

PUNJAB STATE INFORMATION COMMISSION

**RedCrossBuilding, Near RoseGarden,
Sector 16, Chandigarh.**

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Sh. Amarjit Singh Dhamotia (9888490031)

House no. 60-35-P-376-1,
Street No. 8, Maha Singh Nagar,
PO Dhandari Kalan,
Ludhiana-141014

Appellant/ Complainant

Versus

Public Information Officer

O/o Police Commissioner,
Ludhiana

Respondent

First Appellate Authority

O/o Police Commissioner,
Ludhiana

Appeal Case No.: 1605 of 2020
Cisco Webex Proceedings

Present: Appellant: Sh. Amarjit Singh Dhamotia
Respondent: Sh. Ramesh Kumar (ASI) 9915603000

ORDER

1. The Appellant/ Complainant filed appeal in the Commission dated 18.06.2020. Accordingly, the case is fixed for today.
2. Respondent, Sh. Ramesh Kumar pleaded that the information as requested by the appellant, comes within the ambit of the exemptions under **Section 8(1)(h) and 8(1)(g)** of the RTI Act. Both these sections prohibit disclosure of information connected with **ongoing investigations** and **prosecutions** and, information disclosure of which would compromise the source of the information of law enforcement authorities.
3. Appellant, Sh. Amarjit Singh Dhamotia raised his grievance stating that neglect of duty and **delay in providing the information has been done by the respondent authority.**
4. In the view of above, it is transpired that when investigations are in progress, documents can not be disclosed (**u/s 8(1)(g) and 8(1)(h) of the RTI Act 2005**). The replies of respondent are upheld. The matter is **disposed of** accordingly at Commission's end.
However, there is delay in responding to the RTI application and therefore, the PIO is hereby issued a warning for future to be careful and not to contravene the provisions of RTI Act, 2005 u/s 7(1).
5. Announced in the Court, copy of the order to be sent to the parties.

Sd/-

Chandigarh
Dated: 28.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner



Sh. Prem Kumar Rattan (9872220039)

House no. 78/8, Park Road,
Navi Mandi, Dhuri, Distt. Sangrur

Appellant

Versus

Public Information Officer

O/o DGP, Punjab,
Chandigarh

First Appellate Authority

O/o DGP, Punjab,
Chandigarh

Respondent

Appeal Case No.: 1583 of 2020
Cisco Webex Proceedings

Present: Appellant: Sh. Prem Kumar Rattan
Respondent: ASI Parshotam kumar 9417131510

ORDER

1. The Appellant/ Complainant filed appeal in the Commission dated 18.06.2020. Accordingly, the case is fixed for today.
2. Respondent, Sh. Parshotam kumar states that he had send a reply to the appellant against his RTI application. A copy of which is attached below:-

ਆਪ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਬੰਧੀ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵੱਲੋਂ ਕੇਵਲ ਪ੍ਰਸ਼ਨ ਹੀ
ਸੀਤੇ ਗਏ ਹਨ, ਜੋ ਕਿ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਦੀ ਧਾਰਾ 2(f) ਅਧੀਨ ਕਵਰ ਨਹੀਂ ਹੁੰਦੇ ਹਨ। ਇਸ ਧਾਰਾ ਅਧੀਨ
ਕੇਵਲ ਰਿਕਾਰਡ ਵਿੱਚ ਉਪਲੱਬਧ ਸੂਚਨਾ/ਦਸਤਾਵੇਜ਼ ਹੀ ਮੁਹੱਈਆ ਕੀਤੇ ਜਾ ਸਕਦੇ ਹਨ, ਕਿਸੇ ਵੀ ਪ੍ਰਕਾਰ ਦੀ
ਪ੍ਰਸ਼ਨਾਂ ਦੇ ਉੱਤਰ ਨਹੀਂ ਦਿੱਤੇ ਜਾ ਸਕਦੇ।

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3. Appellant, Sh. Prem Kumar Rattan is present for today's hearing.
4. In the light of above, the Commission observes that the sought information enumerated in RTI application is **not specific**. Appellant can only **ask** for **specific** information under **RTI Act**, 2005. However, appellant may mention what exact information as defined under Section 2(f) read with section 2(i) & 2(j) of the **RTI Act**, which will be provided.
Therefore, the respondent authority is justified in denying the information sought, hence the case is **Disposed of** accordingly.
5. Announced in the Court, copy of the order to be sent to the parties.

