

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Amandeep Singh, Advocate,
District Courts Complex,
Pathankot.

... Appellant

Versus

Public Information Officer,
O/o District Food Supply Controller,
Pathankot.

First Appellate Authority,
O/o Director,
Food Supplies & Consumer Affairs,
Sector 39-C, Chandigarh.

...Respondent

Appeal Case No. 1064 of 2022

PRESENT: Sh.Amandeep Singh as the Appellant
Sh.Ashok Kumar, Inspector for the Respondent

ORDER:

The appellant, through an RTI application dated 14.09.2021 has sought information regarding copies of NOC of a newly commenced brick kiln in village Gharota, Tehsil & District Pathankot as enumerated in the RTI application from the office of District Food Supply Controller, Pathankot. The appellant was not provided with the information, after which the appellant filed a first appeal before the First Appellate Authority on 25.10.2021, which did not decide on the appeal.

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

As per the respondent, the information has been provided.

The appellant has received the information.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed**.

Chandigarh
Dated: 03.10.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Amandeep Singh, Advocate,
District Courts Complex,
Pathankot.

... Appellant

Versus

Public Information Officer,
O/o District Food Supply Controller,
Pathankot.

First Appellate Authority,
O/o Director,
Food Supplies & Consumer Affairs,
Sector 39-C, Chandigarh.

...Respondent

Appeal Case No. 1077 of 2022

PRESENT: Sh.Amandeep Singh as the Appellant
Sh.Ashok Kumar, Inspector for the Respondent

ORDER:

The appellant, through an RTI application dated 02.09.2021 has sought information regarding copies of NOC of 17 number brick kiln units as enumerated in the RTI application from the office of District Food Supply Controller, Pathankot. The appellant was not provided with the information, after which the appellant filed a first appeal before the First Appellate Authority on 11.10.2021, which did not decide on the appeal.

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

As per the respondent, the information has been provided.

The appellant has received the information.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed**.

Chandigarh
Dated: 03.10.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Joginder Singh, S/o Lt Sh Sukhbir Singh,
553/1, Sector-38-A, Chandigarh.

... Appellant

Versus

Public Information Officer,
O/o Punjab Small Industries & Export Corporation Ltd,
Sector-17, Chandigarh.

First Appellate Authority,
O/o Punjab Small Industries & Export Corporation Ltd,
Sector-17, Chandigarh

...Respondent

Appeal Case No. 1070 of 2022

PRESENT: None for the Appellant
Sh.Jaswant Singh, Sr.Assistant for the Respondent

ORDER:

The appellant, through an RTI application dated 23.05.2021 has sought information regarding the complete status of PSIEC/Estate plot No.F-357 phase 8-B, Mohali as enumerated in the RTI application from the office of Punjab Small Industries and Export Corporation. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 29.09.2021 which disposed of the appeal on 04.01.2022 with the decision that the information being 3rd party, it cannot be provided.

The case has come up for hearing today. The respondent present pleaded that the information has already been provided to the appellant vide letter dated 23.12.2021 and 09.03.2022 with a copy of the same to the Commission. The respondent further informed that since the information being 3rd party information and the 3rd party had not given its consent to disclose the information, the information was earlier denied. Thereafter, the appellant filed the first appeal and with the order of the First Appellate Authority, the information has been supplied to the appellant.

The appellant is present nor represented.

Having gone through the RTI application and the reply of the PIO, the Commission finds that the RTI application has been sufficiently replied to and no further interference of the Commission is required.

The case is **disposed of and closed.**

Chandigarh
Dated: 03.10.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Shamsheer Singh, S/o Sh Surjan Singh,
R/o Ward No-6, Todar Mal Nagar,
Police Station, Tehsil & Distt Fatehgarh Sahib.

... Appellant

Versus

Public Information Officer,
O/o Senior Medical Officer,
P.H.C, Nandpur Kalor,
Distt Fatehgarh Sahib.

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

...Respondent

Appeal Case No. 774 of 2022

PRESENT: None for the Appellant
Dr.Jasmeet for the Respondent

ORDER:

The appellant, through an RTI application dated 05.05.2021 has sought the attendance register of employees from 01.01.2018 to 31.03.2021 – tour reports – income tax returns – approval if any taken for the purchase of property more than Rs.50000/- as enumerated in the RTI application from the office of SMO-PHC Nandpur Kalor. The appellant was asked by the PIO vide letter dated 27.05.2021 to deposit requisite fee of Rs.2800/- which the appellant did not deposit and the information was not provided after which the appellant filed a first appeal before the First Appellate Authority on 21.10.2021 which did not decide on the appeal.

The case has come up for hearing today through video conferencing at DAC Fatehgarh Sahib. The respondent present pleaded that the appellant was asked to deposit the requisite fee. However, due to non –availability of the receipt book on the date of visit of the appellant, the fee could not be deposited and the information was not provided. Thereafter, the appellant was called again but the appellant did not turn up. However, the information (300 pages) has been sent to the appellant vide letter dated 20.09.2022 and the appellant has acknowledged having received the information under his signature on 01.10.2022.

The appellant is absent nor is represented.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed.**

Chandigarh
Dated: 03.10.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



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

... Appellant

Versus

Public Information Officer,
O/o District Health Officer,
Jalandhar.

First Appellate Authority,
O/o District Health Officer,
Jalandhar.

...Respondent

Appeal Case No. 818 of 2022

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

ORDER:

The appellant, through an RTI application dated 05.06.2021 has sought information on 12 points regarding details of Food Safety Officer in Jalandhar-1, Jalandhar-2 & Jalandhar-3 alongwith their names, date of posting in Jalandhar – date of commencement of RTI register alongwith expenses incurred from Nov.2020 to 04.06.2021 – budget provided from Drug Administration in 2019-2020 & 2020-2021, budget relating to vehicles used for sampling as enumerated in the RTI application from the office of District Health Officer, Jalandhar. The appellant was not provided with the information, after which the appellant filed a first appeal before the First Appellate Authority on 23.11.2021, which did not decide on the appeal.

The case has come up for hearing today through video conferencing at DAC Jalandhar/Ludhiana. The respondent is absent.

The appellant is present and informed that he has received the information and does not want to pursue the case further.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed.**

Chandigarh
Dated: 03.10.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Hardeep singh, s/o Sh Dilawar Singh,
C/o Sukhjinder Singh, S/o Dalbara Singh,
Village Baranhara, Near Saraswati School,
Hambran Road, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SMO, CHC Sudhar,
Distt Ludhiana.

First Appellate Authority,
O/o Civil Surgeon,
Ludhiana.

...Respondent

Appeal Case No. 5591 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant, through an RTI application dated 27.11.2021,, has sought information on 06 points regarding the list of patients admitted to CHC Sudhar and the list of MLR report from 18.11.2021 to 23.11.2021 – a copy of the discharge slip of the appellant & Jagdish Singh – a copy of the notice sent from CHC Sudhar to PS Dhaka – a copy of MLR of the appellant and Jagdish Singh and other information as enumerated in the RTI application concerning the office of SHO CHC Sudhar, Ludhiana The appellant was not satisfied with the reply of the PIO 02.12.2021 after which the appellant filed a first appeal before the First Appellate Authority on 03.12.2021 which did not decide on the appeal.

The case first came up for hearing on 24.05.2022 through video conferencing at DAC Ludhiana. Due to the non-working of VC at DAC Ludhiana, the hearing could not take place. The case was adjourned.

On the date of the last hearing on **22.06.2022**, the respondent informed that the information has been provided, however, the MLR report of Sh.Jagdish Singh has not been provided being personal information and Sh.Jagdish Singh has not given his consent to disclose the information.

The appellant was absent and vide email through counsel Sh.Rakesh Kumar Gupta informed that he has received the information on points 1 & 3 but the information on point-2 & 4 is pending. The appellant through the said email sought adjournment.

Hearing dated 03.10.2022:

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

Having gone through the RTI application and the reply of PIO dated 02.12.2021 and 21.02.2022, the Commission finds that the RTI application has been sufficiently replied to and no further interference of the Commission is required.

The case is **disposed of and closed**.

Chandigarh
Dated: 03.10.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Mohit Bansal, H No-189,
C/o Bansal Provision Store,
Village Adial, P.O Shapurkandi Township,
Tehsil Pathankot, Shahpur, Pathankot.

... Appellant

Versus

Public Information Officer,
O/o Director of Ayush,
Pb, Sector-11-D, Chandigarh.

First Appellate Authority,
Director Ayurveda –
Pb, Pb, Sector-11-D, Chandigarh.

