

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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Email: [psic22@punjabmail.gov.in](mailto:psic22@punjabmail.gov.in)

Sh. Naresh Devgun Sharma, Advocate,  
Chamber No.7022/2a, District Courts,  
Ludhiana

Appellant

Versus

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

First Appellate Authority  
O/o Commissioner of Police,  
Ludhiana

Respondents

**APPEAL CASE NOS.3198 and 3304 of 2017**

Date of RTI application: 07.11.2017/14.11.2017  
Date of First Appeal : 11.11.2017/19.11.2017  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal : 13.11.2017/21.11.2017

**Present:** **Sh. Naresh Devgun Sharma, Appellant in person.**  
**Inspector Dev Raj, In charge, RTI Cell, O/o Dy. Commissioner of Police,**  
**Ludhiana.**

**ORDER**

This is a long standing case in which umpteen hearings have taken place. To appreciate the facts it shall be appropriate to reproduce the order passed on 08.02.2018 which by laws depicts factual metrics of the issue:

*"It shall be appropriate to reproduce the order passed by this forum on 28.12.2017:*

*"The Commission had made the following order on 05.12.2017:*

*"The respondents have filed a written statement primarily pleading that the information sought has already been communicated to the appellant. They further say that another bench of this Commission has already decided the matter disposing of his appeals.*

*The respondents are directed to provide the appellant a copy of the reply filed by them who may like to file a written rejoinder in case he so desires."*

*"The appellant alleges non-compliance of the order. The respondents say that the appellant was requested through a registered letter to come present and collect the information. The appellant, on the other hand, says that he has not received such communication. Be that as it is the reply filed by the respondents has been handed over to the appellant on spot.*

*From the perusal of the original application it is made out that the appellant is seeking disciplinary and other legal action against some of the police officials who have allegedly framed him in certain false cases which resulted into his incarceration for more than 70 days. The Commission feels that he is entitled to be apprised of the action having been taken by the concerned police authorities for the detriment suffered*

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**APPEAL CASE NOS.3198 and 3304 of 2017**

by him.

*The respondents are directed to give him unambiguous reply about the status of his complaints."*

*The case has come up today. Inspector Dev Raj appearing on behalf of the respondents has submitted a memo dated 07.02.2018 wherein a plea has been taken that the applications submitted by the appellant are under investigation. Invoking the provisions of Section 8(1) (h) of the Act, the information cannot be provided.*

*The stance taken by the respondent is not appropriate. The Commission had observed that he should be informed of the status of the action having been taken or not taken against the official who was involved allegedly in framing him which resulted in his detention for more than 70 days. The respondents should explain as to how an administrative enquiry into a complaint against an official shall impede the investigation, apprehension or prosecution of an offender. In its absence the defence of exception under Section 8 (1) (h) of the Act is invalid.*

*Sh. Ashwini Kapoor, PPS, Deputy Commissioner of Police, Ludhiana, the PIO is advised to look into it personally and arrange to apprise the appellant about the information sought by him failing which the penal consequences shall follow.*

*"On the last date of hearing on 25.04.2018, the respondents were directed to arrange an inspection of the record which, as per the submissions made by the Parties, has been successfully clinched. The respondents have brought along the photo copies of the documents comprised in 48 pages which they are directed to hand over to the proxy of the appellant.*

*In case the appellant has still some reservations he should specifically pin-point deficiencies in the record before the next date of hearing."*

The case has come up today. Complying with the afore reproduced order, the Deputy Commissioner of Police, Ludhiana has submitted a reply wherein it has been stated by that the appellant was arrested in a criminal case registered on 12.08.2017 under various sections of Indian Penal Code in Division number 5 where after he was remanded to judicial custody by the jurisdictional court. The appellant was bailed out on the orders of the Hon'ble High Court of Punjab and Haryana. The appellant is filing repeated applications connected with aforesaid criminal case. He has been sent numerous summons in the enquiry proceedings but he has refused to join. It has further been contended that the appellant is engaged in litigation with Inspector Davinder Singh and Sub Inspector

**APPEAL CASE NOS.3198 and 3304 of 2017**

Baljeet Singh. It is only out of the malice against them, he is filing repeated applications under Right to Information Act, 2005. It has also been submitted that he is needlessly engaging the department and wasting their time.

