

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

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Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)



Shri Naresh K. Gupta,
Activist, Whistle Blower,
R/o Chowk No.1, Jaitu,
District Faridkot.

.....Appellant

Versus

Public Information Officer
O/o Sr. Superintendent of Police,
Faridkot.

First Appellate Authority
O/o Sr. Superintendent of Police,
Faridkot.

....Respondents

AC No.213 of 2021

Present: (i) **Shri Naresh K.Gupta, appellant in person.**
(ii) **Shri Pawandeep Singh, Senior Constable and Shri Lakhwinder Singh, Senior Constable RTI Cell, O/o SSP Faridkot, in person.**

ORDER

1. This order may be read with reference to the order dated 22.02.2022 passed by this Bench on the previous date of hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Naresh K.Gupta, appellant, comes present in person before the Bench to attend the hearing.
3. Shri Pawandeep Singh, Senior Constable and Shri Lakhwinder Singh, Senior Constable, RTI Cell, O/o SSP Faridkot, come present in person before the Bench to attend the hearing on behalf of the PIO. They produce authority letter given by the PIO to attend the hearing on his behalf. Shri Pawandeep Singh states that the appellant was called for inspection of records vide letter dated 22.04.2022 and after a few days, the appellant had visited the office of PIO and he was allowed access to the relevant official records. He further states that information has already been supplied to the appellant vide letter dated 18.03.3021, 19.05.2021, 19.07.2021 & 15.02.2022 and an affidavit has also been sent to the appellant on 18.02.2022.
4. The appellant Shri Naresh K. Gupta, objects to the appearance of Shri Pawandeep Singh and Shri Lakhwinder Singh, Senior Constables before the Bench for the hearing and states that their names do not figure among the officials dealing with RTI matters. He further states that complaints were made by him to the SSP which were marked to the DSP Jaito. He further states that whatever information is supplied to him, the same is not attested by the PIO. He also contends that the RTI application has not been transferred under Section 6(3) of RTI Act to the DSP Jaito. He further states that the orders of the Bench of the previous hearing have not been complied with by the PIO in its entirety. He also insists on award of compensation and imposition of penalty on the PIO as per RTI Act.



AC No.213 of 2021

5. The Bench observes that the PIO was directed to file a fresh affidavit as also call the appellant for inspection of records. However, nothing has been put forth as to which additional information has been supplied after the record was inspected by the appellant and the affidavit has also not been filed. Thus, the directions of the Bench have not been complied with in totality. The PIO/ Senior Superintendent of Police, Faridkot is issued show cause notice to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to comply with the directions of the Bench in totality. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply 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.

7. The PIO is directed to call the appellant again to his office and allow him access to the relevant official records. The information as may be identified by the appellant be provided to him point-wise duly attested by the PIO in consonance with the directions of Bench given on the previous hearing. The PIO is also directed to bring along the entire relevant records and produce the same before the Bench on the next hearing.

8. After supplying information to the appellant, the PIO is directed to file a fresh affidavit on non-judicial stamp paper duly signed by the PIO(not by the APIO), and attested by the Notary Public to the effect that the information as available in the official records in AC No.213 of 2021 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit along with a photocopy of the same, as also the relevant record be brought along and produced before the Bench on the next hearing.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 13.06.2022 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
17.05.2022**

Copy to (By Regd.Post):

Sr.Superintendent of Police, Faridkot.

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Activist, Whistle Blower,
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District Faridkot.

.....Appellant

Versus

Public Information Officer
O/o Sr. Superintendent of Police,
Faridkot.

First Appellate Authority
O/o Sr. Superintendent of Police,
Faridkot.

....Respondents

AC No.214 of 2021

Present: (i) **Shri Naresh K.Gupta, appellant in person.**
(ii) **Shri Pawandeep Singh, Senior Constable and Shri Lakhwinder Singh, Senior Constable RTI Cell, O/o SSP Faridkot, in person.**

