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Shri Prem Kumar Rattan, H. No.78/8, Park Road, New Mandi, Dhuri, District Sangrur.

-----Appellant

Vs

Public Information Officer o/o Police Commissioner, Ludhiana.

First Appellate Authority o/o Police Commissioner, Ludhiana.

Public Information Officer, O/o Additional General of Police, N.R.I. Wing, Phase-7, S.A.S. Nagar.

-----Respondents.

Appeal Cases No. 3381 and 3094 of 2018

Present: None for the appellant.

Shri Pawandev Singh, ASI, on behalf of the respondents.

ORDER

In Appeal Case No. 3381 of 2018, which is being heard by the undersigned, Shri Prem Kumar Rattan, Appellant, vide his RTI application dated 02.07.2018, addressed to the PIO, sought Action Taken Report along with copies of statements of the witnesses regarding a complaint No. 1333175, dated 16.05.2018 filed by Smt. Sunita Attri wife of Shri Ram Rajan Attri, Nand Singh Avenue, Khanna.

2. This case was last heard on 19.11.2018, when the appellant was not present. The representative of the respondents submitted a letter No. AC-3381/RTI, dated 18.11.2018 from PIO-cum-DCP, Commissionerate, Ludhiana vide which it had been informed that complete record running into 652 pages regarding the said complaint had been sent to Additional Director General of Police, N.R.I. Wing, Phase-7, S.A.S. Nagar. Accordingly, the PIO of the office of Additional Director General of Police, N.R.I. Wing, Phase-7, S.A.S. Nagar, was impleaded as a necessary party in this case. A copy of the RTI application of the applicant

AC - 3381 and 3094 of 2018

was sent to him with the directions that requisite information be supplied to the appellant,

-2-

before the next date of hearing, with a copy to the Commission. He was also directed to submit

a status report on the next date of hearing. The case was adjourned for today.

3. Another Appeal Case No. 3094 of 2018 is being heard by Shri Khushwant

Singh, SIC and during hearing on 16.01.2019 he has recommended to club this case with

Appeal Case No. 3381 of 2018 as similar information has been sought in both the cases by the

same appellant and respondent PIO is also the same. Accordingly, both the cases are clubbed

together and will be decided by a single order by the undersigned.

4. Today, the appellant is not present. However, a letter dated 21.01.2019 has been

received from him through e-mail informing that he is unable to attend the hearing due to ill

health of his mother. He has further informed that no information has been supplied to him so

far. He has requested to adjourn the case to some other date.

5. The representative of the respondents submits a letter No. 1674/N.R.I./RTI,

dated 16.01.2019 from Additional Director General of Police, N.R.I. Wing, Mohali vide which it

has been informed that the matter is being investigated by Assistant Inspector General of

Police, N.R.I. Wing, Ludhiana since 12.10.2018 and a report has not been received as yet due

to which information cannot be supplied to the appellant as yet under Section 8.1(h) of the RTI

Act, 2005. Accordingly, the PIO is directed to expedite the investigation and supply the

information in both the cases to the appellant before the next date of hearing.

6. To come up on 27.02.2019 at 11.30 A.M. for further proceedings.

Dated: 22.01.2019

Sd/-(S.S. Channy) State Information Commissioner

Punjab

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Shri Rajiv Kumar

3036, Sector 47-D, Chandigarh.

----- Complainant

۷s

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

Public Information Officer, O/o Senior Superintendent of Police, Sector: 76, S.A.S. Nagar.

-----Respondent

Complaint Case No. 1038 of 2018

Present: None on behalf of the complainant.

Shri Ravinder Singh, ASI, on behalf of the respondent.

<u>ORDER</u>

Dated: 22.01.2019

In this case, Shri Rajiv Kumar Complainant, vide his RTI application dated 19.09.2014, addressed to the PIO, sought copy of conditions laid down to form an Association under Article 14.49 of Punjab Police Rules.

- 2. The case was last heard on 19.11.2018, when the complainant was not present without any intimation. The representative of the respondents submitted a letter from Shri Sanjiv Kumar, AC-II, office of SSP, S.A.S Nagar vide which he informed that he was unable to attend the hearing due to Law and Order duty. Accordingly, the PIO was directed to supply the requisite information to the complainant, with a copy to the Commission, before the next date of hearing. The case was adjourned for today.
- 3. Today again, the complainant is not present without any intimation. The representative of the respondent informs that the requisite instructions/conditions are not available in their office and these may be available in the office of DGP, Punjab, Chandigarh. Accordingly, PIO of the office of Director General of Police, Punjab, Chandigarh is directed to supply the requisite information to the complainant, before the next date of hearing and submit status report on the next date of hearing while explaining the factual position of the case.
- 4. To come up on **27.02.2019 at 11.30 A.M. for further proceedings.**

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Shri Jasbir Singh,

Village Bholapur Jhabewal,

P.O. Ramgarh, District Ludhiana.

----Appellant

Vs

Public Information Officer o/o Sub Divisional Magistrate, Jagraon, District Ludhiana.

First Appellate Authority-

Deputy Commissioner, Ludhiana.

----Respondents

Appeal Case No. 3359 of 2018

Present: Shri Jasbir Singh, Appellant, in person.

Shri Kamaljit Singh, Reader to SDM Jagraon, on behalf of the respondents.

<u>ORDER</u>

Dated: 22.01.2019

The case was last heard on 19.11.2018, when the appellant was not present.

The representative of the respondents submitted a copy of letter No. 4833/SDJ, dated 25.10.2018 from Superintendent-cum-PIO, office of S.D.M. Jagraon vide which information had been sent to the appellant. 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 appellant informs that he has not received any information so far. Accordingly, a copy of letter No. 4833/SDJ, dated 25.10.2018, vide which information had already been sent to the appellant by the PIO, is handed over to the appellant, who is again directed to furnish his observations, if any, to the PIO, with a copy to the Commission.
- 3. To come up on 27.02.2019 at 11.30 A.M. for further proceedings.

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S. Jasbir Singh Bholapur, Village Bholapur Jhabewal, P.O. Ramgarh, District Ludhiana.

-----Appellant

۷s

Public Information Officer o/o Sub Divisional Magistrate, Payal, Distt. Ludhiana.

First Appellate Authority o/o Deputy Commissioner, Ludhiana.

-----Respondents

Appeal Case No. 3358 of 2018

Present: Shri Jasbir Singh, Appellant, in person.

None on behalf of the respondents.

ORDER

The case was last heard on 19.11.2018, when a Memo. No. 11/2/2018-M.C/884, dated 15.11.2018 was received from the PIO of the office of Punjab State Minority Commission vide which it had been informed that the requisite information could not be supplied to the appellant as he had not deposited Rs. 12/- as document charges. The appellant was not present. The representative of the respondents submitted a letter No. 51-52/RTI, dated 06.11.2018 from the PIO vide which information had been sent to the appellant. Accordingly, the appellant was directed to send his observations, if any, on the provided information to the PIO with a copy to the Commission. Besides, the respondents were directed to bring original register on the next date of hearing for the perusal of the Commission. The case was adjourned for today.

2. Today, the appellant informs that he has deposited Rs. 12/- as document

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-2-

charges on 10.12.2018 but no information has been received so far. Accordingly, the

respondent PIO is directed to supply the requisite information to the appellant. In case the

appellant does not feel satisfied with the information provided by the PIO, then he can file first

appeal with the First Appellate Authority and then can approach the Commission in Second

Appeal, if he so desires.

3. In these circumstances, the instant case is **disposed of and closed.**

Dated: 22.01.2019

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Mahant Sanjay Gir, Shop No.21, Bala Ji Shopping Complex, Durgiana Abadi, Amritsar.

