



Sh.Ajit Kapoor, S/o Sh.Desh Raj,
R/o H No-118, Ward No-19,
Mohalla Dollian Wala,
Ferozepur City.

... Complainant

Versus

Public Information Officer,
O/o SSP,
Ferozepur.

...Respondent

Complaint Case No. 23 of 2021

PRESENT: Sh.Ajit Kapoor as the Complainant
Sh.Sukhdev Singh, ASI for the Respondent

ORDER:

Through an RTI application dated 12.03.2020, the complainant has sought a complete report regarding the complaint (23-R-DSP City) filed by Veera Bai dt.20.03.2018 with attached photographs and other information as enumerated in the RTI application concerning the office of SSP Ferozepur. The appellant was not provided with the information, after which the appellant filed a complaint in the Commission on 24.12.2020.

The case was first heard on 05.05.2021 through video conferencing at DAC Ferozepur. The respondent present pleaded that the available information has been provided to the complainant by hand on 04.07.2020. However, as per the statement of the concerned enquiry officer-cum- ASI, Sh. Joginder Singh, the photographs that the complainant claimed to have been attached by Veera Bai in her complaint dated 20.03.2018, were not found enclosed with the complaint.

The Commission also received a letter from the PIO on 30.04.2021 which was taken on the file of the Commission. In the said letter, the PIO stated that as per the statement of ASI Joginder Singh-cum-enquiry officer of DSP(City) Ferozepur, no photographs were found with the complaint of Veera Bai dated 20.03.2018.

Hearing both the parties, the Commission directed the PIO to give this in writing on an affidavit to the complainant with a copy to the Commission.

Hearing dated 27.07.2021

The case has come up for hearing today through video conferencing at DAC Ferozepur. The respondent present pleaded that in compliance with the order of the Commission, an affidavit has been provided to the appellant and the appellant has received the same.

The appellant is still not satisfied with the affidavit and stated that the photographs were attached with the complaint and the receipt branch of the SSP office had acknowledged the same.

I am marking this to the SSP Ferozepur with the direction to resolve this issue and provide the information if it exists. If the document has disappeared from the file, an enquiry be conducted and an enquiry report be submitted to the Commission.

To come up for compliance on **25.08.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ferozepur.

Chandigarh
Dated 27.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



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

... Appellant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

First Appellate Authority,
O/o SSP,
Faridkot.

...Respondent

Appeal Case No. 213 of 2021

Present: Sh.Naresh Kumar Gupta as the Appellant
Sh.Rajesh Kumar, Inspector-PS Jaito and Sh.Ramesh Kumar, ASI (RTI)
Branch O/o SSP Faridkot for the Respondent

ORDER:

The appellant through RTI application dated 18.09.2020 has sought information on 10 points regarding dates & endorsement number on which all the applications & reports received from any authority in connection with the applicant along with a copy of the application in last 12 months - order & direction to DSP office Faridkot u/s 6(3) by receiving from his office a copy of any parwana & report - copies of despatch & receipt registers of SSP office Jaito from Sept 2019 - a copy of parwana - copy of proceedings done by SSP - action taken by SSP and other information as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was not provided the information after which the appellant filed the first appeal before the first appellate authority on 17.10.2020 which took no decision on the appeal..

The case was last heard on 05.05.2021 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not provided the information.

The respondent present pleaded that since the enquiry is pending, the information cannot be provided. The Commission also received a copy of letter from the PIO on 16.02.2021 vide which the PIO had sent a reply to the appellant on 12.02.2021 stating that since an enquiry is pending with DSP, Jaito, information cannot be provided under section 8(1)(h) of the RTI Act.

Having gone through the record, the Commission observed that the RTI application was filed on 18.09.2020 and the reply was sent to the appellant only on 12.02.2021, i.e. with a delay of five months. Further, the PIO had given one blanket reply for all the points, whereas, there are certain points on which information can be provided. Moreover, the PIO had simply denied the information on the pretext of a pending enquiry without stating how the revelation of information could impede the enquiry?

The First Appellate Authority had also not taken any decision on the appeal.

The Commission marked this to the PIO/SSP Faridkot with the direction to relook at each point of the RTI application and provide information to the appellant as per the provisions of the RTI Act.

Appeal Case No. 213 of 2021

Hearing dated 27.07.2021

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondents present pleaded that point-wise information, as available in the records, has been supplied to the appellant and the appellant has acknowledged having received the same on 15.07.2021. The Commission has also received a copy of the reply from the PIO on 23.07.2021 which has been taken on the file of the Commission.

The appellant is not satisfied with the information that has been supplied and claims that the information provided is incomplete.

Since there appears to be a clear disagreement between the appellant and the respondent about the information provided and the information received, and after hearing both the parties and listening to their respective contentions, I direct the PIO to provide any further information that is available on the record till the date of filing of the RTI application.

If no further information is available on the sought information, the PIO is directed to file an affidavit that the information that has been provided is true, complete and no further information is available in the record relating to this RTI application.

The case is adjourned. To come up for further hearing on **16.11.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated 27.07.2021

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

... Appellant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

First Appellate Authority,
O/o SSP,
Faridkot.

...Respondent

Appeal Case No. 214 of 2021

Present: Sh.Naresh Kumar Gupta as the Appellant
Sh.Rajesh Kumar, Inspector-PS Jaito and Sh.Ramesh Kumar, ASI (RTI)
Branch O/o SSP Faridkot for the Respondent

ORDER:

The appellant through RTI application dated 22.09.2020 has sought information on 6 points regarding day to day proceedings/reports done by DSP Jaito on all applications & directions/reports received from any authority in connection with appellant along with a copy of application No.1908/PC-9/19 in last 12 months - copies of despatch & receipt registers of DSP office Jaito from Sept 2019 - a copy of any other complaint filed by Harish Chander against Naresh Kumar along with complete file & report of that complainant in DSP Office Jaito - a copy of parvana and other information as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 21.10.2020 which took no decision on the appeal..

The case last came up for hearing on 05.05.2021 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not provided the information.

The respondent present pleaded that since the enquiry is pending, the information cannot be provided. The Commission also received a copy of la etter from the PIO on 16.02.2021 vide which the PIO had sent a reply to the appellant on 12.02.2021 stating that the enquiry is pending with DSP, Jaito, and the information cannot be provided under section 8(1)(h) of the RTI Act.

Having gone through the record, the Commission observed that the RTI application was filed on 18.09.2020 and the reply was sent to the appellant only on 12.02.2021, i.e. with a delay of five months. Further, the PIO had given one blanket reply for all the points, whereas, there are certain points on which information can be provided. Moreover, the PIO had simply denied the information on the pretext of a pending enquiry without stating how the revelation of information could impede the enquiry?

The First Appellate Authority had also not taken any decision on the appeal.

The Commission marked this to the PIO/SSP Faridkot with the direction to relook at each point of the RTI application and provide information to the appellant as per the provisions of the RTI Act.

Appeal Case No. 214 of 2021

Hearing dated 27.07.2021

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondents present pleaded that point-wise information as available in the record has been supplied to the appellant and the appellant has acknowledged having received the same on 15.07.2021. The Commission has also received a copy of the reply from the PIO on 23.07.2021 which has been taken on the file of the Commission. The respond

The appellant is not satisfied with the information that has been supplied and claims that the information provided is incomplete.

Since there appears to be a clear disagreement between the appellant and the respondent about the information provided and the information received, and after hearing both the parties and listening to their respective contentions, I direct the PIO to provide any further information that is available on the record till the filing of the RTI application.

If no further information is available on the sought information, the PIO is directed to file an affidavit that the information that has been provided is true, complete and no further information is available in the record relating to this RTI application.

The case is adjourned. To come up for further hearing on **16.11.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Faridkot.

**Chandigarh
Dated 27.07.2021**

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



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

... Appellant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

First Appellate Authority,
O/o SSP,
Faridkot.

