



Sh. Sohan Lal Jain,
#221, Gali No.11, Manjit Nagar,
Bjhadson Road, Patiala.

... Appellant

Versus

Public Information Officer,
O/o The Secretary to Govt. of Punjab,
Deptt. Of Health & Family Welfare,
Punjab Civil Secretariat, Sector 9,
Chandigarh

First Appellate Authority

O/o The Secretary to Govt. of Punjab,
Deptt. Of Health & Family Welfare,
Punjab Civil Secretariat, Sector 9,
Chandigarh

...Respondent

Appeal Case No.1228 of 2022

PRESENT: Sh.Sohan Lal Jain as the Appellant
Sh.Gurjeet Singh PIO and Jagdeep Singh, APIO for the Respondent

ORDER:

The appellant, through an RTI application dated 14.12.2021 has sought information regarding copy of action by ACS Pb Department of Health on the representation dated 26.06.2019 with regard to request for personal hearing and legal assistance for judicial remedy sent to SMO Budhlada – action taken by ACS Pb Department of Health on representation sent by registered post for personal hearing – copy of personal file maintained at the office of Secretary to Govt. Pb Dept. of Health service No.6810/5862 as enumerated in the RTI application from the office of Secretary to Govt Punjab, Department of Health & Family Welfare Pb Chandigarh. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 11.10.2021, which did not decide on the appeal.

The case has come up for hearing today through video conferencing at DAC Patiala. As per appellant, the PIO has not supplied the information.

The respondent present pleaded that the matter relates to the complaint of the appellant dated 26.06.2019 which was received in their office on 05.07.2019, however, the document relating to action taken on the complaint is not traceable. Further they enquired about the same from the office of Director, Health which informed that the complaint was received from the office of Civil Surgeon Mansa for guidelines, however as per the concerned file vide which the complaint was received in the office of Director, Health, no action was taken on the complaint.

The respondent further informed that the copies of letters dated 15.02.2022 and 19.01.2022 has been provided to the appellant vide letter dated 04.10.2022. Further the appellant was given the opportunity of hearing by the First Appellate Authority vide letter dated 06.10.2022 as well as through telephonic message, but he did not turn up. The Commission has also received a reply of the PIO alongwith on an affidavit in this regard which has been taken on record.

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The record as per the respondent is missing. However, the Commission only considers the record missing once an enquiry is conducted by constituting a committee which establishes that the record stands missing and responsibility has been fixed. This case is being referred to the Secretary of the department to issue necessary instructions for the same.

The affidavit received from the PIO is being sent to the appellant in original and a copy of the same is retained for record.

To come up for further hearing on **17.01.2023** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Patiala. The PIO to appear at Chandigarh.

Chandigarh
Dated: 19.10.2022

Sd/-
(Khushwant Singh)
State Information Commissioner