---- Complainant

Vs

Public Information Officer, O/o Chief Administrator, PUDA, PUDA Bhawan, Mohali.

Public Information Officer, O/o Amritsar Development Authority, PUDA Bhawan, Green Avenue, Amritsar.

-----Respondent

Complaint Case No. 1029 of 2018

Present: None on behalf of the complainant

Shri Narinder Kumar, Under Secretary Revenue-cum-PIO, on behalf of the

respondent.

ORDER

In this case, Mahant Sanjay Gir, Complainant, vide his RTI application dated 08.06.2018, addressed to the PIO, sought certain information regarding location of Religion Places and Cremation Grounds.

2. The case was last heard on 19.11.2018, when the complainant was not present without any intimation. The representatives of the respondents informed that the information sought for by the complainant did not relate to their office and therefore RTI application of the applicant had been transferred to Chief Administrator, PUDA, Mohali vide Memo. No. 11/45/2018-J-1/13443, dated 09.11.2018. Consequently, after discussing the information sought for by the applicant, the respondents were directed to send appropriate point-wise reply to the complainant stating clearly whether the information is available in their office or not. Besides, the PIO of the office of PUDA, Mohali was impleaded as a necessary party in this case and he

CC - 1029 of 2018

-2-

was directed to supply the requisite information to the complainant and submit a status report

on the next date of hearing. He was also directed to file a reply in the Commission, before the

next date of hearing. The case was adjourned for today.

3. Today, Shri Narinder Kumar, Under Secretary Revenue-cum-PIO, appearing on

behalf of the respondent, states that the information asked for by the complainant does not

relate to their office and therefore RTI application has been transferred to PIO of the office of

PUDA, Mohali. He requests that their office may be exempted from appearance during the

further hearings. Accordingly, Revenue Department is exempted from further appearance in this

case.

None is present on behalf of the PIO of the office of PUDA, Mohali. However, a 4.

letter No. GMADA-EO-cum-PIO/2019/1689, dated 18.01.2019 has been received from

Superintendent(Coordination), PUDA, SAS Nagar vide which PIO of the office of Amritsar

Development Authority, Amritsar has been directed to supply the requisite information to the

complainant and pursue the case in the Commission. Accordingly, the PIO of the office of

Amritsar Development Authority Amritsar is impleaded as a necessary party in this case he is

directed to file a detailed reply in the Commission and supply requisite information to the

complainant, before the next date of hearing.

To come up on 27.02.2019 at 11.30 A.M. for further proceedings.

5.

Dated: 22.01.2019

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Shri Naresh Sekhri, H.No.1906/89, Street No.1-B, Basant Nagar, Near Baghi Stand, New Shimlapuri, Ludhiana.

-----Appellant

۷s

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

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

-----Respondents

Appeal Case No. 3352 of 2018

Present: Shri Naresh Sekhri, Appellant, in person.

Shri Daljit Singh, S.I. and Shri Pawandev Singh, ASI, on behalf of the

respondents.

<u>ORDER</u>

In this case, Shri Naresh Sekhri, Appellant, vide his RTI application dated 21.04.2018, addressed to the PIO, sought certain information regarding complaint submitted to SHO Daba, which was received vide Diary No. 659-5D, dated 20.02.2018.

- 2. The case was last heard on 19.11.2018, when the representative of the respondents handed over information to the appellant and the appellant was directed to send his 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.
- 3. Today, the appellant informs that the provided information is incorrect and unattested. After discussing the matter and hearing both the parties it is directed that duly attested copies of letters dated 14.05.2018, 27.08.2018 and 18.11.2018 be provided to the appellant.
- 4. During hearing of the case today, it has come to the notice of the Commission that a complaint dated 20.02.2018 submitted by the appellant to SHO, Police Station Daba, Ludhiana against his wife Madhu Ashwani Kumar bearing Diary No. 659-5D, dated 20.02.2018

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-2-

has been marked to Ms. Balwinder Kaur, Sub Inspector on the basis of which the appellant has

been asking for Action Taken Report on his application diarised vide the said number.