As the appellant was dissatisfied with the response of Respondents, he was advised to inspect the entire record and procure the certified copies of the documents identified by him. The inspection having been clinched the appellant was provided with the certified copies of 48 pages as identified by him. He was further afforded an opportunity to present his cause, if any after the receipt of the documents.

The Commission finds that appellant without being specific, is beating about the bush. The appellant is seeking the redressal of a grievance actual or perceived. The Commission finds that the matter is still in the consideration of the judicial forums that are empowered to call for any record available with the respondents. The Commission feels that sufficient information has been provided to the appellant and no further intervention is desirable. The appeals are **disposed** accordingly.

**21.11.2018**

**Sd/-  
(Yashvir Mahajan)  
State Information Commissioner**

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Sh. Naresh Devgun Sharma, Advocate,  
Chamber No.7022/2, District Courts,  
Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Chief Minister, Punjab,  
Punjab Civil Secretariat, Sector-1,  
Chandigarh

First Appellate Authority  
O/o Chief Minister, Punjab,  
Punjab Civil Secretariat, Sector-1,  
Chandigarh

Respondents

**APPEAL CASE NO.3305/2017**

Date of RTI application : 18.11.2017  
Date of First Appeal : 21.11.2017  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint :22.11.2017

**Present:**       **Sh. Naresh Devgun Sharma, Appellant in person.**  
                  **Inspector Dev Raj, In charge, RTI Cell, O/o Dy. Commissioner of Police,**  
                  **Ludhiana.**

**ORDER**

**The case has been heard through video conferencing.**

As the contesting parties, nature of information and the issues in contention are the same this appeal is also **disposed** in terms of orders passed in Appeal case Nos.3198 and 3304 of 2017.

**Sd/-**

**21.11.2018**

**(Yashvir Mahajan)**  
**State Information Commissioner**

**CC:**     **PIO, O/o the Additional Chief Secretary to Government, Punjab,**  
          **Department of Home Affairs & Justice, Punjab Civil Secretariat – 1,**  
          **Chandigarh for n/a.**

**CC:**     **PIO, O/o the Director General of Police,**  
          **Sector – 9, Chandigarh, for information.**

**CC:**     **PIO, O/o the Commissioner of Police, Ludhiana.**

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Sh. Sukhdev Singh  
# 226, Guru Arjan Dev Nagar,  
Tarn Taran Road, Amritsar

Appellant

Versus

Public Information Officer,  
O/o Chief Director, Vigilance Bureau, Punjab,  
SCO No.60-61, Sector-17-D,  
Chandigarh

First Appellate Authority  
O/o Chief Director, Vigilance Bureau, Punjab,  
SCO No.60-61, Sector-17-D,  
Chandigarh

Respondents

**APPEAL CASE NO.3009/2017**

Date of RTI application: 24.05..2017  
Date of First Appeal : 03.07.2017  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 26.10.2017

**Present:**        **None is present on behalf of Appellant.**  
                     **Insp. Avtar Singh, Pb. Vigilance Bureau at Commission's office, Chd. - for**  
                     **Respondents.**

**ORDER**

The following order was made by the Commission on 05.09.2018:

*"This is in continuation of order passed by this forum on 28.02.2018.*

*The PIO in the office of the Principal Secretary to Government, Punjab, Department  
of Local Government was directed to arrange inspection and provide copies to the information seeker.*

*None is present on their behalf. Nothing has been received in writing also.*

*The Commission makes a serious note of their absence and as a last opportunity  
advises them to comply with the order thus passed on 28.02.2018 under intimation to the Commission  
failing which the penal action shall follow."*

*"The case has come up today. Vide above order the respondents were directed to  
arrange an inspection of the record and thereafter provide the certified copies of the documents  
identified by the appellant free of cost.*

Contd...page...2

**APPEAL CASE NO.3009/2017**

*The appellant submits that he was summoned to Chandigarh for the inspection of the record. However, on his visit to Chandigarh was informed that no such record is available with them. Seemingly, the PIO – cum - Superintendent in the office of the Department of Local Government, Punjab, ( L.G. - I Br.), is willfully suppressing the information and ignoring the directions issued by the Commission. He is hereby required to file an affidavit about his position and explain as to why taking it as a violation under Section 7 (1) of the Act, a penalty under Section 20(1) should not be imposed on him. Meanwhile, it should be ensured that the documents sought are arranged to be provided as directed earlier to the information seeker positively.”*

The case has again come up for hearing today. The appellant is not present. The respondents have failed to come up with any convincing response. A last opportunity is afforded to them to comply with the order of the Commission.

