**COMPLAINT CASE NO. 26 OF 2018**

Sh. Hargopal,

S/o Sh. Walati Ram,

H. No. B-13/252, Opposite Forest Office,

Street No.1, GTB Nagar, Barnala.

…Complainant

Versus

**Public Information Officer,**

O/o Deputy Commissioner,

Barnala.

**Public Information Officer,**

O/o Sub-Divisional Magistrate,

Barnala.

**Public Information Officer,**

O/o Sub Registrar,

Barnala.

…Respondents

**PRESENT:** None is present on behalf of the Complainant.

Sh. Lalit Kumar, Jr. Assistant on behalf of the Respondents.

**ORDER:**

This order may be read with reference to the previous order dated 08.05.2018.

The Respondent – PIO (O/o S.D.M., Barnala) has filed his written submission in the Commission vide diary no. 13960, dated: 10.07.2018 in response to the Show Cause Notice issued to him vide order dated: 14.03.2018 mentioning therein that the information relating to point no. 1 of the RTI application of the complainant has already been sent to him vide letter no.466/R.T.I., dated: 03.10.2017 and relating to point no. 2 to 5 of the RTI application has been transferred to the Tehsildar, Barnala vide letter no. 456/R.T.I., dated: 03.10.2017 and copy to the complainant vide letter no. 458/R.T.I., dated: 03.10.2017.

The Respondent (O/o Tehsildar, Barnala) appears and files an affidavit on behalf of the Respondent – PIO mentioning therein that available information in the official record has been supplied to the complainant.

Cont… Pg 2

**COMPLAINT CASE NO. 26 OF 2018**

In these circumstances, it is relevant to invite the attention of the Complainant to the judgement of the Hon’ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under section 19 (1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

In case the complainant has any grouse about the provided information, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19 (3) of the RTI Act, 2005.

In view of the observations noted above, instant complaint case is **closed and disposed off.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**COMPLAINT CASE NO. 108 OF 2018**

Sh. Jaswinder Singh,

S/o Sh. Hari Singh,

R/o Village Salahpur,

Tehsil Shri Chamkaur Sahib, Distt. Ropar.

…Complainant

Versus

**Public Information Officer**,

O/o Block Development & Panchayat Officer,

Shri Chamkaur Sahib, Distt. Ropar.

…Respondent

**PRESENT:** None is present on behalf of the complainant.

Sh. Chand Singh, B.D.P.O., Shri Chamkaur Sahib & Sh. Harinder

Singh, Panchayat Secretary on behalf of the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 08.05.2018.

The Respondent appears and states that the requisite information has already been supplied to the complainant and he further files an affidavit in response to the Show Cause Notice mentioning therein that: -

ÒÒw?A uzd f;zx, phHvhHghHUH ;qh uwe"o ;kfjp fôekfJs Bzpo 108 nkc 2018 i' fe ;qh fpB/ eg{o wfjok ;N?N fJzBcow/ôB efwôBo ih dh ndkbs ftZu uZb ojh j? d/ ;pzX ftu j/m fby/ nB[;ko fpnkB eodk jK feL-

2H fwshL 27H03H2018 B{z i' nkg ih d/ dcso ftZu e/; dh skohy oZyh rJh ;h. T[; fdB w/o/ dcso d/ B[wkfJzd/ ;qh jfozdo f;zx thHvhHUH -ew- gzukfJs ;Zeso rqkw gzukfJs ;bkjg[o jkio j'J/ ;h.

3H doyk;s eosk ;qh i;ftzdo f;zx g[Zso ;qh joh f;zx B[z fJ; dcso tZb'A w[ezwb ;{uBk d/ fdsh rJh j?.

4H ;qh jfozdo f;zx tZb'A fdZs/ rJ/ itkp dh ekgh nkg ih d/ dcso ftZu iwQk eotk fdZsh rJh ;h.

5H w/o/ tZb'A ikBp[ZM e/ itkp d/D ftZu d/oh BjhA ehsh rJh. nZr/ s'A fJ; rZb dk ftô/ô oZyKrk fe wkB:'r ndkbs ftZu ;w/A f;o itkp fdZsk ikt/.

6H feT[Afe fJ; dcso tZb'A doyk;s eosk tZb'A wzfrnk frnk itkp d/ fdZsk frnk j?. fJ; bJh w?B{z i[owkB/ s'A S'N fdZsh ikt/ ih.

In view of the above and after perusal of the record as available in the file, it is ascertained that the Respondent has supplied the available information to the appellant and has also submitted an affidavit in response to the Show Cause Notice, explaining therein the reasons in detail for the delay in supplying the information. Cont…Pg2

**COMPLAINT CASE No. 108 of 2018**

I agree with the plea put forth by the PIO and therefore show cause notice is, hereby, dropped. The Affidavit is taken on record. Thus, no further action is required, hence this Complaint Case is **closed and disposed off.**

Copies of the order are sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**COMPLAINT CASE NO. 111 OF 2018**

Sh. Kuldeep Singh,

R/o Village Bhateri, Tehsil Bassi Pathana,

Distt. Fatehgarh Sahib.

…Complainant

Versus

**Public Information Officer**,

O/o Chief Executive Officer,

Zila Parishad, Fatehgarh Sahib.

…Respondent

**PRESENT:** None for the Parties.

**ORDER:**

This order may be read with reference to the previous order dated 08.05.2018.

Both the parties are absent without any prior notice to the Commission.

After perusal of the case files, it is reveals that the respondent has not filed an affidavit in response to the show Cause Notice issued to him vide order dated: 08.05.2018.

Non-furnishing or dilly-dallying will cause disobedience and penalty provisions under Section 20 (1) of the Right to Information Act, 2005 will be invoked on Sh. Preet Inder Singh Bains, Deputy Chief Executive Officer – cum -PIO, District Parishad, Fatehgarh Sahib.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

Sh. Dilpreet Singh on behalf of the Respondent appeared after the hearing was over. He was briefed about the proceedings of the case.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**C.C.**

**Sh. Preet Inder Singh Bains,**

Deputy Chief Executive Officer – cum -PIO,

District Parishad,

Fatehgarh Sahib.

**COMPLAINT CASE NO. 113 OF 2018**

Sh. Kuldeep Singh,

R/o Village Bhateri, Tehsil Bassi Pathana,

Distt. Fatehgarh Sahib.

…Complainant

Versus

**Public Information Officer**,

O/o Zila Parishad,

Fatehgarh Sahib.

…Respondent

**PRESENT:** None for the Parties.

**ORDER:**

This order may be read with reference to the previous order dated 08.05.2018.

Both the parties are absent without any prior notice to the Commission.

After perusal of the case files, it is reveals that the respondent has not filed an affidavit in response to the show Cause Notice issued to him vide order dated: 08.05.2018.

Non-furnishing or dilly-dallying will cause disobedience and penalty provisions under Section 20 (1) of the Right to Information Act, 2005 will be invoked on Sh. Preet Inder Singh Bains, Deputy Chief Executive Officer – cum -PIO, District Parishad, Fatehgarh Sahib.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

Sh. Dilpreet Singh on behalf of the Respondent appeared after the hearing was over. He was briefed about the proceedings of the case.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**C.C.**

**Sh. Preet Inder Singh Bains,**

Deputy Chief Executive Officer – cum -PIO,

District Parishad,

Fatehgarh Sahib.

**APPEAL CASE NO. 267 OF 2018**

Sh. Hakam Singh,

S/o Sh. Darshan Singh,

R/o Mandhir, Tehsil: Gidderbaha,

Distt: Sri Mukatsar Sahib.

…Appellant.

Versus

**Public Information Officer,**

O/o District Controller,

Food Civil Supplies and Consumer Affairs,

Bathinda.

**First Appellate Authority,**

O/o Deputy Director,

Food Civil Supplies and Consumer Affairs,

Ferozepur.

…Respondents

**PRESENT:** None for the parties.

**ORDER:**

This order may be read with reference to the previous order dated 08.05.2018.

Both the parties are absent without any prior notice to the Commission.

After perusal of the record available in the file, it is ascertained that the appellant has not attended the hearing in the Commission consecutively twice entailing thereby that he does not want to pursue his case further. It appears that he is satisfied with the information provided and is not interested in pursuing this case.

Since, the information as demanded by the appellant stands provided by the respondent. Therefore, no further cause of action is left and the instant Appeal Case is hereby, **closed and disposed off.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**COMPLAINT CASE NO. 509 OF 2018**

HC (P) Gurmail Singh,

S/o Sh. Darshan Singh,

Village & Post Office Sande Hasham,

Tehsil & District Ferozepur-152004

…Appellant

Versus

**Public Information Officer**,

O/o Senior Superintendent of Police,

Ferozepur.

**First Appellate Authority,**

O/o Inspector General of Police,

Bathinda Zone,

Bathinda.

…Respondents

**PRESENT:** None is present on behalf of the Complainant.

ASI Sukhwant Singh & HC Sukhdev Singh on behalf of the

Respondent.

**ORDER:**

The Complainant sought information as enumerated in his RTI application dated: 15.01.2018. First appeal was filed with the First Appellate Authority on dated: 09.03.2018. He filed complaint in the Commission dated: 07.05.2018 under section 18 of the Right to Information Act, 2005.

Notice of hearing has been issued to the parties for 02.08.2018 to appear before the Commission.

The Respondent states that the information sought by the complainant is pertaining to secret report from the special branch and which cannot be provided to him and same is conveyed to the complainant vide letter no. 165-66/R.T.I.-1, dated: 03.03.2018. He further states that now the demanded information has been supplied to the complainant and he has acknowledged the same. Copy of the same is taken on record.

After examining the case file, it reveals that the information as demanded by the complainant stands provided by the respondent with which the complainant is satisfied and has acknowledged in writing his satisfaction, no further action is required. Hence, this Complaint Case is **closed and disposed off.** Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**APPEAL CASE NO. 579 OF 2018**

Sh. Manjit Singh S/o Sh. Juginder Singh,

Village Gurreh, Tehsil Jagraon,

District Ludhiana. …Appellant

Versus

**Public Information Officer,**

O/o District Food & Supply Controller,

Ludhiana.

**First Appellate Authority,**

O/o Director,

Food Civil Supplies and Consumer Affairs, Punjab,

Chandigarh. …Respondents

**PRESENT:** Sh. Manjit Singh, Appellant.

Sh. Gurinder Singh, APIO –cum- D.F.S.O. Jagraon on behalf of the Respondent - PIO.

**ORDER:**

This order may be read with reference to the previous order dated 09.05.2018.

The appellant appears and states that incomplete information has been provided to him by the Respondent – PIO.

The Respondent – APIO files an affidavit on behalf of the Respondent – PIO mentioning therein that the available information in the office record has already been supplied to the appellant vide letter dated: 01.02.2018. He further states that the record of the Depot kept only for one year which has already been provided to the appellant.

The perusal of the case reveals that respondent has delayed the information about four months.

In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to Sh. Rakesh Bhaskar, D.F.S.C., Ludhiana, as to why penalty should not be imposed upon him and also why compensation be not awarded to the appellant under Section 19 (8) (b) for willful delay/denial in supplying the information to the RTI applicant.

The Respondent PIO is directed to file a reply in response to the Show Cause Notice and appear personally on the next date fixed, otherwise it will be presumed that he has nothing to say and the Commission shall initiate ex-

parte proceeding. A copy of this order be sent to Sh. Rakesh Bhaskar, D.F.S.C., Ludhiana, **by registered post.** Cont...p2

**APPEAL CASE NO. 579 OF 2018**

The perusal of the record reveals that in this case, the appellant has tried his best to get the information from the PIO who failed to provide the information to the appellant. He has been made to run from pillar to post for getting the information, which he could not get even after the notice was issued by the Commission in the Second Appeal. He has suffered unnecessary detriments/harassment in getting the information at the hands of the PIO.

I have also looked into all the facts and circumstances of the case. In my view this is a fit case, where award of compensation under Section 19 (8) (b) is also called for. I have no doubt in my mind that this state of affairs has also come about on account of the absence of adequate machinery for handling the RTI work in D.F.S.C., Ludhiana, is thus, responsible for the inadequate handling of the RTI requests and in the instant case as well.