5. The Receipt Register maintained by Police Station Daba has been summoned

and on inspection it has been found that the entry of Diary Number 659-5D relates to one Smt.

Sunita, 2157, Block-A, Giaspura Flat, Ludhiana whereas there is no entry of the application

submitted by the appellant in the register on 20.02.2018.

Thus the appellant is being harassed un-necessarily and the orders passed by 6.

the PIO and the First Appellate Authority do not reflect any depth in their sight and they simply

endorse the version of the officials that Diary No. 659-D, as per entry in the Receipt Register

does not relate to him where as there is clear mention of Diary Number 659-D, dated

20.02.2018 in one corner of his application, a photo copy of which is attached with these

orders.

7. Thus, the case in hand needs a thorough probe at the level of Deputy

Commissioner of Police to find out as to whether there is any administrative lapse or there has

been any wrong intent in dealing with the case and denying justice to the appellant. It is,

therefore, directed that a detailed inquiry be conducted and completed before the next date of

hearing and Action Taken Report be submitted. Also, Action Taken Report on the application

dated 20.02.2018 submitted by the appellant be also submitted on the next date of hearing.

8. To come up on 27.02.2019 at 11.30 A.M. for further proceedings.

Dated: 22.01.2019

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

Encl. Copy of letter dated 20.02.2018

of the appellant

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Vs

Shri Taranjit Singh, r/o 111-H, BRS Nagar, Ludhiana.

----- Complainant

Public Information Officer o/o Lodhi Club, Opposite Keys Hotel, Bhai Randhir Singh Nagar, Ludhiana.

-----Respondent

Complaint Case No. 1024 of 2018

Present: None on behalf of the complainant as well as the respondent.

<u>ORDER</u>

Dated: 22.01.2019

In this case, Shri Taranjit Singh, Complainant, vide his RTI application dated 27.07.2018, addressed to the PIO, sought details of Civil Suit filed by Surinder Pal Singh(Membership No. 1520) and Taranjit Singh(Membership No. 522) against Lodhi Club.

- 2. The case was last heard on 19.11.2018, when none was present on behalf of the complainant as well as the respondents. The PIO was directed to supply requisite information to the complainant, before the next date of hearing. The case was adjourned for today.
- 3. Today again, none is present on behalf of the complainant as well as the respondent. As per the Judgement of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011(arising out of SLP(C) No. 32768-32769/2010) Chief Information Commissioner and another Vs. State of Manipur and another, the onus lies on the complainant to prove on the basis of documentary evidence that the said Club is a Public Authority under the RTI Act, 2005.
- 4. Since the complainant is not present without any intimation nor any documentary evidence in this regard has been submitted by him to prove that the said Club is Public Authority under the RTI Act, 2005, the instant case is **disposed of and closed.**

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Shri Vishal Joshi r/o 1697/12, Street Chhajju Mishar, Chowk Farid, Amritsar.

----- Complainant

۷s

Public Information Officer o/o Service Club, Company Bagh, Amritsar.

-----Respondent

Complaint Case No. 1023 of 2018

Present: None on behalf of the complainant as well as the respondent.

ORDER

In this case, Shri Vishal Joshi, Complainant, vide his RTI application dated 09.07.2018, addressed to the PIO, sought certain information on 6 points relating to the setting up of and functioning of Service Club, Company Bagh, Amritsar.

- 2. The case was last heard on 19.11.2018 when none was present on behalf of the complainant as well as the respondents. However, a letter dated 19.11.2018 was received from the complainant informing that he was unable to attend hearing due to ill health. He requested to adjourn the case to some other date. Accordingly, the PIO was directed to supply the requisite information to the complainant, before the next date of hearing and submit status report to the Commission on the next date of hearing. The case was adjourned for today.
- 3. Today again, none is present on behalf of the complainant as well as the respondent. However, a letter No. TSC/907, dated 11.01.2019 has been received from Shri Sukhdev Singh Chhina, President, The Service Club, Amritsar vide which it has been submitted that The Service Club Amritsar is a Private Social Organization and is not a Public Authority as per Section 2(h) of the Right to Information Act, 2005 and thus the complaint filed by the

CC - 1023 of 2018

Complainant is not maintainable. It has been further submitted that the complainant has been

-2-

informed vide letter No. TSC/864, dated 20.07.2018 that The Service Club Amritsar is a Social

Organization and no financial grant is received from the Government and thus is not covered

under the RTI Act, 2005.

4. As per the Judgement of the Hon'ble Supreme Court of India rendered on

12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011(arising out of SLP(C) No. 32768-

32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another,

the onus lies on the complainant to prove on the basis of documentary evidence that the said

Club is a Public Authority under the RTI Act, 2005.

5. Since the complainant is not present without any intimation nor any documentary

evidence in this regard has been submitted by him to prove that the said Club is Public Authority

under the RTI Act, 2005, the instant case is disposed of and closed.

Dated: 22.01.2019

Sd/-(S.S. Channy) **State Information Commissioner**

Puniab

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۷s

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Shri Arun Garg s/o Shri Sham Lal, #40-41, Central Town, Village Dad, P.O. Lalton Kalan, District Ludhiana.

-----Complainant

Public Information Officer o/o District Magistrate, Peshi Branch, Ludhiana.

First Appellate Authority, O/o District Magistrate, Ludhiana.

-----Respondent

Complaint Case No. 1008 of 2018

Present: None for the complainant.

Shri Sarabjit Singh, Clerk, on behalf of the respondent.

ORDER

2.

In this case, Shri Arun Garg, Complainant, vide his RTI application dated 15.10.2015, addressed to the PIO, sought certain information on 16 points regarding the notice issued to applicant under the Maintenance & Welfare of Parents & Senior Citizens Act, 2007.

The case was last heard on 19.11.2018, when the complainant was not present.

The representative of the respondent submitted a letter No. 722/P.B., dated 15.11.2018 from Deputy Commissioner, Ludhiana vide which it has been informed that the record of the office has been searched but the relevant record has not been traced as yet due to which the requisite information could not be provided to the complainant. Accordingly, the PIO was directed to make more efforts to trace the missing record and supply the requisite information to the complainant, before the next date of hearing and submit status report on the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 would be initiated against him. The case was adjourned for today.

CC - 1008 of 2018

-2-

3. Today, the representative of the respondent informs that the missing record has

been traced and requisite information has been sent to the complainant by registered post on

26.12.2018. Accordingly, the complainant is directed to furnish observations, if any on the

provided information, to the PIO, with a copy to the Commission.

4. It is observed that there is inordinate delay in the supply of information.

Therefore, it is directed that a detailed inquiry be conducted to look into the delay caused in this

case and take necessary action after fixing responsibility and Inquiry Report be submitted on

the next date of hearing.

5. To come up on **27.02.2019 at 11.30 A.M. for further proceedings.**

Dated: 22.01.2019

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Shri Jasbir Singh r/o Village Bholapur, P.O. Ramgarh, Chandigarh Road, Ludhiana-141123.

-----Appellant

۷s

Public Information Officer o/o Sub Divisional Magistrate (East), Ludhiana.

First Appellate Authority o/o Deputy Commissioner, Ludhiana.

Shri Gagan Pajni, Project Coordinator, Punjab State Transport Society, O/o Secretary, Regional Transport Authority, Mini Secretariat, Ludhiana.

-----Respondents

Appeal Case No. 1490 of 2018

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

Shri Parkash Singh, Superintendent-cum-PIO, Office of S.D.M., Ludhiana(East) along with Shri Mandeep Singh Dhillon, Tehsildar, Ludhiana East, on behalf of the respondents.

