant head and a compliance report be submitted to the Commission on the next date of hearing. The case was **fixed for today for confirmation of compliance of penalty orders.**

Contd.....p/4



10. Today, Shri Hem Inder Singh, SIC, who is a member of the Division Bench, constituted to hear the instant case, is on leave. To avoid inconvenience to the parties, Dr. Pawan Kumar Singla, SIC, was ordered to be associated for hearing of this case fixed for today in place of Shri Hem Inder Singh, SIC.

11. Shri Sukhwinder Singh, Senior Assistant, appellant appearing on behalf of the respondents, submits a Memo. No. 10/76-2015-ਸੇਵਾਵਾਂ(5), dated 20.02.2019 from APIO-cum-Superintendent(Services), office of DPI(Colleges), Punjab, S.A.S. Nagar vide which a copy of Challan has been sent vide which penalty amount of Rs. 25,000/- has been deposited in the State Treasury under the relevant head.

12. Since the requisite information already stands provided to the appellant and the orders of the Commission for depositing the penalty amount in the State Treasury under the relevant Head have been complied with, the case is **disposed of and closed**.

**Sd/-  
(Pawan Kumar Singla )  
S.I.C.**

**Sd/-  
( S.S. Channy)  
C.I.C.**

**Dated: 20.02.2019**

13. After the hearing was over and Dr. Pawan Kumar Singla, SIC as well as the representative of the respondents had left, Shri Rajinder Ghai, Counsel for the appellant, appeared before the C.I.C. at about 2.50 P.M. on 20.02.2019. He stated that the case had been closed without hearing him when he was present in the Commission before 1.00 P.M and alleged that the peon had not called him for hearing of the case. He further alleged that the

Contd.....p/5



information in consolidated form had not been supplied to the appellant. He requested that the order passed in this case be recalled.

14. A representation dated 20.02.2019 has also been received from Shri Rajinder Ghai, Advocate, Counsel for the Appellant reiterating his above noted request for recalling the order dated 20.02.2019. The issue has been discussed with Dr. Pawan Kumar Singla, SIC, accordingly. On due consideration, the following observations are made by the Division Bench:-

15. On enquiring from the peon about the factual position, he has informed that Counsel for the appellant was duly informed that the hearing of the cases had started. He has further informed that when the parties were called for hearing of the instant case, the representative of the respondents, who was sitting beside the Counsel for the appellant, moved and attended the hearing but the Counsel for the appellant chose not to attend the hearing, for the reasons best known to him. However, after the hearing was over, the Counsel for the appellant alleged that he was not called for the hearing in the case.

16. It is pertinent to mention here that the information has already been supplied to the appellant on 21.03.2018 after collecting from the different colleges and no observations/deficiencies have been received from the appellant since then which she was supposed to do so in a reasonable time, may be in 15 days duration. The Counsel for the appellant has himself admitted that the information has been provided but it is not in the consolidated form. It is made clear that there is no provision in the RTI Act to supply the information in the consolidated form, rather it is to be provided as per its availability in record and no information is to be generated, collated or re-arranged. But still the Commission has got it done while being sympathetic to the appellant. It is also appropriate to mention that the case

Contd.....p/6



was fixed for today only for compliance of orders dated 21.11.2018 i.e. for depositing the penalty amount in the State Treasury under the relevant Head but not for furnishing of the information in any manner. Since the orders of the Commission dated 21.11.2018 have been duly complied with by the respondents, the case has already been disposed of and closed.

17. In these circumstances, we are, therefore, of the considered opinion that there is no weight in the pleas put forth by the Counsel for the appellant to recall the orders in this case. The request of the Counsel for the appellant cannot be acceded to, which seems to be an after thought as his client did not point out any deficiency in the provided information at a relevant time and the case stood decided long ago.

**Sd/-  
(Pawan Kumar Singla )  
S.I.C.**

**Sd/-  
( S.S. Channy)  
C.I.C.**

**Dated: 21.02.2019**

CC: PS/Hon'ble SIC(HIS) for the kind information of Hon'ble SIC (HIS)  
PS/Hon'ble SIC(PKS) for the kind information of Hon'ble SIC (PKS)