



Sh. Rakesh Kumar Gupta, Advocate  
R/o 8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police (Rural),  
Jagraon, District Ludhiana.

First Appellate Authority,  
O/o Deputy Inspector General of Police,  
Ludhiana Range, Near Old Courts  
Ludhiana.

Respondents

**Appeal Case No.2597/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 06.07.2019              | Nil                           | 11.07.2019                        | Nil                          | 15.07.2019                       |

**Present:**                      **Appellant-**      **Sh. Rakesh Kumar Gupta.**  
   **Respondents-** **ASI Harpreet Singh;**  
   **H.C. Sh. Satnam Singh, Investigation Officer, O/o**  
   **SSP(Rural) Jagraon.**

**ORDER**

The following order was passed on 02.08.2019:

*“As the instant case relates to details of investigation which is still being done, the appeal is being taken in routine.*

*The appellant has sought information under proviso to Section 7(1) of RTI Act relating to Life & Liberty of an individual. The respondents have brought along the information which has been handed over on spot to the appellant. The appellant intends to know the action having been taken on the complaints made against some persons who had tried to harm him bodily. The appellant submits that the information provided to him is incomplete. He is advised to go through and intimate the respondents about the deficiencies which shall be made good by them within 7 days.”*

The case has come up today. The appellant states that the information about

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**Appeal Case No.2597/2019**

the action having been taken with reference to his complaints filed by him on 08.05.2019 as mentioned in his RTI application has not been given the respondents. The respondents submit that the complaint was forwarded to the jurisdictional Police Station. However, the response from it is still awaited. The respondents are directed to take immediate requisite action forthwith.

The matter shall be heard on **30.10.2019 at 11.30 AM through video conference in Office of Deputy Commissioner, Ludhiana.**

**24.09.2019**

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



Sh.Rakesh Kumar Gupta, Advocate  
R/o 8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police (Rural),  
Jagraon, District Ludhiana.

First Appellate Authority,  
O/o Deputy Inspector General of Police,  
Ludhiana Range, Near Old Courts  
Ludhiana.

Respondents

**Appeal Case No.2602/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 03.07.2019              | Nil                           | 11.07.2019                        | Nil                          | 16.07.2019                       |

**Present:**                      **Appellant-**        **Sh. Rakesh Kumar Gupta.**  
   **Respondents-** **ASI Harpreet Singh;**  
   **H.C. Sh. Satnam Singh, Investigation Officer, O/o**  
   **SSP(Rural) Jagraon.**

**ORDER**

The following order was passed on 02.08.2019:

*"This application has been filed under Life & Liberty clause. Taking cognizance of the facts, the appeal is taken in routine.*

*The appellant has sought copies of the complaints received by the respondent in matter of FIR No.90 registered at Police Station, Dakha on 01.06.2019 and information relating to the action having been taken thereon. The respondents are directed to file a written reply to the Commission after taking appropriate action towards providing information to the appellant."*

The case has come up today. The respondents represented by ASI Harpreet Singh, say that the matter is under investigation with the SP Headquarters (Rural) Ludhiana.

He further states that the appellant shall be informed on completion of the same. They have



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**Appeal Case No.2602/2019**

simultaneously asked for an adjournment. Their request is accepted with an advice that the matter shall be looked into expeditiously as the same relates to the serious offence of IPC. It may be relevant to add that the appellant is apprehending serious threat to his life by some notorious elements and appropriate action should visibly be initiated to quell his doubts and secure his life.

The matter shall be heard on **30.10.2019 at 11.30 AM through video conference in Office of Deputy Commissioner, Ludhiana.**

**24.09.2019**

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



Sh.Rakesh Kumar Gupta, Advocate,  
R/o 8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana.

Appellant

Versus

**Public Information Officer,**  
O/o Senior Superintendent of Police (Rural),  
Jagraon, District Ludhiana.

**First Appellate Authority,**  
O/o Deputy Inspector General of Police,  
Ludhiana Range, Near Old Courts  
Ludhiana.

Respondents

**Appeal Case No.2603/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 04.07.2019              | Nil                           | 11.07.2019                        | Nil                          | 16.07.2019                       |

**Present:**

**Appellant- Sh. Rakesh Kumar Gupta.**  
**Respondents- ASI Harpreet Singh;**  
**H.C. Sh. Satnam Singh, Investigation Officer, O/o**  
**SSP(Rural) Jagraon.**

**ORDER**

The following order was passed on 02.08.2019:

*“The appellant seeks to know the guidelines governing the provision of security guards to the vulnerable persons. The respondents are directed to look into the same and provide the information expeditiously.”*

The case has come up today. The respondents say that the information sought relates to Security Wing of Punjab Police. According to the notification issued by the Department of Home Affairs and Justice, Punjab, on 23.02.2006, the Security wing is exempted from the provisions of the RTI Act in terms of Section 24 (4).The appellant may like to respond on the same.

