

PUNJAB STATE INFORMATION COMMISSION

SCO No. 84-85, Sector 17-C, CHANDIGARH.

Resurgence India,
Ludhiana

.....Complainant

Vs.

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

.....Respondent

ORDER

Present Dr. Hitender Jain for 'Resurgence India' & Mr. Jagdev Singh, Asstt. Public Information Officer, Office of Senior Superintendent of Police, Ludhiana (Information Cell).

The complainant demanded certain information regarding procedure to be followed in cases of First Information Reports by the Police in Ludhiana District. The complainant makes the following contentions :-

- i) That no information was supplied by the Public Information Officer of the office of Senior Superintendent of Police, Ludhiana within the stipulated period of one month, and even for several months thereafter. That since the information has not been supplied within the stipulated period, under Section 7(6) no fee is due to be paid by him for supply of information.
- ii) That by an order SSP, Ludhiana designated the DSP of Police, Ludhiana as Public Information Officer. The complainant states that as per the website of the Police Department, SSP, Ludhiana is Public Information Officer duly appointed by the State Headquarters. The SSP, Ludhiana cannot further delegate his responsibility as Public Information Officer to another junior officer.
- iii) That the Public Information Officer of the District Police has directed him (complainant) to collect the relevant document in person from the Police. The complainant demands that this information be sent to him by speed post.

- iv) That a penalty be imposed on the Public Information Officer, office of SSP, Ludhiana for deliberately failing to supply the information demanded.

The representative of the District Police, Ludhiana present before me, states that he is the Asstt. Public Information Officer and offers to supply the information to the complainant.

My decision on the issues raised by the complainant is as under :-

- i) That since the information demanded has admittedly not been supplied within the stipulated period of time, no fees are recoverable from the complainant.
- ii) SSP, Ludhiana is required to indicate the authority under which he appointed DSP, Ludhiana as Public Information Officer. In case there is no such specific authorization, SSP, Ludhiana would act as Public Information Officer. The appropriate authority at State Headquarters is free to appoint any other Officer as PIO for purposes of the Act. Only a person so appointed by the State level authority can carry out the functions of PIO.
- iii) The plea of the complainant that the information be sent to him by post is accepted. PIO may supply the information accordingly within a period of one week under intimation to the Commission.
- iv) In this case the Police Department does not appear to have deliberately or in a malafide manner, denied the furnishing of the information. The Right to Information Act, 2005 is of very recent origin and just now being implemented by all authorities. In view of the matter no case is made out for imposition of any penalty on the Public Information Officer.

Disposed of as above. For review of compliance to come up on 11th April 2006. The authorised representative of the Respondent be present on the next date. Copies of orders of the Commission be sent to both the parties.

2nd March, 2006

Chief Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

SCO No. 84-85, Sector 17-C, CHANDIGARH.

Mrs.Harbhajan Kaur,
Ex-Lecturer, Govt. College for Girls College,
Patiala.

.....Complainant

Vs.

Principal-cum-Public Information Officer,
Govt. College for Girls,
Patiala.

.....Respondent

ORDER

Present Dr. Harbhajan Kaur, Complainant and Dr. Daisy Walia, Asstt. Public Information Officer, Govt. College for Girls, Patiala. In this case, the Assistant Public Information Officer of the College has turned down in writing the request for information. I note here that a decision on supply of information is to be taken by the Public Information Officer and not by the Assistant Public Information Officer. For this reason the matter is disposed of with the direction that the Public Information Officer should himself/herself decide on merits the complainant's application seeking information. A copy of the order be sent to the parties.

Chief Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

SCO No. 84-85, Sector 17-C, CHANDIGARH.

Dr. B.K.Goel, H.No.82, Ashok Nagar,
P.O.Mahesh Nagar,
Ambala Cantt – 133001.

.....Complainant

Vs.

Public Information Officer
O/o Civil Surgeon,
Ropar.

.....Respondent

ORDER

Both the complainant Dr. B.K.Goel and Dr. H.N.Sharma for the respondent are present before me. The complainant is not satisfied with the information supplied to him by the Civil Surgeon, Ropar. The complainant states that the Public Information Officer has written to him about the contents of a report of the audit party that commented adversely on him (the complainant). The complainant demands a copy of the actual report of the audit party on the basis of which it had been ordered that certain dues be recovered from Dr. Goel.

The Public Information Officer is directed to supply an authenticated copy of the relevant extracts of the audit report to the complainant within a period of 15 days. This information be sent by post to the complainant under intimation to the Commission. To come up for confirmation of compliance on 27th March, 2006. A copy of this order be sent to both parties.

Chief Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

SCO No. 84-85, Sector 17-C, CHANDIGARH.

Sh. Gurdeep Chand,
S/o Sh. Ujagar Ram,
Village Chomon, Block Adampur,
Distt. Jalandhar.

.....Complainant

Vs.

The Sarpanch,
Gram Panchayat, Village Chomon,
Block Adampur, Distt. Jalandhar.

.....Respondent

ORDER

Present Sh. Gurdeep Chand, complainant in person & Sh. Damandeep Singh on behalf of Sarpanch, *Gram Panchayat*, Village Chomon.

The complainant states that the information demanded by him that is copies of Resolutions of the meetings of the *Gram Panchayat* held between June, 2003 to September, 2005 have not been supplied. Sh. Damandeep Singh on behalf of the Sarpanch, *Gram Panchayat* states that the Panchayat is prepared to supply the information to the complainant provided he deposits the requisite fee. After hearing both sides it is directed that complainant will visit the office of the *Gram Panchayat* within a period of 15 days and deposit the requisite fee. The *Gram Panchayat* will thereafter supply to him photocopies of all the Resolutions of the Panchayat during this period. These photocopies will be attested by the Sarpanch personally. It is clarified that the Panchayat will allow the complainant to see the Register of Proceedings to enable him to indicate the Resolutions copies whereof he wants to obtain. Compliance be reported by the Panchayat to the Commission within 15 days.

To come up for confirmation of compliance on 11th April, 2006. In case the complainant does not turn up in the Panchayat Office, the Sarpanch or his authorised representative will bring the Register of Resolutions and produce it before the Commission on 11th April, 2006. Copy of orders of the Commission be sent to both the parties.

Chief Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

SCO No. 84-85, Sector 17-C, CHANDIGARH.

Dr. Devinder Singh Sohal,
#2287, Phase 10,
Mohali.

.....Complainant

Vs.

Public Information Officer,
O/o Punjab State Warehousing Corporation,
Chandigarh.

.....Respondent

ORDER

Present Sh. D.S.Sohal, complainant & Sh. M.L.Chadha, Asstt. Public Information Officer on behalf of Punjab State Warehousing Corporation, Chandigarh. There is a continuing dispute between the complainant and the Corporation office about the identification and supply of the information sought.

I have heard the parties. I direct that the complainant shall give a list of the files he wishes to inspect to the Asstt. Public Information Officer by 3rd March, 2006. The respondent shall ensure that these files are available with the Asstt. Public Information Officer on a mutually convenient date. The complainant shall inspect these files between 10 A.M to 12 Noon on this date in the office of the respondent in the presence of the Asstt. Public Information Officer. On inspection of the files the complainant would specify to the APIO the documents copies whereof he wants to obtain. The respondent shall supply the photocopies of such documents to the complainant on 11th March, 2006 on payment of prescribed fee.

Compliance be reported immediately after this date. To come up on 27th March, 2006 for confirmation of compliance. Copies of orders of the Commission be sent to both the parties.

Date: 2nd March, 2006

Chief Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

SCO No. 84-85, Sector 17-C, CHANDIGARH.

M/s Doaba Hotelier Ltd.,
Jalandhar.

.....Complainant

Vs.

Chairman, Improvement Trust,
Jalandhar.

.....Respondent

ORDER

Present Mr. Joginder Singh Bhatia, Complainant and Sh. Jagat Narayan, Advocate on behalf of Improvement Trust, Jalandhar. The respondent Improvement Trust, Jalandhar states that they have today that is, on 2.3.2006 supplied the information demanded by the complainant. The applicant desires to study the documents given to him to confirm whether his demand for information has been duly met. In respect of one item namely opinion of the Counsel of Improvement Trust as appearing in a specific file, the Trust wishes to seek time for a final view as to whether it would supply this information or not. To come up on 11.4.2006 for: -

- i) Confirmation by the complainant that he is satisfied with the information supplied.
- ii) Intimation of the stand of the Improvement Trust in regard to the furnishing of the legal opinion from the relevant file to the complainant.

Copy of orders of the Commission be sent to both the parties.

Chief Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

SCO No. 84-85, Sector 17-C, CHANDIGARH.

Sh. Muni Lal S/o Sh. Ganpat Rai,
VPO : Ayali Kalan,Ludhiana.

.....Complainant

Vs.

Public Information Officer
O/o Punjab State Electricity Board,
Ludhiana.

.....Respondent

ORDER

Present Sh. Ripusudan, son-in-law of Sh. Muni Lal on behalf of Sh. Muni Lal, complainant & Mr. S.K.Gupta, Senior Executive Engineer, Punjab State Electricity Board, Ludhiana. The Executive Engineer admits that there is no material on record on the basis of which the Electricity meter was transferred from the name of Sh. Muni Lal to his son Kishan Pal. He states before me that he suspects that some connivance of the lower staff of Electricity Board might have resulted in the transfer. He states that he is prepared to revert the electricity meter in the name of the original subscriber that is Sh. Muni Lal provided he submits an affidavit that he is the lawful owner of the premises in which the electricity meter is installed and that he had at no time authorised the transfer of the meter in the name of his son. The complainant is satisfied with this assurance and does not wish to proceed further with his complaint in view of the stand taken by the respondent.

This is an unusual case. In so far as the information demanded is concerned, the public authority admits that there is no such information on its record. The complainant is prepared to withdraw his complaint if his original grouse, that is, wrongful deprivation of his electricity meter, is mitigated. The complaint thus stands disposed of. Copy of the orders be sent to the parties so come up for confirmation of compliance on 11th April, 2006.

2nd March, 2006

Chief Information Commissioner