I, therefore, order that compensation of Rs. 3000/- (Rupees Three Thousand Only) be paid to the appellant for the detriments suffered by him.

This amount shall be payable from the funds of Sh. Rakesh Bhaskar, D.F.S.C., Ludhiana, by way of crossed Cheque/Demand Draft in the name of Sh. Manjit Singh within one month.

The respondent PIO is also directed to send a copy of Cheque/Demand Draft to the Commission to establish the fact that order of the Commission has been complied with.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**COMPLAINT CASE NO. 646 OF 2018**

Sh. Satnam Singh Bhullar,

Chamber No. 12, Distt Court Complex,

Sri Mukatsar Sahib.

…Complainant

Versus

**Public Information Officer**,

O/o Civil Surgeon,

Fazilka.

…Respondent

**PRESENT:** None is present on behalf of the Complainant.

Dr. Jasdev Singh Dhillon, PIO & Sh. Rajesh Kumar, D.P.M.

**ORDER:**

The Complainant sought information as enumerated in his RTI application dated: 23.02.2018. He filed complaint in the Commission dated: 14.06.2018 under section 18 of the Right to Information Act, 2005.

Notice of hearing has been issued to the parties for 02.08.2018 to appear before the Commission.

The Respondent – PIO states that the demanded information has already been sent to the Complainant vide letter no. N.H.M./18/Fazilka/1388, dated: 21.03.2018 after that he has pointed out the deficiencies in the information supplied then again requisite information sent to him vide letter no. N.H.M./18/Fazilka/1942, dated: 25.04.2018 after removed the discrepancies.

In these circumstances, it is relevant to invite the attention of the Complainant to the judgement of the Hon’ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Cont… Pg 2

**COMPLAINT CASE NO. 646 OF 2018**

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under section 19 (1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

In case the complainant has any grouse about the provided information, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19 (3) of the RTI Act, 2005.

In view of the observations noted above, instant complaint case is **closed and disposed off.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**COMPLAINT CASE NO. 666 OF 2017**

Sh. Pritam Singh S/o Sh. Sucha Singh,

Sirki Bazar, Ward No. 24,

Ferozepur City-152002

…Complainant

Versus

**Public Information Officer**,

O/o Senior Superintendent of Police,

Ferozepur.

…Respondent

**PRESENT:** S. Pritam Singh, Complainant.

Sh. Pritam Singh, S.S.P. – cum- PIO, Ferozepur.

**ORDER:**

This order may be read with reference to the previous order dated: 09.05.2018.

The complainant states that incomplete information has been provided to him by the respondent.

The Respondent – PIO appears and hands over the remaining information (copy of original case file) to the complainant, after completion the enquiry, relating to point no. 1 of the RTI application. He further states that the information relating to Point no. 2 is not available in the official record.

In view of the above, the Respondent – PIO is directed to provide the available information to the complainant and if there is no information then file an affidavit, mentioning therein that the information as per official record stands provided and nothing is left to be supplied to the complainant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**C.C.**

**Sh. Pritam Singh, P.P.S.**

PIO –cum-

Senior Superintendent of Police,

Ferozepur.

**COMPLAINT CASE NO. 1220 OF 2017**

Sh. Chander Partap S/o Sh. Swami,

Ward No. 2, Kala Manj Kothi,

G.T. Road, Mukerian-144211

District Hoshiarpur.

…Complainant

Versus

**Public Information Officer**,

O/o Principal Secretary,

Punjab State SC & BC Welfare Deptt.,

Chandigarh. …Respondent

**PRESENT:** Sh. Chander Partap, Complainant.

Sh. Nachhatar Singh, PIO –cum- Superintendent &

Sh. Jaspreet Singh, Sr. Asstt.

**ORDER:**

This order may be read with reference to the previous order dated: 08.05.2018.

The complainant states that incomplete information has been provided to him by the Respondent – PIO.

The Respondent – PIO states that he has recently joined to this post in the month of July, 2018 and former PIO has been transferred. He further states that the former PIO has supplied the requisite information to the complainant vide letter no. 10/12/2018-RS2/145, dated: 06.07.2018. Copy of the same is taken on record.

