



Sh.Yogesh Maini S/o Late ShKapilBhushan,  
H NO-678/1, Prem Nagar, Shiv Mandir Road,  
Civil Lines, Ludhiana.

... Appellant

Versus

Public Information Officer,  
O/o Civil Surgeon,  
Ludhiana.

First Appellate Authority,  
O/o Civil Surgeon,  
Ludhiana.

...Respondent

**Appeal Case No. 4810 of 2021**

**PRESENT: Sh.YogeshMaini for the Respondent**  
**Dr. Rajesh Garg, for the Respondent**

**ORDER:**

The appellant through an RTI application dated 26.07.2021 has sought information regarding the License issued to Hotel Grand Silverspoon Ludhiana under Food Safety Standard Act – date of inspection with the name of inspector and mobile number as enumerated in the RTI application concerning the office of Civil Surgeon Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 01.09.2021, which took no decision on the appeal.

The case first came up for hearing on 02.03.2022 through video conferencing at DAC Ludhiana. As per the appellant, the PIO has not provided the information.

The respondent present pleaded that since the information relates to District Health Officer (DHO) Ludhiana, the RTI application was transferred to them on 02.08.2021. The respondent has sent a copy of the transfer letter to the Commission through email which has been taken on record.

The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time. He/she should file an affidavit in this regard.**

The PIO-DHO O/o Civil Surgeon, Ludhiana was again directed to provide information to the appellant within 15 days of the receipt of the order and send a compliance report to the Commission.

On the next date of hearing on 01.08.2022 through video conferencing at DAC Ludhiana., the appellant claimed that the PIO had not supplied the information.

The PIO O/o the DHO, Ludhiana, was again absent. The PIO had not submitted the reply to the show cause notice.

As per the record procured from the DHO Ludhiana office, Dr. Rajesh, SMO, was the DHO-cum-PIO at the time of the filing of the RTI application (from 04.03.2020 to Nov. 21) and is currently posted at CHC Ahmedgarh Mandi district Malerkotla. The Commission directed Dr. Rajesh Garg, to file a reply to the show cause notice and the current PIO is directed to supply the information to the appellant within 15 days.

**Appeal Case No. 4810 of 2021**

**Hearing dated 10.10.2022:**

The case has come up for hearing today through video conferencing at DAC Ludhiana. Dr. Rajesh Garg pleaded that the information has already been supplied to the appellant vide letter dated 28.09.2021 and he was transferred to CHC Ahmedgarh after 03.11.2021 and after that the responsibility to attend the case was with the then First Appellate Authority-cum-DHO, Ludhiana.

The appellant claims that the PIO vide letter dated 28.09.2021 has denied the information u/s 8(1)(j) and u/s 11 of the RTI stating that the information is third-party information.

The Commission observes that there is an enormous delay of more than one year in supplying the information because of which there is a clear loss and detriment suffered by the appellant during the long period in obtaining the information.

I find full justification in awarding the appellant with a suitable compensation. Therefore, in exercise of the powers conferred by Section 19(8)(b) of the RTI Act, 2005, **a compensation of Rs.5000/- (Rupees five thousand only)** is awarded to the appellant and directed the respondent to pay the compensation amount through a Bank Draft from the Bank Account of the Public Authority and confirmation to this effect will be furnished to the Commission by sending a copy of the bank draft.

As per the respondent, after his transfer to CHC Ahmedgarh Dr. Tarun Bansal, joined as DHO, Ludhiana.

However, the Commission directs Dr. Rajesh Garg to procure the information and supply certified information to the appellant with a copy to the Commission. Dr. Rajesh Garg is further directed to file a reply to the show cause notice before the next date of hearing for he was the PIO when the RTI application was filed and a violation of section 7 occurred during his tenure.

The Commission also directs the current PIO Dr. Bansal to ensure the supply of certified information to the appellant and he should also be present on the next date of hearing.

The case is adjourned. To come up for compliance on **30.01.2023** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana.

**Chandigarh**  
**Dated: 10.10.2022**

Sd/-  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to : 1. Dr. Rajesh Garg**  
**CHC, Ahmedgarh**  
**District Malerkotla**

**2. Dr. Tarun Bansal,**  
**PIO-DHO O/o Civil Surgeon**  
**Ludhiana**