

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

Visit us: - www.infocommpunjab.com Cisco Webex Meeting Code:15857-23975

Helpline NO.0172-2864100 (10.00 AM to 04.00 PM on working days)



Shri Ravinder Kataria,
64, New Sant Fateh Singh Nagar,
Dugri Road, Ludhiana-141002.

...Appellant

Versus

Public Information Officer

O/o Sub Divisional Magistrate,
Fazilka.

First Appellate Authority

O/o Sub Divisional Magistrate,
Fazilka.

....Respondents

AC No.2362 of 2021

Present: (i) Shri Ravinder Kataria, Appellant in person.
(ii) Shri Pran Sehgal, Data Entry Operator, O/o SDM Fazilka, in person
on behalf of the PIO/respondent.

ORDER:

1. This order may be read with reference to the order dated 01.09.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's Office at Chandigarh. Shri Ravinder Kataria, appellant comes present to attend the hearing in person before the Bench.
3. Shri Pran Sehgal, Data Entry Operator, O/o SDM Fazilka also comes present to attend the hearing in person before the Bench on behalf of the PIO. He states that the reply has been given to the appellant point wise vide letter dated 12.03.2021 and then vide letter dated 23.04.2021 and reiterates the version as made during the previous hearing and contends that the information sought is third party information.
4. On the asking of the Bench, the appellant states that he has sought information in respect of two wheelers/ four wheelers whose registration has been renewed after 15 years and that Form No.25 relates to passing of such vehicles by Motor Vehicle Inspector who then returns the same to the owner of vehicle. The same is submitted by the vehicle owner to the office of SDM and thus, the record is maintained by the office of SDM. He alleges wrong doing in this process and states that the information sought by him is in the public interest and the information supplied to him is partial and unsatisfactory.

Cont...P-2.



5. Post deliberations, the Bench observes that the information sought by the appellant is in the public interest and complete information, as requested by the appellant, must be supplied by the PIO. The Bench directs the PIO to call the appellant to his office on any working day and allow him access to the relevant official records. The appellant, after inspection of the records will identify the information as required by him. The same will be provided by the PIO point-wise to the appellant before the next hearing.

6. Thereafter, the PIO is directed to file an affidavit on non-judicial stamp paper duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.2362 of 2021 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.02.2022 at 11.30 A.M. before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
01.12.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Mukesh Sharma,
President, Dabwali RTI Manch,
Mandi Dabwali, District Sirsa.

...Appellant

Versus

Public Information Officer
O/o Deputy Commissioner,
Sri Muktsar Sahib.

Public Information Officer
Civil Surgeon,
Sri Muktsar Sahib.

First Appellate Authority
O/o Deputy Commissioner,
Sri Muktsar Sahib.

....Respondents

AC No.2785 of 2021

Present: (i) Appellant- absent.
(ii) Dr. Milan Preet, Medical Officer, C.H.C. Lambi, District Sri Muktsar Sahib
on behalf of the PIO/respondent.

ORDER:

(Heard in Person/on Mobile Phone)

1. This order may be read with reference to the order dated 01.09.2021 passed by this Bench on the previous hearing.
2. The case has been heard today in Commission's Office at Chandigarh. Shri Mukesh Sharma, appellant has not come present to attend the hearing in person before the Bench.
3. Dr. Milan Preet, Medical Officer, C.H.C. Lambi, District Sri Muktsar Sahib comes present to attend the hearing in person before the Bench. He reiterates what he had stated during the previous hearing on 01.09.2021.
4. Since Shri Mukesh Sharma, appellant is absent for today's hearing, he is contacted on mobile phone. He denies the receipt of any information.
5. The Bench on perusal of the case file observes that different CHC/Civil Hospitals in District Sri Muktsar Sahib have replied to the appellant directly and the Bench also finds that on the previous hearing, Civil Surgeon was impleaded as Respondent No.2 and was also directed to collect information from the concerned CHC/Civil Hospital under his control and to supply consolidated information to the appellant.

Cont...P-2.

He has failed to come present in person before the Bench as also to comply with the directions of the Bench. This indifferent and lackadaisical attitude on the part of Civil Surgeon/Respondent No.2 is viewed adversely.

6. The PIO O/o Civil Surgeon, Sri Muktsar Sahib is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and for not supplying information to the appellant and not complying with the directions of the Bench. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

7. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceeding against him ex-parte.

8. The PIO is further directed to supply complete information to the appellant before the next hearing as also to ensure to come present in person before the Bench on the next hearing.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 28.02.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
01.12.2021**

**Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab**

Copy to (By Regd.Post)

**Public Information Officer
Civil Surgeon,
Sri Muktsar Sahib.**