...Respondent

Appeal Case No. 215 of 2021

Present: Sh.Naresh Kumar Gupta as the Appellant
Sh.Rajesh Kumar, Inspector-PS Jaito and Sh.Ramesh Kumar, ASI (RTI)
Branch O/o SSP Faridkot for the Respondent

ORDER:

The appellant through RTI application dated 18.09.2020 has sought information on 09 points regarding dates & endorsement number of SHO Jaito on which all the applications & reports received from any authority in connection with the applicant vide copy of the application in last 12 months - order & direction to P S Jaito u/s 6(3) u/s 6(3) by receiving from his office a copy of any parwana & report - copies of despatch & receipt registers of SSP office Jaito from Sept 2019 - copy of parwana - copy of proceedings done by SHO- and other information as enumerated in the RTI application concerning the office of SSP Faridkot. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 17.10.2020 which took no decision on the appeal..

The case last came up for hearing on 05.05.2021 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not provided the information.

The respondent present pleaded that since the enquiry is pending, the information cannot be provided. The Commission also received a copy of a letter from the PIO on 16.02.2021 vide which the PIO had sent a reply to the appellant on 12.02.2021 stating that the enquiry is pending with DSP, Jaito, and the information cannot be provided under section 8(1)(h) of the RTI Act.

Having gone through the record, the Commission observed that the RTI application was filed on 18.09.2020 and the reply has been sent to the appellant only on 12.02.2021, i.e. with a delay of five months. Further, the PIO had given one blanket reply for all the points, whereas, there are certain points on which information can be provided. Moreover, the PIO had simply denied the information on the pretext of a pending enquiry without stating how the revelation of information could impede the enquiry?

The First Appellate Authority had also not taken any decision on the appeal.

The Commission marked this to the PIO/SSP Faridkot with the direction to relook at each point of the RTI application and provide information to the appellant as per the provisions of the RTI Act.

Appeal Case No. 215 of 2021

Hearing dated 27.07.2021

The case has come up for hearing today through video conferencing at DAC Faridkot. The respondents present pleaded that in compliance with the order of the Commission, point-wise information, as available, in the record has been supplied to the appellant vide letter dated 19.07.2021. The Commission has also received a copy of the reply from the PIO on 23.07.2021 which has been taken on the file of the Commission.

The appellant is not satisfied with the information that has been provided.

Having gone through the RTI application, reply of the PIO, I observe that the PIO at many points has stated that the period for which the information has been sought is not specified clearly. Looking at the reply that has been submitted to the Commission and hearing both the parties, the appellant is directed to point out the discrepancies to the PIO in writing with a copy to the Commission and the PIO is directed to sort out the same.

The PIO is further directed to give an affidavit that the information that has been provided is true, complete and no further information is available in the record relating to this RTI application.

To come up for further hearing on **16.11.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated 27.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

Sh. Gorakha Singh, S/o ShChanan Singh,
R/o Village DallaRajputan,
Tehsil Ajnala, Distt Amritsar.

... Complainant

Versus

Public Information Officer,
O/o DFSO,
Amritsar.

...Respondent

Complaint Case No. 41 of 2021

Present: None for the Complainant
Sh.Baldev Singh Sr.Assistant for the respondent

ORDER: The complainant through RTI application dated 26.10.2020 has sought information regarding action taken on the application dated 11.03.2020 filed for allotment of ration depot after the death of earlier ration depot holder Surinder Singh in village Rajpura Tehsil Ajnala and other information as enumerated in the RTI application concerning the office of District Food Supply Officer, Amritsar. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 28.12.2020.

The case last came up for hearing on 05.05.2021 through video conferencing at DAC Amritsar. The complainant was absent.

As per record, there was no response of the RTI application within the time prescribed under the RTI Act and there has been an enormous delay in attending to the RTI application, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

Hearing dated 27.07.2021

The case has come up for hearing today through video conferencing at DAC Amritsar. As per the respondent, the information has been provided to the complainant.

The PIO is absent due to some medical emergency. The Commission has received a reply from the PIO through email which has been taken on the file of the Commission.

In the reply, the PIO has mentioned that the RTI application was sent to there distribution branch with the direction to provide the information. However, as per the report of the inspector distribution branch, the information was in the custody of Sh. Harjot Singh, Inspector Food Supply Ajnala, he was directed to report and the reply was sent to the complainant vide letter dated 15.12.2020. However, despite letters and reminders, the concerned inspector did not supply the information. Due to this negligence, the concerned inspector has been issued a show-cause notice with a copy to Director Food, Civil Supplies and Consumer Affairs, Pb Chandigarh on 26.07.2021 for taking appropriate action against the concerned inspector.

The decision to be taken after hearing, Inspector Harjot Singh. Inspector Harjot Singh and the PIO are directed to be present at the next date of hearing.

The case is adjourned. To come up for further hearing on **06.09.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated 27.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Basant Singh,
H No-733, Phase-3B1,
Mohali.

... Appellant

Versus

Public Information Officer,
O/o SGPC,
Amritsar.

First Appellate Authority,
O/o Chief Secretary,
SGPC, Amritsar.

...Respondent

Appeal Case No. 55 of 2021

Present: Sh.Basant Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 01.07.2020 has sought the following information:

1. A copy of documents that entitle the SGPC for ownership, or any type of right on the basis of which SGPC tried to forcibly evict the persons in possession of land for the purpose of leasing of agriculture land measuring 161 acres.
2. Copy of title deeds/rights in favour of SGPC Amritsar
3. Copy of court order to forcibly evict persons in possession of said land
4. copy of any legal opinion from its legal advisor of SGPC how to get possession and do the subsequent lease
5. Resolution of competent authority of SGPC authorising eviction of persons in possession.

as enumerated in the RTI application concerning the office of SGPC Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 19.08.2020 which took no decision on the appeal..

The case last came up for hearing on 05.05.2021 through video conferencing at DAC Amritsar. Both the parties were absent.

The PIO was directed to re-look at the RTI application and send a point-wise reply to the appellant with a copy to the Commission.

Hearing dated 27.07.2021:

The case has come up for hearing today through video conferencing at DAC Amritsar. As per the appellant, the PIO has not supplied the information.

The respondent is absent on 2nd consecutive hearing nor has complied with the order of the Commission. There has been an enormous delay or more than one year 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.

Appeal Case No. 55 of 2021

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

The case is adjourned. To come up for further hearing on **06.09.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar.

**Chandigarh
Dated 27.07.2021**

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



Sh. Jagdish Lal S/o Sh. Mohan Lal,
Kothi No-108, Rajguru Street,
Near Bhagat Singh Colony,
Ferozepur City.

... Complainant

Versus

Public Information Officer,
O/o Chief Secretary,
Local Govt, Sector-35-A,
Chandigarh.

...Respondent

Complaint Case No. 733 of 2020

Present: Sh.Jagdish Lal as the Complainant
Sh.Harpreet Singh, Sr Assistant for the Respondent

ORDER:

The case was first heard on 08.03.2021. Both the parties were absent. The case was adjourned.

On the date of the last hearing on **05.05.2021**, which was held through video conferencing at DAC Ferozepur, both the parties were absent.

The complainant vide letter received in the Commission on 03.05.2021 informed that the PIO has not provided the information.

The respondent was absent on 2nd consecutive hearing. There has been an enormous delay of ten months in attending to the RTI application. The PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

Hearing dated 27.07.2021:

The case has come up for hearing today through video conferencing at DAC Ferozepur. As per the appellant, the PIO has not provided the information.

The respondent present pleaded that the reply has already been given to the complainant in an earlier complaint case No.528 of 2020 filed by the complainant for seeking exactly the same information which was disposed of by the Commission on 17.05.2021. Regarding reply to the show-cause notice, the respondent informed that the PIO was indisposed and assured to send the reply to the show-cause notice.

Having gone through the RTI application and hearing both the parties, the PIO is directed to provide information on point-1 to the complainant. The information regarding points 2 & 3 is ambiguous and has already been decided in the earlier case No.528 of 2020.

The PIO is given the last more opportunity to file a reply to the show-cause notice.

The case is adjourned. To come up for further hearing on **25.08.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ferozepur. The PIO to appear at Chandigarh.

Chandigarh
Dated 27.07.2021

Sd/-
(Khushwant Singh)
State Information Commissioner