...Respondent

Appeal Case No. 2743 of 2021

PRESENT: Sh.Mohit Bansal for the Appellant
Sh.Ravi Kumar, PIO for the Respondent

ORDER:

The appellant, through an RTI application dated 14.01.2021, has sought information regarding manufacturer Divya Upchar Sansthan, Zirakpur – a copy of manufacture licence No. allotted – a copy of sample reports of Drug named as Divya kit sold/manufactured –a copy of approval granted by the state authority to sell the kit – a copy of the license to manufacture for the sale of ayurvedic – a copy of sample report of product and other information as enumerated in the RTI application concerning the office of Director of Ayush, Pb Chandigarh. The appellant was not provided with the information, after which the appellant filed a first appeal before the First Appellate Authority on 19.02.2021 which did not decide on the appeal. After filing the first appeal, the PIO sent a reply to the appellant on 16.03.2021, to which the appellant was not satisfied and filed 2nd appeal in the Commission.

The case first came up for hearing on 11.01.2022 through video conferencing at DAC Pathankot/ Chandigarh. The appellant claimed that the PIO had not supplied the information.

The respondent was absent. There has been an enormous delay of more than ten months in providing the information. The PIO was issued a **show cause notice under section 20 of the RTI Act 2005 for not properly handling the RTI application and secondly for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit.** The PIO was again directed to provide information to the appellant within 15 days of the receipt of the order.

On the date of the hearing on **30.05.2022**, the appellant claimed that the PIO has not provided accurate information.

The respondent present informed that no approval/license had been granted to Divya Keet Products by the State Licensing Authority Punjab and the reply has been sent to the appellant vide letter dated 07.01.2022. The respondent further informed that he had since joined as PIO w.e.f. 08.03.2022 and Sh.Brahmjot Singh was the PIO when the RTI application was filed, and show cause was issued.

The Commission received a reply from the PIO on 29.03.2022 which was taken on record. In the said reply, it was mentioned that Sh.Brahmjot Singh, PIO-RTI Branch (Ayurvedic Department) has been relieved from this post on 08.03.2022 and Sh.Ravi Kumar has been posted as PIO in his place. Further, since the information relates to their Drug Branch, the information after collecting from them, has been sent to the appellant vide letter dated 07.01.2022.

The Commission was not satisfied with the reply of the PIO since the RTI application was filed on 14.01.2021 but the reply was sent on 07.01.2022 with a delay of more than one year.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, and as per respondent, Sh.Brahmjot Singh, GAD Nadiali (SAS Nagar) was the PIO when the RTI application was filed till 17.10.2021 and on the date of issue of show cause notice, Sh.Brahmjot Singh, GAD Nadiali (SAS Nagar), was held guilty for not providing the information on time as prescribed under section 7, a penalty of **Rs.10,000/-** was imposed on the Sh.Brahmjot Singh, GAD Nadiali (SAS Nagar), with the direction to submit a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

The PIO- Director of Ayush Punjab, Chandigarh, was also directed to pay an amount of **Rs.5000/-** via demand draft through Govt. Treasury as compensation to the appellant and submit proof of having compensated the appellant.

On the date of last hearing on **16.06.2022**, the appellant informed that the PIO has not paid the compensation amount.

The respondent present informed that the earlier PIO has been relieved and Sh.Ravi Kumar has just joined as the new PIO.

Since the order had already been passed, Sh.Brahmjot Singh was given one more opportunity to comply with the Commission's order to deposit penalty amount in the Govt Treasury and submit a copy of the challan as a proof of having deposited the penalty. The present PIO was also directed to pay the compensation amount to the appellant and submit proof of having compensated the amount to the appellant.

Hearing dated 03.10.2022:

The case has come up for hearing today through video conferencing at DAC, Pathankot. The respondent present pleaded that the penalty amount of Rs.10000/- has been deposited in the Govt treasury and submitted a copy of the challan which has been taken on record. The respondent has brought a demand draft of Rs.5000/- favouring Mohit Bansal dated 23.09.2020 and submitted in the Commission.

Since the penalty has been deposited in the Govt treasury and a demand draft of Rs.5000/- being the compensation amount to be paid to the appellant has been received, no further interference of the Commission is required. The demand draft No.749933 dated 23.09.2022 drawn on SBI is being sent to the appellant alongwith the order and a copy of the same is retained for record.

The case is **disposed of and closed**.

Chandigarh
Dated: 03.10.2022

Sd/-
(Khushwant Singh)
State Information Commission