Sd/-

Chandigarh
Dated: 28.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Prem Kumar Rattan (9872220039)

House no. 78/8, Park Road,
Navi Mandi, Dhuri, Distt. Sangrur

Appellant

Versus

Public Information Officer

O/o DGP, Punjab,
Chandigarh

First Appellate Authority

O/o DGP, Punjab,
Chandigarh

Respondent

Appeal Case No.: 1591 of 2020
Cisco Webex Proceedings

Present: Appellant: Sh. Prem Kumar Rattan
Respondent: ASI Parshotam kumar 9417131510

ORDER

1. The Appellant/ Complainant filed appeal in the Commission dated 18.06.2020. Accordingly, the case is fixed for today.
2. Respondent, Sh. Parshotam kumar states that he had send a reply to the appellant against his RTI application. A copy of which is attached below:-

ਆਪ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਬੰਧੀ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਆਪ ਵੱਲੋਂ ਕੇਵਲ ਪ੍ਰਸ਼ਨ ਹੀ ਸੀਤੇ ਗਏ ਹਨ, ਜੋ ਕਿ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਦੀ ਧਾਰਾ 2(f) ਅਧੀਨ ਕਵਰ ਨਹੀਂ ਹੁੰਦੇ ਹਨ। ਇਸ ਧਾਰਾ ਅਧੀਨ ਕੇਵਲ ਰਿਕਾਰਡ ਵਿੱਚ ਉਪਲੱਬਧ ਸੂਚਨਾ/ਦਸਤਾਵੇਜ਼ ਹੀ ਮੁਹੱਈਆ ਕੀਤੇ ਜਾ ਸਕਦੇ ਹਨ, ਕਿਸੇ ਵੀ ਪ੍ਰਕਾਰ ਦੀ ਪ੍ਰਸ਼ਨਾਂ ਦੇ ਉੱਤਰ ਨਹੀਂ ਦਿੱਤੇ ਜਾ ਸਕਦੇ।

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3. Appellant, Sh. Prem Kumar Rattan is present for today's hearing.
4. In the light of above, the Commission observes that the sought information enumerated in RTI application is **not specific**. Appellant can only **ask** for **specific** information under **RTI Act**, 2005. However, appellant may mention what exact information as defined under Section 2(f) read with section 2(i) & 2(j) of the **RTI Act**, which will be provided.
Therefore, the respondent authority is justified in denying the information sought, hence the case is **Disposed of** accordingly.
5. Announced in the Court, copy of the order to be sent to the parties.

Sd/-

Chandigarh
Dated: 28.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Rohit Sabharwal
S/o Sh. Vijay Sabharwal,
Kundan Bhawan-126, Model Gram,
Ludhiana-141002

Appellant

Versus

Public Information Officer
O/o Commissioner of Police,
Ludhiana

First Appellate Authority
O/o Commissioner of Police,
Ludhiana

Respondent

Appeal Case No.: 1596 of 2020
Cisco Webex Proceedings

Present: Appellant: Adv. Sukhjinder Kaur on behalf of Sh. Rohit Sabharwal
Respondent: Sh. Ramesh Kumar (ASI) 9915603000

ORDER

1. The Appellant/ Complainant filed appeal in the Commission dated 18.06.2020. Accordingly, the case is fixed for today.
2. Respondent , Sh. Ramesh Kumar states that the sought information has been supplied to the appellant.
3. Appellant's representative, Adv. Sukhjinder Kaur contended that there has been neglect of duty and **delay in providing the information by the respondent authority.**
4. As the information stands supplied, no cause of action is required in this case. Hence, the instant appeal case is **disposed & closed.**

However, there is delay in responding to the RTI application and therefore, the PIO is hereby issued a warning for future to be careful and not to contravene the provisions of RTI Act, 2005 u/s 7(1).

5. Announced in the Court, copy of the order to be sent to the parties.

Sd/-

Chandigarh
Dated: 28.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Rohit Sabharwal
S/o Sh. Vijay Sabharwal,
Kundan Bhawan-126, Model Gram,
Ludhiana-141002

Appellant

Versus

Public Information Officer
O/o Asstt. Inspector General of Police/crime
Punjab, Chandigarh

First Appellate Authority
O/o DGP, Punjab, Chandigarh

Respondent

Appeal Case No.: 1570 of 2020
Cisco Webex Proceedings

Present: Appellant: Adv. Sukhjinder Kaur on behalf of Sh. Rohit Sabharwal
Respondent: Insp. Hardeep Singh(9872658309)

ORDER

1. The Appellant/ Complainant filed appeal in the Commission dated 17.06.2020. Accordingly, the case is fixed for today.
2. Respondent, Sh. Hardeep Singh is present for today's hearing. A copy of written submission from the respondent authority is attached below:

2. ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਦਰਖਾਸਤ ਮਿਤੀ 08.02.2020 ਰਾਂਹੀ ਜੋ ਸੂਚਨਾ ਮੰਗੀ ਗਈ ਹੈ, ਇਸ ਦਫਤਰ ਦੇ ਰਿਕਾਰਡ ਵਿੱਚ ਉਪਲੱਬਧ ਨਹੀਂ ਹੈ ਅਤੇ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦਾ ਸਬੰਧ ਪੰਜਾਬ ਰਾਜ ਦੇ ਵੱਖ-ਵੱਖ ਜ਼ਿਲ੍ਹਿਆਂ/ਯੂਨਿਟਾਂ ਨਾਲ ਹੈ। ਇਸ ਲਈ ਮੰਗੀ ਗਈ ਸੂਚਨਾ, ਸੂਚਨਾ ਦੇ ਅਧਿਕਾਰ ਐਕਟ-2005 ਦੀ ਧਾਰਾ 6(1) (iii) ਅਤੇ ਭਾਰਤ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰਬਰ 10/2/2008-ਆਰ.ਟੀ.ਆਈ. ਮਿਤੀ 12.06.2008 ਅਧੀਨ ਜੇਕਰ ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦਾ ਸਬੰਧ ਇੱਕ ਤੋਂ ਵੱਧ ਪੀ.ਆਈ.ਓਜ਼ ਨਾਲ ਹੁੰਦਾ ਹੈ ਤਾਂ ਪ੍ਰਾਰਥੀ ਨੂੰ ਸੂਚਿਤ ਕਰਨਾ ਬਣਦਾ ਹੈ ਕਿ ਉਹ ਸਬੰਧਤ ਪੀ.ਆਈ.ਓਜ਼ ਤੇ ਆਪਣੇ ਪੱਧਰ ਤੇ ਵੱਖਰੇ-ਵੱਖਰੇ ਤੌਰ ਤੇ ਅਪਲਾਈ ਕਰਕੇ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਕਰ ਸਕਦਾ ਹੈ। ਪ੍ਰਾਰਥੀ ਪੁਲਿਸ ਵਿਭਾਗ ਦੇ ਪੀ.ਆਈ.ਓਜ਼ ਦੀ ਸੂਚੀ ਵੈਬਸਾਈਟ www.punjabpoliceindia.gov.in ਤੇ ਵੇਖ ਸਕਦਾ ਹੈ।

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3. Appellant's representative, Adv. Sukhjinder Kaur contended that no information/reply has been received so far from the respondent authority.

4. Commission's Observation in present case according to RTI Act 2005:-

If appellant makes an application to a public authority for information, a part of which is available with that public authority and the rest of the information is **scattered with more than one other public authorities**, in such a case, the PIO of the public authority receiving the application should give information relating to it and advise the applicant to make separate applications to the concerned public authorities for obtaining information from them. **If no part of the information sought, is available with it but is scattered with more than one other public authorities, the PIO should inform the applicant that information is not available with the public authority and that the applicant should make separate applications to the concerned public authorities for obtaining information from them.** However, if the details of public authorities who may have the information sought by the applicant are available with the PIO, such details may also be provided to the applicant.

Appeal Case No.: 1570 of 2020
Cisco Webex Proceedings

5. After the Commission has carefully considered the submissions of the parties, it is transpired that the RTI application has been **suitably replied** and the information has been supplied to the **best extent**. Accordingly, the instant appeal case is **disposed & closed** along with the directions to respondent authority to send a copy of reply to the appellant as had submitted in the commission.
6. Announced in the Court, copy of the order to be sent to the parties.

Sd/-

Chandigarh
Dated: 28.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner



Sh. Rohit Sabharwal
S/o Sh. Vijay Sabharwal,
Kundan Bhawan-126, Model Gram,
Ludhiana-141002

Appellant

Versus

Public Information Officer
O/o Astt. Inspector General of Police/crime
Punjab, Chandigarh

First Appellate Authority
O/o Commissioner of Police,
Ludhiana

Respondent

Appeal Case No.: 1575 of 2020
Cisco Webex Proceedings

Present: Appellant: Adv. Sukhjinder Kaur on behalf of Sh. Rohit Sabharwal
Respondent: Insp. Hardeep Singh(9872658309)

ORDER

1. The Appellant/ Complainant filed appeal in the Commission dated 17.06.2020. Accordingly, the case is fixed for today.
2. Respondent, Sh. Hardeep Singh is present for today's hearing. A copy of written submission from the respondent authority is attached below:

2. ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਦਰਖਾਸਤ ਮਿਤੀ 08.02.2020 ਰਾਂਹੀ ਜੋ ਸੂਚਨਾ ਮੰਗੀ ਗਈ ਹੈ, ਇਸ ਦਫਤਰ ਦੇ ਰਿਕਾਰਡ ਵਿੱਚ ਉਪਲੱਬਧ ਨਹੀਂ ਹੈ ਅਤੇ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦਾ ਸਬੰਧ ਪੰਜਾਬ ਰਾਜ ਦੇ ਵੱਖ-ਵੱਖ ਜਿਲ੍ਹਿਆਂ/ਯੂਨਿਟਾਂ ਨਾਲ ਹੈ। ਇਸ ਲਈ ਮੰਗੀ ਗਈ ਸੂਚਨਾ, ਸੂਚਨਾ ਦੇ ਅਧਿਕਾਰ ਐਕਟ-2005 ਦੀ ਧਾਰਾ 6(1) (iii) ਅਤੇ ਭਾਰਤ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੰਬਰ 10/2/2008-ਆਰ.ਟੀ.ਆਈ. ਮਿਤੀ 12.06.2008 ਅਧੀਨ ਜੇਕਰ ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦਾ ਸਬੰਧ ਇੱਕ ਤੋਂ ਵੱਧ ਪੀ.ਆਈ.ਓ.ਜ਼ ਨਾਲ ਹੁੰਦਾ ਹੈ ਤਾਂ ਪ੍ਰਾਰਥੀ ਨੂੰ ਸੂਚਿਤ ਕਰਨਾ ਬਣਦਾ ਹੈ ਕਿ ਉਹ ਸਬੰਧਤ ਪੀ.ਆਈ.ਓ.ਜ਼ ਤੇ ਆਪਣੇ ਪੱਧਰ ਤੇ ਵੱਖਰੇ-ਵੱਖਰੇ ਤੌਰ ਤੇ ਅਪਲਾਈ ਕਰਕੇ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਕਰ ਸਕਦਾ ਹੈ। ਪ੍ਰਾਰਥੀ ਪੁਲਿਸ ਵਿਭਾਗ ਦੇ ਪੀ.ਆਈ.ਓ.ਜ਼ ਦੀ ਸੂਚੀ ਵੈਬਸਾਈਟ www.punjabpoliceindia.gov.in ਤੇ ਵੇਖ ਸਕਦਾ ਹੈ।

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3. Appellant's representative, Adv. Sukhjinder Kaur contended that no information/reply has been received so far from the respondent authority.

4. Commission's Observation in present case according to RTI Act 2005:-

If appellant makes an application to a public authority for information, a part of which is available with that public authority and the rest of the information is **scattered with more than one other public authorities**, in such a case, the PIO of the public authority receiving the application should give information relating to it and advise the applicant to make separate applications to the concerned public authorities for obtaining information from them. **If no part of the information sought, is available with it but is scattered with more than one other public authorities, the PIO should inform the applicant that information is not available with the public authority and that the applicant should make separate applications to the concerned public authorities for obtaining information from them.** However, if the details of public authorities who may have the information sought by the applicant are available with the PIO, such details may also be provided to the applicant.

Appeal Case No.: 1575 of 2020
Cisco Webex Proceedings

5. After the Commission has carefully considered the submissions of the parties, it is transpired that the RTI application has been **suitably replied** and the information has been supplied to the **best extent**. Accordingly, the instant appeal case is **disposed & closed** along with the directions to respondent authority to send a copy of reply to the appellant as had submitted in the commission.
6. Announced in the Court, copy of the order to be sent to the parties.

Sd/-

Chandigarh
Dated: 28.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Rohit Sabharwal
S/o Sh. Vijay Sabharwal,
Kundan Bhawan-126, Model Gram,
Ludhiana-141002

Appellant

Versus

Public Information Officer
O/o Commissioner of Police,
Ludhiana

First Appellate Authority
O/o Commissioner of Police,
Ludhiana

Respondent

Appeal Case No.: 1573 of 2020
Cisco Webex Proceedings

Present: Appellant: Adv. Sukhjinder Kaur on behalf of Sh. Rohit Sabharwal
Respondent: Sh. Ramesh Kumar (ASI) 9915603000

ORDER

1. The Appellant/ Complainant filed appeal in the Commission dated 17.06.2020. Accordingly, the case is fixed for today.
2. Respondent, Sh. Ramesh Kumar states that the sought information has been supplied to the appellant.
3. Appellant's representative, Adv. Sukhjinder Kaur acknowledges the receiving of information **except the information pertaining to total number of minor children that stood missing or kidnapped from period 01.01.2010 to 18.04.2019 .**
4. After hearing both the parties and going through the case file it is observed that as the information stands supplied, no cause of action is required in this case. Hence, the instant appeal case is **disposed & closed.**

However, the respondent authority is directed to provide only information solicited by the appellant as mentioned above.

5. Announced in the Court, copy of the order to be sent to the parties.

Sd/-

Chandigarh
Dated: 28.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner