

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



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,
Nawanshahr.

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

Appeal Case No. 2767 of 2019

PRESENT:

(Appellant) Absent

Paramjit Kumar, Junior Assistant (for the Respondent) 98144-15105

ORDER:

(To be read in continuity with earlier orders on 28.8.19 and 24.10.19)

1. The RTI application is dated **1.5.19** vide which the appellant has sought **information pertaining to works undertaken in the Sub-Division from 1.5.18 to 1.5.19**, 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 **31.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **24.10.19**.
2. The appellant is absent and has informed the Commission that he is unable to attend the hearing because of the high cost of traveling from Pathankot. In a letter of 12.11.19 he has stated as follows: "it is submitted that the information has been received from the PIO till date".
3. Meanwhile, a copy (20 pages) of the information requested was received in the Commission on 4.9.19, which was handed over to appellants lawyer Sandeep Sharma. He was advised to go through the information furnished and apprise this Commission of any deficiency.
4. The respondent PIO, represented today by Paramjit Kumar, Junior Assistant, has submitted that a copy of the requested information was also sent by ordinary post on 16.10.19. He submitted a copy of the dispatch register as evidence.
5. This Commission once again advises the appellant to peruse the documents that were handed to his lawyer. And since he has cited high travel cost as the reason for not being able to

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attend hearings of his appeal in the State Information Commission at Chandigarh, the appellant can request hearings of this appeal case via **video conferencing** from Pathankot.

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

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
12.12.19

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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,
Nawanshahr.

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

Appeal Case No. 2768 of 2019

PRESENT:

(Appellant) Absent

Sukhdev Singh, SDO, (for the Respondent) 99888-98733

ORDER:

(To be read in continuity with earlier orders on 28.8.19 and 24.10.19)

1. The RTI application is dated **1.4.19** vide which the appellant has sought **information regarding the grants received and utilized in the division from 1.4.18 to 1.4.19**, 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 **31.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **24.10.19**.

2. The appellant is absent and has informed the Commission that he is unable to attend the hearing because of the high cost of traveling from Pathankot. At the last hearing on 24.10.19, a copy (approximately 200 pages) of the information requested was handed over to the appellant's lawyer Sandeep Sharma who was advised to go through the information carefully and apprise the Commission of any deficiency therein.

3. However, despite this, there has no communication from the appellant regarding the information furnished by the respondent. On the contrary, in a letter to this Commission on 11.12.19, he has stated as follows: "...It is submitted that in this case information has been received from the PIO till date."

4. The appellant is granted one final opportunity to peruse the information handed to his lawyer on 24.10.19 and inform the Commission of his satisfaction. As in AC 2767, he can request hearings via **video conferencing** in this case too,

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5. The next hearing on 7.2 .20 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
12.12.19

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Surinder Kaur,
w/o Late Malkit 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:

(To be read in continuity with earlier orders on 24.10.19)

1. The RTI application is dated 4.4.19 vide which the appellant has sought **information by way of the action taken on her complaint to the Governor**, as enumerated in her 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. The case was last heard on 24.10.19.

2. The appellant is absent but she has informed the Commission that the respondent PIO, office of SSP, Jagraon, has handed over the information she had requested, on 27.11.19.

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

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
12.12.19

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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) 94169-00129

Gurnam Singh, Head Constable (for the Respondent) 94656-57651

ORDER:

*(To be read in continuity with earlier orders on **24.10.19**)*

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. The case was last heard on **24.10.19**.
2. Both parties are present. The respondent PIO, in a letter to this Commission 6.12.19, had contended that a copy of the requested information had been handed to the appellant on the same day. However, the appellant informed the Commission, today, that information furnished is not only incomplete but also partially incorrect.
3. The discrepancies were pointed out to the respondent PIO, represented today by Head Constable Gurnam Singh, who requested one more hearing to call for the information from the concerned police stations etc., afresh.
4. **Next hearing on 7.2.20 at 11.00 am.**

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
12.12.19

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REGISTERED

Vineet Garg,

s/o Santosh Kumar Garg,
HL-409, Jamalpur Colony,
Ludhiana – 141 010

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) 98769-62001

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

Pawandev Singh, Sub Inspector (Respondent) 78887-41866

ORDER:

(To be read in continuity with earlier orders on 24.10.19)

1. The RTI application is dated **27.2.19** vide which the appellant has sought **information by way of the CCTV footage of Police Station Focal Point Ludhiana for 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. The case was last heard on **24.10.19**.

2. Both parties are present. The respondent PIO, represented by Sub-Inspector Kiranpreet Kaur from Police Station Focal Point and Sub-Inspector Pawandev Singh from the o/o Commissioner of Police Ludhiana, were directed at the last hearing on 24.10.19, to submit an **AFFIDAVIT** stating the exact details of the CCTV camera and the attached DVR at the Police Station and the exact period after which, the footage is automatically deleted.

3. The respondent has brought an affidavit, but has rather strangely, forgotten to have it notarized. They are directed to have the affidavit duly notarized and hand over the original copy to the appellant Vineet Garg. A copy of the same is to be deposited in the Commission.

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4. Next hearing on 26.12.19 at 11.00 am for Compliance.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
12.12.19

PUNJAB STATE INFORMATION COMMISSION

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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) 90238-80115
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 24.10.19)

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. The case was last heard on **24.10.19**.
2. The respondent PIO, is absent. At the last hearing on 24.10.19, the respondent PIO, represented by Deepak Bhardwaj, Naib Tehsildar Chanarthal Kalan, had submitted that the specific record being sought by the appellant was not available in his custody. Nonetheless, he agreed to make a further search for older references to property in question and furnish this to the appellant.
3. However, rather than coming to this hearing and explaining the status of his promise to search the record afresh, the respondent PIO has, in a letter dated 11.12.19, simply restated that the record sought by the appellant, is not available in his office.
4. The respondent PIO is directed to submit a duly notarized **AFFIDAVIT** stating that the record requested by the appellant, is not available in his custody. This must be deposited in the Commission before the next hearing.

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5. Next hearing on 16.1.20 at 11.00 am.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
12.12.19

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

Appeal Case No. 3045 of 2019

PRESENT:

(Appellant) Absent

Charanjeet Singh, APIO-Cum-Senior Assistant (for the Respondent) 99142-58929

ORDER:

(To be read in continuity with earlier orders on 24.10.19)

1. The RTI application is dated **25.5.19** vide which the appellant has sought **information regarding a specific property of the Punjab Waqf Board**, 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. The case was last heard on **24.10.19**.
2. The appellant is absent but he has informed the Commission in an email on 12.12.19 that he has received all the information he requested and no longer wishes to pursue this appeal case.
3. The respondent PIO, represented by Charanjeet Singh, APIO-Cum-Senior Assistant, Department of Home Affairs is present and also confirmed that the information was sent to the appellant by the Punjab Waqf Board.
4. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
12.12.19

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Arjun Kakkar, S/o Sh. Mahinder Lal Kakkar,
254, Sector- 1 B,
Vikas Nagar, Mandi Gobindgarh,
District Sri Fatehgarh Sahib.

Versus

Public Information Officer,
o/o Executive Officer, Nagar Council,
Mandi Gobindgarh.
First Appellate Authority,
o/o Deputy Director, Urban Local Bodies,
Ludhiana.

Appeal Case No. 3748 of 2019

PRESENT:

Arjun Kakkar (Appellant) 98722-97979
Nirdosh Sharma, Building Inspector (for the Respondent) 99159-55511
Luv Kumar, Superintendent (for the Respondent) 99887-44503

ORDER:

1. The RTI application is dated **10.6.19** vide which the appellant has sought **voluminous information regarding building plans, unauthorized colonies 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 **9.10.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **12.12.19**.
2. Both parties are present. The respondent PIO, represented by Nirdosh Sharma, Building Inspector and Luv Kumar, Superintendent sought to make an oral submission stating that while some of the information requested by the appellant has been given to him, much of the other information he is seeking, is exempt from disclosure as per the RTI Act.
3. The respondent PIO is directed to submit a written reply to each of the 13 points on the appellant's original RTI application, furnishing the information he requests, while citing specific legal provisions where, he wishes to seek exemption.
4. It has, meanwhile, also emerged at this hearing, that some of the information being sought by the appellant, is voluminous, and making copies of the same would amount to unwarranted diversion of public resources. The respondent PIO is directed to arrange for the appellant to inspect the record (on which he is not claiming exemption) on 19.12.19, following which up to 100 A4 copies are to be supplied free of cost. For any additional copies, the appellant must pay Rs. 2/- per A4 size copy and the actual cost of A3 or larger copies.
5. **The next hearing on 7.2.20 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

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Chandigarh
12.12.19

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Pawan Singh,

1412, Phase 2, Dugri Urban Estate,
Ludhiana – 141 013.

Versus

Public Information Officer,

o/o Senior Superintendent of Police,
Sector-76, S.A.S. Nagar,
Mohali.

First Appellate Authority,

o/o Inspector of General Police,
Mandi Board Building, Near Gurudwara Sri Bhatta Sahib,
Ropar-140001

Appeal Case No. 3798 of 2019

PRESENT:

(Appellant) Absent

Gurnam Singh, Head Constable (for the Respondent) 94656-57651

ORDER:

1. The RTI application is dated **5.2.19** vide which the appellant has sought **information by way of documents and letters etc pertaining to FIR No. 393 of 24.11.16**, 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 **11.10.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **12.12.19**.
2. The appellant is absent but in a letter dated 2.12.19, has requested the Commission to decide this appeal case based on his letter and enclosures including the response from the PIO and FAA.
3. The respondent PIO, represented by Head Constable Gurnam Singh, submitted that the information requested by the appellant pertains to a case for which, the *Challan* was filed in the Court of JM1C Derabassi on 24.11.17. He also submitted that the appellant was informed of this in a letter no. 12522/G dated 11.3.19, along with a copy of the *Challan* and the reply received from the Police Station Dhakoli. As per the respondent, all the record sought by the appellant, is now only retrievable from the Court at Derabassi. Despite this, the appellant went on to file a second appeal.
4. This Commission grants the appellant one final opportunity to be heard in person at the next hearing of this appeal case.
5. **Next hearing on 7.2.20 at 11.00 am.**

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

12.12.19

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Ujjagar Singh, s/o Late Bant Singh,
Street No. 1, Mann Colony Daba,
Ludhiana.

Versus

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

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

Appeal Case No. 3816 of 2019

PRESENT:

Ujjagar Singh (Appellant) 98789-61815

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

Tarsem Singh, Head Constable (for the Respondent) 94632-02689

ORDER:

1. The RTI application is dated **25.7.19** vide which the appellant has sought **information pertaining to FIR No. 162 of 1.6.19 at Police Station Dhaba 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 **15.10.19** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **12.12.19**.
2. Both parties are present. The respondent PIO, represented by Pawandev Singh, Sub Inspector and Tarsem Singh, Head Constable, have submitted a written reply wherein it is stated that the information pertains to a matter that is still under investigation and so exempt this for the disclosure under Section 8(1)h.
3. The appellant however stated that the investigation has been going for a long time and he has suffered personally as a result. He wanted this Commission to issue directions to the respondents to speed up the investigation. However, issuing such a direction to any public authority, is beyond the jurisdiction of the State Information Commission.
4. The Commission advises the respondent PIO to share the requested information with the appellant as and when the aforesaid investigation is complete.
5. There is no further cause for action and this appeal case is herewith **CLOSED**.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
12.12.19

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Tejinder Singh,

Civil Court, Tehsil Complex,
Backside SanjhKender,
Phillaur – 144 410

Versus

Public Information Officer,

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

Complaint Case No. 737 of 2019

PRESENT:

(Complainant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 24.10.19)

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**. The case was last heard on **24.10.19**.

2. Both parties are absent, while the complainant has informed the Commission of his inability to attend today's hearing. The respondent PIO is absent without any intimation for the second time in succession.

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 12.7.19.

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*.

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

Sd/-

(ASIT JOLLY)

State Information Commissioner

Chandigarh

12.12.19