ORDER

1. This order may be read with reference to the order dated 22.02.2022 passed by this Bench on the previous date of hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Naresh K.Gupta, appellant, comes present in person before the Bench to attend the hearing.
3. Shri Pawandeep Singh, Senior Constable and Shri Lakhwinder Singh, Senior Constable, RTI Cell, O/o SSP Faridkot, come present in person before the Bench to attend the hearing on behalf of the PIO. They produce authority letter given by the PIO to attend the hearing in their favour. Shri Pawandeep Singh states that the appellant was called for inspection of record vide letter dated 22.04.2022 and after a few days, the appellant had visited the office of PIO and he was allowed access to the relevant official records. He further states that information has already been supplied to the appellant vide letter dated 18.03.2021, 19.05.2021, 19.07.2021 & 15.02.2022 and an affidavit has also been sent on 18.02.2022.
4. The appellant Shri Naresh K. Gupta, objects to the appearance of Shri Pawandeep Singh and Shri Lakhwinder Singh, Senior Constables before the Bench for the hearing and states that their names do not figure among the officials dealing with RTI matters. He further states that complaints were made by him to the SSP which were marked to the DSP Jaito. He further states that whatever information is supplied to him, the same is not attested by the PIO. He also contends the RTI application has not been transferred under Section 6(3) of RTI Act to the DSP Jaito. He also states that the orders of the Bench during previous hearing have not been complied with by the PIO in its entirety. He also insists on award of compensation and imposition of penalty on the PIO as per Act. He also states that in this case, the Court had ordered to register case against the SSP, DSP, SHO and ASI concerned and thus, the respondent is making attempts to conceal certain information.



AC No.214 of 2021

5. The Bench observes that the PIO was directed to file a fresh affidavit as also call the appellant for inspection of records. However, nothing has been put forth as to which additional information has been supplied after the record was inspected by the appellant and the affidavit has also not been filed. Thus, the directions of the Bench have not been complied with in totality. The PIO/ Senior Superintendent of Police, Faridkot is issued show cause notice to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to comply with the directions of the Bench in totality. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply 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.

7. The PIO is directed to call the appellant again to his office and allow him access to the relevant official records. The information as may be identified by the appellant be provided to him point-wise duly attested by the PIO in consonance with the directions of Bench given on the previous hearing. The PIO is also directed to bring along the entire relevant records and produce the same before the Bench on the next hearing.

8. After supplying information to the appellant, the PIO is directed to file a fresh affidavit on non-judicial stamp paper duly signed by the PIO(not by the APIO), and attested by the Notary Public to the effect that the information as available in the official records in AC No.213 of 2021 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit along with a photocopy of the same, as also the relevant record be brought along and produced before the Bench on the next hearing.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 13.06.2022 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
17.05.2022**

Copy to (By Regd.Post):

Sr.Superintendent of Police, Faridkot.

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Naresh K. Gupta,
Activist, Whistle Blower,
R/o Chowk No.1, Jaitu,
District Faridkot.

.....Appellant

Versus

Public Information Officer

O/o Sr. Superintendent of Police,
Faridkot.

First Appellate Authority

O/o Sr. Superintendent of Police,
Faridkot.

....Respondents

AC No.215 of 2021

Present: (i) **Shri Naresh K.Gupta, appellant in person.**
(ii) **Shri Pawandeep Singh, Senior Constable and Shri Lakhwinder Singh, Senior Constable RTI Cell, O/o SSP Faridkot, in person.**

ORDER

1. This order may be read with reference to the order dated 22.02.2022 passed by this Bench on the previous date of hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Naresh K.Gupta, appellant, comes present in person before the Bench to attend the hearing.
3. Shri Pawandeep Singh, Senior Constable and Shri Lakhwinder Singh, Senior Constable, RTI Cell, O/o SSP Faridkot, come present in person before the Bench to attend the hearing on behalf of the PIO. They produce authority letter given by the PIO to attend the hearing on his behalf. Shri Pawandeep Singh states that the appellant was called for inspection of records vide letter dated 22.04.2022 and after a few days, the appellant had visited the office of PIO and he was allowed access to the relevant official records. He further states that information has already been supplied to the appellant vide letter dated 18.03.2021, 19.05.2021, 19.07.2021 & 15.02.2022 and an affidavit has also been sent to the appellant on 18.02.2022.
4. The appellant Shri Naresh K. Gupta, objects to the appearance of Shri Pawandeep Singh and Shri Lakhwinder Singh, Senior Constables before the Bench for the hearing and states that their names do not figure among the officials dealing with RTI matters. He further states that complaints were made by him to the SSP which were marked to the DSP Jaito. He further states that whatever information is supplied to him, the same is not attested by the PIO. He also contends that the RTI application has not been transferred under Section 6(3) of RTI Act to the DSP Jaito. He further states that the orders of the Bench of the previous hearing have not been complied with by the PIO in its entirety. He also insists on award of compensation and imposition of penalty on the PIO as per RTI Act.



AC No.215 of 2021

5. The Bench observes that the PIO was directed to file a fresh affidavit as also call the appellant for inspection of records. However, nothing has been put forth as to which additional information has been supplied after the record was inspected by the appellant and the affidavit has also not been filed. Thus, the directions of the Bench have not been complied with in totality. The PIO/ Senior Superintendent of Police, Faridkot is issued show cause notice to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to comply with the directions of the Bench in totality. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply 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.

7. The PIO is directed to call the appellant again to his office and allow him access to the relevant official records. The information as may be identified by the appellant be provided to him point-wise duly attested by the PIO in consonance with the directions of Bench given on the previous hearing. The PIO is also directed to bring along the entire relevant records and produce the same before the Bench on the next hearing.

8. After supplying information to the appellant, the PIO is directed to file a fresh affidavit on non-judicial stamp paper duly signed by the PIO(not by the APIO), and attested by the Notary Public to the effect that the information as available in the official records in AC No.215 of 2021 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit along with a photocopy of the same, as also the relevant record be brought along and produced before the Bench on the next hearing.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 13.06.2022 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
17.05.2022**

Copy to (By Regd.Post):

Sr.Superintendent of Police, Faridkot.

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Naresh K. Gupta,
Activist, Whistle Blower,
R/o Chowk No.1, Jaitu,
District Faridkot.

.....Appellant

Versus

Public Information Officer
O/o Sr. Superintendent of Police,
Faridkot.

First Appellate Authority
O/o Sr. Superintendent of Police,
Faridkot.

....Respondents

AC No.3270 of 2020

Present: (i) **Shri Naresh K.Gupta, appellant in person.**
(ii) **Shri Pawandeep Singh, Senior Constable and Shri Lakhwinder Singh, Senior Constable RTI Cell, O/o SSP Faridkot, in person.**

ORDER

1. This order may be read with reference to the order dated 22.02.2022 passed by this Bench on the previous date of hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Naresh K.Gupta, appellant, comes present in person before the Bench to attend the hearing.
3. Shri Pawandeep Singh, Senior Constable and Shri Lakhwinder Singh, Senior Constable, RTI Cell, O/o SSP Faridkot, come present in person before the Bench to attend the hearing on behalf of the PIO. They produce authority letter given by the PIO to attend the hearing on his behalf. Shri Pawandeep Singh states that the appellant was called for inspection of records vide letter dated 22.04.2022 and after a few days, the appellant had visited the office of PIO and he was allowed access to the relevant official records. He further states that information has already been supplied to the appellant vide letter dated 18.03.3021, 19.05.2021, 19.07.2021 & 15.02.2022 and an affidavit has also been sent to the appellant on 18.02.2022.
4. The appellant Shri Naresh K. Gupta, objects to the appearance of Shri Pawandeep Singh and Shri Lakhwinder Singh, Senior Constables before the Bench for the hearing and states that their names do not figure among the officials dealing with RTI matters. He further states that complaints were made by him to the SSP which were marked to the DSP Jaito. He further states that whatever information is supplied to him, the same is not attested by the PIO. He also contends that the RTI application has not been transferred under Section 6(3) of RTI Act to the DSP Jaito. He further states that the orders of the Bench of the previous hearing have not been complied with by the PIO in its entirety. He also insists on award of compensation and imposition of penalty on the PIO as per RTI Act.



AC No.3270 of 2020

5. The Bench observes that the PIO was directed to file a fresh affidavit as also call the appellant for inspection of records. However, nothing has been put forth as to which additional information has been supplied after the record was inspected by the appellant and the affidavit has also not been filed. Thus, the directions of the Bench have not been complied with in totality. The PIO/ Senior Superintendent of Police, Faridkot is issued show cause notice to explain as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to comply with the directions of the Bench in totality. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply 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.

7. The PIO is directed to call the appellant again to his office and allow him access to the relevant official records. The information as may be identified by the appellant be provided to him point-wise duly attested by the PIO in consonance with the directions of Bench given on the previous hearing. The PIO is also directed to bring along the entire relevant records and produce the same before the Bench on the next hearing.

8. After supplying information to the appellant, the PIO is directed to file a fresh affidavit on non-judicial stamp paper duly signed by the PIO(not by the APIO), and attested by the Notary Public to the effect that the information as available in the official records in AC No.3270 of 2020 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit along with a photocopy of the same, as also the relevant record be brought along and produced before the Bench on the next hearing.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 13.06.2022 at 11.30 AM before the Bench in Commission's Office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
17.05.2022**

Copy to (By Regd.Post):

Sr.Superintendent of Police, Faridkot.

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Paramjeet Singh,
H.No.253, Street No.8,
New Mohni Park,
Opposite Khalsa College,
Amritsar.

.....Appellant

Versus

Public Information Officer

O/o Block Development and
Panchayat Officer(BDPO), Bhikhiwind,
District Tarn Taran.

First Appellate Authority

O/o District Development and
Panchayat Officer(DDPO), Bhikhiwind,
Tarn Taran.

... Respondents

AC No.4818/2021

Present:

- (i) **Shri Paramjeet Singh, Appellant, in person.**
- (ii) **Shri Harpreet Singh, Panchayat Secretary O/o BDPO Bhikhiwind, District Tarn Taran on behalf of the PIO/respondent.**

ORDER

1. This order may be read with reference to the order dated 16.03.2022 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Paramjeet Singh, appellant comes present to attend the hearing in person before the Bench. He states that he has not been provided copies of the resolutions passed by the Gram Panchayat as well as the copies of Measurement Books relating to the works got carried out by Gram Panchayat, Pahuwind, District Tarn Taran.
3. Shri Harpreet Singh, Panchayat Secretary comes present to attend the hearing in person before the Bench on behalf of PIO O/o BDPO Bhikhiwind, District Tarn Taran. He states that he has come present on receiving letter from the BDPO Bhikhiwind, whereas he is not the Panchayat Secretary, Gram Panchayat, Pahuwind at present as he was transferred from there. He states that the information is held by the Sarpanch, Shri Amarjit Singh.
4. The Bench observes that the representative of the PIO is not aware of the facts of the case. On the asking of the Bench, he informs that Shri Gurnam Singh is the BDPO, Bhikhiwind. The Bench further observes that during the previous hearing, show cause notice was issued to PIO O/o BDPO Bhikhiwind, but no reply to the show cause notice has been filed.

5. The PIO is directed to supply information to the appellant before the next hearing and ensure to come present in person before the Bench. He is also directed to ensure that the concerned Sarpanch (Shri Amarjit Singh) and Panchayat Secretary (Shri Amrinderjit Singh), Gram Panchayat, Pahuwind, come present in person before the Bench, along with the entire relevant record.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 05.07.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the orders be sent to the concerned parties.

Sd/-

**Chandigarh
17.05.2022**

**(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab**

Copy to (By Regd. Post)

- 1) **Public Information Officer, O/o BDPO Bhikhiwind, District Tarn Taran.**
- 2) **Shri Amrinderjit Singh, Panchayat Secretary, and Shri Gurnam Singh, Sarpanch, Gram Panchayat, Pahuwind, District Tarn Taran.**

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Shri Tejinder Singh, Advocate
Civil Court, Tehsil Complex,
Backside Sanjh Kendra,
Phillaur, District Jalandhar.

.....Appellant

Versus

**Public Information Officer-cum-
O/o Police Commissioner,
Ludhiana.**

**First Appellate Authority-cum-
O/o Police Commissioner,
Ludhiana.**

....Respondents

AC No.5363 of 2021

**Present: (i) Shri Tejinder Singh, Appellant, in person.
(ii) None on behalf of the PIO/Respondent.**

ORDER:

(Heard in person/on mobile phone)

1. This order may be read with reference to the order dated 16.03.2022 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's office at Chandigarh. Shri Tejinder Singh, appellant comes present in person before the Bench.
3. Neither the PIO has come present to attend the hearing in person or through cisco webex nor he has deputed any of his representatives to attend the hearing. However, a letter dated 16.05.2022 has been received by e.mail wherein it has been stated that the complaint made by appellant is under investigation with the Police Post, Ishwar Colony, P.S. Focal Point, Ludhiana.
4. The appellant is shown the said letter. The appellant states that action on his complaint has been finalized and he has sought copy of the enquiry report, whereas the complaint referred to in this letter relates to a complaint made by one Surinderpal Singh. Then he is made to talk to Shri Ramesh Kumar, ASI/Incharge, RTI Cell O/o Commissioner of Police, Ludhiana and the appellant clarifies to him the status of enquiry into the complaint made by him.

Cont..P-2



5. Post deliberations, the PIO is directed to call the appellant to his office on a mutually agreed date and time and allow him access to the relevant official records. The information as may be identified by the appellant be provided to him duly attested by the PIO, before the next hearing. He is also directed to come present in person before the Bench along with the relevant record on the next hearing.

6. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.07.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
17.05.2022

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab