

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh. Anil Bhatia,
H.No.-1523, Sector 13,
Hissar-125005

... Appellant

Versus

Public Information Officer,
O/o Registrar, Punjabi University,
Patiala.

First Appellate Authority,
O/o The Vice-Chancellor
Punjabi University,
Patiala.

...Respondent

Appeal Case No. 4784 of 2021

PRESENT: None for the Appellant
Advocate Surjpreet Singh for the Respondent

ORDER:

The appellant, through an RTI application dated 04.01.2021, has sought information regarding the statutory University rule under which non-statutory DAV Mgt New Delhi has issued the advertisement in the Tribune dated 03.01.2021 for teaching posts in DAV colleges affiliated to the university despite the fact that DAV Management is neither affiliated to any State University nor aided by Punjab Govt. – suo motto action taken by the university in response to an aforesaid illegal advertisement without any jurisdiction and authority in law in violation of prescribed rules as enumerated in the RTI application from the office of Registrar Punjabi University, Patiala. The appellant was not provided with the information, after which the appellant filed the first appeal before the First Appellate Authority on 19.03.2021, which took no decision of the appeal.

The case first came up for hearing on 02.03.2022 before this Bench. The appellant was present at Chandigarh. The respondent was absent.

The Commission received a letter from the PIO on 18.02.2022 which was taken on record. In the said letter, it had been informed that since the enquiry was pending, the information was not provided and the reply was sent to the appellant vide letter dated 23.03.2021 and 06.07.2021. However, a copy of the rule available in the University calendar was also provided to the appellant.

The appellant was not satisfied and alleged that as per the newsletter in the Tribune dated 20.02.2006, the matter has already been decided. The appellant further stated that First Appellate Authority also did not hear his case and merely a letter had been sent stating that the matter is under consideration as well as with a delay of more than 45 days.

Having gone through the RTI application and the reply of the PIO, the Commission found that the RTI has been sufficiently replied to. However, there has been a delay of more than 45 days in providing the information.

The Commission having taken a serious view of this, issued a **show cause notice to the PIO under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit.**

Hearing dated 01.08.2022

The case has come up for hearing today. The appellant is absent.

Advocate Surjpreet Singh present on behalf of the PIO pleaded that available information has already been provided to the appellant. Advocate Surjpreet Singh further pleaded that the delay in supplying the information was due to collecting/ gathering information from different offices of the University. He also pleaded that the concerned PIO had been advised to file a reply to the show cause issued by the Commission on its previous hearing date.

Having gone through the available record in the file, the Commission finds that the RTI has been sufficiently replied to. However, the PIO has not filed his reply to the show cause notice in the shape of an affidavit on the non-judicial stamp paper duly attested by the Public Notary. While granting a last opportunity, Shri Gurmit Singh, PIO-cum-Dean College Development Council, Panjabi University, Patiala, is directed to file a reply to the show cause notice in the shape of an affidavit on the non-judicial stamp paper duly attested by the Public Notary.

The case is adjourned. To come up for further hearing on **10.10.2022 at 11.00 AM at Chandigarh.**

Chandigarh
Dated: 01.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

Cc to :
Shri Gurmit Singh,
PIO-cum-Dean College Development Council,
Panjabi University, Patiala,

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Sh Kharati Lal Narang,
H NO-B-XXI,-12066,
Street No-26, Ram Nagar,
MNain Market, Near Sangeet Cinema,
Ludhiana.

... Complainant

Versus

Public Information Officer,
O/o Finance Personnel,
Branch-2, Punjab Civil Secretariat,
Chandigarh.

...Respondent

Complaint Case No. 1030 of 2021

**PRESENT: Sh.Kharati Lal as the Appellant
Smt. Rajwinder Kaur, Superintendent & Sh. Daljit Singh, Sr. Asstt.
Personnel Deptt.(PP-1) and Sh. Akwinder Singh, Sr.Asstt. from Finance
Deptt. (P-2) for the Respondent .**

ORDER:

The appellant, through an RTI application dated 19.03.2021 has sought information regarding instruction dated 10.10.2019 regarding the removal of an anomaly in pay fixation of general category employees and reserve category employees as enumerated in the RTI application from the office of Finance Personnel, Branch-2, Punjab Civil Secretariat Chandigarh. The appellant was not satisfied with the reply of the PIO dated 06.07.2021 after which the appellant filed the first appeal before the First Appellate Authority on 06.08.2021, which took no decision of the appeal.

The case first came up for hearing 02.03.2022 through video conferencing at DAC Ludhiana/ Chandigarh. The appellant claimed that the PIO had not supplied the information.

The respondent was absent and vide email informed that since the information relates to PIO-Personnel Department (PP-1 Branch), the RTI application was transferred to them vide letter dated 09.04.2021.

Since there has been an enormous delay of more than ten months in attending to the RTI application, the Commission having taken a serious view of this, issued a **show cause notice to PIO-Department of Personnel(PP-1 Branch) under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit.**

Hearing dated 01.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claimed that the PIO has not supplied the information.

Smt. Rajwinder Kaur, Superintendent from Personnel Department(P-1) present has brought the reply to the show cause notice stating therein that the application dated 19.03.2021 of the complainant was transferred vide letter dated 09.04.2021 to Finance (P-2 branch) as information pertaining to the instant case is not with them. The responded further clarified since no notice of the Hon'ble Commission for appearing on 02.03.2022 was received, the respondent could not attend the court.

