

PUNJAB STATE INFORMATION COMMISSION

Red Cross Bhawan, Near Rose Garden, Madhya Marg,

Sector: 16, Chandigarh.

Tel. No.0172-2864100-01, Fax No.0172-2864110

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Shri S.P. Goyal, #2-C,
Sarabha Nagar, Gurudwara Road,
Ludhiana-141001.

-----Appellant

Vs

Public Information Officer
o/o District & Sessions Judge,
District Court, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Court, Ludhiana.

-----Respondents

Appeal Case No. 1545 of 2018 (Through Video Conference Facility)

Present:- None on behalf of the appellant.

Shri Om Parkash, Superintendent-cum-PIO, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 06.09.2018 vide which the appellant was advised to file specific deficiencies in the following information supplied to him by the respondents vide their letter dated 02.06.2018:-

1. "In reply to contents mentioned in paras No.1, 2, 3, 4, 6 and 8 of the appeal, it is submitted that the desired information is not required to be supplied under RTI Act, 2005, since appellant is seeking advice/opinion/queries but as held by Hon'ble Supreme Court of India in Central Board of Secondary Education and Another versus Aditya Bandhopadhyay & others {(2011) 8 SCC 4971}, public

Contd.....p/2

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authority is not required to furnish information which require drawing of inference and/or making of assumptions. It is also not required to provide advice or opinion to the applicant or to solve the problems raised by the applicant; or to furnish reply to hypothetical questions. Under the RTI Act, 2005, only such information can be supplied that is available and existing.

2. In reply to contents mentioned in para No.5 and 7 of the appeal, it is submitted that desired information had been supplied to the appellant vide impugned order dated 1511/G dated 23.01.2018. Even appellant has not pressed for seeking information with respect to these paras in the present Second Appeal. Thus no further comments are required in this regards.

3. The respondents stated that deficiencies have not been received in their office from the appellant till the previous date of hearing dated 06.09.2018 and the case was adjourned to 14.11.2018. The appellant remained absent on 14.11.2018 and last opportunity was afforded to him to send deficiencies in the information so supplied to him on 02.06.2018 and the case was adjourned to 11.12.2018. Today, again the appellant is absent but he has sent an e-mail stating the following :-

That his advocate is on leave as he has to appear for his own Judicial service before some authority. He is not feeling well, therefore, he pray to kindly decide the all appeals on merit. I have filed appeal before your

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Appeal Case No. 1545 of 2018

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honour against my each RTI application separately point wise. Whereas the PIO give consolidate replying's which amounts to denial give information. Information are sought which are available with the PIO but the reason best known to the PIO that he has not given point wise reply. He should file affidavit that there is no record of information sought by me or they should provide the information as sought, which is part of record of the office of District and Sessions Judge, Ludhiana. May your honour be pleased to decide all the above appeals after hearing the PIO/1st Appellate Authority for the above mentioned appeal on merit.

4. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that complete information has been supplied to the appellant and no deficiency has been received from the appellant till date. Non-supply of deficiencies by the appellant and his regular non-appearance before the Commission shows that he is satisfied with the information so supplied to him by the respondents. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001.

.....Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
District Courts, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Courts, Ludhiana.

.....Respondents.

Appeal Case No. 2061 of 2018

Present:- None on behalf of the appellant.

Shri Om Parkash, Superintendent-cum-PIO, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 12.09.2018 vide which the appellant was advised to send deficiencies in the following information supplied to him by the respondents vide their letter dated 06.08.2018:-

1. "In reply to contents mentioned in paras No.1, 2, 4 and 5 of the appeal, it is submitted that appellant has desired the information relating to the judicial functions of the Court. However, Section 4(1)(d) of Right to Information Act, 2005 refers to only administrative and quasi-judicial decisions of public authority and it does not apply to judicial proceedings. Further, as per Rule 4 (1) of Punjab Subordinate Courts (Right to Information) Rules, 2007, the information

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which relates to judicial functions and duties of the Court shall not be disclosed, in term of Section 8(1)(b) of the RTI Act, 2005. Therefore, information sought by the appellant is not required to be supplied. However, appellant was advised to obtain the certified copies or inspect the judicial record, if so advised, as per rules and orders framed by the Hon'ble High Court of Punjab and Haryana.