ORDER

The case was last heard on 21.11.2018, when Smt. Neelam, Clerk, office of SDM(East), Ludhiana, appearing on behalf of the respondents, submits a letter No. 34, dated 20.11.2018, addressed to the Commission, with a copy endorsed to State Transport Commissioner, Punjab, Chandigarh, from PIO-cum-Superintendent, office of SDM, Ludhiana(East) vide which it had been informed that a reply regarding the information available in their office had already been submitted to the Commission. It had been further informed that Shri Gagandeep Pajni was directed to submit an Action Taken Report vide letter No. 27, dated 16.11.2018 but the report had not been submitted by him till date. Viewing the callous attitude

AC - 1490 of 2018

-2-

being adopted in this case by Shri Parkash Singh, Superintendent-cum- PIO of the office of

S.D.M., Ludhiana(East) seriously, a Show-Cause Notice was issued to him to explain reasons

for the delay in the supply of information. Besides, an opportunity of personal hearing was also

afforded to him on the next date of hearing i.e. today before imposition of penalty, in the interest

of natural justice. Besides, Shri Gagan Pajni, Project Coordinator, Punjab State Transport

Society, Ludhiana was also directed to assist the PIO of the office of SDM, Ludhiana(East) to

get a proper reply filed in the Commission, in person, on the next date of hearing. Shri Amarjit

Bains, S.D.M., Ludhiana(East) was also impleaded as a necessary party in this case. He was

directed to ensure that a proper reply, based on facts, is filed by the PIO on the next date of

hearing so that requisite information could be supplied to the appellant, without any further

delay. The case was adjourned for today.

2. As per the orders of the Commission, Shri Parkash Singh, Superintendent-cum-

PIO, office of S.D.M., Ludhiana (East) is present today along with Shri Mandeep Singh Dhillon,

Tehsildar Ludhiana(East). He submits a detailed reply vide letter dated 22.01.2019, which is

taken on record and a copy of which is handed over to the appellant, who is directed to submit

his observations, if any, to the PIO, with a copy to the Commission, before the next date of

hearing.

3.

To come up on 27.02.2019 at 11.30 A.M. for further proceedings.

Dated: 22.01.2019

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Shri S.P. Goyal, 2-C, Sarabha Nagar, Gurudwara Road, Ludhiana-141001.

-----Appellant

Vs

Public Information Officer, o/o Registrar, Punjab and Haryana High Court, Chandigarh.

First Appellate Authority o/o Registrar (Administration), Punjab and Haryana High Court, Chandigarh.

-----Respondents

Appeal Case No. 2795 of 2018

(THROUGH VIDEO CONFERENCE)

Present:- None on behalf of the appellant.

Shri Inder Singh, Joint Registrar(Rules) –cum-PIO and Shri Charanjeet Singh,

Senior Assistant, on behalf of the respondents in the Commission.

ORDER

In this case, during hearing on 22.10.2018, none was present on behalf of the appellant as well as the respondents. However, a letter No. 1459/PIO/HC, dated 03.10.2018 was received from the PIO through e-mail vide which reply had been sent to the Commission, with copy to the appellant. Accordingly, the appellant was directed to send his observations, if any, on the reply of the PIO, to the PIO, with a copy to the Commission. The case was adjourned to 22.11.2018.

2. On 22.11.2018, the appellant was not present. However, a letter dated 20.11.2018 was received from him vide which he had requested to fix hearing of above appeal case through Video Conference. Accordingly, on the request of the appellant, the case was adjourned for today to be heard through Video Conference.

AC - 2795 of 2018

- -2-
- 3. Today, the appellant is not present. The respondent PIO informs that a reply has already been sent to the appellant vide letter No. 1459/PIO/HC, dated 03.10.2018 and no observations have been received from him till date.
- 4. Since the appellant is not present nor any observations, on the reply sent by the PIO, have been received from him, the case is **disposed of and closed.**

Dated: 22.01.2019