



Sh Sh. Himanshu Raj,  
# 102, Sector-10-A, Chandigarh.

... Appellant

Versus

**Public Information Officer,**  
O/o Chief Secretary Office,  
6<sup>th</sup> Floor, Punjab Civil Secretariat-1,  
Sector-1, Chandigarh

...Respondent

**Complaint Case No. 206 of 2019**

**PRESENT: Ms.Sapna Randhawa, Advocate for the Complainant**  
**None for the Respondent**

**ORDER:**

The case was last heard on 13.05.2019. The complainant through RTI application dated 10.01.2018 has sought information regarding WWICS residential project namely Imperial Heights sector 115 Mohali. The respondent present pleaded that they have already sent reply to the complainant vide letter dated 08.05.2019 that GMADA has not granted any license to WWICS Estates Private Limited for setting up of a project in name of Imperial Heights in Sector 115 Mohali. The respondent further pleaded that since the complainant has asked for the information from different departments, the RTI application should have been transferred to the department of Local Bodies.

Having gone through the RTI application, the Commission observed that it is very difficult for a public authority to ascertain that in which department the information lies. The appellant was directed to appear on the next date of hearing to plead his case and bring clarity on the information that he seeks.

**Hearing dated 25.07.2019:**

The counsel appeared on behalf of the complainant has not been able to specify the information. The respondent has already sent reply to the appellant.

Having gone through the RTI application, the Commission observes that the queries raised in the RTI application are ambiguous and do not qualify as the information as defined under the RTI Act. However, the Commission directs the appellant to inspect the record and take appropriate documents. The PIO is directed to allow inspection to the appellant and provide the relevant information.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM.**

**Chandigarh**  
**Dated 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

Sh. Baldev Singh, S/o Sh Sarwan Singh,  
R/o 302, Street NO-5, New Deep Nagar,  
Civil Lines, Ludhiana. .

... Appellant

Versus

**Public Information Officer,**  
O/o XEN, PSPCL,  
Distribution Division, Batala.

**First Appellate Authority,**  
O/o XEN, PSPCL,  
Distribution Division, Batala.

...Respondent

**Appeal Case No. 543 of 2019**

**PRESENT: Sh.Baldev Singh as the Appellant**  
**None for the Respondent**

**ORDER:**

The case was last heard on 13.05.2019. The appellant informed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information to the appellant within 15 days and send a compliance report to the Commission. The PIO was also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

**Hearing dated 25.07.2019:**

The appellant claims that despite order of the Commission, the PIO has not provided the information. The respondent is absent on 2<sup>nd</sup> hearing.

The Commission observes that there has been an enormous delay of 11 months in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to show cause **why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information to the appellant within 10 days.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM.**

**Chandigarh**  
**Dated 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: - [Psicsic30@punjabmail.gov.in](mailto:Psicsic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



**Regd Post**

Sh.Balvir Singh, S/o Sh.Joginder Singh,  
R/o Village Saide Ki (Khoo.Mohar Singh Wala),  
P/O DulchiKe, Tehsil &Distt.Ferozepur.

... Complainant

Versus

**Public Information Officer,**  
O/o DDPO,  
Ferozepur.

**First Appellate Authority,**  
O/o DDPO,  
Ferozepur.

...Respondent

**Complaint Case No. 552 of 2018**

**Present:       None for the Complainant**  
**Sh.Paramjit Singh, PIO-cum-BDPO Ferozepur for the Respondent**

**ORDER:**

The case was first heard on **20.08.2018**. The respondent was absent. The complainant pleaded that despite his first appeal and again a letter sent to the DC Ferozepur on 17.04.2018 as well as his personal visits to the office of BDPO twice, he has not been provided the information. The PIO was directed to provide the information to the complainant within 15 days and be present on the next date of hearing with valid explanation for not providing the information within the prescribed time under the RTI Act.

The case was again heard on **17.09.2018**. The appellant informed that he has not received the information. The PIO was absent. The PIO neither provided the information nor sent any explanation for delay in responding the RTI application. Due to non compliance of the orders of the Commission, the PIO was issued **show cause notice and the PIO** was directed to be present personally before the Commission alongwith written reply on an affidavit. The order is reproduced hereunder:

The case came up for hearing again on **05.11.2018**. The PIO was absent. The respondent present brought the information. The appellant was absent to point out the discrepancies, if any. The respondent was directed to send the information to the complainant through registered post and send compliance to the Commission.

