

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

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Email: psic21@punjabmail.gov.in



FINAL ORDER

Manjit Singh,
2877, Phase-7,
S.A.S. Nagar (Mohali).

Versus

Public Information Officer,
o/o Station House Officer,
Phase-8 Police Station,
S.A.S. Nagar (Mohali).

Complaint Case No. 398 of 2019

PRESENT:

(Complainant) Absent
ASI Amarnath (for the Respondent) 83602-19279

ORDER:

(To be read in continuity with earlier orders on **9.1.2020, 7.2.2020, 11.6.2020, 19.8.2020, 26.11.2020, 28.1.2021, 9.9.2021, 30.11.2021, 5.1.2022, 10.2.2022, and 30.9.2022**)

1. The complainant, **Manjit Singh**, filed this RTI application dated **26.5.2016** and sought **Information pertaining to FIR No. 124 dated 13.12.2006** from the **PIO o/o Station House Officer, Mohali**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **24.4.2019**. The case was last heard on **30.9.2022**.

2. The appellant is absent. At the last hearing of this Appeal Case on 30.9.2022, the respondent PIO represented at that hearing by Constable Smt. Rajwinder Kaur, and ASI Sh. Amar Nath, were directed to submit a detailed reply to the Show Cause Notice issued to the PIO-cum-SHO, Police Station, Phase-8, SAS Nagar, Mohali. The respondent PIO-cum-SHO, PS, Phase-8 SAS Nagar, Mohali, has submitted an affidavit Dated 1.11.2022, by way of submission which is taken on record.

“ਬਾ ਅਦਾਲਤ ਸ੍ਰੀ ਅਸ਼ਿਤ ਜੇਲੀ, ਪੰਜਾਬ ਸਟੇਟ ਇਨਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨ, ਸੈਕਟਰ-16, ਚੰਡੀਗੜ੍ਹ।

ਕੰਪਲੇਟ ਕੇਸ ਨੰ: 398/2019

ਮਨਜੀਤ ਸਿੰਘ

ਬਨਾਮ

ਪੀ.ਆਈ.ਓ. ਐਸ.ਐਚ.ਓ

ਥਾਣਾ ਫੇਜ਼-8, ਮੋਹਾਲੀ

ਹਲਫੀਆ ਬਿਆਨ

ਮੈਂ, ਇੰਸਪੈਕਟਰ ਰਾਜੇਸ਼ ਕੁਮਾਰ, ਮੁੱਖ ਅਫਸਰ ਥਾਣਾ ਫੇਜ਼-8, ਮੋਹਾਲੀ ਵਿਖੇ ਤੈਨਾਤ ਹਾਂ ਅਤੇ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਬਿਆਨ ਕਰਦਾ ਹਾਂ ਕਿ :-

1. ਇਹ ਕਿ ਮਨਜੀਤ ਸਿੰਘ ਉਕਤ ਵੱਲੋਂ ਜੋ ਆਰ ਟੀ ਆਈ ਐਕਟ ਤਹਿਤ ਮਿਤੀ 26.5.2016 ਨੂੰ ਜੋ ਜਾਣਕਾਰੀ ਮੰਗੀ ਸੀ। ਇਸ ਸਬੰਧੀ ਥਾਣਾ ਫੇਜ਼-8, ਮੋਹਾਲੀ ਵਿੱਚ ਦਸੰਬਰ 2019 ਤੱਕ ਕੋਈ ਪੱਤਰ ਆਰ ਟੀ ਆਈ ਮੰਗਣ ਸਬੰਧੀ ਪ੍ਰਾਪਤ ਨਹੀਂ ਹੋਇਆ ਜਿਸ ਕਰਕੇ ਆਰ ਟੀ ਆਈ ਤਹਿਤ ਸੂਚਨਾ ਨਹੀਂ ਦਿੱਤੀ ਜਸ ਸਕਦੀ ਸੀ।

2. ਇਹ ਕਿ ਸਾਲ 2020 ਵਿੱਚ ਮਾਨਯੋਗ ਕਮਿਸ਼ਨ ਵੱਲੋਂ ਕਪਲੇਟ ਨੰ: 398/2019 ਪ੍ਰਾਪਤ ਹੋਣ ਤੇ ਥਾਣਾ ਵੱਲੋਂ ਪ੍ਰਾਰਥੀ ਮਨਜੀਤ ਸਿੰਘ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਜੋ ਮਨਜੀਤ ਸਿੰਘ ਦੇ ਵਕੀਲ ਹਰਵਿੰਦਰ ਸਿੰਘ ਨੇ ਮਿਤੀ 8.12.2020 ਨੂੰ ਥਾਣਾ ਤੋਂ 30 ਪੇਜ ਰਸੀਵ ਕੀਤੇ ਸਨ।