2. In reply to contents mentioned in para 3 and 7 of the appeal, it is submitted that the appellant had already inspected the said inquiry file on 25.08.2017 and as per directions of the Hon'ble State Information Commission, Punjab passed in appeal cases No.1579 of 2017 and 1584 of 2017 vide order dated 11.09.2017, the copy of entire enquiry file consisting of about 1583 pages regarding alleged tempering of Court record on 17.03.2005 of the Court of Sh. Tarsem Mangla, the then ACJSD, Ludhiana relating to the case bearing Civil Suit No.141 dated 24.05.1988 titled as S.P. Goyal vs. Hari Dutt Dumra, had already been supplied to the appellant, which had been duly received by the appellant in person on 17.10.2017. Therefore, information sought by the appellant under these paras in not required to be supplied again and again.
3. It is further submitted that as directed by Hon'ble State Information Commission, Punjab, vide order dated 12.06.2018 passed in Appeal Case No.1220 of 2018, affidavit duly furnished by PIO of this office regarding supply of aforesaid complete inquiry record has been supplied to the appellant vide this office letter No.12948/G dated 17.07.2018.

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4. In reply to contents mentioned in para No.6 and 8 of the appeal, it is submitted that the appellant rightly been informed that matter regarding tracing out of the Inspection register of the Court of Sh. Tarsem Mangla, the then ACJSD, Ludhiana particularly related to inspection dated 17.03.2005 is pending in the Court of the Chief Judicial Magistrate, Ludhiana, wherein final report is still awaited.

3. The representative of the respondents stated that no deficiencies have been received in respondents' office from the appellant till the previous date of hearing i.e. 12.09.2018 and the case was adjourned to 10.10.2018., which was further postponed to 14.11.2018 due to certain administrative reasons. The appellant remained absent on 14.11.2018 and last opportunity was afforded to him to send deficiency in the information so supplied to him on 06.08.2018 and the case was adjourned to 11.12.2018. Today, again the appellant is absent but he has sent an e-mail stating the following :-

That his advocate is on leave as he has to appear for his own Judicial service before some authority. He is not feeling well, therefore, he pray to kindly decide the all appeals on merit. I have filed appeal before your honour against my each RTI application separately point wise. Whereas the PIO give consolidate replying's which amounts to denial give

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information. Information are sought which are available with the PIO but the reason best known to the PIO that he has not given point wise reply. He should file affidavit that there is no record of information sought by me or they should provide the information as sought, which is part of record of the office of District and Sessions Judge, Ludhiana. May your honour be pleased to decide all the above appeals after hearing the PIO/1st Appellate Authority for the above mentioned appeal on merit.

4. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that complete information has been supplied to the appellant as he has not supplied any deficiency. Non-supply of deficiencies by the appellant and his regular absence shows that he is satisfied with the information so supplied to him by the respondents. Hence, the present case is **disposed of and closed**. Copies of the order be sent to the parties.

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001.

.....Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
District Courts, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Courts, Ludhiana.

.....Respondents.

Appeal Case No. 2011 of 2018

Present:- None on behalf of the appellant.

Shri Om Parkash, Superintendent-cum-PIO, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 12.09.2018 vide which the appellant was advised to send specific deficiencies in the following information supplied to him by the respondents vide their letter dated 06.08.2018:-

"In reply to contents mentioned in the appeal, it is submitted that the appellant had already inspected the said inquiry file on 25.08.2017 and as per directions of the Hon'ble State Information Commission, Punjab passed in appeal cases No.1579 of 2017 and 1584 of 2017 vide order dated 11.09.2017, the copy of entire enquiry file consisting of about 1583 pages regarding alleged tempering of Court record on 17.03.2005 of the Court of Sh. Tarsem Mangla, the then ACJSD, Ludhiana relating the case bearing Civil Suit No.141 dated 24.05.1988 titled as S.P. Goyal vs. Hari

Contd.....p/2

-2-

Dutt Dumra, had already been supplied to the appellant, which have been duly received by the appellant in person on 17.10.2017. Therefore, information sought by the appellant under these paras is not required to be supplied again and again.

2. It is further submitted that as directed by Hon'ble State Information Commission, Punjab vide order dated 12.06.2018 passed in Appeal Case No.1220 of 2018, affidavit duly furnished by PIO of this office regarding supply of aforesaid complete inquiry record has been supplied to the appellant vide this office letter No.12948/G dated 17.07.2018.