To come up on **13.02.2019 at 11.30 AM** through video conference at Amritsar.

**21.11.2018**

**Sd/-  
(Yashvir Mahajan)  
State Information Commissioner**

**CC: The PIO – cum Superintendent, , O/o The Principal Secretary to Govt. of Punjab, Department of Local Government, (L.G. – 1 Br.) Municipal Bhawan, Plot No.3 A, Sector-35, Chandigarh for n/a.**

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Sh. Jaspal Singh  
S/o Sh. Ramesh Arora,  
H.No.319/3, Gurdeep Nagar, Jagraon,  
Distt. Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Nagar Council, Jagraon  
Distt. Ludhiana

First Appellate Authority  
O/o Deputy Director, Urban Local Bodies,  
Ludhiana

Respondents

**APPEAL CASE NO.536/2018**

Date of RTI application : 23.11.2017  
Date of First Appeal : 28.1.2017  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint : 05.02.2018

**Present:**        **Sh. Jaspal Singh, Appellant in person.**  
                     **Sh. Amrinder Singh, Executive Officer, NC Office, Jagraon – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

This is a long standing case. The Commission finds that the complete information as sought by the appellant has not been provided to the appellant. The respondent Sh. Amrinder Singh EO, Municipal Committee submits that he has recently joined and ensures this forum to provide the complete information after looking into all the pending applications of RTI. While accepting his plea the commission desires him to ensure that the available information is provided to the appellant. Any laxity shall meet with serious consequences.

To come up on **13.02.2019 at 11.30 AM** through video conference

**at Ludhiana.**

**21.11.2018**

**Sd/-**  
**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Surjit Singh  
House No.2990/76, Street No.4,  
Guru Gobind Singh Nagar, Near Mair the Chowki,  
P.O. Daba, Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Commissioner,  
Municipal Corporation,  
Ludhiana

First Appellate Authority  
O/o Commissioner,  
Municipal Corporation,  
Ludhiana

Respondents

**APPEAL CASE NO.696&697/2018**

Date of RTI application : 08.1.2017/27.10.2017  
Date of First Appeal : 12.01.2018/28.11.2017  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint : 15.02.2018/15.02.2018

**Present:       None**

**ORDER**

It should be read in continuation to the interim orders passed on 05.09.2018.

The matter has been taken up today. The Appellant has failed to intimate any deficiency as was desired. Seemingly, he is satisfied with the information thus stated to have been sent to him by the respondents. The Commission is not inclined to further intervene in the matter.

**Disposed.**

**Sd/-**

**21.11.2018**

**(Yashvir Mahajan)  
State Information Commissioner**

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Sh. Kuldip Kumar Kaura,  
5-C, Phase I, Urban Estate,  
Focal Point, Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Municipal Council, Jagraon,  
Distt. Ludhiana

First Appellate Authority  
O/o Executive Officer,  
Municipal Council, Jagraon,  
Distt. Ludhiana

Respondents

**APPEAL CASE NO.3723 /2017**

Date of RTI application : 21.08.2017  
Date of First Appeal : 27.10.2017  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint : 09.12.2017

**Present:**        **Sh. Kuldip Kumar Kaura, appellant in person**  
                      **Sh. Amrinder Singh, Executive Officer, NC Office, Jagraon – for Respondents**

**ORDER**

**The case has been heard through video conferencing.**

The following order was made by this forum on 12.09.2018:

*This is a long standing case. Interim orders directing the respondents to provide the information relating to the execution of development works and the compliance to the various statutes protecting the interest of the labourers were passed. The respondents so far have stone-walled the information on one pretext or the other.*

*The Commission is inclined to believe that the respondents are willfully denying the information at the behest of a contractor who probably has got some vested interests. Apparently, the respondents have rendered themselves liable for penal consequences. Sh. Sukhdev Singh Randhawa, PIO – cum – EO, Municipal Council, Jagraon is hereby issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.*

Contd. Page...2

**APPEAL CASE NO.3723 /2017**

*In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, 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 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.*

*Meanwhile the respondents should ensure that the complete information in all respects is provided to the information seeker which has already been inordinately delayed.*

The case has come up today for hearing.