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Complaint Case No. 398 of 2019

3. ਇਹ ਕਿ ਇਸ ਤੋਂ ਇਲਾਵਾ ਫਿਰ ਮਨਜ਼ੀਤ ਸਿੰਘ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਉਕਤ ਸੂਚਨਾ ਦੇ ਸਬੰਧ ਵਿੱਚ ਮਾਨਯੋਗ ਕਮਿਸ਼ਨ ਦੇ ਹੁਕਮ ਨਾਲ ਬਣਦੀ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਵਿੱਚ ਪੱਤਰ ਮਿਤੀ 2.3.2021 ਨੰਬਰ 11951/ਜੀ/ਆਰ ਟੀ ਆਈ ਰਾਹੀਂ ਫਿਰ ਇਕ ਵਾਰ ਮਾਨਯੋਗ ਕਮਿਸ਼ਨ ਵਿੱਚ ਜਮਾਂ ਕਰਵਾਈ ਗਈ। ਜੋ ਵਕੀਲ ਹਰਵਿੰਦਰ ਸਿੰਘ ਦੁਆਰਾ ਮਿਤੀ 1.7.2021 ਨੂੰ ਹਾਸਲ ਕੀਤੇ ਗਏ ਸੀ।
4. ਇਹ ਕਿ ਸਾਡੇ ਪੱਧਰ ਤੇ ਕਿਸੇ ਤਰ੍ਹਾਂ ਦੀ ਕੋਈ ਦੇਰੀ ਨਹੀਂ ਕੀਤੀ ਗਈ। ਸਮੇਂ ਸਮੇਂ ਤੇ ਮਾਨਯੋਗ ਕਮਿਸ਼ਨ ਦੇ ਹੁਕਮ ਦੀ ਤਾਮੀਲ ਕੀਤੀ ਗਈ ਹੈ।
5. ਇਹ ਕਿ ਸਾਡੇ ਵੱਲੋਂ ਅੰਡਰ ਆਰ ਟੀ ਆਈ ਐਕਟ 2005 ਤਹਿਤ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦੀ ਪਾਲਣਾ ਪੂਰੀ ਕੀਤੀ ਗਈ ਹੈ ਅਤੇ ਇਸ ਵਿੱਚ ਕਿਸੇ ਵੀ ਤਰ੍ਹਾਂ ਦੀ ਕੋਈ ਦੇਰੀ ਨਹੀਂ ਕੀਤੀ ਗਈ ਕਿਉਂਕਿ ਮਨਜ਼ੀਤ ਸਿੰਘ ਉਕਤ ਵੱਲੋਂ ਦੇ ਬਾਰ ਮਿਤੀ 8.12.2020 ਅਤੇ 1.7.2021 ਨੂੰ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜਾ ਚੁਕੀ ਹੈ।

ਬਿਆਨਕਰਤਾ

ਤਸਦੀਕ:-

ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਹਲਫ਼ੀਆ ਬਿਆਨ ਸਹੀ ਵਾ ਦਰੁਸਤ ਹੈ।

ਮਿਤੀ :

ਸਥਾਨ :

ਬਿਆਨਕਰਤਾ"

3. After considering the submission made in aforesaid affidavit, the Commission is of the view that there was no malafide intention on the part of the respondent PIO to delay or deny the information to the appellant.

4. It is also notable here that as had been the past practice in several Complaint Cases, wherein the complainants were keen to obtain the information requested in their RTI applications, in this case too, the Bench of Hon'ble SIC, **Sh. Yashveer Mahajan**, who first heard this case on 22.8.2019, as well as the present Bench, made efforts to provide the requested information to the complainant on the request and concurrence of the complainant's lawyer **Sh. Harvinder Singh**, the requested information was provided to the complainant vide this Commission's Order of 1.7.2021, following which, the complainant's lawyer even listed certain deficiencies to the PIO, as recorded in this Commission's Order of 5.1.2022. Notably, the appellant's lawyer also conducted the inspection of the concerned file,

5. This complaint is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
3.11.2022

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FINAL ORDER

Surjit Singh Gurditpura
Opposition Front, PB,
Village Todarwal, PO Babarpur,
Tehsil Nabha, District Patiala.

