



Sh Bharat Goyal S/o Sh Raj Kumar,
R/o Model Town, Tappa,
Distt Barnala.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

First Appellate Authority,
O/o SSP,
Faridkot.

...Respondent

Appeal Case No. 2767 of 2021

PRESENT: Sh.Lajpat Rai for the Appellant
Sh.Ramesh Kumar, ASI for the Respondent

ORDER:

The appellant through an RTI application dated 06.02.2021 has sought information on 05 points regarding the name of PIO-its mobile number and copy of RTI receipt and despatch register from 01.01.2019 to 06.02.2021 alongwith RTI applications pending – date of joining of ASI Balwinder Singh alongwith his list of properties as agriculture, domestic and commercial including approval of purchase from the department – list of employees Faridkot District sent to conduct the course for promotions and other information as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 20.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Faridkot. The representative appeared on behalf of the appellant claims that the PIO has not supplied the information.

The respondents present pleaded that they did not receive the RTI application. However, they received only the first appeal on 10.05.2021 and since the appellant had not attached the requisite postal order and ID proof, the appellant was asked to vide letter dated 13.05.2021 to send requisite postal order and ID proof which the appellant did not send. The Commission has also received a reply from the PIO on 01.11.2021 which has been taken on record.

The reply of the PIO is not justified since a copy of the ID proof alongwith other documents attached by the appellant with the appeal filed in the Commission, was also sent to the respondent alongwith the notice issued.

Hence the PIO is directed to provide information on all points to the appellant as per the RTI Act within 15 days and send a compliance report to the Commission.

With the above order, the case is **disposed of and closed.**

Chandigarh
Dated : 24.01.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh. Lajpat Rai, S/o Sh.Harbas Lal,
H No-B-3/287, Romana Street,
Jaito, Distt.Faridkot.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

First Appellate Authority,
O/o SSP,
Faridkot.

...Respondent

Appeal Case No. 2563 of 2020

PRESENT: Sh.Lajpat Rai as the Complainant
Sh.Ramesh Kumar, ASI-Incharge RTI Branch O/o SSP Faridkot for the
Respondent

ORDER:

The appellant through RTI application dated 14.12.2019 has sought information on 05 points regarding date of joining of ASI Daljit Singh and place of different postings along with service book – action is taken report on the complaints filed before IG Ferozepur against ASI Daljit Singh and other information as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 14.02.2020 which took no decision on the appeal.

The case first came up for hearing on 31.05.2021. The respondent present pleaded that the information has already been provided to the appellant vide letter dated 19.03.2020 and 12.02.2021.

As per the appellant, the information was incomplete. Having gone through the RTI application and hearing both the parties, the following was concluded:

Point-1	As per respondent, the information has been provided	As per the appellant, the posting/duty record of the ASI not provided	PIO to provide posting/duty record of the ASI. Service record not to be provided
Point-2	As per respondent, available information has been provided	As per the appellant, enquiry report received. Copies of application not provided	PIO to provide copies of applications

Point-3 & 4	As per respondent enquiry is pending and information cannot be provided	-	Merely stating that the enquiry is pending is not the correct way to deny the information. The PIO is directed to justify the usage of exemptions in section 8 and give it in writing as to why disclosure of information will hamper the investigation process and pass a speaking order.
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Point-5	As per respondent, the information has been provided	As per the appellant, the information is incomplete	PIO to sort out the discrepancies as per the RTI application.
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On the date of the last hearing on **21.09.2021**, the respondent informed that the information has been supplied to the appellant vide letter dated 12.02.2021 and remaining information (62 pages) vide letter dated 10.06.2021.

The appellant was not satisfied and informed that the PIO has not supplied the complete information as per the order of the Commission.

The respondent also brought the information and assured to remove the discrepancies and provide complete information.

The PIO was given one last opportunity to comply with the earlier order of the Commission and remove the discrepancies provide complete information to the appellant within 15 days and send a compliance report to the Commission otherwise the Commission will be constrained to initiate proceedings against the PIO under section 20 of the RTI Act.

Hearing dated 24.01.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per the respondent, the available information has been provided and no further information is available.

The appellant informed that the PIO has not supplied the information on point-1.

Earlier order stands. The PIO is directed to sort out the discrepancies and provide information on point-1 as per earlier order within ten days and send a compliance report to the Commission.

With the above order, the case is **disposed of and closed**.

Chandigarh
Dated :24.01.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Naresh K Gupta,
Whistle Blower, R/o Chowk No-1,
Jaitu , Distt FARIDKOT.

... Complainant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

...Respondent

Complaint Case No. 516 of 2021

PRESENT: None for the Complainant
Sh.Ramesh Kumar, ASI for the Respondent

ORDER:

The complainant through an RTI application dated 01.04.2021 has sought information on 09 points regarding complaint title Naresh Kumar v/s Mukhtiar Singh & Others 156(3) for registration of FIR on 4 persons – the action taken report with endorsement no and date – date of sending the report on the complaint to Hon'ble court- report of matter 1908-09-1919 with the record called from DSP Jaitu and other information as enumerated in the RTI application from the office of SSP Faridkot. The complainant was not provided with the information provided after which the complainant filed a complaint under Section 18 of the RTI Act in the Commission on 19.05.2021.

The case last came up for hearing on 04.10.2021 through video conferencing at DAC Faridkot. The respondent present pleaded that the complainant had sought information relating to complaint No.1908-PC-09/19. Since as per the report of the PC Branch, the complaint was pending enquiry, the same reply was sent to the complainant vide letter dated 26.04.2021. Thereafter, the information has been supplied to the complainant on 20.05.2021 and 11.09.2021.

The complainant claimed that he has received a reply relating to this RTI application only on 11.09.2021 and the reply dated 26.04.2021 was not relevant to this RTI application.

Facts of the case:

The appellant filed an RTI application on 1.04.2021.

The respondent sent a reply to the appellant of 26.04.2021 denying the information on the ground that the sought information is still in an inquiry stage.

The appellant filed a complaint case under Section 18 on grounds that no information has been provided.

Interim Order.

Having gone through the arguments of both the parties and the facts on the file, it was seen that the PIO had replied within the stipulated period of thirty days. However, there were some shortcomings in the reply of the PIO, as the PIO had blanketly refused the information by stating that the sought information is pending an inquiry but has failed to qualify it with an exemption and speaking order.

Given the above observations, the PIO was directed to file a fresh reply to the court.

Hearing dated 24.01.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondent present pleaded that the enquiry in complaint case No.1908-PC-09/19 is still pending and an interim reply was sent to the complainant vide letter dated 26.04.2021 and again 20.05.2021. Further in compliance with the order of the Commission, the other information after collecting from the concerned DSP, has been sent to the complainant on 11.09.2021(30 pages) and on 14.09.2021(03 pages). The PIO has also sent his reply which has been taken on the file of the Commission.

The complainant is absent and vide email has sought exemption.

Having gone through the record, the Commission observes that it is a complaint case and the reply to the RTI application (filed on 01.04.2021) was sent to the complainant within time(i.e. on 26.04.2021), no further interference of the Commission is required.

The case is **disposed of and closed**.

Chandigarh
Dated: 24.01.2022

Sd/-
(Khushwant Singh)
State Information Commissioner