



Sh Manjit Singh, S/o Sh Gurcharan Singh,
Village Manemajra, Tehsil Chamkaur Sahib,
Distt Ropar.

... Appellant

Versus

Public Information Officer,
O/o Civil Surgeon,
Tarn Taran.

First Appellate Authority,
O/o Director,
Health & Family Welfare,
Pb, Sector-34, Chandigarh.

...Respondent

Appeal Case No. 4197 of 2021

PRESENT: Sh Manjit Singh, the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 03.05.2021 has sought information regarding recruitments in the department on compassionate grounds from the last 10 years alongwith name of employees and detail of dependents of deceased employees – the name of the department of Directorate Health which provided the approval for the recruitment – the list of persons recruited in all civil surgeon offices on compassionate ground for last 10 years and other information as enumerated in the RTI application from the office of Civil Surgeon, Tarn Taran. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 15.06.2021 which took no decision of the appeal.

The case first heard on 07.03.2022 through video conferencing at DAC Tarn Taran. Both the parties were absent.

Hearing dated 02.08.2022 :

The case has come up hearing today through video conferencing at DAC Tarn Taran. The appellant claimed that the PIO has provided the information on all points except point-2.

The respondent is absent nor has complied with the order of the Commission. The Commission further observes that there has been an enormous delay of more than one year and two months in providing the information. The Commission has taken a serious view of this and hereby directs the PIO O/o Civil Surgeon, Tarn Taran, to **Show Cause why penalty be not imposed on the PIO 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. 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 replied.

The PIO is again direct to provide the information to the appellant within 15 days of the receipt of this order.

Appeal Case No. 4197 of 2021

The case is adjourned. To come up for further hearing on **05.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Tarn Taran. The appellant to appear at Chandigarh.

Chandigarh
Dated: 02.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

Copy to:-
The Public Information Officer
O/o Civil Surgeon,
Tarn Taran.



Sh Jaspal Singh S/o Sh Mahinder Singh,
R/o New Bedi Colony, Phase-2,
Backside Bhagat Singh Colony,
Ferozepur.

... Appellant

Versus

Public Information Officer,
O/o SDM, Guruharsahai,
Distt Ferozepur.

First Appellate Authority,
O/o State Transport Commissioner,
SCO 177-78, Sector 17, Chandigarh.

...Respondent

Appeal Case No. 4240 of 2021

PRESENT: Sh. Jaspal Singh, the Appellant
Sh.Kewal Krishan, Superintendent-PIO for the Respondent

ORDER:

The appellant through an RTI application dated 12.04.2021 has sought information regarding complete files of registration No.Pb-77-3728, 3853, 3852 & 4233 issued to tractors –reassignment of registration number to outstate vehicles provided under PB-77 series and other information as enumerated in the RTI application from the office of SDM-Guruharsahai. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.07.2021 which took no decision of the appeal.

The case was heard on 07.03.2022 through video conferencing at DAC Ferozepur. The respondent present pleaded that since the information being 3rd party, it cannot be provided and the reply was sent to the appellant.

The appellant was absent nor is represented. The appellant was directed to appear before the Commission on the next date of hearing to pursue his case.

Hearing dated 02.08.2022 :

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

The respondent present reiterated that since the information being 3rd party, it cannot be provided.

The appellant stated that he requires the details of zamabandi. The respondent assured the bench that after checking, this information will be provided to the appellant.

After hearing both the parties it is concluded as under :-

Point No.1 Zamabandi be provided by the PIO
Point No.2 Rejected

The PIO is further directed to send copy of a file in sealed cover to the Commission within 15 days.

Appeal Case No. 4240 of 2021

The case is adjourned. To come up for further hearing on **05.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ferozepur.

Chandigarh
Dated: 02.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Pawan Kumar,
Near G.S & Co Guruharsahai,
Distt Ferozepur..

... Complainant

Versus

Public Information Officer,
O/o District Programme Officer,
Sakhi One Stop Centre,
Ferozepur.

