

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864111,

Visit us @ www.infocommpunjab.com, Email: psic21@punjabmail.gov.in



Surinder Kaur,
w/o LateMalkit Singh,
Street No.4, Guru Nanak Nagar, KachaMalk Road, Jagraon,
District Ludhiana – 142026

Versus

Public Information Officer,
o/o Commissioner of Police,
District Ludhiana.

First Appellate Authority,
o/o Commissioner of Police,
District Ludhiana.

Appeal Case No. 2995 of 2019

PRESENT:

(Appellant) Absent

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

ORDER:

1.The RTI application is dated **4.4.19** vide which the appellant has sought information by way of the action taken report on her complaint to the Governor, 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 **14.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act).Notice was issued to the parties for first hearing in the Commission on **24.10.19**.

2.The appellant is absent without any intimation to this Commission. The respondent PIO, represented by Pawandev Singh, Sub Inspector, has submitted that the appellant was informed that the information that she seeks pertains to office of the SSP, Rural, Jagraon and that she should file a fresh RTI application in that office. The above conduct of the PIO o/o Commissioner of Police, Ludhiana is not keeping with the RTI Act whereby he should have transferred the appellant's RTI application to the PIO o/o SSP, Jagraon under Section 6(3) of the RTI Act within 5 days of receiving the request. However, this was not done, and the appellant rightly, chose not to approach the SSP Jagraon, and chose instead to prefer an appeal to this Commission.

3.The PIO office of Commissioner of Police, Ludhiana, is directed to officially transfer the appellant's RTI request to the PIO o/o SSP Jagraon under intimation to the appellant and this Commission.

4.Next hearing on 12.12.19 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
24.10.19

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Sunil Kumar Joshi,
Flat No. 404, GH 43,
Sector-20, Panchkula – 1341165

Versus

Public Information Officer,
o/o Senior Superintendent of Police,
Mohali.

First Appellate Authority,
o/o Senior Superintendent of Police,
Mohali.

Appeal Case No. 3008 of 2019

PRESENT:

Sunil Kumar Joshi (Appellant)
Gurnam Singh, Head Constable (for the Respondent) 94656-57651

ORDER:

1.The RTI application is dated **31.5.19** vide which the appellant has sought information regarding criminal cases pending against one Sanjay Garg, 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 **19.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **24.10.19**.

2.Both parties are present. The respondent PIO, represented by Gurnam Singh, Head Constable, had stated in earlier reply sent to appellant on 4.6.19, that the list of proclaimed offenders was available on the District Police Website. However, the respondent has submitted no reply to the appellant's request for information i.e. details/list of criminal cases in Mohali Police District against Sanjay Garg from 1.1.09 to date.

3.This Commission directs the respondent PIO to positively furnish this information before the next hearing failing which this Commission will be constrained to initiate penal action under RTI Act 2005.

4.**Next hearing on 12.12.19 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
24.10.19

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Vineet Garg,

s/o Santosh Kumar Garg,
HL-409, Jamalpur Colony,
Ludhiana-141010

Versus

Public Information Officer,

o/o Police Station, Focal Point,
District Ludhiana.

First Appellate Authority,

o/o Commissioner of Police,
District Ludhiana.

Appeal Case No. 3031 of 2019

PRESENT:

Vineet Garg (Appellant)

Kiranpreet Kaur, Sub Inspector (for the Respondent) 98553-54051

Pawandev Singh, Sub Inspector (Respondent) 78887-41866

ORDER:

1.The RTI application is dated **27.2.19** vide which the appellant has sought information by way of the CCTV footage of PS Focal Point on the night intervening 18.1.19 and 19.1.19, 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 **20.8.19** under section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **24.10.19**.

2.Both parties are present. The respondent PIO represented by Pawandev Singh Sub Inspector and Kiranpreet kaur, Sub Inspector (PS Focal Point, Ludhiana) have submitted a reply stating that the appellant was informed on 10.3.19 that the requested CCTV footage is not available because it was automatically deleted from the DVR (Digital Video Recorder). Sub Inspector, Kiranpreet Kaur stated in this court that CCTV footage at Focal Point, Ludhiana get automatically deleted after 45 days.

3.There appears to have been deliberate attempt to withhold / deny the information rightfully requested by the appellant.

4.This Commission directs the PIO Police Station, Focal Point, Ludhiana to submit a detailed reply giving exact details of the CCTV camera and the attached DVR and the exact period after which footage is automatically deleted. This reply must be in the form of affidavit.

5.Next hearing on 12.12.19 at 11.00 am.