The PIO did not file reply to the show cause notice issued on 17.09.2018. The PIO-BDPO was afforded one last opportunity to appear personally on the next date of hearing and reply to the show cause notice on an affidavit failing which the Commission will take action as per RTI Act.

The case was again heard on **11.12.2018**. The complainant informed that he has received the information on 09.11.2018 but the information is incomplete. The PIO was again absent and had not filed any reply to the show cause or any paper in his defense.

Keeping all facts in mind, the PIO, BDPO, Ferozepur was held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request, and for repeated and willful defiance of the Punjab State Information Commission's orders. A penalty of Rs.10,000/- was imposed upon the PIO, BDPO, Ferozepur under section 20 of the RTI Act, 2005 which was to be deposited in the Govt. Treasury.

Further, the PIO-,BDPO, Ferozepur was directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury. The PIO was also directed to contact the complainant and sort out the discrepancies in providing the information as sought under the RTI Act.

The case was further heard on **13.02.2019**. Sh.Paramjit Singh, PIO-BDPO, Ferozepur alongwith Sh.Kulwant Singh, Panchayat Secretary O/o BDPO appeared late and informed that the information has been provided to the complainant. The PIO further pleaded they will contact the complainant and sort out the discrepancies with the complainant if any. The respondent was directed to comply with the earlier order of the Commission which still stands and send a compliance report to the Commission.

The case was again heard on **03.04.2019**. The respondent present has pleaded that the information has been provided to the appellant. The appellant also acknowledged the receipt of the information and shown his satisfaction. Since the PIO was again absent nor had complied with the order of the Commission, the Commission was constrained to issue warrants against the erring PIO-BDPO Ferozepur under section 18(3) of the RTI Act.

The respondent present further informed that Sh.Paramjit Singh, PIO-cum-BDPO Ferozepur has been transferred to the Head Quarter, at Vikas Bhawan, Sector 62, Mohali.

To secure an erring PIOs presence before the Commission, a bailable Warrant of Sh.Paramjit Singh, PIO-cum-BDPO, Ferozepur was issued through Senior Superintendent of Police, SAS Nagar, Mohali for his presence before the Commission on 22.05.2019.

The case was last heard on **22.05.2019**. The PIO was present and informed that after his transfer from Ferozepur to Head office, his salary has not yet been released and he is unable to deposit the amount of penalty immediately. The PIO however, ensured to deposit the same immediately after release of his salary. The PIO was given one more opportunity to comply with the earlier order of the Commission and submit proof of having deposited the amount of penalty in the Govt Treasury, at the next date of hearing.

**Hearing dated 25.07.2019:**

Sh.Paramjit Singh, earlier PIO-cum-BDPO, Ferozepur is present. The PIO pleaded that his salary has yet not been released. The PIO further informed due to non-functioning of website of the treasury branch of the bank, the amount could not be deposited. The PIO assured to deposit the same within 2-3 days and submit proof in the Commission.

The PIO is given one last opportunity to comply with the earlier order of the Commission which still stands and submit proof of having deposited the amount of penalty in the Govt Treasury, at the next date of hearing.

To come up for compliance on **20.08.2019 at 11.00 AM**.

**Chandigarh**  
**Dated: 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to :1. The BDPO Ferozepur.**  
**2. Director, Rural Development & Panchayat,**  
**Vikas Bhawan, Sector 62, SAS Nagar, Mohali**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in**  
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Sh. Yogesh Goel, S/o LtSh Jiwan Lal Goel,  
R/o H No-3244, Sector-35-D,  
Chandigarh.

... Appellant

Versus

**Public Information Officer,**  
O/o GLADA,  
Ludhiana.

**First Appellate Authority,**  
O/o GLADA,  
Ludhiana.

...Respondent

**Appeal Case No. 590 of 2019**

**PRESENT: Ms.Navneet Kaur, Advocate for the Appellant**  
**Sh.Santosh Kumar Bains, PIO GLADA for the Respondent**

**ORDER:**

**The case** was last heard on 13.05.2019. The respondent was absent and sought exemption being on election duty. In the same letter, the respondent informed that the information has been sent to the appellant vide letter dated 06.05.2019. The counsel representing the appellant informed that they have not received the information.