Complaint Case No. 1030 of 2021

Sh. Akwinder Singh, Sr. Assistant from Finance(P-2 branch) present pleaded that vide letter dated 20.04.2020 information was supplied to the complainant.

Having gone through the RTI application and hearing both the parties, the Commission observes that the information has been sought from the PIO-Finance(Personnel Branch 2). thus, the PIO is directed to submit pointwise reply to the Commission before the next date of hearing.

The case is adjourned. To come up for further hearing on **10.10.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO-Finance(Personnel Branch 2) to appear personally at Chandigarh.

**Chandigarh
Dated 01.08.2022**

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

**CC to PIO-Personnel Department(PP-1)
Punjab Civil Secretariat, Chandigarh.**



Sh Amit Kakkar,
Civil Court Complex,
Jalalabad (West), Distt. Fazilka.

... Complainant

Versus

Public Information Officer,
O/o Director,
Food Civil Supplies and Consumer Affairs,
Anaj Bhawan, Sector-39-C, Chandigarh.

...Respondent

Complaint Case No. 1166 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant, through an RTI application dated 04.12.2020, has sought information regarding the weight of empty gunny bags deducted from the wheat distributed for three months under Prime Minister Garib Kalyan Yojna and the retaining of empty bags by depot holders and other information as enumerated in the RTI application from the office of Director, Food Civil Supplies and Consumer Affairs Pb Chandigarh. The appellant was not provided with the information, after which the appellant filed the first appeal before the First Appellate Authority on 17.09.2021, which did not decide on the appeal.

The case first came up for hearing on 02.03.2022 through video conferencing at DAC Fazilka/ Chandigarh. The respondent present informed that the information has been provided to the appellant vide letter dated 15.11.2021.

The appellant claimed that the information has been provided with a delay of more than eleven months.

The Commission having taken a serious view of this issued a **show cause notice to the PIO under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit.**

Hearing dated 01.08.2022 :

The case first came up for hearing today through video conferencing at DAC Fazilka/ Chandigarh. Both the parties are absent.

Having gone through the available record in the file, the Commission finds that the RTI has been sufficiently replied to. However, the PIO has not filed his reply to the show cause notice in the shape of an affidavit on the non-judicial stamp paper duly attested by the Public Notary. The Commission, granting the last opportunity, directs Shri Ajaiveer Singh Sarao, PIO-cum-Joint Director, Food Supplies & Consumer Affairs, Punjab, Chandigarh, to file a reply to the show cause notice in the shape of an affidavit on the non-judicial stamp paper duly attested by the Public Notary.

Complaint Case No. 1166 of 2021

The case is adjourned. To come up for further hearing on **10.10.2022 at 11.00 AM at Chandigarh.**

**Chandigarh
Dated 01.08.2022**

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

Cc to :

**Shri Ajaiveer Singh Sarao,
Public Information Officer-cum
Joint Director, Food Supplies,
And Consumer Affairs, Punjab.
Anaj Bhawan, Sector 39-C,
Chandigarh.**

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Sh Tejinder Singh,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur.

... Appellant

Versus

Public Information Officer,
O/o Pr. Secy,
Health Department,
Sector-34-A, Chandigarh.

First Appellate authority,
O/o Pr. Secy,
Health Department,
Sector-34-A, Chandigarh.

...Respondent

Appeal Case No. 5359 of 2021

**PRESENT: None for the Appellant
None for the Respondent**

ORDER:

The appellant, through an RTI application dated 02.07.2021 has sought information regarding copies of property returns filed/uploaded by all Assistant Commissioners Food and Food Safety Officers under section 44(2) (3) of Lokpal Act 2014 for the years 2018-19 to 2020-21 and other information as enumerated in the RTI application concerning the office of Principal Secretary, Health Department Pb Chandigarh. The appellant was not provided with the information, after which the appellant filed a first appeal before the first appellate authority on 18.08.2021, which took no decision on the appeal.

The case first came up for hearing on 25.05.2022 through video conferencing at DAC Ludhiana. As per the appellant, the PIO has not supplied the information.

The respondent was absent nor was represented.

The PIO was directed to provide information and if the information has been uploaded on the website of the department, to provide the web address of the website to the appellant. The information be provided within 15 days of the receipt of the order.

Hearing dated 01.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ludhiana.

Both the parties are absent.

Earlier order stands.

To come up for compliance **on 10.10.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

**Chandigarh
Dated 01.08.2022**

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



Sh Yogesh Maini, S/o Late Sh Kapil Bhushan,
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.Yogesh Maini for the Respondent
None 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 the 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 0,1.09.2021 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. The PIO 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.

Hearing dated 01.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claimed that the PIO had not supplied the information.

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

As per the record procured from DHO Ludhiana office, Dr. Rajesh Garg, SMO was the DHO-cum-PIO at the time of the filing of the RTI application (from 04.03.2020 to Nov. 2021) and is currently posted at CHC Ahmedgarh Mandi district Malerkotla. The Commission directs 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.

The case is adjourned. To come up for compliance on **10.10.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner Ludhiana.

Chandigarh
Dated 01.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to : Dr. Rajesh Garg
Public Information officer-cum
Senior Medical Officer,
CHC, Ahmedgarh Mandi
District Malerkotla.