The appellant is present. Sh. Amrinder Singh, PIO – cum – E.O., M.C. office, Jagraon is also present. He submits that Sh. Sukhdev Singh Randhawa, PIO – cum - E.O.,MC, Jagraon has been transferred. He further states that he has recently joined.

Meanwhile from the perusal of the record it transpires that an affidavit has been filed by Sh. Sukhdev Singh Randhawa wherein he denies any intention on his part to delay the information to the appellant. The delay, according to him, if any, is attributable to the objections raised by the Society not to part with the information being third party one and partly to the appellant who delayed the clarification of some ambiguities in his application. The appellant may like to react on the submissions of Sh. Sukhdev Singh Randhawa and the information which hopefully shall be provided to him by the current incumbent.

To come up on **13.02.2019 at 11.30 AM through video conference at Ludhiana.**

**Sd/-**

**21.11.2018**

**(Yashvir Mahajan)  
State Information Commissioner**

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Sh. Jaspal Singh  
S/o Sh. Rajesh Arora,  
319/3, Gurdeep Nagar,  
Jagraon, Distt. Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Nagar Council, Jagraon,  
Distt. Ludhiana

First Appellate Authority,  
O/o Regional Dy. Director,  
Urban Local Bodies Department,  
Ludhiana

Respondents

**APPEAL CASE NO.1427/2017**

Date of RTI application :	15.03.2017
Date of First Appeal :	18.04.2017
Date of Order of FAA:	Nil
Date of 2 <sup>nd</sup> Appeal/complaint	23.05.2017

**Present:**        **Sh. Jaspal Singh, Appellant in person.**  
                      **Sh. Amrinder Singh, Executive Officer, NC Office, Jagraon – for Respondents.**

**ORDER**

**The case has been heard through video conferencing.**

This is a long standing case. The Commission finds that the complete information as sought by the appellant has not been provided to the appellant. The respondent Sh. Amrinder Singh EO, Municipal Committee submits that he has recently joined and ensures this forum to provide the complete information after looking into all the pending applications of RTI. While accepting his plea the commission desires him to ensure that the available information is provided to the appellant. Any laxity shall meet with serious consequences.

To come up on **13.02.2019 at 11.30 AM through video conference at Ludhiana.**

**21.11.2018**

**Sd/-**  
**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Jaspal Singh  
S/o Sh. Ramesh Arora,  
319/3, Gurdeep Nagar, Jagraon,  
Distt. Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Nagar Council, Jagraon,  
(Distt. Ludhiana)

First Appellate Authority,  
O/o Deputy Director, Local Govt.  
Ludhiana

Respondents

**APPEAL CASE NO. 4208 of 2016**

Date of RTI Application	:24.09.2016
Date of First Appeal	:29.10.2016
Date of Order of FAA	:NIL
Date of Second Appeal	:19.12.2016

**Present:** Sh. Jaspal Singh, Appellant in person.  
Sh. Amrinder Singh, Executive Officer, NC Office, Jagraon – for Respondents.

**ORDER**

**The case has been heard through video conferencing.**

This is a long standing case. The Commission finds that the complete information as sought by the appellant has not been provided to the appellant. The respondent Sh. Amrinder Singh EO, Municipal Committee submits that he has recently joined and ensures this forum to provide the complete information after looking into all the pending applications of RTI. While accepting his plea the commission desires him to ensure that the available information is provided to the appellant. Any laxity shall meet with serious consequences.

To come up on **13.02.2019 at 11.30 AM** through video conference

**at Ludhiana.**

**21.11.2018**

**Sd/-**  
**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Gurdeep Singh,  
S/o Sh. Atma Singh,  
R/o Village-Dilaram,  
Block-Mamdot,  
Tehsil & Distt. Ferozepur.

Appellant

Versus

Public Information Officer,  
O/o District Development and Panchayat Officer,  
Ferozepur.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Ferozepur.

Respondents

**Appeal Case No.3006/2018**

Date of RTI application:	11.08.2017
Date of First Appeal :	16.02.2018
Date of Order of FAA or Reply:	Nil
Date of 2 <sup>nd</sup> Appeal/complaint:	20.08.2018

**Present:** Sh. Gurdeep Singh, Appellant in person.  
Sh. Partap Singh, BDPO, Mamdot-for respondents.

**Order**

The following order was passed on 23.10.2018:

*"The appellant is present. The notice seemingly has been mis-sent to the District Development and Panchayat Officer, Jalandhar. The error should be corrected.*

*The appellant has sought an information from the District Development and Panchayat Officer, Ferozepur seeking an action against the then sarpanch of gram panchayat Dilaram, Block Mamdot and Panchayat Secretary, Gram Panchayat Dilaram for alleged embezzlement of funds. He is desired to file a written statement and provide the information about the status of the case to the appellant before the next date of hearing under intimation to the Commission.*

*The matter shall be heard on **21.11.2018 at 11.30 AM through video conference at Ferozepur.**"*

The case has been heard today through video conference.

Sh. Partap Singh, BDPO, Mamdot submits that he has brought along the relevant documents, which has been handed over to the appellant to his satisfaction. Sh. Gurdeep Singh who is present in the studio endorses and acknowledges it. The information having been delivered to the satisfaction of the appellant the Commission is not inclined to further intervene into the matter which is disposed.

**21.11.2018**

**Sd/-**  
**(Yashvir Mahajan)**  
**State Information Commissioner**

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Sh. Badal Singh,  
S/o Sh. Gurdit Singh,  
R/o #171, Near Civil Dispensary,  
Vill.- Khane Ki Dhab,  
Sri Muktsar Sahib, Malout.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Block-Malout.

First Appellate Authority,  
O/o Block Development and Panchayat Officer,  
Block-Malout, Distt.- Sri Muktsar Sahib.

Respondents

**Appeal Case No.3023/2018**

Date of RTI application: 21.05.2018  
Date of First Appeal : 17.07.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 05.09.2018

**Present:** Sh. Badal Singh, Appellant in person.  
Sh. Jaswant Singh, BDPO, Malout,  
Sh. Sawaran Singh, Panchayat Secretary, Block Malout, Distt.  
Sri Muktsar Sahib

**Order**

Sh. Jaswant Singh submits that he has recently joined. He further says that he has been busy through and through with conduct of Block Samiti elections. While regretting the delay he says that he may be allowed a period of 15 days to dispense the information. Though there is no provision in law to condone the delay. However, in view of his submission, his request is accepted with direction to ensure the supply information by the aforesaid time, failing which the penal provision shall be invoked.

To come up on **13.02.2019 at 11.30 AM** through video conference at Sri Muktsar

**Sahib.**

**Sd/-**

**21.11.2018**

(Yashvir Mahajan)  
State Information Commissioner

**PUNJAB STATE INFORMATION COMMISSION**  
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Sh. Surjit Singh,  
# 2990/76, Street No.4,  
Guru Gobind Singh Nagar,  
Near Mair Di Showki, P.O. Daba,  
Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Commissioner,  
Municipal Corporation,  
Ludhiana

First Appellate Authority  
O/o Commissioner,  
Municipal Corporation,  
Ludhiana.

Respondents

**APPEAL CASE NO. 510/2018**

Date of RTI application : 10.11.2017  
Date of First Appeal : 19.12.2017  
Date of Order of FAA : Nil  
Date of 2<sup>nd</sup> Appeal/complaint : 29.01.2018

**Present: None.**

**ORDER**

**The case has been heard through video conferencing.**

The following order was made by this forum on 05.09.2018

*"The appellant is not present. Sh. Rahul appearing on behalf of the respondents says that the information was sent to him at the given address which has returned back to them by the postal authority with the remarks of 'refusal to accept by the addressee'. The appellant is desired to comment on the above observations in case he desires so."*

*"The case has come up today. The respondents are absent. The appellant suggests that the information sans the one regarding compoundable and non-compoundable offence as mentioned at Sr. No. 2 of his application has been received. The respondents should ensure that it is also furnished before the next date of hearing positively. Simultaneously, they shall explain their absence in writing as well."*

The case has come up today. None is present. Nothing has been communicated to the Commission. Seemingly, the remnant of information as mentioned above has been passed on to the appellant. No further action is called for.

**Disposed.**

**Sd/-**

**21.11.2018**

**(Yashvir Mahajan)**  
**State Information Commissioner**