3. The representative of the respondents stated that no deficiencies have been received in their office by the appellant till the previous date of hearing dated 12.09.2018 and the case was adjourned to 10.10.2018, which was further postponed to 14.11.2018 due to certain administrative reasons. The appellant remained absent on 14.11.2018 also and one last opportunity was afforded to him to send deficiencies in the information, so supplied, to him on 06.08.2018 and the case was adjourned to 11.12.2018. Today, again the appellant is absent but he has sent an e-mail stating the following :-

That his advocate is on leave as he has to appear for his own Judicial service before some authority. He is not feeling well, therefore, he pray to

Contd.....p/3

kindly decide all the appeals on merit. I have filed appeal before your honour against my each RTI application separately point wise. Whereas the PIO give consolidate replying's which amounts to denial give information. Information are sought which are available with the PIO but the reason best known to the PIO that he has not given point wise reply. He should file affidavit that there is no record of information sought by me or they should provide the information as sought, which is part of record of the office of District and Sessions Judge, Ludhiana. May your honour be pleased to decide all the above appeals after hearing the PIO/1st Appellate Authority for the above mentioned appeal on merits.

4. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that complete information has been supplied to the appellant as he has not supplied any deficiency. Non-supply of deficiencies by the appellant and his regular absence shows that no information is pending which can be supplied to him. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001.

.....Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
District Courts, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Courts, Ludhiana.

.....Respondents.

Appeal Case .No. 2010 of 2018

Present:- None on behalf of the appellant.

Shri Om Parkash, Superintendent-cum-PIO, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 12.09.2018 vide which the appellant was advised to send specific deficiencies in the following information supplied to him by the respondents vide their letter dated 06.08.2018:-

"That an application dated 21.02.2018 under RTI Act, 2005 made by the appellant was received in this office vide receipt No.2835 dated 27.02.2018 and on 17.03.2018 his application was disposed of and reply was sent to the appellant vide letter bearing No.4879/G dated 17.03.2018 (copy enclosed), which was delivered to the appellant on 21.03.2018.

2. Thereafter, the appellant having dissatisfied with the reply of the PIO, filed the

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-2-

First Appeal dated 20.04.2018 received in this office vide receipt No.5748 dated 23.04.2018. As per Section 19(1) of the RTI Act, appeal under RTI Act, 2005 may be filed within thirty days from the receipt of order of PIO. However, reply of the PIO bearing No.4879/G dated 17.03.2018 was received by the appellant on 21.03.2018 and the First Appeal filed by the appellant was received in this office on 23.04.2018 i.e. beyond the limitation period. Also, the appellant had not mentioned any sufficient cause which had prevented him from filing the present appeal. Thus, the same being time barred has rightly dismissed vide order dated 24.04.2018 by the First Appellate Authority.

3. *In reply to contents mentioned at Sr. No. 1, 2, 4 and 5 of the appeal, it is submitted that the desired information is not required to be supplied under RTI Act, 2005, since appellant is seeking advise/opinion/queries from the Public Information Officer. As held by Hon'ble Supreme Court of India in Central Board of Secondary Education & Another versus Aditya Bandhopadhayay & others [(2011) 8 SCC 497, public authority is not required to furnish information which require drawing of inference and/or making of assumptions. It is also not required to provide advice or opinion to the applicant nor required to obtain and furnish any opinion or advice to an applicant or to solve the problems raised by the applicant; or to furnish reply to hypothetical questions. Under the RTI Act, 2005, only such information can be*

Contd.....p/3

supplied that is available and existing. Therefore, information sought by the appellant under these paras is not required to be supplied and hence, rightly declined by the PIO of this office.

4. *In reply to contents mentioned in Para No.3 of the appeal, it is submitted that the appellant had already inspected the said inquiry filed on 25.08.2017 and as per directions of the Hon'ble State Information Commission, Punjab passed in appeal case No.1579 of 2017 and 1584 of 2017 vide order dated 11.09.2017, the copy of entire inquiry file consisting of about 1583 pages regarding alleged tempering of Court record on 17.03.2005 of the Court of Sh. Tarsem Mangla, the then ACJSD, Ludhiana relating to the cases bearing Civil Suit No.141 dated 24.05.1988 titled as S.P. Goyal vs. Hari Dutt Dumra, had already been supplied to the appellant, which had been duly received by the appellant in person on 17.10.2017. Therefore, information sought by the appellant under these paras is not required to be supplied again and again.*

