

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
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Sh. Jagdish Chander (9560327555, 805495891)

Advocate, R/o House No 735,
Sector 6, Urban Estate,
Karnal-132001, Haryana

Appellant/Complainant

Versus

Public Information Officer (By Name)
(Regd. Post) O/o EO, Nagar Council, Zirakpur,
Distt Mohali.

First Appellate Authority

O/o Deputy Director, Local Govt,
Patiala.

Respondent

Appeal Case No.: 569 of 2020

Heard through CISCO WEBEX

Present: Sh. Jagdish Chander, appellant.
Nobody on behalf of the respondent.

ORDER

1. This order may be read with reference to the previous order dated 18.08.2020 vide which Respondent PIO was absent and one opportunity was given to him to represent this case along with directions to supply the reply/information before the next date of hearing. Matter was adjourned for further hearing on 29.09.2020 i.e. today.

2. In today's hearing, appellant, Sh. Jagdish Chander states that requisite information is still pending from the respondent PIO.

3. Respondent PIO consecutively absent second time without any intimation to the Commission.

4. After hearing the appellant and examining the case file, it is observed that appellant filed RTI dated 09.09.2019 but respondent PIO is failed to supply reply/information to the appellant even after the lapse of one (01) year which could not be accepted by the Commission.

Respondent PIO even did not bother to provide any attention towards Notice/Orders of the Commission, which shows his irresponsible behavior towards his duties as a Public Servant.

I am of the view that due to such irresponsible behavior by the Public Authorities where RTI Act has to be appropriately dealt with, otherwise the public would lose faith and confidence in this "sunshine Act".

Absence of the Respondent PIO today again shows that the concerned Respondent as well as office is not serious at all, about providing the information to the appellant.

5. Due to evasive attitude of the respondent PIO concerned, the appellant has suffered a lot of detriments for not getting the requisite information, I am of the view that compensation be awarded to the complainant, Sh. Jagdish Chander.

Hence, **I award a compensation of Rs. 2,000/- (Two Thousand Only) to the appellant.** The compensation amount must be paid by the respondent PIO concerned through cheque or demand draft in favor of **Jagdish Chander** from the account of Public Authority and not from the individual's account.

Respondent PIO is directed to produce a copy of the cheque or demand draft on the next date of hearing.

6. A final opportunity is afforded to the respondent PIO, O/o EO, Nagar Council, Zirakpur, SAS Nagar (Mohali) to represent this case on the next date of hearing along with directions to supply the point-wise reply/information to the appellant as per queries raised by him in his RTI application before the next date of hearing.

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next 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. **A copy of this order be sent to him through registered post for his ready reference.**

7. **A copy of this order be sent to the Deputy Director, Local Govt, Patiala by name through registered post for the compliance of this order and make sure that concerned official represent this case on the next date of hearing positively.**

8. Matter is adjourned for further hearing on **02.12.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISCO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).

9. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
29.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

Regd. Post

The Deputy Director (By Name),
Local Govt, Patiala.

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Ms. Surinder Kaur

Village Khernian, PO Musakabad,
District Ludhiana-141114

Appellant

Versus

Public Information Officer

O/o Police Station Samrala,
District Ludhiana

First Appellate Authority

O/o Police Station Samrala,
District Ludhiana

Respondent

Appeal Case No.: 777 of 2020

Heard through CISCO WEBEX

Present: Sh. N.S. Sidhu on behalf of the appellant.
For the respondent: ASI, Baljinder Singh (7009055310)

ORDER

1. This order may be read with reference to the previous order dated 19.08.2020 vide which respondent PIO was absent and one more opportunity was given to him to represent this case and matter was adjourned for further hearing on 29.09.2020 i.e. today. A copy of previous order was sent to respondent PIO through registered post for his ready reference.

2. In today's hearing, respondent, ASI, Baljinder Singh states that only ਉਕਤ ਕਾਰਵਾਈ was only available in the official record and rest no other record related to RTI application is available in the Police Department. He also mentioned that Sarpanch also given in writing that his signature is not forged.

3. On this, representative of the appellant, Sh. N.S. Sidhu requested the Commission to provide the reply in writing.

4. After hearing both the parties and examining the case file, it is observed that wrong dates were mentioned in the Notice of Hearing by the Commission dated 19.08.2020, which may be read as follows:

- RTI application : Dated 01.08.2019
- First Appeal : Dated 04.09.2019
- Second Appeal : Dated 17.02.2020

Respondent PIO is directed to supply the point-wise reply in writing to the appellant as per five (05) points of the RTI application before the next date of hearing with a copy to the Commission.

5. Both the parties are advised to represent this case in person or through their representative(s), who is well aware about the facts of this case, failing to which case will be decided on merit basis.

6. Matter is adjourned for further hearing on **02.12.2020** through **CISCO WEBEX** at **11:00 A.M.** (Steps: Install CISCO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).
7. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
29.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Arun Garg (7888459837)

S/o Sh. Sham Lal
House No. 40-41, Central Town,
Village Dad, PO-Lalton Kalan,
District Ludhiana-142022

Appellant

Versus

Public Information Officer/APIO

O/o DCP, Ludhiana.

First Appellate Authority

O/o Commissioner of Police,
Ludhiana

Respondent

Appeal Case No.: 802 of 2020
Heard through CISCO WEBEX

Present: Sh. Arun Garg, the appellant in person.
For the respondent: ASI, Ramesh Kumar (9915603000).

ORDER

1. This order may be read with reference to the previous order dated 17.08.2020 vide which respondent PIO was directed to supply the reply/information as per queries raised in RTI application to the appellant before the next date of hearing and matter was adjourned for further hearing on 29.09.2020 i.e. today.

2. In today's hearing, respondent, ASI, Ramesh Kumar states that reply has already been supplied to the appellant.

3. **Appellant, Sh. Arun Garg intimated the Commission that he has received the reply relates with point no. 4, 5, 6, 7, 8, 9 and 10 but reply/information in connection with point no. 1, 2 and 3 is still pending from the respondent PIO.**

Appellant Sh. Arun Garg demanded the following information from the respondent PIO in RTI application dated 01.04.2019 regarding calls & complaints made by applicant to Police Control Room on the night of 14.12.2017:-

01) Attested copies of complainant/docket Form-I along with all annexure and action taken by police on call/complaint made by applicant from Mobile No. 78884-59837 to PCR No. 78370-18555 on 14.12.2017 at about 11:19 PM (47 Sec) including name and designation of call taker, names & designations of RCR personnel sent/reached on spot, names & designations of Incharge-AXP-ADCP-Nodal Officer & all other concerned officials of Police Control Room.

02) Attested copies of complainant/docket Form-I along with all annexure and action taken by police on call/complaint made by applicant from Mobile No. 78884-59837 to PCR No. 78370-18555 on 14.12.2017 at about 11:42 PM (3m 9s) including name & designation of call taker, names & designations of RCR personnel sent/reached on spot, names & designations of Incharge-AXP-ADCP-Nodal Officer & all other concerned officials of Police Control Room.

- 03) Attested copies of complainant/docket Form-I along with all annexure and action taken by police on call/complaint made by applicant from Mobile No. 78884-59837 to PCR No. 78370-18555 on 14.12.2017 at about 11:47 PM (1m 49s) including name and designation of call taker, names & designations of RCR personnel sent/reached on spot, names & designations of Incharge-AXP-ADCP-Nodal Officer & all other concerned officials of Police Control Room.
- 04) Attested copies of complainant/docket Form-I along with all annexure and action taken by police on call/complaint made by applicant from Mobile No. 78884-59837 to PCR No. 78370-18555 on 14.12.2017 at about 11:50 PM (1m 50s) including name and designation of call taker, names & designations of RCR personnel sent/reached on spot, names & designations of Incharge-AXP-ADCP-Nodal Officer & all other concerned officials of Police Control Room.
- 05) Attested copy of F.I.R./D.D.R. registered on above mentioned call(s)/complaint(s).
- 06) Concerned law providing attested copy of thereof for action taken on call(s)/complaint(s).
- 07) Particulars and attested copies of concerned documents of all other calls/complaints made by other persons of loudspeaker/music/noise at day/night of 14.12.2017 & 15.12.2017 along with action taken on each such call/complaint.
- 08) Concerned law providing attested copy thereof, in case the information is denied on any ground or any record is claimed not maintained or not available.
- 09) Names & designation with full official address, mobile, -mail of PIO/APIO & FAA along with attested copy of concerned office order/notification/other document.
- 10) Availability of complete/any part of sought information on internet through official web-site and its access to public along with addresses of concerned web-pages.

4. After hearing both the parties and examining the case file, respondent, ASI, Ramesh Kumar is directed to supply the reply/information in writing to the appellant relates with point no. 1, 2 and 3 along with a copy to the Commission before the next date of hearing positively.

5. Both the parties are advised to represent this case in person or through their representative(s), who is well aware about the facts of this case, failing to which case will be decided on merit basis.

6. Matter is adjourned for further hearing on **02.12.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISCO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).

7. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
29.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Darshan Singh Dhaliwal (9463101101)

#1732/6, Mohalla Sujanpuria,
Jagraon, Ludhiana

Appellant

Versus

Public Information Officer

O/o SSP, Ludhiana (Rural),
Ludhiana

First Appellate Authority

O/o IGP, Ludhiana Range,
Ludhiana

Respondent

Appeal Case No.: 814 of 2020

Heard through CISCO WEBEX

Present: Sh. Darshan Singh Dhaliwal, appellant.