The PIO was also directed to resend the information to the appellant and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

**Hearing dated 25.07.2019:**

The respondent present pleaded that the information has been provided to the appellant vide letter dated 06.05.2019 and again on 21.07.2019. The counsel present on behalf of the appellant has denied having received the information.

The respondent has again provided the information to the counsel. The counsel has sought time to go through the information.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM.**

**Chandigarh**  
**Dated 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
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Sh. Rajeev Kumar, S/o Sh Sohan Lal,  
# 1886-35, Inder Nagri, Jalalabad (West),  
Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Deputy Chief Engineer,  
D S Circle, PSPCL, Ferozepur.

**First Appellate Authority,**  
O/o Deputy Chief Engineer,  
D S Circle, PSPCL, Bathinda.

...Respondent

**Appeal Case No. 620 of 2019**

**PRESENT:   None for the Appellant**  
**Sh.Kuldeep Verma, Addl. SE, PSPCL Jalalabad for the Respondent**

**ORDER:**

The case was last heard on 13.05.2019. The respondent present informed that since the information is 3<sup>rd</sup> party information, it cannot be provided u/s 8(c) of the RTI Act and the reply has been sent to the appellant vide letter dated 06.12.2018 and again on 08.01.2019. The First Appellant Authority also disposed off the appeal upholding the PIO's view.

The Commission observed that the PIO while invoking section 8(c), has not cited any valid reasons for denial of the information. The First Appellate Authority had also not gone through the RTI and disposed off the appeal passing ambiguous order that the information has been provided. The Commission overruled the PIO's stance that the information is 3<sup>rd</sup> party and directed the PIO to provide the information and justify on an affidavit the reasons for invoking section 8(c) and the logic behind it.

**Hearing dated 25.07.2019:**

The respondent present has pleaded that in compliance with the order of the Commission, the information has been provided to the appellant vide letter dated 11.07.2019. The appellant has received the information and is satisfied. The appellant has also acknowledged having received the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

**Chandigarh**  
**Dated 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

Sh. Pawan Kumar, S/o Sh Birbal,  
Tilak Nagar, Street No-8,  
Sri Mukatsar Sahib..

... Appellant

Versus

**Public Information Officer,**  
O/o Deputy Secretary, Head Office,  
PSPCL, Patiala.

**First Appellate Authority,**  
O/o CE/HRD, PSPCL,  
Patiala.

...Respondent

**Appeal Case No. 626 of 2019**

**PRESENT:     None for the Appellant**  
**Sh.Gurdeep Singh, Sr.Assistant, PSPCL Patiala for the Respondent and**  
**Sh.Surinder Pal Singh, the 3<sup>rd</sup> party**

**ORDER:**

The case was last heard on 13.05.2019. The respondent present pleaded that since the information is 3<sup>rd</sup> party and the 3<sup>rd</sup> party has not given his consent, it cannot be provided. The appellant was absent and sought exemption.

Since the information pertains to the educational record of Sh.Surinder Pal Singh, Sh.Surinder Pal Singh was impleaded in the case and directed to be appear before the Commission on the next date of hearing and plead his case.

**Hearing dated 25.07.2019:**

The respondent Sh.Gurdeep Singh from PSPCL is present. Sh.Surinder Pal Singh, the 3<sup>rd</sup> party is also present. Sh.Surinder Pal Singh pleaded that since the information sought by the appellant i.e. degree certificates is his personal information, it should not be provided. The appellant is absent.

Hearing both the parties, the Commission observes that since the documents and degrees are the part of the procedure for applying for a job and once these documents and degrees are submitted for a job with a public authority, they become public documents and hence can be obtained by the public under the RTI Act. The Commission hereby directs the PIO to provide the information to the appellant within 10 days and send a compliance report to the Commission.

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

**Chandigarh**  
**Dated 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to :Sh.Surinder Pal Singh,**  
**Addl.Executive Engineer, Distribution Division,**  
**PSPCL Badal.**

Sh Ashok Kapoor,  
# 8-C, Kitchlu Nagar,  
Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
Police Station,  
Village Ladowal, Ludhiana.

**First Appellate Authority,**  
Commissioner of Police,  
Ludhiana

...Respondent

**Appeal Case No. 1286 of 2018**

Present:                      None for the Appellant.  
                                    Sh.Jatinder Singh, ASI for the respondent

**ORDER:**        The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case again came up for hearing on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was again heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent. Sh.Jatinder Singh, ASI, a representative was present who did not know contents of the case. This was the fourth consecutive time that the PIO was absent and neither sent formal reply citing the reasons for exemption. The appellant informed that he has not been provided the information and pleaded strict action against the erring PIO.

Keeping all facts of the case, it was observed that the PIO was flouting the spirit of the RTI Act continuously and the PIO had not only shown utter disregard for the Commission's repeated orders to provide the information but had shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, a bailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019. The PIO was also directed to provide the information within five days of receipt of this order.



The case again came up for hearing on **13.02.2019**. The appellant informed that he has not received the information. Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant. Since the case was adjourned, the respondent was directed to comply with the earlier order of the Commission and be present on the next date of hearing alongwith appropriate reply to the show cause.

The case was last heard on **03.04.2019**. The appellant claimed that no information has been provided by the PIO. The respondent present did not know the contents of the case and informed that the SHO Sh.Varinder Pal Singh has been promoted as DSP and now transferred and posted in Barnala.

The Commission observed that there had been an enormous delay in providing the information and the PIO was not complying with the order of the Commission. Since the appellant is same in this case and appeal cases No.1295/2018, 1296/2018, 1297/2018 & 1298/2018 and the information sought is similar with different dates, all five cases were clubbed together for the purpose of considering appropriate action against the PIO for the reasons cited above. The Commission held the then PIO-Police Station Ladowal guilty for not providing the information on time and for willful defiance of the order of the Commission and imposed a penalty of **Rs.25,000/-** upon Sh.Varinder Pal Singh, the then PIO-Police Station Ladowal, and PIO-Police Station Ladowal(Now promoted and transferred to Barnala) was directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

A copy of the order was sent to the Senior Superintendent of Police Barnala with the directions to deduct the penalty amount from the salary of Sh.Varinder Pal Singh (the then PIO-Police Station Ladowal) which be deposited in the Govt Treasury and send a compliance report to the Commission. The new PIO was also directed to provide the information to the appellant as per the RTI Act and be present on the next date of hearing.

The case was last heard on **22.05.2019**. The respondent present brought the information and handed over to the appellant. The appellant was not satisfied and submitted a document stating that there is concealment of the information and the information has not been provided as per the record available. The PIO-Police Station, Ladowal was directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing.

Sh.Varinder Pal Singh, the then PIO-Police Station Ladowal appeared late and submitted a copy of the challan having deposited the amount of penalty in the Govt Treasury which was taken on the file of the Commission.

**Hearing dated 25.07.2019:**

The respondent present has brought the original record as per order of the Commission. The appellant is absent and vide email has sought exemption. The PIO is directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing. The appellant, if still interested in the information, is directed to appear at the next date of hearing. This may be treated as a last opportunity.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM.**

**Sd/-**

**Chandigarh**

**Dated: 25.07.2019**

**CC to : Senior Superintendent of Police, Barnala.**

**(Khushwant Singh)**

**State Information Commissioner**

Sh Ashok Kapoor,  
# 8-C, Kitchlu Nagar,  
Ludhiana

Appellant.

Versus

**Public Information Officer,**  
Police Station, Ladowal ,  
Ludhiana.

**First Appellate Authority,**  
Commissioner of Police,  
Ludhiana

...Respondent

**Appeal Case No. 1295 of 2018**

Present:                      None for the Appellant.  
                                    Sh.Jatinder Singh ASI for the Respondent

**ORDER:**        The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case was last heard on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was again heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent. Sh.Jatinder Singh, ASI, a representative was present who did not know contents of the case. This was the fourth consecutive time that the PIO was absent and neither sent formal reply citing the reasons for exemption. The appellant informed that he has not been provided the information and pleaded strict action against the erring PIO.

Keeping all facts of the case, it was observed that the PIO was flouting the spirit of the RTI Act continuously and the PIO had not only shown utter disregard for the Commission's repeated orders to provide the information but had shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, a bailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019. The PIO was also directed to provide the information within five days of receipt of this order.

The case again came up for hearing on **13.02.2019**. The appellant informed that he has not received the information. Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant. Since the case was adjourned, the respondent was directed to comply with the earlier order of the Commission and be present on the next date of hearing alongwith appropriate reply to the show cause.

The case was again heard on **03.04.2019**. The appellant claimed that no information has been provided by the PIO. The respondent present did not know the contents of the case and informed that the SHO Sh.Varinder Pal Singh has been promoted as DSP and now transferred and posted in Barnala.

The Commission observed that there had been an enormous delay in providing the information and the PIO was not complying with the order of the Commission. The Commission found it a fit case to invoke to section 20 of the RTI Act and impose a penalty on the PIO. However, since the appellant is the same in this case and appeal cases No.1286/2018, 1296/2018, 1297/2018 & 1298/2018 and the information sought is almost similar with different dates, all five cases were clubbed together for the purpose of considering appropriate action against the PIO for the reasons cited above and Sh.Varinder Pal Singh, the then PIO(now promoted and posted at Barnala) was penalized. The new PIO-Police Station, Ladowal was directed to provide the information to the appellant as per the RTI Act in this case and be present on the next date of hearing.

The case was last heard on **22.05.2019**. The respondent present brought the information and handed over to the appellant. The appellant was not satisfied and submitted a document stating that there is concealment of the information and the information has not been provided as per the record available. The present PIO-Police Station, Ladowal was directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing.

**Hearing dated 25.07.2019:**

The respondent present has brought the original record as per order of the Commission. The appellant is absent and vide email has sought exemption. The PIO is directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing. The appellant, if still interested in the information, is directed to appear at the next date of hearing. This may be treated as a last opportunity.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM**.

**Chandigarh**  
**Dated: 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh Ashok Kapoor,  
# 8-C, Kitchlu Nagar,  
Ludhiana

Appellant.

Versus

**Public Information Officer,**  
Police Station, Ladowal ,  
Ludhiana.

**First Appellate Authority,**  
Commissioner of Police,  
Ludhiana

...Respondent

**Appeal Case No. 1296 of 2018**

**Present:**                      **None for the Appellant.**  
                                     **Sh.Jatinder Singh, ASI for the Respondent**

**ORDER:**        The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case was last heard on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was again heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent. Sh.Jatinder Singh, ASI, a representative was present who did not know contents of the case. This was the fourth consecutive time that the PIO was absent and neither sent formal reply citing the reasons for exemption. The appellant informed that he has not been provided the information and pleaded strict action against the erring PIO.

Keeping all facts of the case, it was observed that the PIO was flouting the spirit of the RTI Act continuously and the PIO had not only shown utter disregard for the Commission's repeated orders to provide the information but had shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, a bailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019. The PIO was also directed to provide the information within five days of receipt of this order.

The case was last heard on **13.02.2019**. The appellant informed that he has not received the information.

Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant. Since the case was adjourned, the respondent was directed to comply with the earlier order of the Commission and be present on the next date of hearing alongwith appropriate reply to the show cause.

The case was again heard on **03.04.2019**. The appellant claimed that no information has been provided by the PIO. The respondent present did not know contents of the case and informed that the SHO Sh.Varinder Pal Singh has been promoted as DSP and now transferred and posted in Barnala.

The Commission observed that there had been an enormous delay in providing the information and the PIO was not complying with the order of the Commission. The Commission found it a fit case to invoke to section 20 of the RTI Act and impose a penalty on the PIO. However, since the appellant is the same in this case and appeal cases No.1286/2018, 1295/2018, 1297/2018 & 1298/2018 and the information sought is almost similar with different dates, all five cases were clubbed together for the purpose of considering appropriate action against the PIO for the reasons cited above and Sh.Varinder Pal Singh, the then PIO(now promoted and posted at Barnala) was penalized. The new PIO-Police Station, Ladowal was directed to provide the information to the appellant as per the RTI Act in this case and be present on the next date of hearing.

The case was last heard on **22.05.2019**. The respondent present brought the information and handed over to the appellant. The appellant was not satisfied and submitted a document stating that there is concealment of the information and the information has not been provided as per the record available. The present PIO-Police Station, Ladowal was directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing.

**Hearing dated 25.07.2019:**

The respondent present has brought the original record as per order of the Commission. The appellant is absent and vide email has sought exemption. The PIO is directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing. The appellant, if still interested in the information, is directed to appear at the next date of hearing. This may be treated as a last opportunity.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM**.

**Chandigarh**  
**Dated: 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

Sh Ashok Kapoor,  
# 8-C, Kitchlu Nagar,  
Ludhiana

Appellant.

Versus

**Public Information Officer,**  
Police Station, Ladowal ,  
Ludhiana.

**First Appellate Authority,**  
Commissioner of Police,  
Ludhiana

...Respondent

**Appeal Case No. 1297 of 2018**

**Present:**                      **None for the Appellant.**  
                                     **Sh.Jatinder Singh, ASI for the Respondent**

**ORDER:**        The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case was last heard on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was again heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent. Sh.Jatinder Singh, ASI, a representative was present who did not know contents of the case. This was the fourth consecutive time that the PIO was absent and neither sent formal reply citing the reasons for exemption. The appellant informed that he has not been provided the information and pleaded strict action against the erring PIO.

Keeping all facts of the case, it was observed that the PIO was flouting the spirit of the RTI Act continuously and the PIO had not only shown utter disregard for the Commission's repeated orders to provide the information but had shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, a bailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019. The PIO was also directed to provide the information within five days of receipt of this order.

The case was last heard on **13.02.2019**. The appellant informed that he has not received the information.

Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant.

Since the case was adjourned, the respondent was directed to comply with the earlier order of the Commission and be present on the next date of hearing alongwith appropriate reply to the show cause.

The case was again heard on **03.04.2019**. The appellant claimed that no information has been provided by the PIO. The respondent present did not know contents of the case and informed that the SHO Sh.Varinder Pal Singh has been promoted as DSP and now transferred and posted in Barnala.

The Commission observed that there had been an enormous delay in providing the information and the PIO was not complying with the order of the Commission. The Commission found it a fit case to invoke to section 20 of the RTI Act and imposed a penalty on the PIO. However, since the appellant is the same in this case and appeal cases No.1286/2018, 1295/2018, 1297/2018 & 1298/2018 and the information sought is almost similar with different dates, all five cases were clubbed together for the purpose of considering appropriate action against the PIO for the reasons cited above and Sh.Varinder Pal Singh, the then PIO(now promoted and posted at Barnala) was penalized. The new PIO-Police Station, Ladowal was directed to provide the information to the appellant as per the RTI Act in this case and be present on the next date of hearing.

The case was last heard on **22.05.2019**. The respondent present brought the information and handed over to the appellant. The appellant was not satisfied and submitted a document stating that there is concealment of the information and the information has not been provided as per the record available. The present PIO-Police Station, Ladowal was directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing.

**Hearing dated 25.07.2019:**

The respondent present has brought the original record as per order of the Commission. The appellant is absent and vide email has sought exemption. The PIO is directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing. The appellant, if still interested in the information, is directed to appear at the next date of hearing. This may be treated as a last opportunity.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM**.

**Chandigarh**  
**Dated: 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

Sh Ashok Kapoor,  
# 8-C, Kitchlu Nagar,  
Ludhiana

Appellant.

Versus

**Public Information Officer,**  
Police Station, Ladowal ,  
Ludhiana.

**First Appellate Authority,**  
Commissioner of Police,  
Ludhiana

...Respondent

**Appeal Case No. 1298 of 2018**

**Present:**                      **None for the Appellant.**  
                                     **Sh.Jatinder Singh, ASI for the Respondent**

**ORDER:**        The case was first heard on **13.06.2018**. Sh.Raj Kumar, ASI, Police Station, Ladowal was present on behalf of respondent-PIO who pleaded that the appellant may visit their office and inspect the available record and get the requisite information. The PIO was directed to provide the point-wise information to the appellant before the next date of hearing.

The case was again heard on **30.07.2018**. The appellant informed that he had visited the office of PIO and after inspecting the record, the PIO was apprised of the information required. The respondent has informed that he has brought the information. The PIO was directed to send the information to the appellant via Registered Post. The appellant was asked to go through the information and inform the deficiency, if any, to the PIO.

The case was last heard on **25.10.2018** through video conference facility available in the office of the Deputy Commissioner, Ludhiana. The appellant informed that no information has been provided to him so far. The respondent was absent without intimation to the Commission and despite repeated orders of the Commission on 13.06.2018 and 30.07.2018, no information was provided. The PIO was **issued show cause notice** and he was directed to appear before the Commission along with the written replies on an affidavit.

The PIO was also directed to provide the information to the appellant within 10 days of the receipt of the orders of the Commission and send compliance report to the Commission.

The case was again heard on **03.12.2018**. The PIO, SHO Police Station, Ladowal, District Ludhiana was again absent. Sh.Jatinder Singh, ASI, a representative was present who did not know contents of the case. This was the fourth consecutive time that the PIO was absent and neither sent formal reply citing the reasons for exemption. The appellant informed that he has not been provided the information and pleaded strict action against the erring PIO.

Keeping all facts of the case, it was observed that the PIO was flouting the spirit of the RTI Act continuously and the PIO had not only shown utter disregard for the Commission's repeated orders to provide the information but had shown willful stubbornness in not replying to the Show Cause and not appearing before the commission despite various orders.

To secure an erring PIO's presence before the commission, a bailable Warrant of SHO Police Station, Ladowal, District Ludhiana Under Section 18(3) of the RTI Act was issued through Commissioner of Police, Ludhiana for his presence before the Commission on 29.01.2019., which date was postponed to 13.02.2019. The PIO was also directed to provide the information within five days of receipt of this order.



The case was last heard on **13.02.2019**. The appellant informed that he has not received the information.

Sh.Varinder Pal Singh, SHO, Ladowal appeared late and pleaded that the available information has been provided to the appellant. The respondent further pleaded that he has brought the information again and the discrepancy if any, found in the information, will be sorted out with the appellant.

Since the case was adjourned, the respondent was directed to comply with the earlier order of the Commission and be present on the next date of hearing alongwith appropriate reply to the show cause.

The case was again heard on **03.04.2019**. The appellant claimed that no information has been provided by the PIO. The respondent present did not know contents of the case and informed that the SHO Sh.Varinder Pal Singh has been promoted as DSP and now transferred and posted in Barnala.

The Commission observed that there had been an enormous delay in providing the information and the PIO was not complying with the order of the Commission. The Commission found it a fit case to invoke to section 20 of the RTI Act and imposed a penalty on the PIO. However, since the appellant is the same in this case and appeal cases No.1286/2018, 1295/2018, 1297/2018 & 1298/2018 and the information sought is almost similar with different dates, all five cases were clubbed together for the purpose of considering appropriate action against the PIO for the reasons cited above and Sh.Varinder Pal Singh, the then PIO(now promoted and posted at Barnala) was penalized. The new PIO-Police Station, Ladowal was directed to provide the information to the appellant as per the RTI Act in this case and be present on the next date of hearing.

The case was last heard on **22.05.2019**. The respondent present brought the information and handed over to the appellant. The appellant was not satisfied and submitted a document stating that there is concealment of the information and the information has not been provided as per the record available. The present PIO-Police Station, Ladowal was directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing.

**Hearing dated 25.07.2019:**

The respondent present has brought the original record as per order of the Commission. The appellant is absent and vide email has sought exemption. The PIO is directed to bring the original record pertaining to the RTI application, to the Commission at the next date of hearing. The appellant, if still interested in the information, is directed to appear at the next date of hearing. This may be treated as a last opportunity.

The case is adjourned. To come up for further hearing on **29.10.2019 at 11.00 AM**.

**Chandigarh**  
**Dated: 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh**  
**Ph: 0172-2864114, Email: - [sicsic30@punjabmail.gov.in](mailto:sicsic30@punjabmail.gov.in)**  
**Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh.Gurdip Singh, S/o Sh.Chanan Singh,  
# 215-Ajit Nagar, Sultarnwind Road,  
Amritsar.

... Appellant

**Public Information Officer,**  
President, Chief KhalsaDiwan,  
GT Road, Amritsar.

**First Appellate Authority,**  
President, Chief KhalsaDiwan,  
GT Road, Amritsar.

...Respondent

**Appeal Case No.1362/2018**

**Present:**       **Sh.Basant Singh advocate for Appellant**  
                      **Sh.Manish Prabhakar, advocate on behalf of the Respondent**

**ORDER:**       The case was first heard on **20.06.2018**. Sh.Inderjit Singh, Under Secretary was present for the respondent.

Sh.Inderjit Singh was directed to submit list of all properties against which the benefit of exemption in stamp duty has been availed and Govt land, if any, allotted on concessional rates to the Society or any other financial aid from the Government. He was also directed to submit copy of constitution under which act the society is registered, name and position of nominee of the State Govt or SGPC, if any, to the Commission before 25.7.2018 and be present on the next date of hearing.

The case was again heard on **01.08.2018**: The respondent was represented through their counsel Sh.Manish Parabhakar. During the hearing, the appellant submitted certain more documents which he said were further evidences to establish his earlier point. which is that CKDCS is a regular beneficiary of government aid and hence its functioning should be made transparent. The evidences the appellant produced were taken on record.

In the **Interim Order**, apart from the documents asked in the previous hearing on 20.06.2018, the respondent was further directed to submit in writing (i) whether CKDCS has, for any of its institutions, ever been allotted free land, availed grants, grants-in-aid or concessions from the State Govt since independence (15<sup>th</sup>, August 1947). If so, it was directed to furnish full details of the all lands/plots allotted, and what stands on them as of August of 2018. If buildings have been constructed, what are they being used for?

(ii) The names of all the educational institutions, which are beneficiaries of grants, along with the amount in rupees each institute has received as well as the total percentage of the grant in the budget of these institutions.

(iii) Details of any other grants given by various governments from to time for the functioning of CKDCS.

The case again came up for hearing on **26.09.2018**. The counsel representing the Chief Khalsa Diwan Charitable Society did not bring the documents which were asked in the interim orders dated 20.06.2018 & 01.08.2018 but pleaded that the documents could not be submitted since the appellant has not provided the documents which the appellant has submitted before the Commission as evidences to establish his case that CKDCS is a public authority. The documents were provided to the advocate from the file of the Commission. The respondent was directed to submit the documents as per order dated 20.06.2018 and order dated 01.08.2018.

The case was again heard on **13.11.2018**. The counsel could not produce documents as per previous orders and pleaded that due to sudden demise of the spouse of Sh.Narinder Singh Khurana who is holding office of the main authority, the documents could not be collected. The CKDCS was granted one last opportunity to bring the record as per the previous orders which still stands.

The case was again heard on **07.01.2019**. The counsel representing the CKDCS has submitted an affidavit which was not found in order and the respondent was directed to file fresh affidavit clarifying the following:

1. Details of each and every property against which the benefit of exemption in stamp duty has been availed and Govt land, if any, allotted on concessional rates to the Society or any other financial aid from the Government.
2. Whether CKDCS has, for any of its institutions, ever been allotted free land, availed grants, grants-in-aid or concessions from the State Govt since independence (15<sup>th</sup>, August 1947). If so, to furnish full details of the each and every land/plot allotted, and what stands on them as of August of 2018. If buildings have been constructed, what are they being used for?
3. The names of all the educational institutions, which are beneficiaries of grants along with the amount in rupees each institute has received as well as the total percentage of the grant in the budget of these institutions.
4. Details of any other grants given by various governments from to time for the functioning of CKDCS."

Also submit copy of constitution under which act the society is registered, name and position of nominee of the State Govt or SGPC, if any, to the Commission.

The case was again heard on **25.02.2019**. The counsel representing the CKDCS sought adjournment pleading that the general election of the Chief Khalsa Dewan Charitable Society was held on 17.02.2019 and the elected members have not yet taken their respective charge. The case was adjourned. The PIO was directed to comply with the earlier order of the Commission which still stands.

The case was last heard on 30.04.2019. The counsel representing the CKDCS submitted a fresh affidavit and other documents related to the donations received, which was taken on the file of the Commission. Having gone through the affidavit, it was observed that this affidavit has been submitted in a very casual manner and without any rigour. The respondent was directed to submit a new comprehensive affidavit by taking into account all its records pertaining to allotment of free land if any, concessions by the government and all the other points stated in the earlier interim order of 07.01.2019. The counsel, representing the appellant, was directed to submit a written reply with all the arguments put together. An advance copy of the documents be provided to both the parties vice-versa.

**Hearing dated 25.07.2019:**

The counsel representing the appellant has submitted some more documents alongwith a newspaper cutting which is taken on the file of the Commission. A copy of the same has been provided to the counsel representing CKDCS. The counsel however, has not submitted comprehensive reply as per previous order. The respondent has also not submitted a new comprehensive affidavit as per previous order.

Both the parties are directed to comply with the earlier order of the Commission which still stands.

To come up for further hearing on **23.10.2019 at 11.00 AM.**

**Chandigarh**  
**Dated: 25.07.2019**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**