5. *It is further submitted that as directed by Hon'ble State Information Commission, Punjab vide order dated 12.06.2018 passed in Appeal Case No.1220 of 2018 and order dated 03.07.2018 passed in Appeal Case No.2384 of 2017 and 2385 of 2017 affidavit duly furnished by PIO of this office regarding supply of aforesaid complete inquiry record has been supplied to the appellant vide this office letter No.12948/G dated 17.07.2018, 3500/G dated 31.07.2018 and 3532/G dated 31.07.2018 respectively."*

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3. The representative of the respondents stated that no deficiencies have been received by them in their office from the appellant till the previous date of hearing dated 12.09.2018 and the case was adjourned to 10.10.2018, which was further postponed to 14.11.2018 due to certain administrative reasons. The appellant remained absent on 14.11.2018 and one last opportunity was afforded to him to send deficiency in the information so supplied to him on 06.08.2018 and the case was adjourned to 11.12.2018. Today, again the appellant is absent but he has sent an e-mail stating the following :-

That his advocate is on leave as he has to appear for his own Judicial service before some authority. He is not feeling well, therefore, he pray to kindly decide the all appeals on merit. I have filed appeal before your honour against my each RTI application separately point wise. Whereas the PIO give consolidate replying's which amounts to denial give information. Information are sought which are available with the PIO but the reason best known to the PIO that he has not given point wise reply. He should file affidavit that there is no record of information sought by me or they should provide the information as sought, which is part of record of the office of District and Sessions Judge, Ludhiana. May your honour be pleased to decide all the above appeals after hearing the PIO/1st Appellate Authority for the above mentioned appeal on merits.

Contd.....p/5

4. After hearing the representative of the respondents and going through the record available on the case file, it is observed that complete information has been supplied to the appellant as he has not pointed out any deficiency in the information so supplied to him. Non-supply of deficiencies and regular absence of the appellant shows his satisfaction to the information supplied to him by the respondents. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001.

.....Appellant

Vs

Public Information Officer
o/o District and Sessions Judge,
District Courts, Ludhiana.

First Appellate Authority
o/o District and Sessions Judge,
District Courts, Ludhiana.

.....Respondents.

Appeal Case .No. 2027 of 2018

Present:- None on behalf of the appellant.

Shri Om Parkash, Superintendent-cum-PIO, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 12.09.2018 vide which the appellant was advised to send specific deficiencies in the following information supplied to him by the respondents vide their letter dated 06.08.2018:-

"In reply to contents mentioned in the appeal, it is submitted that appellant has desired the information relating to the judicial functions of the Court. However, as per Section 4(1)(d) of Right to Information Act, 2005 also refers to only administrative and quasi-judicial decisions of public authority and it does not apply to judicial proceedings. Further, as per Rule 4(1) of Punjab Subordinate

Contd.....p/2

-2-

Courts (Right to Information) Rules, 2007, the information which relates to judicial functions and duties of the Court shall not be disclosed, in terms of Section 8(1)(b) of the RTI Act, 2005. Moreover, appellant is seeking advise/opinion/queries from the Public Information Officer but as held by Hon'ble Supreme Court of India in Central Board of Secondary Education & Another versus Aditya Bandhopadyay & others [(2011)8 SCC497], public authority is not required to furnish information which require drawing of inference and/or making of assumptions. It is also not required to provide advice or opinion to the applicant or to solve the problems raised by the applicant; or to furnish reply to hypothetical questions. Under the RTI Act, 2005, only such information sought by the appellant is not required to be supplied.

2. In reply to contents mentioned at Sr. No.29 of the appeal, it is submitted that appellant has been informed that as per report of the DSA, order dated 16.05.2017 has not been uploaded on the CIS. However, appellant was advised to obtain the certified copies or inspect the judicial record concerned, as per rules and orders framed by the Hon'ble High Court of Punjab and Haryana after taking necessary permission from the Court concerned.
3. The representative of the respondents stated that no deficiencies have been received by them in their office from the appellant till the previous date of hearing

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dated 12.09.2018 and the case was adjourned to 10.10.2018, which was further postponed to 14.11.2018 due to certain administrative reasons. The appellant remained absent on 14.11.2018 and one last opportunity was afforded to him to send deficiencies in the information, so supplied to him, on 06.08.2018 and the case was adjourned to 11.12.2018. Today, again the appellant is absent but he has sent an e-mail stating the following :-

That his advocate is on leave as he has to appear for his own Judicial service before some authority. He is not feeling well, therefore, he pray to kindly decide the all appeals on merit. I have filed appeal before your honour against my each RTI application separately point wise. Whereas the PIO give consolidate replying's which amounts to denial give information. Information are sought which are available with the PIO but the reason best known to the PIO that he has not given point wise reply. He should file affidavit that there is no record of information sought by me or they should provide the information as sought, which is part of record of the office of District and Sessions Judge, Ludhiana. May your honour be pleased to decide all the above appeals after hearing the PIO/1st Appellate Authority for the above mentioned appeal on merit.

4. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that complete information as per its

Contd.....p/4

Appeal Case .No. 2027 of 2018

-4-

availability in the official record of the respondents has been supplied to the appellant. Non-supply of deficiencies by the appellant and his continuous absence shows his satisfaction with the information so supplied to him by the respondents. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri S.P. Goyal,
#2-C, Sarabha Nagar,
Gurudwara Road, Ludhiana-141001.

.....Appellant

Vs

Public Information Officer
o/o Hon'ble Punjab and Haryana High Court,
Chandigarh.

First Appellate Authority
o/o Hon'ble Punjab and Haryana High Court,
Chandigarh.

.....Respondents.

Appeal Case No. 2028 of 2018

Present:- None on behalf of the appellant.

Shri Inder Singh, Joint Registrar (Rules)-cum-PIO alongwith Shri Charanjit Singh, Senior Assistant, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 12.09.2018 vide which the appellant was advised to send his observations, if any, on the reply/information sent to him by the PIO on 20.01.2018.

2. The representatives of the respondents stated that no deficiencies have been received by the respondents from the appellant till the previous date of hearing dated 12.09.2018 and the case was adjourned to 10.10.2018, which was further postponed to 14.11.2018 due to certain administrative reasons. The appellant remained

Contd.....p/2

absent on 14.11.2018 and one last opportunity was afforded to him to send deficiencies in the information so supplied to him on 20.01.2018 and the case was adjourned to 11.12.2018. Today, again the appellant is absent but he has sent an e-mail stating the following :-

That his advocate is on leave as he has to appear for his own Judicial service before some authority. He is not feeling well, therefore, he pray to kindly decide the all appeals on merit. I have filed appeal before your honour against my each RTI application separately point wise. Whereas the PIO give consolidate replying's which amounts to denial give information. Information are sought which are available with the PIO but the reason best know to the PIO that he has not given point wise reply. He should file affidavit that there is no record of information sought by me or they should provide the information as sought, which is part of record of the office of District and Sessions Judge, Ludhiana. May your honour be pleased to decide all the above appeals after hearing the PIO/1st Appellate Authority for the above mentioned appeal on merit.

4. After hearing the representative of the respondents and going through the record available on the case file, it is revealed that complete information has been supplied to the appellant. Non-supply of deficiencies by the appellant till date and his

regular absence shows that he is satisfied with the information supplied to him by the respondents. Hence, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Sh. Rakesh Kumar Gupta, Advocate,
8/237, Jagraon Road, Mandi Mullanpur,
Distt: Ludhiana.

-----Appellant

Vs.

Public Information Officer,
O/o DGP, Punjab Police,
Sector:09, Chandigarh.

First Appellate Authority,
o/o DGP, Punjab Police,
Sector:09, Chandigarh.

Public Information Officer,
o/o SSP, Ludhiana (Rural)

-----Respondent

Appeal Case No. 3628 of 2016

Present:- None on behalf of the appellant.

Shri Tarsem Lal, ASI, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 20.11.2018 vide which the appellant was advised to point out deficiencies in the information provided to him vide letter dated 20.11.2018.

2. The representative of the respondents places on record speaking order which is mentioned above:-

ਆਪ ਨੂੰ ਸਪੀਕਿੰਗ ਆਰਡਰ ਰਾਹੀਂ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਅਪੀਲ ਕੇਸ ਸੰਬੰਧੀ ਆਪ ਨੂੰ ਪਹਿਲਾਂ ਵੀ ਸੂਚਨਾ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾ ਚੁੱਕੀ ਹੈ। ਮਿਤੀ 20.11.2018 ਨੂੰ ਆਪ ਵਲੋਂ ਮਾਨਯੋਗ ਕਮਿਸ਼ਨ ਪਾਸ ਪੇਸ਼ ਹੋ ਕੇ ਸੂਚਨਾ ਡੀ.ਐਸ.ਪੀ. ਦਫ਼ਤਰ ਨਾਲ ਸੰਬੰਧਤ ਹਾਸਲ ਕਰਨ ਬਾਰੇ