To come up on **30.10.2019 at 11.30 AM through video conference in**

**Office of Deputy Commissioner, Ludhiana.**

**24.09.2019**

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



Sh.Rakesh Kumar Gupta,Advocate  
R/o 8/237, Jagraon Road,  
Mandi Mullanpur, Distt. Ludhiana

Appellant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police(Rural),  
Jagraon, District Ludhiana.

First Appellate Authority,  
O/o Deputy Inspector General of Police,  
Ludhiana Range, Near Old Courts  
Ludhiana.

Respondents

**Appeal Case No.2604/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 15.07.2019              | Nil                           | 18.07.2019                        | Nil                          | 22.07.2019                       |

**Present:**                      **Appellant-**      **Sh. Rakesh Kumar Gupta.**  
   **Respondents-** **ASI Harpreet Singh;**  
   **H.C. Sh. Satnam Singh, Investigation Officer, O/o**  
   **SSP(Rural) Jagraon.**

**ORDER**

The following order was passed on 02.08.2019:

*The following information has been sought In the instant case:-*

- i) *Certified copies of all RTI applications disposed of, pending, and forwarded by other departments /offices U/s 6(3) of RTI Act, 2005 after 1.1.2017 with PIO/SSP Ludhiana Rural, DSPDakha Rural, DSP Dakha*
- ii) *Certified copies of correspondence made by branches of Directorate Punjab Police, DIG Ludhiana and IGP Zonal-2 Jalandhar in RTI applications/complaints.*
- iii) *Certified copies of correspondence made in first appeal by DIG Ludhiana and IGP Zona-2, Jalandjhar.*
- iv) *The detail of information should be separately provided regarding RTI appeals settled in SSP/SHO/DSP Office, DIG Ludhiana and IGPZonal-2 Jalandhar (First appeal stage) and Punjab State Information Commission stage.*

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**Appeal Case No.2604/2019**

- v) *Since the information pertains to attack on RTI activist and Journalist (complainant), the complaint is facing threat of life and liberty from the accused and the police itself, the same be provided within 48 hours from the receipt of this application as prescribed u/s 7(1) that states “where the information sought for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request”.*
- vi) *In case part of the information sought by the applicant pertains to some other PIO, the application be transferred to him u/s 6 (3) of RTI Act, 2005.*
- vii) *Kindly provide an appointment to verify the original records pertaining to information sought after providing the information.*

*The respondents are directed to look into the requisition, deal with the matter and file reply to the Commission. The admissible information should be dispensed expeditiously.”*

The case has come up today. The respondents submit that the information is quite voluminous and they are shorthanded to deal with repetitive applications seeking enormous information. The respondents are advised to provide him an access to the admissible record with reference to the RTI application and may provide him the certified copies of the documents identified by him, but not beyond 50 pages.

The matter shall be heard on **06.11.2019 at 11.30 AM through video conference in Office of Deputy Commissioner, Ludhiana.**

**Sd/-**

**24.09.2019**

**(Yashvir Mahajan)  
State Information Commissioner**



Sh. Rakesh Kumar Gupta, Advocate  
 R/o 8/237, Jagraon Road,  
 Mandi Mullanpur, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,  
 O/o Senior Superintendent of Police (Rural),  
 Jagraon, District Ludhiana.

First Appellate Authority,  
 O/o Deputy Inspector General of Police,  
 Ludhiana Range, Near Old Courts  
 Ludhiana.

Respondents

**Appeal Case No.2605/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 05.07.2019              | Nil                           | 11.07.2019                        | Nil                          | 17.07.2019                       |

**Present:**                      **Appellant-**      **Sh. Rakesh Kumar Gupta.**  
    **Respondents-** **ASI Harpreet Singh;**  
    **H.C. Sh. Satnam Singh, Investigation Officer, O/o**  
    **SSP(Rural) Jagraon.**

**ORDER**

The following order was passed on 02.08.2019:

*"The following information has been sought in the instant case:-*

- i) *Certified details of arms license issued to the persons mentioned in application i.e.*
  1. Bajrang Bansal, 2. Telu Ram Bansal, 3. Mahavir Bansal, 4. Vijay Bansal, 5. Sushil Bansal, all sons of Om Parkash R/o Shiv Mandir road, Mullanpur Dakha (Ludhiana)
  6. Manoj Bansal, S/o Telu Ram Bansal 7. Lovekesh Bansal S/o Mahavir Bansal, R/o Shiv Mandir road, Mullanpur Dakha. 7. Prabhdeep Singh Mangat Mohie R/o Mohie Village (Ldh.) and his alliances. 8. Master Sukhdev Singh R/o Mullanpur Dakha
  9. Jawinder Singh Ghodianwala @ Happy. Sitting MC of Mullanpur Dakha R/o Mullanpur
  10. Sanjeev Verma (Pres Reporter) S/o Gurdev Raj r/o Near Sua, Purani Mandi, Mullanpur.
  11. Major Singh Mullanpur (Congress Worker) Village Mullanpur.
- ii) *Certified details of arms in possession of these persons.*
- iii) *Certified record of deposit of arms with Police Stations or arms dealers as per DC/Punjab Govt./Election Commission orders during elections and other occasions. Provide certified copies of receipt registers or any other register where the record of deposited guns is maintained.*
- iv) *Certified copies of issue and reissue of arms by police station or arms dealer to these persons. Provide certified copies of dispatch/release registers of deposited guns are maintained.*

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**Appeal Case No.2605/2019**

- v) *Since the information pertains to attack on RTI activist and Journalist (complainant), the complaint is facing threat of life and liberty from the accused and the police itself, the same be provided within 48 hours from the receipt of this application as prescribed u/s 7(1) that states "where the information sought for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request".*
- vi) *In case part of the information sought by the applicant pertains to some other PIO, the application be transferred to him u/s 6 (3) of RTI Act, 2005.*
- vii) *Kindly provide an appointment to verify the original records pertaining to information sought after providing the information.*

*The respondents are directed to look into the requisition, deal with the matter and file reply to the Commission besides providing information which they deem as admissible, expeditiously."*

The case has come up today. The respondents say that the information sought relates to personal information of a third party and it is not desirable to be revealed under section 8 (1) (j) of the RTI Act. The Commission partially agrees with them. The information about the licensed weapons in the custody of an individual is sensitive and strictly personal. Its revelation can jeopardize one's safety. However, in the case in hand it shall be desirable that the respondents provide him the information to the extent as to whether on the date of incident as mentioned in the original RTI application the weapons in contention were deposited with the jurisdictional Police Station or not.

To come up on **06.11.2019 at 11.30 AM** through video conference in

**Office of Deputy Commissioner, Ludhiana.**

**24.09.2019**

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

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
Tele No. 0172-2864112, FAX No. 0172-2864125, Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com)  
Email:psic22@punjabmail.gov.in



Sh. Rupinder Singh,  
S/o Sh. Baldev Singh,  
House No. 14, Street No. 51/2,  
Indira Colony, Rahon Road, Ludhiana.

Appellant

Versus

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

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

Respondents

**Appeal Case No.2591/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 12.07.2019              | Nil                           | 16.07.2019                        | Nil                          | 18.07.2019                       |

**Present:** Appellant- Sh. Rakesh Kumar Gupta.  
Respondents- SI Sh. Pawandev Singh, O/o DCP, Ludhiana.

**ORDER**

The appellant is seeking a detailed information about an FIR No. 163 dated 23.05.2019 lodged at Police Station Division No. 5. The respondents have filed a reply. A copy of it has been handed over to the appellant. He may like to go through it and file a rejoinder.

To come up on **06.11.2019 at 11.30 AM through video conference in**  
**Office of Deputy Commissioner, Ludhiana.**

**24.09.2019**

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

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



Sh. Rupinder Singh,  
S/o Sh. Baldev Singh,  
House No. 14, Street No. 51/2,  
Indira Colony, Rahon Road, Ludhiana.

Appellant

Versus

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

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

Respondents

**Appeal Case No.2592/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 13.07.2019              | Nil                           | 17.07.2019                        | Nil                          | 19.07.2019                       |

**Present:**                      **Appellant- Sh. Rakesh Kumar Gupta.**  
   **Respondents- SI Sh. Pawandev Singh, O/o DCP, Ludhiana.**

**ORDER**

The respondents have filed a reply. A copy of it has been handed over to the appellant. He may like to go through it and file a rejoinder.

