



Sh Kuldeep Singh, S/o Sh. Boota,
R/o Village chak Dogra,
Tehsil Ajnala, Distt. Amritsar.

... Complainant

Versus

Public Information Officer,
O/o SSP,
Amritsar, (Rural),

...Respondent

Complaint Case No. 946 of 2020

PRESENT: None for the Complainant
Sh.Harpal Singh, ASI for the Respondent

ORDER:

The complainant through RTI application dated 16.10.2020 has sought information regarding the name and designation of the enquiry officers in FIR No.58 dated 30.04.2018 which was filed against Lakh Singh & Others on the basis of the applicant's statement – a copy of the rule for presenting the challan in the court – comments on the delay of 3 years in arresting the accused and other information as enumerated in the RTI application from the office of SSP Amritsar (Rural). The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 10.12.2020.

The case was last heard on 06.05.2021 through video conferencing at DAC Amritsar. Both the parties were absent.

Having gone through the record, the commission observed that there is no response of the PIO in attending to the RTI application and there has been an enormous delay of more than six months.

The PIO was directed to respond to the RTI application otherwise the Commission will be constrained to initiate proceedings against the PIO under section 20 of the RTI Act.

Hearing dated 03.08.2021:

The case has come up for hearing today through video conferencing at DAC Amritsar. The PIO has sent his reply through email which has been taken on the file of the Commission. In the reply, the PIO has mentioned that the FIR was registered against the accused persons and the challan was presented in the court of Smt/Radhika Puri, SDJM Ajnala. As per the order of the court, two accused has been declared Proclaimed offender and are yet to be arrested. Further Sh.Kuldeep Singh has filed a writ petition CRPW-6074 of 2021 in the Hon'ble High Court which is pending, hence the information cannot be provided u/s 8(1)(h) of the RTI Act.

The appellant is absent on 2nd consecutive hearings. The appellant is directed to appear or be represented before the Commission on the next date of hearing to pursue this case.

The case is adjourned. To come up for further hearing on **10.11.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated: 03.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Smt Varinder Kaur,
490, Urban Estate, Phase-1,
Jalandhar

... Appellant

Versus

Public Information Officer,
O/o Police Commissioner,
Amritsar.

First Appellate Authority,
O/o Police Commissioner,
Amritsar.

...Respondent

Appeal Case No. 3735 of 2020

PRESENT: Smt.Varinder Kaur as the Appellant
Sh.Harpal Singh, ASI for the Respondent

ORDER:

The appellant through the RTI application dated 24.08.2020 has sought information regarding a complete postmortem report dated 04.08.2017 along with a report on the internal body parts sent in Kharar/Kurali and other information as enumerated in the RTI application from the office of Police Commissioner, Amritsar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 24.09.2020 which took no decision on the appeal.

The case was last heard on 06.05.2021 through video conferencing at DAC Amritsar. Both the parties are absent.

The appellant vide email informed that the PIO has not provided the information.

The Commission received a copy of the letter of the PIO dated 19.11.2020 through email vide which the PIO had sent a reply to the appellant that the deceased's organs in a packed box No.160/2017 dated 11.08.2017 were sent to Chemical Examiners Kharar through Sh. Hardeep Singh No.1053-Amritsar @, but a report from them has not yet been received and hence the information cannot be provided.

The PIO-Chemical Examiners, Kharar was impleaded in the case and directed to look at the RTI application, (a copy of which was enclosed with the order), and provide the information to the appellant with a copy to the Commission.

Hearing dated 03.08.2021:

The case has come up for hearing today through video conferencing at DAC Amritsar/Jalandhar. As per the appellant, the PIO has not supplied the information.

The respondent from the office of Chemical Examiner Kharar is absent. The respondent present from the office of SSP Amritsar informed that the report from Chemical Examiner has not been received yet and maintained the earlier stand.

Appeal Case No. 3735 of 2020

The PIO O/o Commissioner, Police, Amritsar is directed to procure the information from the office of Chemical Examiner and sent it to the appellant within 15 days with a copy to the Commission.

To come up for compliance on **10.11.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Amritsar. Appellant to appear at DAC complex Jalandhar.

Chandigarh
Dated: 03.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: PIO-Chemical Examiner,
Chemical Laboratory,
Civil Hospital Complex, Kharar(Mohali)



Sh. Satnam Singh, S/o Sh. Mohan Singh,
R/o Village Tera Rujputa, P.O Gurala,
Tehsil Ajnala, Distt Amritsar.

... Complaint

Versus

Public Information Officer,
O/o SSP,
Amritsar, Rural.

...Respondent

Complainant Case No. 899 of 2020

PRESENT: None for the Complainant
Sh.Harpal Singh ASI for the Respondent

ORDER:

The complainant through the RTI application dated 05.11.2019 has sought information regarding FIR No.30 dated 14.02.2014 PC Thana Ajnala – a copy of the enquiry report along with the statement of witnesses and other information as enumerated in the RTI application from the office of SSP Amritsar (Rural). The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 02.12.2020.

The case last came up for hearing on 06.05.2021 through video conferencing at DAC Amritsar. Both the parties were absent.