Contd.....p/2

-2-

ਕਿਹਾ ਗਿਆ ਸੀ। ਇਸ ਲਈ ਆਪ ਵਲੋਂ ਇਹ ਸਪਸ਼ਟੀ ਕੀਤਾ ਜਾਵੇ ਕਿ ਆਪ ਨੂੰ ਕਿਸ ਖਾਸ/ਵਿਸ਼ੇਸ਼ ਨੰਬਰ ਦੀ ਸੂਚਨਾ ਚਾਹੀਦੀ ਹੈ ਤਾਂ ਜੋ ਸੂਚਨਾ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾ ਸਕੇ।

The appellant has sent an e-mail dated 11.12.2018 pointing out the deficiencies in the information so supplied to him, a copy of which has been handed over to the representative of the respondents with the direction to remove the same as early as possible. On receipt of reply from the appellant, the respondents are directed to send rebuttal before the next date of hearing.

3. To come up on **15.1.2019** at **11.30 A.M.**

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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Smt. Neena Gupta,
H.No.1410, Phase-1, Urban Estate,
Dugri Road, Ludhiana.

--Complainant.

Vs.

Public Information Officer
o/o Sub Registrar/Tehsildar (West),
Humbran Road, Ludhiana.

-----Respondent.

Complaint Case No. 1163 of 2017

Present:- None on behalf of the complainant.
None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order 20.11.2018 vide which the respondent was directed to send one more copy of reply to the complainant and the complainant was directed to send her observations, if any, to the PIO with a copy to the Commission.

2. The complainant is absent but she has sent an e-mail stating that she is unable to attend the Court on 11.12.2018 due to an urgent work. She further stated that penalty be imposed on the respondent-PIO for not providing the information.

3. None is present on behalf of the respondent-PIO without intimation.

4. Viewing the callous attitude of the PIO seriously, **a show cause notice is issued to** PIO, Sub Registrar/Tehsildar (West), Humbran Road, Ludhiana for non compliance. The respondent-PIO is directed to file a formal reply in this behalf before the next date of hearing. He is further directed to expedite the information, which has been asked for at the availability in his office. In case it is not available then he must be very specific and also state the reasons therefore.

5. He may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice

6. To come up on **14.01.2019 at 11.30 A.M. for further proceedings.**

Dated : 11.12.2018

Sd/-
(**S.S. Channy**)
Chief Information Commissioner
Punjab

JAB STATE INFORMATION COMMISSION

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

Tel. No.0172-2864100-01, Fax No.0172-2864110

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Shri Ranjit Singh
s/o Shri Sandeep Singh, Village Tong,
Tehsil Baba Bakala Sahib,
District Sri Amritsar Sahib.

--Appellant.

Vs.

Public Information Officer
o/o Additional Deputy Commissioner,
Sri Amritsar Sahib.

FAA-Deputy Commissioner,
Sri Amritsar Sahib.

-----Respondents.

Appeal Case No. 3015 of 2017

Present:- Shri Ranjit Singh, appellant, in person.
None on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order 20.11.2018 vide which the respondent-SDM-II, Amritsar was directed to intimate as to whether the relevant record is available or has gone missing, if so, then efforts be made to trace the missing record and fix responsibility for the same. He was also directed to submit status report on the next date of hearing.

2. The appellant states that he has tried to meet Shri Vikas Hira, Sub Divisional Magistrate, Amritsar-II but could not do so.

3. In compliance to the after the previous hearing nothing has been received from the respondents. Viewing the callous attitude of the respondents, seriously **a show cause notice is issued to** PIO o/o Sub Divisional Magistrate, Amritsar-II for non compliance. The respondent-PIO is directed to file a formal reply in this behalf before the next date of hearing.

4. He may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice

5. To come up on **14.01.2019 at 11.30 A.M. for further proceedings.**

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

CC: Shri Vikas Hira,
Sub Divisional Magistrate-II,
Amritsar.

Regd.

PUNJAB STATE INFORMATION COMMISSION

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Sector: 16, Chandigarh.

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Shri Vikram Vaid
(RTI Activist & Whistle Blower),
1527, Gali No.2, Bagh Rama Nand,
Amritsar.

.....Appellant

Vs

Public Information Officer
o/o Deputy Commissioner of Police,
Near Amandeep Hospital, Amritsar.

First Appellate Authority
o/o Commissioner of Police,
Amritsar.

.....Respondents.

Appeal Case .No. 1678 of 2018

Present:- Shri Vikram Vaid, appellant, in person.

