



Smt.Sukhwinder Kaur  
S/o Sh.Sewak Singh,  
Village Khanpur, PO Patel Nagar,  
Distt.Ferozepur.

... Appellant

Versus

Public Information Officer,  
O/o SSP Ferozepur.

First Appellate Authority,  
O/o IGP Ferozepur Range,  
Ferozepur.

...Respondent

**Appeal Case No. 2067 of 2022**

**PRESENT:**     **Sh.Sewak Singh husband of Smt.Sukhwinder Kaur as the Appellant**  
                  **Sh.Sukhdev Singh, ASI O/o SSP Ferozepur- Sh.Deepak Singh, DSP**  
                  **(Cyber Crime Office)- Sh.Lakhvinder Singh, ASI O/o ADGP(Tech) for the**  
                  **Respondent**

**ORDER:**

The appellant through an RTI application dated 21.04.2022 has sought information on 09 points under Life and Liberty regarding Roznamcha from 04.04.2022 to 07.04.2022 of Police Station Kulgarhi – a copy of register No.19, CCTV footage dated 04.04.2022, 05.04.2022, 06.04.2022 & 07.04.2022 – a copy of logbook of govt vehicles and inspection rights of original record as enumerated in the RTI application concerning the office of SSP Ferozepur. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority (DIG Ferozepur Range) on 23.04.2022 which did not take any decision but directed the concerned PIO (letter dated 27.04.2022) to look into the matter and provide the information as per the provisions of the RTI ACT. The PIO subsequently denied the information under Section 11 (1) of the RTI Act terming it a third party.

The case has already been heard on 10.05.2022, 11.05.2022, 12.05.2022 & 19.05.2022.

After hearing both the parties, following was decided on 12.05.2022:

“Since there is prima facie evidence that illegal detention could have taken place at police station Kulgarhi in Ferozepur district, every attempt should be made to retrieve the footage, which the police should have ideally preserved once an RTI had been filed for the footage. There are enough advances and instances in technology where CCTV footage, even if erased or overwritten within the stipulated time, can be recovered.

To explore all possibilities to retrieve the footage the following is ordered.

- 1) The PIO, SSP Ferozepur is directed to preserve the hard drive immediately from the time this order has been pronounced in the open court.
- 2) Since the district Police, Ferozepur via the SP headquarter has claimed technical inability to attempt to retrieve the footage from the hard drive, I am directing ADGP(Technical) and Inspector General Cyber Crime to constitute a team of experts to explore the possibility of retrieving the CCTV footage of police station Kulgari in Ferozepur district for the dates 4th, 5th, 6th and 7th April. PIO, SSP Ferozepur to coordinate this exercise. If the footage is retrieved, the appellant be provided with the footage as per the RTI application.

- 3) This order will be uploaded on the Commission's website promptly, and the SP-HQ Ferozpur who had appeared on behalf of the PIO, is directed to ensure that the order of the Commission is delivered to ADGP (Technical ) and IG Cyber Crime for its prompt implementation and coordination. The case is also marked to the Commission's deputy registrar to have this order delivered to the ADGP (Technical) and IGP Cybercrime by 5 Pm, 12.05.2022.
- 4) A full report on the compliance of this order will be submitted to the Commission by 19<sup>th</sup> May 2022 at 11.00 AM.
- 5) The case is to come up for hearing on 19th May 2022 at 11 AM. SP-Head Quarter to appear on the date with the entire details.”

The case was last heard on **19.05.2022**. The order is reproduced hereunder:

“The case has come up for hearing today through video conferencing at DAC Ferozpur. As per the respondent present from the office of IGP(Cyber crime), the data can be retrieved and a technical team from the office of the IGP Cyber Crime has been sent to Ferozpur district to retrieve the data from the said CCTV camera of police station, Kulgarhi.

Sh.Gurvinder Singh, SP(Operation) Ferozpur present on behalf of the PIO (SSP Ferozpur) has informed that the data has been retrieved. The SP (Operation) at the hearing has assured the commission that the police will fully comply with the order of the 10th May 2022 i.e to provide the sought CCTV footage to the appellant .

Directions –

The order was reserved till 5 Pm (time of closing of the commission) to ensure compliance , and the appellant was asked to inform the commission that whether the appellant had received the CCTV footage or not?

The PIO was directed to provide the retrieved CCTV footage to the appellant today itself and report.

This order is being written at 5 Pm where the appellant has informed the commission (around 4 PM) that the police has not provided the CCTV footage as well as information on point 8 (the complete log book details ) as sought in the RTI application .

Since this order has not been complied with , the commission is keeping the case open for compliance and for further necessary action.

The order be uploaded on the PSIC website today itself, and all parties be informed via post, email and telephone to appear at the next date.

To come up for compliance on **23.05.2022 at 11.00 AM.**”

**Hearing dated 23.05.2022:**

The case (Life & Liberty ) has come up for hearing **today** through video conferencing at DAC Ferozpur. The respondents, the Ferozpur Police informed that in compliance with the order of the Commission, the information has been supplied to the appellant and Sh.Sewak Singh husband of the appellant has acknowledged having received the information. The Respondent has also sent a copy of the acknowledgement of the appellant to the Commission through email which has been taken on record.

Sh.Sewak Singh, husband of the appellant is present and pleaded that the provided CCTV footage is incomplete and not as per the RTI application. The appellant at the hearing and vide an email has pointed out the following discrepancies:

- Point-5 - Dated 05.04.2022 - from 11.33 to 18.38
- Camera No.1 - from 20.05 to 20.28
- Point-7 - Dated 07.04.2022 - from 11.42 to 5 PM

The technical team of the Police department in response to the appellant's query informed that certain parts of the footage were not available because of lack of power supply to the CCTV camera at that particular time.

From the proceedings at the hearing, the Commission is of the view that the footage of the CCTV camera can be missing for the following reasons;

- That there was a scheduled power cut
- That the local power supply was disconnected or
- That a particular portion of the footage stands deleted.

For now, the Commission accepts the view of the police that the recording could not provided because of power failure.

However, to corroborate the Ferozepur police's version ,PSPCL Ferozepur is impleaded in this case to provide the the details of the power supply to police station Kulgarhi in Ferozepur district for the following dates and time:

- 04.04.2022 - from 11.18 Am to 18.38 PM
- 05.04.2022 - from 20.05 PM to 20.38 PM
- 07.04.2022 - from 11.42 AM to 18.20 PM

What the Commission wants from the Electricity Department is a complete status report of the power supply to the mentioned police station for the time and date mentioned above. If there were power cuts, record be provided.

Since the commission is not aware of the exact sub-station in which this police station falls, the Chief Engineer (west zone) is impleaded to provide this information before the next date of the hearing. A representative of the electricity department also to appear at the hearing.

This order is being sent to concerned parties through online/email/whatsapp.

To come up for further hearing on **25.05.2022 at 11.00 AM.**

Sd/-

**Chandigarh**  
**Dated: 23.05.2022**

**(Khushwant Singh)**  
**State Information Commission**

**CC to 1. SP-Head Quarter, Ferozepur**

**2. ADGP(Tech), Pb, Chandigarh**

**3. IGP(Cyber Crime), Pb Chandigarh/Mohali**

**4. Dy.Chief Engineer(DS),PSPCL**  
**220-Sub-Station, Ferozepur**