Having gone through the record, the commission observed that there is no response of the PIO in attending to the RTI application and there has been an enormous delay of more than one year & four months.

The PIO was directed to respond to the RTI application otherwise the Commission will be constrained to initiate proceedings against the PIO under section 20 of the RTI Act.

Hearing dated 03.08.2021:

The case has come up for hearing today through video conferencing at DAC Amritsar. As per the respondent, the information has been supplied to the complainant.

The appellant is absent on the 2nd consecutive occasion, nor represented nor has communicated any legitimate reasons for the absence on both the counts.

The appellant is directed to appear before the Commission on the next date of hearing to pursue the case.

The case is adjourned. To come up for further hearing on **10.11.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated: 03.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Pawan Kumar Sharma,
585, Phase-2, Mohali.

... Appellant

Versus

Public Information Officer,
O/o District Food & Civil Supplies Controller,
Phase-2, Mohali

First Appellate Authority,
O/o District Food & Civil Supplies Controller,
Phase-2, Mohali

...Respondent

Appeal Case No. 3887 of 2020

PRESENT: Sh.Pawan Kumar as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 11.08.2020 has sought information regarding Letter No.237-38/SPS-2 dated 12.09.2019 received from the office of DC Mohali in respect of a complaint against Bikanervala, A journey of traditional Indian Govt. delight, Connaught Plaza TDI City with noting and decision of all concerned – present status of the case and other information as enumerated in the RTI application from the office of District Food & Civil Supplies Controller, Pb Mohali. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 07.10.2020 which took no decision on the appeal.

The case last came up for hearing on 06.05.2021 through video conferencing at DAC Mohali. The respondent present pleaded that a complaint dated 01.09.2019 was filed by the appellant in the office of Deputy Commissioner against eatery Bikanerwala, Journey Traditional Indian Delight SAS Nagar relating to unhygienic food being served in the said restaurant.

As per the respondent present from the office DFCSC office, the RTI was forwarded by the DC office to their office and the office of Civil Surgeon, SAS Nagar on 12.09.2019. The respondent further maintained that the information sought in the RTI application does not relate to their office and was inadvertently sent to them. And since the appropriate action taking authority, in this case, was the office of Civil Surgeon, SAS Nagar, it was the office of the Civil surgeon under whose custody this information lies. I agreed with the argument of the DFCSC and exempted their office from this case.

Since a copy of the RTI application was marked to Civil Surgeon, SAS Nagar Mohali by the DC office, the Civil Surgeon Mohali was directed to provide information as per the RTI Act within 15 days and send a compliance report to the Commission. A copy of the RTI was sent along.

Hearing dated 03.08.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. As per the appellant, the PIO has not supplied the information.

The respondent from the office of Civil Surgeon, Mohali is absent.

The PIO-Civil Surgeon, Mohali is given one last opportunity to provide the information to the appellant as per the RTI application forwarded by the office of Deputy Commissioner on 12.09.2019, a copy of which was also sent along with the order of the Commission dated 06.05.2021.

To come up for further hearing on **08.11.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated: 03.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-Civil Surgeon,
SAS Nagar, Mohali



Sh. Parshotam Kumar, S/o Sh. Jagdish Raj,
R/o H No-498, Street Baba Bachan Dass,
Jalalabad, Distt Fazilka.

... Complainant

Versus

Public Information Officer,
O/o Food and Drug Administration,
Kharar, Distt Mohali.

...Respondent

Complaint Case No. 941 of 2020

PRESENT: Sh.Parshotam Kumar as the Complainant
Sh.Kulwant Singh, Sr. Assistant for the Respondent

ORDER:

The complainant through RTI application dated 20.12.2019 has sought information regarding license number and date of issue of license against applicant's application dated 17.05.2011 – a copy of objection if any raised for the issue of license – name & address of the officer responsible for delay in issue of license and other information as enumerated in the RTI application from the office of Food & Drug Administration Kharar. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 10.12.2020.

The case last came up for hearing on 06.05.2021 through video conferencing at DAC Mohali. Both the parties were absent.

The case was adjourned.

Hearing dated 03.08.2021:

The case has come up for hearing today through video conferencing at DAC Fazilka/Mohali. The respondent present pleaded that the application of the appellant dated 17.05.2011 is not available in their record and could have been misplaced during shifting of the record from the office of Director Health & Family Welfare, Punjab, Sector 34 to Food and Drug Administration, Kharar. The Commission has also received a reply of the PIO on 29.07.2021 which has been taken on the file of the Commission.

As per the appellant, the application was acknowledged by the office of the Food and Drug Administration vide diary No.488.

Since the appellant has provided evidence, the PIO is given one more opportunity to trace the record and provide the information to the appellant. It must be mentioned that the Commission does not consider the record missing until an enquiry is conducted and the enquiry report is submitted which establishes that the record is missing and the responsibility has been fixed for the persons under whose custody the record went missing.

The case is adjourned. To come up for further hearing on **08.11.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Mohali. The appellant to appear at DAC Complex, Fazilka.

Chandigarh
Dated:03.08.2021

Sd/-
(Khushwant Singh)
State Information Commissioner