Versus

Public Information Officer,
o/o Senior Superintendent of Police,
Patiala
First Appellate Authority
o/o IGP, Patiala Range,
Patiala.

Appeal Case No. 2417 of 2022 (Video Conference Proceedings)

PRESENT:

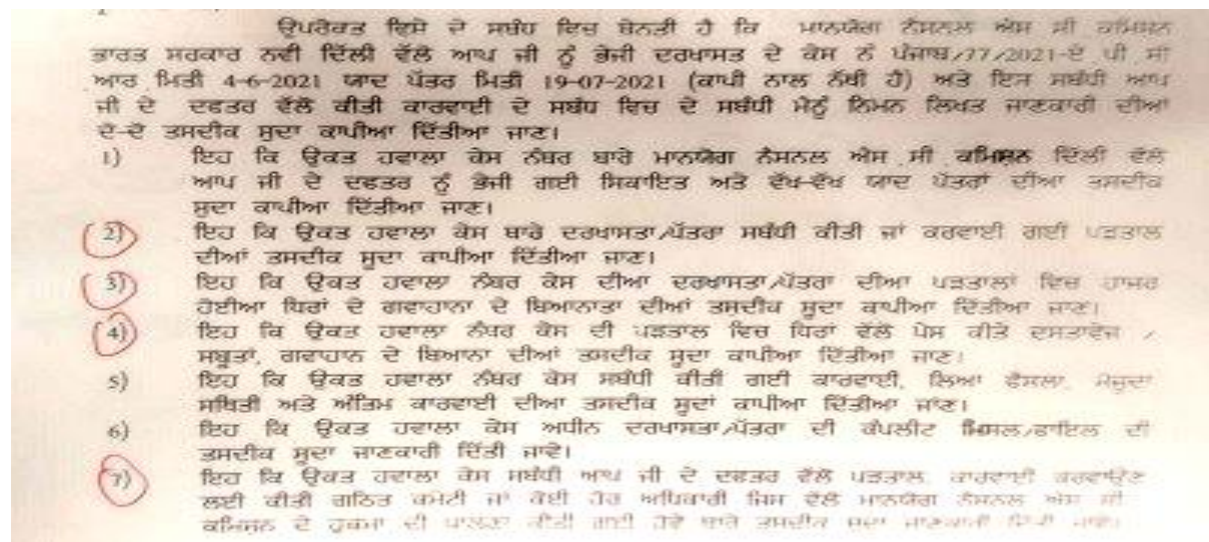
Raj Singh (for the Appellant) 98142-41257

Amandeep Singh, Senior Assistant (for the Respondent) 97791-28209

ORDER:

(To be read in continuity with earlier orders on **5.7.2022**)

1. The RTI application is dated **9.12.2021** vide which the appellant has sought information:



as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **27.1.2022** and Second Appeal was filed in the Commission on **13.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.7.2022**.

Contd....2

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Appeal Case No. 2417 of 2022 (Video Conference Proceedings)

2. Both parties are present. As per this Commission's Order of 5.7.2022, the respondent PIO, submitted a pointwise reply along with requested information vide Letter No. 2002-2003 Dated 18.8.2022. The appellant has contended that some of the record pertaining to enquiry conducted by the SP, Headquarters, Patiala on a notice from the National SC/ST Commission, has not been provided. The respondent however contends that all the information requested in this RTI application, as available in the record, has been provided to the appellant and the information cited as "deficient" by the appellant, has been sought in a fresh RTI application.

3. In view of the above, the respondent is directed to state his contention at today's Hearing, in writing to the appellant viz. that all the information as available in the record has been provided to the appellant and there is no pending information in his records.

4. This Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
3.11.2022

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FINAL ORDER

Harinder Pal Singh,
278, Near Old Talab, Hira Mahal Colony,
Nabha, Patiala.

Versus

Public Information Officer,
o/o Executive Officer,
Municipal Council, Nabha,
District Patiala.

First Appellate Authority,
o/o Additional Deputy Commissioner (Urban Development),
Patiala.

Appeal Case No. 333 of 2022 (Video Conference Proceedings)

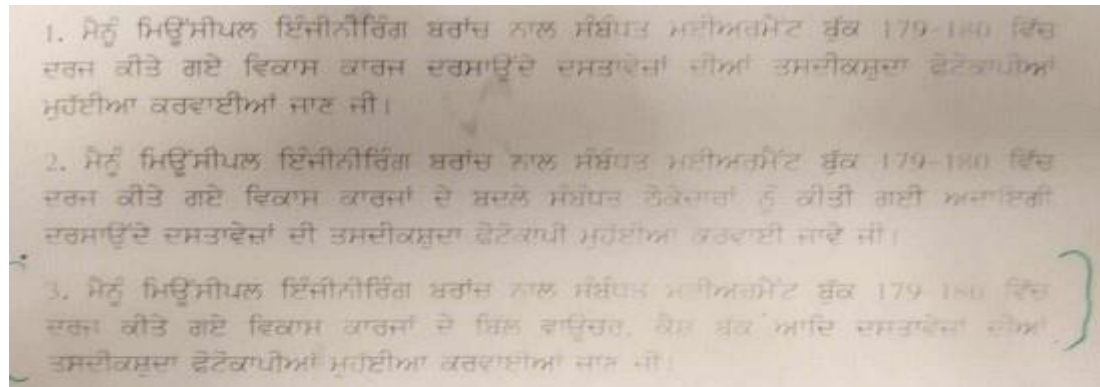
PRESENT:

Harinder Pal Singh (Appellant) 98153-44250
Kuljinder Singh, Junior Engineer (for the Respondent) 80540-50032

ORDER:

(To be read in continuity with earlier orders on 20.4.2022 and 24.6.2022)

1. The RTI application dated **12.10.2021** vide which the appellant has sought information as under:-



enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **17.11.2021** and Second Appeal was filed in the Commission on **7.1.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **24.6.2022**.

2. Both parties are present. At the last Hearing on 24.6.2022, the respondent PIO was issued a Show Cause Notice and further directed to submit a copy of any FIR registered at PS Kotwali Nabha with regard to the loss of the MBs cited in the RTI application, along with other information by way of copies of bills and vouchers cited at point 3 of the RTI application. In response, the respondent PIO represented by Kuljinder Singh, JE, states that a copy of the letter written to the appellant regarding the missing of MBs has been emailed to the Commission this morning.

Contd....2

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Appeal Case No. 333 of 2022 (Video Conference Proceedings)

3. Sh. Kuljinder Singh, JE, is directed to supply an attested copy of said letter to the appellant forthwith. Sh. Kuljinder Singh, JE, has further contended that the bills and vouchers sought in point 3 of the RTI application can only be located if the missing MBs are found.

4. In view of the above, the Commission deems it fit to **Dispose of this Appeal Case.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
3.11.2022

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FINAL ORDER

Balwinder Singh,

Street No 5, #1331-5, Vishawkarma Bhawan,
Down Canal Road, Shimlapuri, Ludhiana.

Versus

Public Information Officer,

o/o EO, Nagar Council, Rajpura.

First Appellate Authority

o/o Additional Deputy Commissioner (Urban Development),
Patiala.

Appeal Case No. 2524 of 2022 (Video Conference Proceedings)

PRESENT:

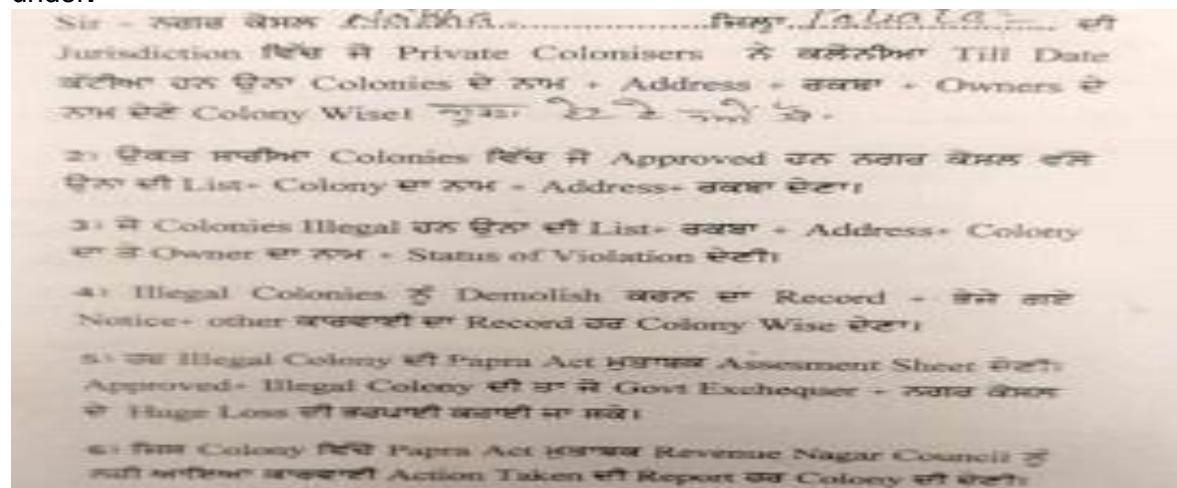
(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 5.7.2022)

1. The RTI application is dated **21.2.2022** vide which the appellant has sought information as under:-



enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **28.3.2022** and Second Appeal was filed in the Commission on **24.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.7.2022**.

2. Both parties are absent. The respondent PIO has made a written submission to the Show Cause Notice issued to him vide this Commission's Order of 5.7.2022. It is notable that the appellant Sh. Balwinder Singh Ladi who has filed a number of Appeals to this Commission, has never made an appearance either in person or through Video Conference at any Hearing before this of other benches.

Contd....2

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Appeal Case No. 2524 of 2022 (Video Conference Proceedings)

3. The Commission also notes that since filing this Second Appeal to the Commission on 24.5.2022, there has been absolutely no communication from the appellant who has not acknowledged the Commission's Notice of Hearing of 9.6.2022; the Order from the Hearing 5.7.2022; or even the Order regarding postponement of the scheduled Hearing on 26.8.2022.

4. The above compels the Commission to conclude that the appellant, Sh. Balwinder Singh Ladi is no longer interested in pursuing this appeal, which is accordingly **Disposed of.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
3.11.2022

PUNJAB STATE INFORMATION COMMISSION

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FINAL ORDER REVERT TO FAA

To,
First Appellate Authority,
o/o Conservator of Forest,
Bist Circle, Maqsudan Chowk, Jalandhar.

Amrit Singh,
Village Gagrewal,
Tehsil Kahur Sahib, Tarn Taran.

Versus

Public Information Officer,
o/o Divisional Forest Officer, Amritsar.

Complaint Case No. 477 of 2022 (Video Conference Proceedings)

PRESENT:

Amrit Singh (Complainant)
Vishal Verma, Forest Guard (for the Respondent) 81949-40444

ORDER:

1. The complainant, **Amrit Singh**, filed this RTI application dated 6.4.2022 and sought information as under:-

1. Certified list of permanent and temporary employees posted at Rakh Gagrewal.
2. Details of employees posted to take care of Rakh Gagrewal including date of appointment and designation.
3. Number and kind of trees planted in Rakh Gagrewal since 01-01-2010.
4. Total number of trees in Rakh Gagrewal as on 01-03-2022.
5. Certified copy of complaints/cases filed for theft of trees since 01-01-2010.
6. Certified copies of bills related to fencing made around the area of Rakh Gagrewal to protect wildlife as well public property.

from the PIO o/o **Divisional Forest Officer, Amritsar**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **21.7.2022**. Notice was issued to the parties for first hearing in the Commission on **3.11.2022**.

2. Both parties are present. As per the respondent PIO, represented by Sh. Vishal Verma, Forest Guard, this RTI application was received in his office on 13.4.2022, and a reply was sent to the appellant on 29.4.2022, informing him that he had not appended his identity proof with said application. As per the respondent, he had no communication from the appellant since then and was only made aware of this Complaint on receiving the Commission's Notice of Hearing.

Contd....2

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Complaint Case No. 477 of 2022 (Video Conference Proceedings)

3. On going through the complaint filed by the complainant as well as his submission at today's Hearing that he wishes to obtain the requested information, this Case is remanded back to the First Appellate Authority-cum-Conservator of Forest, Jalandhar, Patiala with direction to hear both parties and hand down an appropriate decision.

4. This Complaint Case is accordingly **Disposed of.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
3.11.2022

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FINAL ORDER

Makhan Singh,
S/o Sh. Jagir Singh,
Village Bika, PO- Khankhana,
Shaheed Bhagat Singh Nagar.

Versus

Public information Officer,
o/o District Attorney,
Shaheed Bhagat Singh Nagar.

Complaint Case No. 474 of 2022 (Video Conference Proceedings)

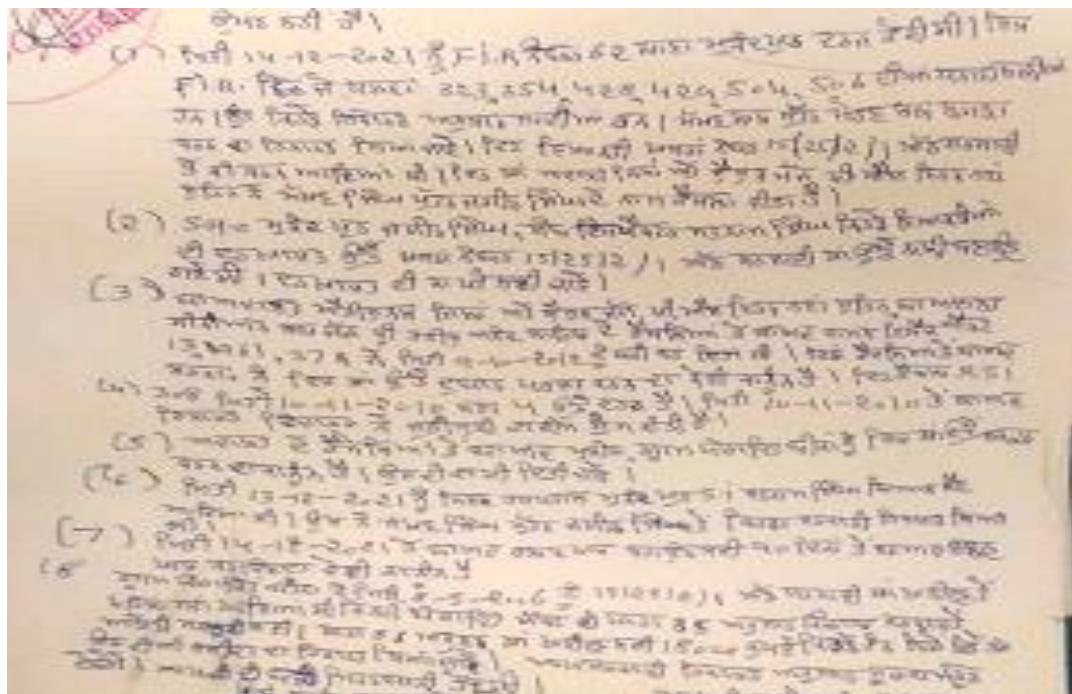
PRESENT:

Makhan Singh (Complainant) 99151-69047

Tejveer Singh, APIO-cum-Assistant District Attorney (for the Respondent) 98142-61365

ORDER:

1. The complainant, **Makhan Singh**, filed this RTI application dated 8.6.2022 and sought information as under:-



from the PIO o/o **District Attorney, Shahid Bhagat Singh Nagar**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **20.7.2022**. Notice was issued to the parties for first hearing in the Commission on **3.11.2022**.

Contd....2

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Complaint Case No. 474 of 2022 (Video Conference Proceedings)

2. Both parties are present. As per the respondent PIO, represented by APIO-cum-Assistant District Attorney, Sh. Tejveer Singh, the RTI application was received on 9.6.2022 and a reply was sent to the appellant Vide Letter No. 889 Dated 2.5.2022 wherein, he was informed that the RTI request does not qualify as "information" as per the RTI Act, 2005. He was also informed that most of the information requested in said RTI application pertains to an FIR, which is domain of the Police and the office of District Attorney is not the custodian of that record. The appellant was also informed regarding First Appellate Authority in this Case.

3. The appellant, however, has filed this as a Complaint Case to the Commission, wherein the Commission is only to examine whether the respondent PIO's decision to deny/delay the information constitutes a contravention of the Act. It is also notable here that this RTI application as submitted to the PIO is markedly different from the RTI application appended to this complaint, which appears to have been rewritten by the appellant. The Commission has examined Letter No. 889 Dated 2.7.2022 and is of the view that the respondent has acted as per the provisions of the RTI Act, 2005.

4. This Complaint Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
3.11.2022