Shri Hira Singh, ASI, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 30.10.2018 vide which the respondent-PIO was directed to send information to the appellant after removing the deficiencies pointed out by him, before the next date of hearing.

2. The appellant states that after the previous date of hearing held on 30.10.2018, no information has been received from the respondents.

3. In compliance to the previous hearing dated 30.10.2018, the representative of the respondents states that deficiencies have been removed. He places reply of Deputy Superintendent of Police, Amritsar City dated 6.12.2018 on the record of the case file, the contents of which are as under:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸੰਬੰਧ ਵਿਚ ਆਪ ਜੀ ਦੀ ਮਾਨਯੋਗ ਅਦਾਲਤ ਵਲੋਂ ਮਿਤੀ 04.10.2018 ਨੂੰ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 16.7.2018 ਦੇ ਸੰਬੰਧ ਵਿਚ ਦਿਤੇ ਗਏ ਹੁਕਮ ਅਨੁਸਾਰ ਅਪੀਲ ਕਰਤਾ ਸ੍ਰੀ ਵਿਕਰਮ ਵੈਦ ਵਲੋਂ ਮਿਤੀ 08.10.2018 ਨੂੰ ਦਬਾਰਾ ਦਿਤੀ ਦਰਖਾਸਤ ਪਰ ਪੁਨਰ ਗੌਰ ਕੀਤਾ ਗਿਆ ਅਤੇ ਰਿਕਾਰਡ ਚੈਕ ਕਰਨ ਤੋਂ ਪਾਇਆ ਗਿਆ ਹੈ ਕਿ ਇਸ ਦਫ਼ਤਰ ਦੇ ਪੱਤਰ ਨੰਬਰ 3474-ਸੀ.ਪੀ.ਸੀ. ਮਿਤੀ 16.07.2018 ਨੂੰ ਆਪ ਜੀ ਦੀ ਮਾਨਯੋਗ ਅਦਾਲਤ ਵਿਚ ਫਾਈਲ ਕੀਤਾ ਗਿਆ ਜੁਆਬ ਸਹੀ ਅਤੇ ਤੱਥਾਂ ਦੇ ਆਧਾਰ ਤੇ ਹੀ ਫਾਈਲ ਕੀਤਾ ਗਿਆ ਸੀ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਹੋਰ ਕਿਸੇ ਵੀ ਕਿਸਮ ਦੀ ਸੂਚਨਾ ਇਸ ਦਫ਼ਤਰ ਉਪਲਬਧ ਨਹੀਂ ਹੈ।

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ਉਪਰੋਕਤ ਤਥਾਂ ਅਤੇ ਅਪੀਲ ਕਰਤਾ ਵਲੋਂ ਦਬਾਰਾ ਦਿਤੀ ਗਈ ਦਰਖਾਸਤ ਨੂੰ ਵਾਚਣ ਤੋਂ ਪਾਇਆ ਗਿਆ ਹੈ ਕਿ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਨਾਲ ਸੰਬੰਧਤ ਰਿਕਾਰਡ ਮੌਜੂਦ ਨਾਂ ਹੋਣ ਕਾਰਨ ਸੂਚਨਾ ਮੁਹੱਈਆ ਨਹੀਂ ਕਰਾਈ ਜਾ ਸਕਦੀ ਹੈ। ਇਸ ਕਰਕੇ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਅਪੀਲ ਕਰਤਾ ਸ੍ਰੀ ਵਿਕਰਮ ਵੈਦ ਵਲੋਂ ਕੀਤੀ ਗਈ ਅਪੀਲ ਬਿਨ੍ਹਾ ਮੁਲ ਖਾਰਜ ਕਰਨ ਦਾ ਹੁਕਮ ਫਰਮਾਇਆ ਜਾਵੇ ਜੀ।

4. The appellant is not satisfied with the reply given by the respondent-Deputy Commissioner of Police, Amritsar City and deficiencies said to have been removed by them. He requests that he will be allowed to file specific details regarding which he wants to have information from the respondents.

5. After hearing both the parties and going through the record available in the case file, it is revealed that as per the statements of PIOs/Deputy Commissioner of Police, Amritsar City complete information has been provided to the information-seeker. On the request of the appellant the case is adjourned with the advice to seek specific information from the respondents within ten days. On receipt of the application for specific information, the respondents are directed to send reply before the next date of hearing, which is fixed for 08.01.2019.

6. To come up on **15.01.2019** at **11.30 A.M.**

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Vikram Vaid
(RTI Activist & Whistle Blower),
1527, Gali No.2, Bagh Rama Nand,
Amritsar.

.....Appellant

Vs

Public Information Officer
o/o Director Bureau of Investigation (Crime), Punjab,
Chandigarh.

First Appellate Authority
o/o Director Bureau of Investigation (Crime), Punjab,
Chandigarh.

.....Respondents.

Appeal Case No. 1675 of 2018

Present:- Shri Vikram Vaid, appellant, in person.

Shri Hira Singh alongwith Shri Prem Masih, both ASIs on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 30.10.2018 vide which the respondent-PIO was directed to supply the information regarding point No.3 to the appellant before the next date of hearing, under intimation to the Commission.

2. The appellant states that he has not received the same from the respondents in compliance to the previous order.

3. In compliance to the previous hearing dated 30.10.2018, the respondent-Deputy Superintendent of Police, Amritsar City has sent letter dated 7.12.2018, the contents of which are as under:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸੰਬੰਧ ਵਿਚ ਆਪ ਜੀ ਦੀ ਮਾਨਯੋਗ ਅਦਾਲਤ ਵਿਚ ਸ਼੍ਰੀ ਵਿਕਰਮ ਵੈਦ ਵਲੋਂ ਦਬਾਰਾ ਦਿਤੀ ਗਈ ਦਰਖਾਸਤ ਪਰ ਪੁਨਰ ਗੌਰ ਕੀਤਾ ਗਿਆ ਅਤੇ ਰਿਕਾਰਡ ਚੈਕ ਕਰਨ ਤੋਂ ਪਾਇਆ ਗਿਆ ਹੈ ਕਿ ਇਸ ਦਫ਼ਤਰ ਦੇ ਪੱਤਰ ਨੰਬਰ 4924-ਸੀ.ਪੀ.ਸੀ. ਮਿਤੀ 01.10.2018 ਨੂੰ ਆਪ ਜੀ ਦੀ ਮਾਨਯੋਗ ਅਦਾਲਤ ਵਿਚ ਫਾਈਲ ਕੀਤਾ ਗਿਆ ਜੁਆਬ ਸਹੀ ਅਤੇ ਤੱਥਾਂ ਦੇ ਆਧਾਰ ਤੇ ਹੀ ਫਾਈਲ ਕੀਤਾ ਗਿਆ ਸੀ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਹੋਰ ਕਿਸੇ ਵੀ ਕਿਸਮ ਦੀ ਸੂਚਨਾ ਇਸ ਦਫ਼ਤਰ ਉਪਲਬਧ ਨਹੀਂ ਹੈ।

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ਉਪਰੋਕਤ ਤਥਾਂ ਅਤੇ ਅਪੀਲ ਕਰਤਾ ਵਲੋਂ ਦਬਾਰਾ ਦਿਤੀ ਗਈ ਦਰਖਾਸਤ ਨੂੰ ਵਾਚਣ ਤੋਂ ਪਾਇਆ ਗਿਆ ਹੈ ਕਿ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਨਾਲ ਸੰਬੰਧਤ ਰਿਕਾਰਡ ਮੌਜੂਦ ਨਾਂ ਹੋਣ ਕਾਰਨ ਸੂਚਨਾ ਮੁਹੱਈਆ ਨਹੀਂ ਕਰਾਈ ਜਾ ਸਕਦੀ ਹੈ। ਇਸ ਕਰਕੇ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਅਪੀਲ ਕਰਤਾ ਸ੍ਰੀ ਵਿਕਰਮ ਵੈਦ ਵਲੋਂ ਕੀਤੀ ਗਈ ਅਪੀਲ ਬਿਨ੍ਹਾ ਮੁਲ ਖਾਰਜ ਕਰਨ ਦਾ ਹੁਕਮ ਫਰਮਾਇਆ ਜਾਵੇ ਜੀ।

4. The representative of the respondent-PIO-Director of Bureau of Investigation, Punjab, Chandigarh states that no information/record as sought by the appellant is available in their office.

5. After hearing both the parties and going through the record available in the case file, it is revealed that as per the statements of PIOs/Deputy Commissioner of Police, Amritsar City and Director Bureau of Investigation (Crime), Chandigarh that complete information as per its availability in the respondents' offices has been delivered, nothing has been kept pending, which can be supplied to the appellant. With these observations, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 11.12.2018

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab