

# PUNJAB STATE INFORMATION COMMISSION

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**Harmanpreet Singh,**

s/o Avtar Singh,  
VPO Hoshiarpur,  
Tehsil Kharar,  
District Mohali.

Versus

**Public Information Officer,**

o/o Director General of Police,  
Punjab Police Head Quarters,  
Sector-9, Chandigarh.

**First Appellate Authority,**

o/o Director General of Police,  
Punjab Police Head Quarters,  
Sector-9, Chandigarh.

## **Appeal Case No. 3051 of 2019**

PRESENT:

Vishal Satija, Advocate (for the Appellant) 99151-88409

Parshotam Kumar, Head Constable (for the Respondent) 94171-31510

Balwinder Singh, Superintendent (for the Respondent) 94171-31510

Harbahadur Singh, Head Constable, Recruitment Cell, CPO, Punjab, Chandigarh (for the Respondent) 98559-98870

ORDER:

*(To be read in continuity with earlier orders on 9.10.19 and 22.11.19)*

1. The RTI application is dated **27.4.19** vide which the appellant has sought **information by way copies of an appointment letter and related government instructions**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **26.6.19**, and second appeal was filed in the Commission on **21.8.19** under Section 19 of the Right to Information Act, 2005.
2. The case was last heard on **22.11.19**, wherein the respondent PIO was directed to furnish pending information, requested at point 'b' and 'c' of the appellant's original RTI application.
3. Both parties are present. The respondent PIO, represented at this hearing by Head Constable Purshotam Kumar, Balwinder Singh, Superintendent, and Head Constable Harbahadur Singh from the Recruitment Cell, CPO, Punjab, Chandigarh, have claimed exemption at both points B and C. For point B, they have stated that the subject matter of the letter cited in the RTI application is not what the appellant has claimed. At point C, they have claimed exemption for disclosure under Section 8(1)e of the RTI Act and.

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4. This Commission directs the respondent PIO to bring the original record pertaining to points 'b' and 'c' of the appellant, Harmanpreet Singh's RTI application of 27.4.19, as well as attested copies thereof, to the next hearing. This Commission will, thereafter, take a final view on whether the requested information, for which the respondents have sought exemption, can be given to the appellant or not.

5. **Next hearing on 7.2.20 at 11.00 am.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh  
18.12.19

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**Parkash Chand,**

# 314, Phase-1,

Sector-55, SAS Nagar,

District Mohali – 160 055

Versus

**Public Information Officer,**

o/o Principal Secretary to Government of Punjab,

Finance Department, Punjab Civil Secretariat,

Sector-1, Chandigarh.

**First Appellate Authority**

o/o Principal Secretary to Government of Punjab,

Finance Department, Punjab Civil Secretariat,

Sector-1, Chandigarh.

## **Appeal Case No. 3164 of 2019**

PRESENT:

(Appellant) Absent

Sunila Trikha, PIO-Cum-Superintendent (Respondent) 98724-61725

Sandeep Jindal, Senior Assistant (for the Respondent) 99884-63500

ORDER:

*(To be read in continuity with earlier orders on 31.10.19)*

1. The RTI application is dated **17.4.19** vide which the appellant has sought **information regarding the revision of pay scales etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **28.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **31.10.19**, wherein the appellant, who is a senior citizen and over 88 years in age, was absent, but was granted another opportunity for a personal hearing today.

2. The appellant is however, absent for the second successive time, this time without any intimation to the Commission. The respondent PIO-cum-Superintendent, Sunila Trikha, who is accompanied by Sandeep Jindal, Senior Assistant, has contended that the information had been furnished to the appellant on 21.5.19 and another clarification issued to the appellant on 24.6.19, both of which were admittedly received by the appellant.

3. Following the aforementioned replies from the respondent PIO to the appellant, his First Appeal to the FAA-cum-Special Secretary Finance, which was received by her office on 4.7.19, elicited the following order on 1.8.19, after granting the appellant an opportunity for a personal hearing on 16.7.19:

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*“I have carefully considered the facts of the case and perusal of the same shows that the information has been given to the appellant by the PIO as available in his/her office, hence the appeal is disposed off.”*

4. Meanwhile, the respondent PIO also reiterated, today, that the appellant has been repeatedly requested for clarifications regarding the deficiency pertaining to point ‘B’ of his RTI application, but he has not responded. The respondent also stated that the appellant was invited to inspect the original record pertaining to his RTI application more than once, but again, he did not respond.

5. At the last hearing of this appeal case, a letter from the appellant, seeking a copy of the respondent PIO’s reply to this Commission’s notice of 27.9.19, was unfortunately overlooked. Making amends, this Commission directs the respondent to send the appellant a duly attested copy of her reply (dated 23.10.19) to the Commission’s notice, by registered post and the earliest.

6. The Commission, meanwhile, also takes due note of the appellant Parkash Chand’s advanced age (88+ years) and his evident difficulties in traveling to hearings of this appeal case, or respond to the PIO’s invitations to inspect the record in her office. In view of this, the Commission **strongly recommends** that the respondent should depute a subordinate officer with adequate knowledge of the matter at hand, to visit the appellant at his residence in Mohali and once and for all, understand the deficiencies he is pointing to.

7. **Next hearing on 7.2.20 at 11.00 am.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh  
18.12.19

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## REGISTERED

**Jasbir Singh,**  
Guru Nanak Nagar,  
Village Bolapur, Jhabewal,  
PO Ramgarh,  
District Ludhiana.

Versus

**Public Information Officer,**  
o/o Sub Divisional Magistrate-cum-Registering and Licensing Authority  
District Fatehgarh Sahib.  
**First Appellate Authority,**  
o/o Sub Divisional Magistrate-cum-Registering and Licensing Author  
District Fatehgarh Sahib.

## Appeal Case No. 3206 of 2019

PRESENT:

(Appellant) Absent  
(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on 31.10.19)*

1. The RTI application is dated **9.4.19** vide which the appellant has sought **information pertaining to the issue of driving licenses etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **30.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **31.10.19**.
2. Both parties are absent for the second time. Meanwhile, the appellant in an email dated 15.12.19 had informed the Commission that he has received the information and no longer needs to pursue this case.
3. However, this Commission takes a dim view of what apparently seems like an out-of-court deal between the appellant and respondent.
4. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20(1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on 9.4.19.

In addition to the written reply, the respondent PIO is also given an opportunity under Section 20(1) provisio there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply **which, Must**

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**include a certified copy of the information purportedly supplied to the appellant,** and does not avail himself of the opportunity of personal hearing on the 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*.

5. **Next hearing on 12.02.20 at 11.00 am.**

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh  
18.12.19

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**Harminder Arora,**  
s/o Late Sh. Inderjeet,  
# 1220/16, Near Patwarkhana Mehla Singh,  
Moga – 142 001

Versus

**Public Information Officer,**  
o/o Commandant, 3<sup>rd</sup> IRB,  
District Ludhiana.  
**First Appellate Authority,**  
o/o Additional Director General of Police Armed Battalions,  
District Jalandhar

## **Appeal Case No. 3210 of 2019**

PRESENT:

Harminder Arora (Appellant) 97813-36328  
Davinder Singh, DSP (for the Respondent) 81467-99100  
Madan Lal, ASI (for the Respondent) 94657-60014

ORDER:

*(To be read in continuity with earlier orders on **31.10.19**)*

1. The RTI application is dated **22.12.18** vide which the appellant has sought **information regarding one ex-police personnel**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **8.2.19** and second appeal was filed in the Commission on **30.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on
2. Both parties are present. The appellant, who was absent at the last hearing, had appeared to contend in his letter to this Commission on 30.10.19, that the information he sought pertained to a matter involving violation of human rights. So in its order of 31.10.19, this Commission had asked the appellant to demonstrate the aforesaid contention.
3. This was after the respondent PIO had claimed exemption from disclosure as per Section 24(4), read with the Punjab Government's Notification No. S.O.49/C.A.22/2005/S.24/2016 dated 7.6.2016. The aforesaid Notification exempts a number of state organisations, including the Punjab Armed Police, Commando and India Reserve Battalions from making disclosures under the RTI Act. The direction (2) to the appellant was to test the applicability of a proviso to Section 24(4) which states: "*Provided that the information pertaining to the allegations of corruption and human rights violations shall not be excluded under this sub-section.*"
4. The appellant however clarified, at this hearing, that he was seeking information pertaining to a particular, former police personnel (as named in his RTI application), because he believed the

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aforesaid individual had obtained employment in the police department on the basis of fake documents.

5. The respondent PIO, represented by DSP Davinder Singh and ASI Madan Lal, have however, rightly pointed out that the appellant has failed to demonstrate or provide any evidence of either human rights violation or corruption.

6. This Commission concurs with the respondents and is of the view that the appellant's allusion to wrongdoing is vague and not adequately substantiated. Under the circumstances, there is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh  
18.12.19



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**Gurmeet Singh,**

S/o Late Sh. Balwinder Singh,  
Street No. 3, Mauji Colony, Daba,  
District Ludhiana – 141 014

Versus

**Public Information Officer,**

o/o Police Commissioner,  
District Ludhiana.

**First Appellate Authority**

o/o Police Commissioner,  
District Ludhiana.

## **Appeal Case No. 3214 of 2019**

PRESENT:

Gurmeet Singh (Appellant in person)

Ujagar Singh (for the Appellant)

Pawandev Singh, Sub Inspector (for the Respondent) 78887-41866

Ajmer Singh, Head Constable (for the Respondents) 94179--60628

ORDER:

*(To be read in continuity with earlier orders on 31.10.19)*

1. The RTI application is dated **6.6.19** vide which the appellant has sought **information pertaining to three applications/complaints**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **8.7.19**, and second appeal was filed in the Commission on **30.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **31.10.19**, wherein the respondent PIO was directed to retrieve the requested information from the Police Station Shimlapuri (Ludhiana) and furnish it to the appellant before this hearing.

2. Both parties are present. The appellant is represented by Ujagar Singh. The respondent PIO, represented by SI Pawandev Singh and Head Constable Ajmer Singh from Police Station Shimlapuri, Ludhiana, submitted that they have handed over the information to the appellant. While acknowledging this, the appellant, however, pointed out that the reply furnished bears no diary or dispatch number.

3. The respondent PIO is directed to affix a diary/despatch number on the reply already furnished to the appellant. For this, the appellant will visit the Police Station, Shimlapuri, Ludhiana on 1.1.20. The appellant and respondent are directed to inform this Commission before the next date of hearing, so that this appeal case can be disposed of and closed.

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4. Next hearing on 12.2.20 at 11.00 am. For compliance

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh  
18.12.19

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**Rakesh Kumar Singla,**

s/o Sham Lal,

Voice Organization (Regd.),

Opposite Tehsil Office, Lehragaga – 148 031

District Sangrur.

Versus

**Public Information Officer,**

o/o Commissioner of Police,

Mini Secretariat, Ferozepur Road,

District Ludhiana.

**First Appellate Authority,**

o/o Commissioner of Police,

Mini Secretariat, Ferozepur Road,

District Ludhiana.