...Respondent

Complaint Case No.10 of 2022

PRESENT: None for the Appellant
Sh.Tejinder Singh, Clerk for the Respondent

ORDER:

The complainant through an RTI application dated 15.12.2020 has sought information on 06 points regarding the number of advertisements published for recruitment for caseworkers and psycho-social counselors in Sakhi One Stop Centre Ferozepur – the reason for publishing the advertisement more than once – number of applications received – status of application against each advertisement – the reason for not filling the posts and other information as enumerated in the RTI application concerning the office of District Programme Officer, Sakhi One Stop Centre, Ferozepur. The complainant was not provided with the information, after which the complainant filed a complaint in the Commission on 22.12.2021.

The case last came up for hearing on 22.06.2022 through video conferencing at DAC Ferozepur. As per the respondent, the information has been sent to the appellant vide letter dated 21.06.2022.

The complainant was absent and vide email has informed that the PIO has not supplied the information.

There has been an enormous delay of more than one year and six months the PIO has not provided a **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.**

Adjourned.

Hearing dated 02.08.2022:

The case has come up for hearing today through video conferencing at DAC Ferozepur. The complainant is absent nor is represented.

The respondent present pleaded that the information has been provided to the complainant vide their letter dated 21.06.2022 whereas the RTI application is dated 15.12.2020.

Complaint Case No.10 of 2022

Smt. Rattan Deep Kaur Sandhu, District Program Officer-cum-PIO, Ferozepur is absent and the PIO has not filed reply to the show-cause notice. As such in exercise of the powers conferred by Section 20(1) of the RTI Act, 2005, **a penalty to the tune of Rs.10000/-** (Rupees Ten Thousand only) is imposed upon the PIO to be deducted from the salary and to be deposited in the State Treasury under the relevant head. The PIO is directed to send a copy of challan No. and date as confirmation of having deposited the penalty before the next date of hearing.

To come up for compliance on **05.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ferozepur.

Chandigarh
Dated: 02.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

Copy to :

Smt. Rattan Deep Kaur Sandhu
District Program Officer-cum-PIO
Ferozepur.



Sh. Jasbir Singh, S/o Sh. Harbans Singh,
R/o Village Jalal Khera, P.O Sular,
Distt. Patiala.

... Appellant

Versus

Public Information Officer,
O/o DFSO,
Ludhiana.

First Appellate Authority,
O/o DFSO,
Ludhiana.

...Respondent

Appeal Case No. 179 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER: Facts of the case:-

That the appellant through an RTI application dated 30.09.2020 has sought information regarding depot holder block No.133 Ashok Nagar Ludhiana – details of wheat, pulses and other items received relating to BPL/APL/Blue cards – a copy of licenses of depot holders of Ashok Nagar copy of entry register of APL/BPL card holders – list of APL/BPL cardholders and other information as enumerated in the RTI application concerning the office of DFSO Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.11.2020 which took no decision on the appeal.

That the case first came up for hearing on 13.05.2021 through video conferencing at DAC, Ludhiana. Since the VC had been temporarily closed by District Administration due to a large number of corona cases in Ludhiana, the hearing could not take place. The case was adjourned.

That on the date of the next hearing on **17.08.2021**, the appellant claimed that the PIO has not supplied the information.

The respondent was absent on 2nd consecutive hearing nor had supplied the information. The PIO was directed to provide the information to the appellant within 15 days of the receipt of the order otherwise the commission will be constrained to proceed against the PIO as per the provisions of section 20 of the RTI Act.

That on the date of the hearing on **09.11.2021**, the appellant informed that the PIO has not supplied the information despite the order of the Commission.

The respondent was absent on 3rd consecutive hearing nor was represented as well as not provided the information. There has been an enormous delay of more than one year in providing the information. The PIO was issued a **show cause notice under section 20 of the RTI Act 2005 and directed to file an affidavit in this regard.**

Appeal Case No. 179 of 2021

The PIO was again directed to provide information to the appellant within 10 days of the receipt of the order.

That on the date of the last hearing on 16.03.2022, the appellant informed that the PIO has not supplied the information.

The respondent was absent on the 4th consecutive hearing nor had filed a reply to the show-cause notice as well as not appearing before the Commission.

To secure an erring PIO's presence before the commission, a bailable Warrant of the PIO-O/o District Food Supply Officer, Ludhiana was issued under section 18(3) of the RTI Act through Senior Superintendent of Police, Ludhiana for his presence before the Commission on **09.05.2022**.

That the case last came up for hearing on **09.05.2022**. Sh.Sudhanshu Inspector and Smt.Damanjeet Kaur, AFSSO were present on behalf of the PIO and submitted a reply from the PIO which has been taken on record. In the reply, it has been mentioned that they tried to contact the appellant via his mobile many times but he could not be contacted. Further, the information was sent to the appellant vide letter dated 05.04.2022 through the registered post but the same has been received back undelivered.

The appellant was absent and vide email has sought exemption due to illness.

Having gone through the record, the Commission observes that there is nothing on record which shows that the RTI has been attended to within the prescribed time and the information, if any, has been sent to the appellant. The reply of the PIO is not satisfactory since the PIO is making lame excuses and has never been present at any of the hearings despite various notices of the Commission and has appeared only after the issuance of a bailable warrant.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-Food Supply Officer, Ludhiana is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. The PIO was also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.

Hence, given the above facts a penalty of **Rs.10,000/-** was imposed on the PIO-DFSSO Ludhiana which will be deposited in the Govt. Treasury. The PIO was directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt.Treasury.

Further, the Commission was of the view that since the complainant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

Hence the PIO- DFSSO Ludhiana was directed to pay an amount of **Rs.2500/-** via demand draft through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the commission of the compliance of the order and submit proof of having compensated the appellant.

Hearing dated 02.08.2022 :

The case has come up for hearing today through video conferencing at DAC Patiala/Ludhiana. Both the parties are absent.

The case is adjourned. To come up for compliance **29.08.2022 at 11.00 AM.**

Chandigarh
Dated 02.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

PS : After the court is over a telephone has been received from Sh. Sudhanshu, Inspector, informing that penalty of Rs.10000/- has been deposited in govt. treasury and compensation amount of Rs.2500/- has been paid to the appellant. The confirmation of having paid the penalty and compensation has been emailed. He is apprised of the court proceedings.



Sh Karnail Singh, s/o Sh Chhanga Singh,
#378, New Azad Nagar, Ferozepur City,
Ferozepur.

... Appellant

Versus

Public Information Officer,
O/o Tehsildar,
Ferozepur.

First Appellate Authority,
O/o SDM,
Ferozepur.

...Respondent

Appeal Case No. 3880 of 2021

PRESENT: Sh.Karnail Singh as the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 29.05.2021 has sought information regarding copies of the map of land bearing khewat no.390,391,392,393,397 & 446 situated in village Lakha Singh Wala –a copy of the girdawari for the year 2019-20 & 2020-21 – a copy of the map of land bearing murabba No.35 & 36 as enumerated in the RTI application concerning the office of Tehsildar Ferozepur. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 05.07.2021 which took no decision on the appeal.

The case last came up for hearing on 17.05.2022 through video conferencing at DAC Ferozepur. As per the appellant, the PIO has not supplied the information.

The respondent was absent nor ass represented. There was nothing on record which shows that the RTI application has been attended to by the PIO. The PIO was directed to provide information to the appellant within 15 days of the receipt of the order and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

Hearing dated 02.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ferozepur. The appellant reiterates his earlier claim that the PIO has not supplied the information.

The respondent is absent nor has complied with the order of the Commission. The Commission further observes that there has been an enormous delay of more than one year and two months in providing the information. The Commission has taken a serious view of this and hereby directs the Tehsildar-cum-PIO, Ferozepur, to **Show Cause why penalty be not imposed on the PIO 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. 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 replied.

Appeal Case No. 3880 of 2021

The PIO is again directed to provide the information to the appellant within 15 days of the receipt of this order.

The case is adjourned. To come up for further hearing on **05.12.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ferozepur.

Chandigarh
Dated: 02.08.2022

Sd/-
(Khushwant Singh)
State Information Commission