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

24.10.19

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Dev Dutt Sharma,

389, Block B, Adarsh Nagar,
Naya Gaon,
District Mohali

Versus

Public Information Officer,

o/o Nagar Council,
Naya Gaon,
District Mohali.

First Appellate Authority,

o/o Regional Deputy Director,
Local Government Punjab,
Patiala.

Appeal Case No. 3033 of 2019

PRESENT:

Dev Dutt Sharma (Appellant) 98145-36323

Jagjit Singh, Executive Officer (Respondent) 92168-93333

ORDER:

1. The RTI application is dated **30.4.19** vide which the appellant has sought information 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 **20.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **24.10.19**.

2. Both parties are present. The respondent PIO-Cum-Executive Officer, Nagar Council, Mohali, Jagjit Singh submitted that the information was given to the appellant on 9.10.19. The PIO is also admitted that the original RTI application submitted by the appellant was misplaced by his office and therefore, could not be responded within the stipulated period of 30 days. Since this is first instance, this Commission inclined to accept the PIO's explanation.

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

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh
24.10.19

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Daljeet Singh,

s/o Late Gurbachan Kaur,
1/9926, Ground Floor,
Street No.3-H, West,
Gorakh Park, Shahdara,
Delhi – 110032

Versus

Public Information Officer,

o/o Deputy Commissioner,
District Fatehgarh Sahib.

First Appellate Authority,

o/o Sub Divisional Magistrate,
District Fatehgarh Sahib.

Appeal Case No. 3039 of 2019

PRESENT:

Daljeet Singh (Appellant)

Deepak Bhardwaj, Naib Tehsildar (for the Respondent) 94170-11177

ORDER:

1.The RTI application is dated **8.1.19** vide which the appellant has sought information regarding some old land records, 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 **20.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **24.10.19**.

2.Both parties are present. The respondent PIO, represented by Deepak Bhardwaj, Naib Tehsildar Chanarthal Kalan, has submitted that the specific record being sought is not available in his custody. However, he is agreed to make a further search for older references to the property in question and furnish this to the appellant.

3.This Commission grants the respondent PIO the opportunity to do the aforesaid.

4.**Next hearing on 12.12.19 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh
24.10.19

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Mohammad Hanif,
c/o Rahiman Cloth Store,
Gopi Padha Street,
Sadar Bazaar, Nabha,
District Patiala-147201

Versus

Public Information Officer,
o/o Estate Officer,
Punjab Wakf Board,
Patiala.
First Appellate Authority,
o/o Chairman,
Punjab Wakf Board,
Chandigarh.

Appeal Case No. 3043 of 2019

PRESENT:

(Appellant) Absent

Gulzar Ahammad, State Officer (for the Respondent) 98887-61016

ORDER:

1.The RTI application is dated **30.3.19** vide which the appellant has sought information regarding renewal of *pattas* for Wakf properties 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 **21.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **24.10.19**.

2.The appellant is absent without intimation to the Commission. The respondent PIO, represented by Gulzar Ahmed, SO-Cum-APIO, submitted that major part of the information requested by appellant was sent on 18.4.19 by ordinary post. The respondent PIO has submitted the copy of the information furnished, to the Commission today. The respondent also informed the Commission that appellant Mohammad Hanif did not appear at the FAA hearing on 1.8.19 in Chandigarh, and instead, filed a second appeal.

3.However, in an email received in the Commission after the hearing, the appellant has stated he has received the requested information and that he is satisfied with it.

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

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
24.10.19

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Mohammad Hanif,
c/o Rahiman Cloth Store,
Gopi Padha Street,
Sadar Bazaar, Nabha,
District Patiala-147201

Versus

Public Information Officer,
o/o Principal Secretary,
Home Affairs and Justice Department, Punjab,
Chandigarh.

First Appellate Authority,
o/o Principal Secretary,
Home Affairs and Justice Department, Punjab,
Chandigarh.

Appeal Case No. 3045 of 2019

PRESENT:

(Appellant) Absent

Mohammad Nasir, Section Officer Punjab Wakf Board Chandigarh(for the Respondent)
97810-14786

Nirbhan Singh, Senior Assistant (for the Respondent) 99883-04660

ORDER:

1.The RTI application is dated **25.5.19** vide which the appellant has sought information regarding the Punjab Wakf Board's property – Khasra No. 138 at Takia Qasim Shah in Patiala, 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 **21.8.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). Notice was issued to the parties for first hearing in the Commission on **24.10.19**.

2.The appellant Mohammad Hanif is absent without intimation to this Commission. The respondent PIO, represented by Nirbhan Singh, Senior Assistant, Home Affairs and Justice, Department and Mohammad Nasir, Section Officer, Punjab Wakf Board Chandigarh, submitted that a part of the information requested by the appellant was given to him on 9.10.19. They stated that the remaining information is with the Wakf Board's office in Patiala.

3.The respondent PIO is directed to retrieve the remaining part of the information and furnish this to the appellant with a copy to the Commission before next hearing.

4. Meanwhile, the appellant is granted one more opportunity to present his case, failing which this Commission will be constrained to close this case.

5.The Commission strongly recommends that the public authority –Punjab Wakf Board, should periodically publish all information regarding its properties, including details of rentals, renewal of rent deeds and income from such rentals on website. This would be in keeping Section 4(1)(b) of the RTI Act.

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6. Next hearing on 12.12.19 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
24.10.19

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Tejinder Singh,

Civil Court, Tehsil Complex,
Backside SanjhKender,
Phillaur – 144410

Versus

Public Information Officer,

o/o SHO, Police Station Moti Nagar,
Ludhiana.

Complaint Case No. 737 of 2019

PRESENT:

(Complainant) Absent

(Respondent) Absent

ORDER:

1. The complainant, **Tejinder Singh**, filed this RTI application dated **12.7.19** and sought information from the PIO o/o **SHO, Police Station, Moti Nagar, Ludhiana**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **20.8.19**. Notice was issued to the parties for first hearing in the Commission on **24.10.19**.

2. Both parties are absent. While the complainant Tejinder Singh has intimated his inability to attend this hearing, the respondent PIO is absent without intimation to this Commission.

3. This Commission grants both parties one more opportunity to present the case. The respondent PIO, o/o SHO, Police Station, Moti Nagar, Ludhiana is directed to submit a written reply enumerating the reasons for the long delay in furnishing the information requested by the complainant.

4. **Next hearing on 12.12.19 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh
24.10.19

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Yogesh Mahajan,

s/o Kuldeep Raj Mahajan,
President of Anti-Corruption Council,
Opposite Water Tank,
Municipal Market, Mission Road,
Pathankot.

Versus

Public Information Officer,

o/o Executive Engineer Provincial Division,
PWD B & R,
Nawan Shahar.

First Appellate Authority,

o/o Superintending Engineer,
PWD B & R, Construction Circle No.2,
Jalandhar.

Appeal Case No. 2767 of 2019

PRESENT:

Sandeep Sharma, Advocate (for the Appellant)
(Respondent) Absent

ORDER:

1.The RTI application is dated **1.5.19** vide which the appellant has sought information 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 **31.7.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The case was last heard on **28.8.19**.

2.The respondent PIO is absent without any intimation to this Commission.

3.The appellant, represented by Sandeep Sharma, advocate, reiterated that he has received no information with regard to his RTI Application which was filed on 1.5.19. However, a copy of the information, stated to have been sent to the appellant on 18.6.19, was also been received in the Commission on 4.9.19. This information (20 pages) was handed over to the appellant and he is requested to carefully peruse the information and apprise this Commission whether he is satisfied with it or not.

4.**Next hearing on 12.12.19 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

24.10.19

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Yogesh Mahajan,
s/o Kuldeep Raj Mahajan,
President of Anti-Corruption Council,
Opposite Water Tank,
Municipal Market, Mission Road,
Pathankot.

Versus

Public Information Officer,
o/o Executive Engineer,
Water Supply and Sanitation
Division Sangrur,
Sangrur.

First Appellate Authority,
o/o Superintending Engineer,
Water Supply and Sanitation Circle,
Sangrur

Appeal Case No. 2768 of 2019

PRESENT:

Sandeep Sharma, Advocate (for the Appellant)
(Respondent) Absent

ORDER:

1.The RTI application is dated **1.4.19** vide which the appellant has sought information 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 **31.7.19** under Section 19 of the Right to Information Act, 2005 (RTI Act). The case was last heard on **28.8.19**.

2.Taking up from the last hearing on 28.8.19 wherein the appellant Yogesh Mahajan has contended in an email that he had not received the information pertaining to points 1 and 2 of his RTI application. On that day, PIO, who was present in person, stated that the information had already furnished to the appellant by the Executive Engineer, Water Supply and Sanitation, Division Sangrur. Even so, he submitted another duly attested copy of the information to this Commission. In its order of 28.8.19, this Commission had invited the appellant to collect the information from the Commission at his convenience or ask for it to be sent by registered post. This Commission has had no communication on this from the appellant. Under the circumstances, the information approximately 200 pages is being handed over to appellant's lawyer Sandeep Sharma.

3.The appellant is requested to go through this information carefully and apprise this Commission of his satisfaction.

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4. Next hearing on 12.12.19 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
24.10.19