## **Appeal Case No. 3216 of 2019**

PRESENT:

(Appellant) Absent

Pawandev Singh, Sub Inspector (for the Respondent) 78887-41866

ORDER:

*(To be read in continuity with earlier orders on **31.10.19**)*

1. The RTI application is dated **20.3.19** vide which the appellant has sought **information pertaining to a complaint**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **30.8.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **31.10.19**.
2. The appellant is absent but has intimated the Commission of his inability to attend this hearing as he is busy with a hearing in the Court of the JMIC at Moonak.
3. The respondent PIO, represented by Pawandev Singh, Sub Inspector, submitted a copy of the information requested to the Commission. The appellant is advised to collect the same from the Commission at his convenience and point out any deficiencies there in before the next hearing.
4. **Next hearing on 12.2.20 at 11.00 am.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh

18.12.19

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**Harjit Singh,**  
s/o Karnail Singh,  
Village Dholan, Block Khera,  
District Fatehabad.

Versus

**Public Information Officer,**  
o/o Additional Deputy Commissioner (Development),  
District Fatehgarh Sahib.  
**First Appellate Authority,**  
o/o Deputy Commissioner (Development),  
District Fatehgarh Sahib.

## **Appeal Case No. 3217 of 2019**

PRESENT:

(Appellant) Absent

Satish Kumar Verma, Naib Tehsildar (for the Respondent) 98140-41175

ORDER:

*(To be read in continuity with earlier orders on 31.10.19)*

1. The RTI application is dated **12.2.19** vide which the appellant has sought **information regarding the last Panchayat Elections**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **17.5.19**, and second appeal was filed in the Commission on **2.9.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **31.10.19**.

2. The appellant is absent for the second time without any intimation to the Commission. The respondent PIO, represented at this hearing by Satish Kumar Verma, Naib Tehsildar, Fatehgarh Sahib, was directed at the last hearing to furnish a copy of the Dispatch Register and the Postal Receipt of the information he claimed to have furnished to the appellant on 24.10.19. He has submitted the aforesaid today.

3. At the last hearing on 31.10.19, the appellant was granted one final opportunity to be heard in person. He has not deemed it fit to avail that opportunity and so, compelling this Commission to presume that he is satisfied with the information furnished by the respondent PIO.

4. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner  
Chandigarh  
18.12.19

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**Satpal Singh,**

s/o Chhabil Dass,

Ward No.1, Tohana Road, Bhuna,

PO Bhuna,

Tehsil and District Fatehabad, Haryana

Versus

**Public Information Officer,**

o/o Senior Superintendent of Police,

Mohali, Punjab.

**First Appellate Authority,**

o/o Senior Superintendent of Police,

Mohali, Punjab.

## **Appeal Case No. 3279 of 2019**

PRESENT:

(Appellant) Absent

Gurnam Singh, Head Constable (Respondent) 94656-57651

ORDER:

*(To be read in continuity with earlier orders on 31.10.19)*

1. The RTI application is dated **30.11.18** vide which the appellant has sought **information pertaining to a complaint at the Police Station Dhakoli and a missing person's report filed by his wife at Chowki Baltana on 10.6.17,** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **2.2.19**, and second appeal was filed in the Commission on **4.9.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **31.10.19**.

2. The appellant is absent without intimation. The respondent PIO, represented at this hearing by Head Constable Gurnam Singh, has submitted a copy of the reply pertaining to the point '2' of the appellant's RTI application by way of letter dated 15.12.18 from Police Station Dakholi.

3. With this, the Commission is of view that the appellant's RTI request has been adequately addressed. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh

18.12.19

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**Pawan Kumar Sharma,**  
President, Akhil Bhartiya Injustice Parishad,  
PO Sukhupura, Beri Bagh,  
Saharanpur.

Versus

**Public Information Officer,**  
o/o Senior Superintendent of Police,  
Mohali.  
**First Appellate Authority,**  
o/o Senior Superintendent of Police,  
Mohali.

## Appeal Case No. 3867 of 2019

PRESENT:

(Appellant) Absent

Gurnam Singh, Head Constable (Respondent) 94656-57651

ORDER:

1. The RTI application is dated **27.9.18** vide which the appellant has sought information by way of three questions and details of the First Appellate Authority (FAA) as enumerated in his RTI application. First appeal was filed with the FAA on **1.11.18**, and second appeal was filed in the Commission on **10.10.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **18.12.19**.
2. The appellant is absent without any intimation. The respondent PIO, represented at this hearing by Head Constable Gurnam Singh, submitted that a pointwise reply was sent to the appellant within the stipulated period of 30 days of filing of the RTI application. The PIO's reply (No. 58023, dated 25.10.18) had informed the appellant that information he seeks at point no. 1 to 3 of RTI application was available on the Punjab Police Website [www.punjabpolice.gov.in](http://www.punjabpolice.gov.in) and point no. 4, wherein he has sought details of First Appellate Authority was also furnished. Despite this, the appellant filed a first appeal with FAA and a second appeal to this Commission.
3. This Commission is of view that the appellant's request for information was more than adequately addressed by the respondent PIO in his reply of 25.10.19. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner  
Chandigarh  
18.12.19

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**Rajinder Paul Singh,**

Through Gurmail Singh Nahar (Advocate),  
4<sup>th</sup> Floor, Near Public Lift, Court Complex,  
Ludhiana.

Versus

**Public Information Officer,**

o/o Station House Officer,  
Police Station Division No. 5, Ludhiana.

**First Appellate Authority,**

o/o Commissioner of Police, Ludhiana

## **Appeal Case No. 3873 of 2019**

PRESENT:

(Appellant) Absent

Pawandev Singh, Sub Inspector (for the Respondent) 78887-41866

Hardev Singh, ASI (for the Respondent) 98158-00271

ORDER:

1. The RTI application is dated **25.7.19** vide which the appellant has sought **information regarding a Red Corner Notice against one Sukhbir Singh**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **27.8.19**, and second appeal was filed in the Commission on **16.10.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **18.12.19**.

2. The appellant is absent but has informed the Commission of his inability to attend this hearing. The respondent PIO, represented at this hearing by Sub-Inspector Pawandev Singh, and ASI Hardev Singh of Police Station Division No. 5, Ludhiana, have submitted an attested copy of the requested information. They have also assured the Commission that they will hand over a second copy of the requested information to the appellant in Ludhiana. The appellant and respondent are requested to inform this Commission as soon as the information is furnished and received

3. **Next hearing on 12.2.20 at 11.00 am for compliance.**

Sd/-

**(ASIT JOLLY)**

State Information Commissioner

Chandigarh

18.12.19

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## REGISTERED

**Anoop Khullar,**  
s/o Som Nath Khullar,  
# 1089, Sector 51-B,  
Chandigarh.

Versus

**Public Information Officer,**  
o/o Executive Officer,  
Municipal Council Amlah,  
Tehsil Amlah,  
District Fatehgarh Sahib.

### Complaint Case No. 779 of 2019

PRESENT:

Piyush Khullar (for the Complainant) 87278-87144  
Charanjeet Singh, Clerk (for the Respondent) 98887-76494

ORDER:

*(To be read in continuity with earlier orders on 31.10.19)*

1. The complainant, Anoop Khullar, filed this RTI application dated **13.5.19** and sought **information regarding building plans, NOCs, NDCs, government grants, the Municipal Council's income etc.**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **29.8.19**. The case was last heard on **31.10.19**.
2. Both parties are present. The complainant is represented by his son Piyush Khullar. The respondent PIO is represented at this hearing by Charanjeet Singh, Clerk, who has absolutely no clue with regard to this case. This is the second time when the respondent has merely sent a representative, but has not given any submission regarding the RTI application or the reasons for the long delay in addressing the same.
3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20(1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on 13.5.19.

In addition to the written reply, the respondent PIO is also given an opportunity under Section 20(1) proviso there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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*."



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4. Next hearing on 12.2.20 at 11.00 am.

Sd/-  
**(ASIT JOLLY)**  
State Information Commissioner

Chandigarh  
18.12.19