For the respondent:

ASI, Harpeet Singh (9779800315)

ASI, Rajinder Singh (8427766010)

ORDER

1. This order may be read with reference to the previous order dated 19.08.2020 vide which appellant was advised to visit the respondent's office on 03.09.2020 and inspect the official record and respondent PIO was directed to make sure that appellant has inspected the official record and supply the identified pages as per RTI Act, 2005. Matter was adjourned for further hearing on 29.09.2020 i.e. today.
2. In today's hearing, respondent, ASI, Rajinder Singh states that appellant inspected the official record and copy of FIR has already been supplied to the appellant.
3. **On this, appellant, Sh. Darshan Singh Dhaliwal states that respondent, ASI, Rajinder Singh is misleading the Commission.**

He added that he has visited the respondent's office on 03.09.2020 as per the order of the Commission dated 19.08.2020 but no record was supplied to him for inspection. He further states that respondent intimated him that record has not been traced as concerned file is missing and once it will be found, he will inform the appellant. He also mentioned that he had met SHO-cum-PIO, Sh. Hira Singh (contact number 9988458970) on 27.09.2020 and he assured that after finding the concerned file, record will be supplied. He intimated the Commission only half part of the information has been supplied to him from information relates with point no.2 of the RTI application.

4. After hearing both the parties and examining the documents placed on record, it is observed that **appellant demanded the following information from the respondent PIO through RTI application dated 16.08.2019:-**

- 1) ਐੱਸ ਐੱਸ ਪੀ ਪੁਲਿਸ ਜਿਲਾ ਬਰਨਾਲਾ ਵੱਲੋਂ ਐੱਸ ਐੱਸ ਪੀ ਜਗਰਾਓਂ ਨੂੰ ਲਿਖੇ ਪੱਤਰ ਨੰਬਰ 934-A ਦੀ ਨਕਲਾਂ |
- 2) ਖ਼ਬਰ ਨਾਲ ਸੰਬੰਧਤ ਦੇਸ਼ੀਆਂ ਖਿਲਾਫ ਦਰਜ FIR ਦੀ ਨਕਲ ਅਤੇ ਕੇਸ ਦੀ ਨਕਲ |
- 3) ਖ਼ਬਰ ਨਾਲ ਸੰਬੰਧਤ ਸਾਰਾ ਪੁਲਿਸ ਰਿਕਾਰਡ Inspect ਕਰਾਇਆ ਜਾਵੇ ਅਤੇ ਲੋੜੀਂਦਾ ਰਿਕਾਰਡ ਦਿਤਾ ਜਾਵੇ |

5. A last and final opportunity is given to the respondent, ASI, Rajinder Singh is misleading the bench by giving different statements. Respondent PIO, Sh. Hira Singh is directed to supply the point-wise information to the appellant before the next date of hearing, failing to which punitive action as per RTI Act, 2005 will be initiated against him. A copy of this order be sent to him by name through registered post for his ready reference.

6. Matter is adjourned for further hearing on **02.12.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISCO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).

7. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
29.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner

Regd. Post

Sh. Hira Singh (PIO-cum-SHO) (9988458970)
O/o SSP, Ludhiana (Rural),
Ludhiana

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Sh. Ajaib Singh (9257304444)
(Regd. Post) House No. HJ 343,
Housing Board Colony,
BRS Nagar, Ludhiana-141012

Appellant

Versus

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

First Appellate Authority
O/o Commissioner of Police,
Ludhiana

Respondent

Appeal Case No.: 1107 of 2020
Heard through CISCO WEBEX

Present: Nobody on behalf of the appellant.
For the respondent: ASI, Ramesh Kumar (9915603000).

ORDER

1. This order may be read with reference to the previous order dated 19.08.2020 vide which both the parties were advised to coordinate for inspection by the appellant in the respondent's office. Respondent PIO was directed to make sure that appellant has inspected the official record and supply the identified pages as per RTI Act, 2005 of whatever information is available in the official record. Matter was adjourned for further hearing on 29.09.2020 i.e. today.
2. In today's hearing, respondent, ASI, Ramesh Kumar states that appellant has not visited the respondent's office for inspection till date.
3. Neither the appellant, Sh. Ajaib Singh is present nor did he file reply in this regard.
4. After hearing the respondent and examining the documents placed on record, a last and final opportunity is given to the appellant to comply with the previous order of the Commission dated 19.08.2020 regarding inspection along with directions to represent this case in person on the next date of hearing positively, failing to which case will be decided on merit basis. A copy of this order be sent to him through registered post for his ready reference.
5. Matter is adjourned for further hearing on **02.12.2020 through CISCO WEBEX at 11:00 A.M.** (Steps: Install CISCO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).
6. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
29.09.2020

(Dr. Pawan Kumar Singla)
State Information Commissioner