The appellant is advised to visit the office of respondent on any working day during working hours for inspection the record and to specify the exact information to the Respondent. The Respondent is directed to provide the copies of the documents to the appellant, which will be identified by him not more than 50 pages, free of cost, before the next date of hearing, failing which action would be initiated against the Respondent - PIO as per the provisions of the Right to Information Act, 2005.

In view of the foregoing, the Respondent - PIO is directed to show cause why penalty be not imposed on him under Section 20 (i) of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time, he should file an affidavit in this regard, if there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**APPEAL CASE NO. 1617 OF 2018**

Sh. Satish Kapoor,

# 133/7, Dhawan Colony,

Ferozepur City.

…Appellant

Versus

**Public Information Officer**,

O/o Executive Officer (E.O.),

Municipal Committee,

Ferozepur.

**First Appellate Authority,**

O/o Executive Officer (E.O.),

Municipal Committee,

Ferozepur.

…Respondents

**PRESENT:** None is present on behalf of the Appellant.

Sh. Vijay Kumar Narula, Inspector on behalf of Respondents.

**ORDER:**

The appellant has sought information as enumerated in his RTI application dated: 14.02.2018. First appeal was filed with the First Appellate Authority on dated: 26.03.2018 and second appeal was filed in the Commission on dated: 07.05.2018.

Notice of hearing has been issued to the parties for 02.08.2018 to appear before the Commission.

The appellant has sent an email in the Commission mentioning therein that being a senior citizen, he cannot travel. As such, you are requested to decide the case on merits of the information asked by me, which is taken on record.

The Respondent states that the demanded information is very old and not available in the official record. The same is conveyed to the appellant vide letter dated: 17.03.2018.

In view of the above, the Respondent – PIO is directed to provide the available information to the appellant and if there is no information then file an affidavit, mentioning therein that the information as per official record stands provided and nothing is left to be supplied to the appellant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

Last opportunity is given to the appellant to follow up his case in the Commission, failing which decision shall be taken on merit.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**APPEAL CASE NO. 1640 OF 2018**

Sh. Jasbir Singh,

Village Bholapur Jhabewal,

Post Office Ramgarh,

Chandigarh Road, District Ludhiana.

…Appellant

Versus

**Public Information Officer**,

O/o Sub-Divisional Magistrate,

(Licensing & Registration Authority),

Guruharsahai, District Ferozepur.

**First Appellate Authority,**

O/o Deputy Commissioner,

Ferozepur.

…Respondents

**PRESENT:** S. Jasbir Singh, Appellant.

Sh. Sarabjit Singh, Inspector on behalf of Respondents.

**ORDER:**

The appellant has sought information as enumerated in his RTI application dated: 27.11.2017. First appeal was filed with the First Appellate Authority on dated: 29.01.2018 and second appeal was filed in the Commission on dated: 08.05.2018.

Notice of hearing has been issued to the parties for 02.08.2018 to appear before the Commission.

The appellant states that he has received the requisite information from the Respondent after the lapse of seven months.

The Respondent states that the demanded information has already been provided to the appellant vide letter no. 1084/P.I.O., dated: 03.07.2018.

The perusal of the case reveals that respondent has delayed the information about seven months.

In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to S. Jugraj Singh, Superintendent – cum - Public Information Officer O/o Sub-Divisional Magistrate, (Licensing & Registration Authority), Guruharsahai, District Ferozepur as to why penalty should not be imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the appellant under the provisions of the RTI Act, 2005. ...Cont… Pg 2

**APPEAL CASE NO. 1640 OF 2018**

The Respondent – PIO is directed to file an affidavit in response to the Show Cause Notice and appear personally on the next date fixed, otherwise it will be presumed that he has nothing to say and the Commission shall initiate ex-parte proceeding. A copy of this order be sent to S. Jugraj Singh, Superintendent – cum - Public Information Officer O/o Sub-Divisional Magistrate, (Licensing & Registration Authority), Guruharsahai, District Ferozepur **by registered post.**

In view of the foregoing, PIO is directed 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 should file an affidavit in this regard, if there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**C.C.**

**S. Jugraj Singh,**

Superintendent – cum - Public Information Officer

O/o Sub-Divisional Magistrate,

(Licensing & Registration Authority),  
Guruharsahai, District Ferozepur.

**APPEAL CASE NO. 1641 OF 2018**

Sh. Jasbir Singh,

Village Bholapur Jhabewal,

Post Office Ramgarh,

Chandigarh Road, District Ludhiana.

…Appellant

Versus

**Public Information Officer**,

O/o Sub-Divisional Magistrate,

(Licensing & Registration Authority),

Guruharsahai, District Ferozepur.

**First Appellate Authority,**

O/o Deputy Commissioner,

Ferozepur.

…Respondents

**PRESENT:** S. Jasbir Singh, Appellant.

Sh. Sarabjit Singh, Inspector on behalf of Respondents.

**ORDER:**

The appellant has sought information as enumerated in his RTI application dated: 18.12.2017. First appeal was filed with the First Appellate Authority on dated: 05.02.2018 and second appeal was filed in the Commission on dated: 08.05.2018.

Notice of hearing has been issued to the parties for 02.08.2018 to appear before the Commission.

The appellant states that he has received the requisite information from the Respondent after the lapse of seven months.

The Respondent states that the demanded information has already been provided to the appellant vide letter no. 1084/P.I.O., dated: 03.07.2018.

The perusal of the case reveals that respondent has delayed the information about seven months.

In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to S. Jugraj Singh, Superintendent – cum - Public Information Officer O/o Sub-Divisional Magistrate, (Licensing & Registration Authority), Guruharsahai, District Ferozepur as to why penalty should not be imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the appellant under the provisions of the RTI Act, 2005. ...Cont… Pg 2

**APPEAL CASE NO. 1641 OF 2018**

The Respondent – PIO is directed to file an affidavit in response to the Show Cause Notice and appear personally on the next date fixed, otherwise it will be presumed that he has nothing to say and the Commission shall initiate ex-parte proceeding. A copy of this order be sent to S. Jugraj Singh, Superintendent – cum - Public Information Officer O/o Sub-Divisional Magistrate, (Licensing & Registration Authority), Guruharsahai, District Ferozepur **by registered post.**

In view of the foregoing, PIO is directed 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 should file an affidavit in this regard, if there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**C.C.**

**S. Jugraj Singh,**

Superintendent – cum - Public Information Officer

O/o Sub-Divisional Magistrate,

(Licensing & Registration Authority),  
Guruharsahai, District Ferozepur**.**

**APPEAL CASE NO. 1694 OF 2017**

Advocate Rakesh Kumar Gupta,

House No. 8/237, Jagraon Road,

Mandi Mullanpur-141101 (Ludhiana).

…Appellant

Versus

**Public Information Officer**,

O/o District Food & Supply Controller (East),

Zone-D, Municipal Corporation Building,

Sharabha Nagar,Ludhiana.

**First Appellate Authority,**

O/o Director,

Food & Civil Supply and Consumer Affairs, Punjab

Anaz Bhawan, Sector-39-C, Chandigarh. .

…Respondents

**PRESENT:** None is present on behalf of the Appellant.

Sh. Jaswinder Singh, Inspector & Sh. Sunny Chauhan, Auditor

on behalf of the Respondent – PIO.

**ORDER:**

This order may be read with reference to the previous order dated: 08.05.2018.

The Respondent appears and states that the available information has already been supplied to the appellant. He further requests to give time to file an affidavit.

Last opportunity is given to the Respondent – PIO to file an affidavit as per order dated: 08.05.2018, failing which action under Section 20 (i) of the RTI Act, 2005 will be initiated.

One more opportunity is given to the appellant to follow up his case, failing which it shall be presumed that he is satisfied with the response of the respondent.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**APPEAL CASE NO. 2035 OF 2018**

Sh. Rajnish Kumar,

# B-18/261, Samania Gate,

Near Old Police Lines School,

Patiala.

…Appellant

Versus

**Public Information Officer**,

O/o Member Secretary,

Punjab State Faculty Ayurvedic/ Unani\

System of Medicine, Medical Education,

Sector: 69, Mohali.

**First Appellate Authority**

O/o Member Secretary,

Punjab State Faculty Ayurvedic/ Unani\

System of Medicine, Medical Education,

Sector: 69, Mohali.

…Respondents

**PRESENT:** None is present on behalf of the Appellant.

Ms. Suhinder Kaur, PIO –cum- A.D.O. & Ms. Shilakha

**ORDER:**

The appellant has sought information as enumerated in his RTI application dated: 28.02.2018. First appeal was filed with the First Appellate Authority on dated: 03.04.2018 and second appeal was filed in the Commission on dated: 14.06.2018.

Notice of hearing has been issued to the parties for 02.08.2018 to appear before the Commission.

The Respondent PIO states that the information sought by the appellant cannot be provided to him under section 8 (r) of the RTI Act, 2005 and the same is conveyed to the appellant vide letter dated: 14.03.2018. In view of the above, the appellant is advised to visit the office of the Respondent - PIO on any working day and specify the exact information which he wants. The Respondent PIO is directed to facilitate the appellant to inspect the office record and give him the certified copies of the information, which will be identified by the appellant, free of cost but not more than 50 pages, before the next date of hearing, failing which action would be initiated against him as per provisions of the Right to Information Act, 2005.

Cont...p2

**APPEAL CASE NO. 2035 OF 2018**

The perusal of the record reveals that the department had not implemented the Section 4 of the RTI Act, 2005. According to the Section 4, it is mandatory for every public authority shall maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems, so that access to such records is facilitated.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**APPEAL CASE NO. 2036 OF 2018**

Smt. Ramanjit,

H.No.532, Phase-1-A,

Shivalik Enclave, Naya Nagal,

Distt: Roopnagar.

…Appellant

Versus

**Public Information Officer**,

O/o District Education Officer (EE),

Roopnagar.

**First Appellate Authority**

O/o District Education Officer (EE),

Roopnagar.

…Respondents

**PRESENT:** None is present on behalf of the Appellant.

Ms. Ranjana Katyal, Dy. DEO (E) & Ms. Jaskiran Kaur, Clerk

on behalf of the Respondents.

**ORDER:**

The appellant has sought information as enumerated in his RTI application dated: 08.02.2018. First appeal was filed with the First Appellate Authority on dated: 06.03.2018 and second appeal was filed in the Commission on dated: 14.06.2018.

Notice of hearing has been issued to the parties for 02.08.2018 to appear before the Commission.

The Respondent states that requisite information has been supplied to the appellant by hand and she has received the same with which she is satisfied.

Since, the information as demanded by the appellant stands provided by the respondent with which the appellant is satisfied and has acknowledged in writing her satisfaction, no further action is required. Hence, this Appeal Case is **closed and disposed off.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**

**APPEAL CASE NO. 2055 OF 2018**

Sh. Jasbir Singh,

S/o Sh. Jit Singh,

R/o VPO: Madaur,

Tehsil: Nabha, Distt: Patiala.

…Appellant

Versus

**Public Information Officer**,

O/o District Registrar,

Birth & Death (Civil Surgeon),

Patiala.

**First Appellate Authority**

O/o Director,

Health Services, Punjab,

Plot No.5, Sector: 34/A, Chandigarh.

…Respondents

**PRESENT:** None for the Parties.

**ORDER:**

The appellant has sought information as enumerated in his RTI application dated: 27.02.2018. First appeal was filed with the First Appellate Authority on dated: 11.04.2018 and second appeal was filed in the Commission on dated: 12.06.2018.

Notice of hearing has been issued to the parties for 02.08.2018 to appear before the Commission.

The appellant is absent from today’s hearing.

Neither the Respondent PIO is present for today’s hearing nor has filed any written reply in this regard.

In view of the above, the appellant is advised to follow up his case in the Commission, failing which decision shall be taken on merit. The Respondent - PIO is directed to appear in person alongwith the complete information, on the next date of hearing.

The case is adjourned to **12.09.2018 at 11:30 AM.**

Copies of the order are sent to the parties.

Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.08.2018 State Information Commissioner**