To come up on **06.11.2019 at 11.30 AM through video conference in**

**Office of Deputy Commissioner, Ludhiana.**

**24.09.2019**

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

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Email:psic22@punjabmail.gov.in



Sh. Rakesh Kumar Gupta, Advocate,  
R/o 8/237, Jagraon Road,  
Mandi Mullanpur, District-Ludhiana.

Appellant

Versus

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

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

Respondents

**Appeal Case No.2593/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 19.04.2019              | Nil                           | 29.05.2019                        | Nil                          | 15.07.2019                       |

**Present:** Appellant- Sh. Rakesh Kumar Gupta.  
Respondents- SI Sh. Pawandev Singh, O/o DCP, Ludhiana.

**ORDER**

The respondents have filed a reply. A copy of it has been handed over to the appellant. He may like to go through it and file a rejoinder.

To come up on **06.11.2019 at 11.30 AM through video conference in**

**Office of Deputy Commissioner, Ludhiana.**

**24.09.2019**

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

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Sh. Amarjit Singh,  
S/o S. Ajmer Singh,  
Village-Burj Hari Singh (Patti-Jhallian),  
Tehsil-Raikot, District-Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Raikot, District-Ludhiana.

First Appellate Authority,  
O/o Block Development and Panchayat Officer,  
Raikot, District-Ludhiana.

Respondents

**Appeal Case No.1587/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 04.01.2018              | Nil                           | 28.03.2018                        | Nil                          | 25.04.2019                       |

**Present:** Appellant- Sh. Amarjit Singh.  
Respondents- Sh. Jaswant Singh, Panchayat Secretary.

**ORDER:**

The following interim order was passed on 13.08.2019:

09.07.2019

*“Feeling aggrieved for having not received the information against his application dated 04.01.2018 and filing 1<sup>st</sup> appeal, the appellant has been constrained to file second appeal with the Commission. The Commission has gone through the application. He intends to seek elaborate information about the activities of the Gram Panchayat ranging from the period 2013 to 2018. The Commission feels that it shall be a massive record and its transmission in such quantum may erode the resources of the public authority. The Commission directs the PIO to allow him inspection of the record on a pre-fixed date and provide him certified copies of the document so identified by him upto an extent of 50 pages only.*

*The appellant may like to justify the demand in public interest beyond the above stipulated number. Meanwhile the respondents shall explain their conduct in writing for the inordinate delay in providing the information.”*

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**Appeal Case No.1587/2019**

13.08.2019

*“The case has come up today. The respondents are neither present nor any communication about compliance of the order has been made. The appellant reiterates that respondents have refused to provide access to the record as advised by the Commission. The Commission understands that the respondents have violated the provisions of section 7(1) of RTI Act, 2005. The BDPO, Raikot 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 Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.*

*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.”*

The case has been taken up today. The respondents say that the record has been provided to the appellant. However the appellant states that it has been delivered to him



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**Appeal Case No.1587/2019**

only yesterday and he has not been able to examine it completely. He seeks some time to go through it and file its adequacy with reference to his application.

The matter shall be heard on **29.10.2019 at 11.30 AM**. Meanwhile the respondents shall ensure that any deficiency pointed by him is met before the next date of hearing.

**24.09.2019**

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



**By Registered Post**

Sh. Jaswant Singh,  
S/o Sh. Gurdeep Singh,  
R/o Village-Gorsian Peeran,  
Tehsil-Phillaur, Distt. Jalandhar.

Sh. Kuldip Singh,  
S/o Sh. Gurbachan Singh,  
R/o Village-Gorsian Peeran,  
Tehsil-Phillaur, Distt. Jalandhar.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Nurmahal, Jalandhar.

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

Respondents

**Appeal Case No.1640/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 28.01.2019              | Nil                           | 01.03.2019                        | Nil                          | 01.05.2019                       |

**Present:** Appellant- Sh. Jaswant Singh;  
Respondents- Sh. Amritpal Singh, Panchayat Secretary.

**ORDER:**

09.07.2019 The Commission has made following order on 13.08.2019:

*"The information has reportedly been dispatched under registered cover by the respondents vide their letter dated 05.07.2019. The appellant denies having received it. Obviously, it should be in transit. The Commission hopes that the appellant will soon get it. The appellant may like to go through the information when it is received and report deficiency, if any."*

13.08.2019

*The case has come up today. None is present on behalf of respondents. The respondents have sent a reply with an endorsement to the Commission, which entails therein details of the expenses incurred by the Gram Panchayat. The appellant is keen to procure its details with a copy of measurement books. The respondents are advised to do the needful before the next date of hearing. The appellant also complains about the deficiency and*





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**Appeal Case No.1640/2019**

*incomplete submission of information with reference to the copies of the resolutions passed by it. The appellant should pinpoint missing resolutions, if any, which the respondents shall respond to by providing the complete information. The respondents are required to explain the delay in providing the information as well as their absence from the hearing.*

The case has again come up today. The *status quo ante* remains. The respondents have not so far provided him the copies of measurement books, the vouchers, the bills expended on various development works and the utilization certificates. Such an evasive attitude tantamount to violation of provisions of Section 7 (1) of the RTI Act.

Sh. Amritpal Singh, Panchayat Secretary, who is a deemed PIO in the case is issued a show cause notice issued 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 Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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

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**Appeal Case No.1640/2019**

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.

The Junior Engineer shall be considered as a deemed PIO with reference to the information contained in the measurement books relevant to the village under issue.

To come up on **29.10.2019 at 11.30 AM.**

**24.09.2019**

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

Sh. Harnam Dass,  
H.No.3165-D, Sector-40,  
Chandigarh

Appellant

Versus

Public Information Officer,  
O/o District Development & Panchayat Officer,  
Kapurthala.

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

Respondents

**Appeal Case No.1454/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 04.01.2019              | Nil                           | 05.02.2019                        | Nil                          | 18.04.2019                       |

**Present:** Appellant - None;  
Respondents- None.

**ORDER:**

The following order was passed by the bench on 20.06.2019:

*"None is present. The appellant has enclosed a copy of the letter addressed to him by the BDPO Nadala. It seems that the BDPO Nadala who is a senior public functionary, is ignorant about the provisions of the RTI Act. He has advised the information seeker to contact the Panchayat Secretary on telephone and obtain the information by furnishing identity card. Legally, he should have transferred the application under Section 6(3) of the Act to the concerned Panchayat Secretary to provide information to the appellant. He is desired to do it now and ensure that the sought information is provided within a fortnight from the date of receipt of order positively and also explain the delay and show cause as to why a penalty as envisaged in Section 20(1) for the violation of Section 7(i) of the RTI Act should not be imposed."*

The case has come up today. None is present. The DDPO concerned has failed to comply with the order of the Commission and provide the information to the



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**Appeal Case No.1454/2019**

information seeker. He has thus rendered himself liable for penal consequences.

The DDPO, Kapurthala, is hereby issued a show cause notice issued 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 Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

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.

To come up on **24.10.2019 at 11.30 AM.**

**24.09.2019**

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



**By Registered Post**

S. Sukhwinder Singh,  
S/o S. Amar Singh,  
R/o Vill. Issapur Landa,  
Tehsil Dhuri, Distt. Sangrur.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Sherpur, Distt. Sangrur.

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

Respondents

**Appeal Case No.1953/2018**

Date of RTI application: 02.08.2017  
Date of First Appeal : 04.12.2017  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 01.06.2018

**Present:** Appellant- Sh. Sukhwinder Singh.  
Respondents- None.

**ORDER**

The following order was passed by the bench on 14.08.2019:

09.01.2019:

*"The appellant has sought for an information pertaining to various expenditures incurred by the Gram Panchayat of Village Issapur Landa, Block Sherpur Tehsil Dhuri, Distt. Sangrur. Besides, details of some other allied activities have also been asked. Despite the notice and directions issued by the DDPO, Sangrur, the PIO in the O/o BDPO, Sherpur, has failed to file any reply or pass on any information to the appellant. The Commission takes serious view of the same. Apparently, the respondents have contravened the provision of the Section 7(1) of the Act and rendered himself for penal consequences.*

*The BDPO, Sherpur is hereby issued a show cause notice under section 20(1) of the Right to Information Act as to why a penalty at the rate of Rs. 250/- per day, subject to a maximum of Rs. 25000/- be not imposed upon him for the delay in the supply of*

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*information and also to why a suitable compensation under Section 19(8)(b) of the Right To Information Act, 2005, be not awarded to the appellant for the loss and detriment suffered by him. He is also afforded an opportunity of personal hearing on the next date of hearing, before taking any action.”*

14.08.2019

*“The case has come up today. Sh. Naresh Kumar, Panchayat Secretary, is present. He is evasive and has not been able to satisfy the Commission about transmission of information. The appellant denies having received any information. The BDPO, Sherpur, is already under show cause notice. The Commission finds that the original application was filed way back on 02.08.2017. The respondents have shown a grave misconduct and indifference, even in the face of issue of show cause notice. The BDPO, Sherpur, is hereby directed to come present in office of the Commission along with the original record on the next date of hearing. The Commission underlines that no further opportunity shall be afforded to finalize the show cause notice.”*

The case has again come up today. Despite having been issued show cause notice and umpteen opportunities, the BDPO has shown no concern or seriousness to the issue it deserves . The original application was filed on 02.08.2017. Even after the lapse of two years, the appellant stays blank of the information sought by him. The culpability of the

**Appeal Case No.1953/2018**

respondents under section 7 (1) is apparent. Therefore exercising its authority under section 20 (1) of the RTI Act, the Commission imposes a penalty of Rupees 15000/- (Rupees Fifteen Thousand only) in lump sum on the BDPO, Sherpur. The Drawing & Disbursing Officer is directed to deposit the amount of penalty in the government Treasury in two equal installments from his salary from the month of October, 2019 under head given below:

- 0070-Other Administrative Services
- 60 Other Services
- 800 Other Receipts
- 86 Fee under RTI Act, 2005

A copy of the challan shall be sent to the Commission positively.

As the appellant has been put to undue inconvenience and harassment, he is awarded a compensation of Rs.3,000/- which shall be paid to him through a bank draft by the public authority from its own account.

As the information has still not been provided, the Commission directs the BDPO to ensure its prompt transmission and come present along with the record in person on the next date of hearing failing which, the Commission shall be constrained to enforce his presence by exercising its authority under section 18(7) of the RTI Act.

To come up on **31.10.2019 at 11.30 AM.**

**24.09.2019**

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







Smt. Tej Kaur,  
W/o Sh. Randhir Singh,  
R/o #29, 2<sup>nd</sup> Floor, State Institute of  
Health & Family Complex,  
Phase-6, SAS Nagar (Mohali)

Appellant

Versus

Public Information Officer,  
O/o Senior Superintendent of Police,  
SAS Nagar (Mohali).

First Appellant Authority  
O/o Director General of Police,  
Punjab Police Headquarters  
Sector-9A, Chandigarh.

Respondents

**Appeal Case No.1099/2019**

| Date of RTI Application | Date of Reply, if any of SPIO | Date of First Appeal made, if any | Date of order, if any of FAA | Date of Second Appeal/ Complaint |
|-------------------------|-------------------------------|-----------------------------------|------------------------------|----------------------------------|
| 31.08.2018              | Nil                           | 23.10.2018                        | Nil                          | 19.03.2019                       |

**Present:**

**Appellant-** Smt Tej Kaur.  
**Respondents-** H.C. Sh. Purshotam Kumar, O/o DGP, Punjab;  
H.C. Sh. Randhir Singh, O/o SSP, Mohali.

**ORDER**

16.07.2019: The Commission had made the following observations on 13.08.2019:

*“None is present on behalf of the respondents. The Commission takes a very serious view of the defiance of the respondents in the matter. The appellant has been made to run from pillar to post. This Commission had passed order on 15.05.2018, specifically directing the respondents to inform the appellant the outcome of his complaint. However, the appellant alleges that no communication, whatsoever, has been conveyed by the Police to her till today. The respondents are directed to throw light on the same, besides informing the appellant.*

13.08.2019

*The case has come up today. The appellant has sought the details of an FIR lodged and the consequential action having been taken by the police authorities. The*



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**Appeal Case No.1099/2019**

*respondents deny the registration of FIR. However, they admit that the action towards prevention of apprehension of breach of peace was taken. Be that as it is, the respondents are directed to provide a point wise reply along with the documents available on their record to the appellant before the next date of hearing. The respondents may note that no further opportunity shall be afforded."*

The matter has again been taken up today. The respondents have submitted a copy of the memo sent to the appellant along with some enclosures. The Commission has gone through it and finds that the information provided to the appellant by the aforesaid memo seems adequate. The information materially existing with them has been provided. The Commission would hasten to add that it has already dealt with an RTI Appeal of the appellant earlier as well. The delinquent officials were penalized. It is not within the domain of this office to redress her grievance actual or perceived towards lodging an FIR. In case she is still dissatisfied, she may like to approach judicial magistrate. With these observations, the appeal is **disposed**.

**24.09.2019**

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