

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

Tel No. 0172-2864116, Fax No. 0172-2864125

Visit us @ www.infocommpunjab.com; Email: psic26@punjabmail.gov.in;

APPEAL CASE NO. 143 OF 2018

Sh. Rakesh Kumar Gupta,
8/237, Jagraon Road, Mandi Mullanpur,
Distt: Ludhiana.

...Appellant

Versus

Public Information Officer,
District Election Officer,
O/o Deputy Commissioner,
Ludhiana.

Public Information Officer,
O/o Sub-Divisional Magistrate,
Ludhiana West.

First Appellate Authority
O/o State Election Commission, Punjab,
S.C.O. No. 49, Sector-17-E, Chandigarh.

...Respondents

PRESENT: Adv Rakesh Kumar Gupta, Appellant.
Sh. Gurcharan Singh, Sr. Assistant O/o State Election Commission,
Punjab and Sh. Keemti Lal, Clerk O/o S.D.M. Ludhiana (West).

ORDER:

This order may be read with reference to the previous order dated:
27.09.2018.

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

Sh. Keemti Lal, Clerk appears O/o S.D.M. Ludhiana (West) and
states that the complete information has already been supplied to the appellant
and an Affidavit has also been filed, on the last date of hearing.

The appellant further states that he wanted to inspect the record.

The appellant is advised to visit the office of respondent on
05.12.2018, inspect the relevant records, identify the documents copies whereof
are required by him and obtain the information 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.

The case is adjourned to **15.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 147 OF 2018

Advocate Rakesh Kumar Gupta,
#8/237, Jagraon Road, Mandi Mullanpur,
Distt: Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o State Election Commission,
Punjab, Chandigarh.

First Appellate Authority
O/o State Election Commission,
Punjab, Chandigarh.

...Respondents

PRESENT: Adv Rakesh Kumar Gupta, Appellant.
Sh. Gurcharan Singh, Sr. Assistant O/o State Election Commission,
Punjab and Sh. Keemti Lal, Clerk O/o S.D.M. Ludhiana (West).

ORDER: This order may be read with reference to the previous order dated:
27.09.2018.

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

Sh. Keemti Lal, Clerk appears O/o S.D.M. Ludhiana (West) and
states that the complete information has already been supplied to the appellant
and an Affidavit has also been filed, on the last date of hearing.

The appellant further states that he wanted to inspect the record.

The appellant is advised to visit the office of respondent on
05.12.2018, inspect the relevant records, identify the documents copies whereof
are required by him and obtain the information 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.

The case is adjourned to **15.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

CC:- **Public Information Officer,**
O/o Sub-Divisional Magistrate,
Ludhiana (West).

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APPEAL CASE NO. 475 OF 2018

Advocate Rakesh Kumar Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, Distt: Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o State Election Commission, Punjab,
S.C.O. No. 49, Sector -17-E, Chandigarh.

First Appellate Authority
O/o State Election Commission, Punjab,
S.C.O. No. 49, Sector -17-E, Chandigarh.

Public Information Officer,
O/o Additional Deputy Commissioner (Development),
-cum- Additional District Controller Officer, Ludhiana.

...Respondents

PRESENT: Adv Rakesh Kumar Gupta, Appellant.
Sh. Gurcharan Singh, Sr. Assistant O/o State Election Commission,
Punjab and Sh. Keemti Lal, Clerk O/o S.D.M. Ludhiana (West).

ORDER:

This order may be read with reference to the previous order dated:
27.09.2018.

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

Sh. Keemti Lal, Clerk appears O/o S.D.M. Ludhiana (West) and
states that the complete information has already been supplied to the appellant
and an Affidavit has also been filed, on the last date of hearing.

The appellant further states that he wanted to inspect the record.

The appellant is advised to visit the office of respondent on
05.12.2018, inspect the relevant records, identify the documents copies whereof
are required by him and obtain the information 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.

The case is adjourned to **15.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

CC:-

Public Information Officer,
O/o Sub-Divisional Magistrate,
Ludhiana (West).

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APPEAL CASE NO. 627 OF 2018

Sh. Krishan Gopal Singla,
S/o Sh. Brij Lal, Ward No.16,
B /190, Sangrur Road, Dhuri,
Distt: Sangrur.

...Appellant.

Versus

Public Information Officer,
O/o Deputy Registrar,
Cooperative Societies,
Sangrur.

First Appellate Authority,
O/o Deputy Registrar,
Cooperative Societies,
Sangrur.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Kuldeep Singh, Sr. Assistant is present on behalf of the PIO

ORDER: This order may be read with reference to the previous order dated:
09.10.2018.

A letter has been received from the representative of the Appellant in the Commission by email mentioning therein that inspite of the directions of the Commission, the Respondent – PIO has not provided the information.

Sh. Kuldeep Singh, Sr. Assistant appears on behalf of the Respondent – PIO and states that the remaining information has been sent to the appellant, yesterday by courier. He further requests that some more time be given to him to file an affidavit.

In view of the above, last opportunity is given to the Respondent – PIO to file an Affidavit in compliance with the last order of the Commission, on the next date of hearing, failing which action would be initiated against him as per provision of the RTI Act, 2005.

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

The case is adjourned to **24.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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COMPLAINT CASE NO. 689 OF 2018

Sh. Harvinder Singh,
S/o Sh. Gurdit Singh
H.No.695, Phase-4,
S.A.S. Nagar (Mohali).

...Complainant

Versus

Public Information Officer,
O/o Block Primary Education Officer,
Kharar-2, S.A.S. Nagar (Mohali).

...Respondent

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated
09.10.2018.

Both the parties are absent from todays' hearing in the
Commission.

After examining the case file, Sh. Kamaljit Singh, PIO –cum-
B.P.E.O. O/o Block Primary Education Officer, Kharar-2, S.A.S. Nagar (Mohali) is
again directed to appear personally and file written submission in response to the
Show Cause Notice issued to him vide order dated: 04.09.2018, on the next date
of hearing, failing which action would be initiated against him as per provisions of
the RTI Act, 2005.

The case is adjourned to **24.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

Sh. Kamaljit Singh, PIO –cum- B.P.E.O. & Sh. Onkar Singh, Jr.
Assistant appeared on behalf of the Respondent – PIO and file an Affidavit in
response to the Show Cause Notice issued to him vide order dated: 04.09.2018,
after the hearing was over. He was briefed about the proceedings of the case.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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APPEAL CASE NO. 988 OF 2018

Sh. Krishan Gopal Singla,
S/o Sh. Brij Lal, Ward No.16/B190,
Sangrur Road, Dhuri, Distt: Sangrur.

...Appellant.

Versus

Public Information Officer,
O/o Assistant Registrar,
Cooperative Societies, Moonak,
Distt: Sangrur.

First Appellate Authority,
O/o Deputy Registrar,
Cooperative Societies, Sangrur.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Kuldeep Singh, Sr. Assistant is present on behalf of the PIO

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

09.10.2018.

A letter has been received from the representative of the Appellant in the Commission by email mentioning therein that inspite of the directions of the Commission, the Respondent – PIO has not provided the information.

Sh. Kuldeep Singh, Sr. Assistant appears on behalf of the Respondent – PIO and states that the remaining information has been sent to the appellant, yesterday by courier. He further requests that some more time be given to him to file an affidavit.

Last opportunity is given to the Respondent – PIO to file an Affidavit in response to the Show Cause Notice issued to him vide order dated: 23.08.2018, on the next date of hearing, failing which penalty action would be initiated against him as per provision of the RTI Act, 2005.

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

The case is adjourned to **24.01.2019 at 11:30 AM.**

Copies of the order are sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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APPEAL CASE NO. 1842 OF 2018

Advocate Rakesh Kumar Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, Ludhiana-141101

...Appellant

Versus

Public Information Officer,
O/o District Food & Supply Controller (West),
Zone-D, Municipal Corporation Building,
Ludhiana.

First Appellate Authority,
O/o Director,
Food Civil Supplies & Consumer Affairs,
Punjab, Chandigarh.

...Respondents

PRESENT: Adv Rakesh Kumar Gupta, Appellant.
Sh. Jaswinder Singh, Inspector on behalf of the Respondent – PIO.

ORDER: This order may be read with reference to the previous order dated
09.10.2018.

The appellant appears and states that no information has been
provided to him by the Respondent – PIO till date.

Sh. Jaswinder Singh, Inspector O/o D.F.S.C. Ludhiana West
appears on behalf of the Respondent – PIO with the requisite information for the
perusal of the Commission and the appellant, which is handed over to the
appellant.

The appellant is advised to go through the information and point out
the deficiency, if any, in the information provided by the respondent within one
week in writing with a copy to the Commission. The respondent is directed to
remove the same, before the next date of hearing, failing which action will be
initiated as per the provisions of the RTI Act, 2005.

The case is adjourned to **22.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 1844 OF 2018

Advocate Rakesh Kumar Gupta,
8/237, Jagraon Road,
Mandi Mullanpur, Ludhiana-141101

...Appellant

Versus

Public Information Officer,
O/o District Food & Supply Controller (West),
Zone-D, M.C. Building, Ludhiana.

First Appellate Authority,
O/o Director,
Food Civil Supplies & Consumer Affairs,
Punjab, Chandigarh.

...Respondents

PRESENT: Adv Rakesh Kumar Gupta, Appellant.
Sh. Sunny Chauhan, Jr. Auditor on behalf of the Respondent PIO.

ORDER: This order may be read with reference to the previous order dated
09.10.2018.

The appellant appears and states that he has already furnished the
deficiencies to the Respondent – PIO, even then the complete information has
not been provided to him by the Respondent – PIO till date.

Sh. Sunny Chauhan, Jr. Auditor appears on behalf of the
Respondent – PIO and states that he has brought the information, today in the
Commission, which is handed over to the appellant.

The appellant is advised to go through the information and point out
the deficiency, if any, in the information provided by the respondent within one
week in writing with a copy to the Commission. The respondent is directed to
remove the same, before the next date of hearing, failing which action will be
initiated as per the provisions of the RTI Act, 2005.

The case is adjourned to **22.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 2363 OF 2018

Sh. Gurjit Singh,
603, Street No. 9, Mohall Roop Nagar,
District Hoshiarpur.

...Appellant

Versus

Public Information Officer,
O/o Director,
Health & Family Welfare Department,
Punjab, Chandigarh.

First Appellate Authority,
O/o Director,
Health & Family Welfare Department,
Punjab, Chandigarh.

...Respondents

PRESENT: Sh. Gurjit Singh, Appellant.
Sh. Sandeep Kumar & Sh. Rajinder Kumar, Sr. Assistants
on behalf of the Respondent – PIO.

ORDER:

This order may be read with reference to the previous order dated
11.10.2018.

The appellant appears and states that he is satisfied with the
information provided by the Respondent – PIO.

Sh. Sandeep Kumar, Sr. Assistant appears on behalf of the
Respondent – PIO and states that the complete information has already been
provided to the appellant.

After examining the case file, it is revealed that the Respondent –
PIO has supplied the information to the appellant and he has received the same
and expressed his willingness in writing that he is satisfied with the provided
information and wants to close the case. Therefore, no further action is required,
hence the Appeal Case is **closed and disposed off**.

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

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APPEAL CASE NO. 2762 OF 2018

Sh. Harjinder Singh S/o Sh. Sobha Singh,
Village Bakainwala,
Tehsil & District Fazilka.

...Appellant

Versus

Public Information Officer,
O/o Director,
Health & Family Welfare Department,
Punjab, Chandigarh.

First Appellate Authority,
O/o Secretary,
Health & Family Welfare Department,
Punjab, Chandigarh.

...Respondents

PRESENT: Sh. Paramjit Singh is present on behalf of the Appellant.
Sh. Rulda Singh & Rajinder Kumar, Sr. Assistants for the
Respondents.

ORDER: This order may be read with reference to the previous order dated
11.10.2018.

Sh. Paramjit Singh appears on behalf of the appellant and states
that no information has been provided to the appellant by the Respondent – PIO.

Sh. Rulda Singh, Sr. Assistant O/o Civil Surgeon, Fazilka appears
on behalf of the Respondent – PIO and states that the information sought by the
appellant is related with enquiry report, which is pending and after completion of
the enquiry, the information can be supplied to the appellant. The same is
conveyed to the appellant vide letter no. 1995, dated: 13.06.2018.

After examining the case file, it is revealed that the investigation is
pending in this case. In view of the forgoing, the Respondent – PIO is directed to
provide the complete information after completion of the investigation, failing
which action would be initiated against him as per provisions of the RTI Act,
2005.

The case is adjourned to **19.02.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

C.C.

The Public Information Officer,
O/o Civil Surgeon,
Fazilka.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

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APPEAL CASE NO. 2763 OF 2018

Sh. Sukhwinder Singh,
S/o Sh. Mangat Singh,
3330, Sector-71,
S.A.S. Nagar (Mohali).

...Appellant

Versus

Public Information Officer,
O/o Punjab Pollution Control Board,
Vatavaran Bhawan, Nabha Road, Patiala.

Public Information Officer,
O/o Environment Engineer,
Punjab Pollution Control Board, Bathinda.

First Appellate Authority,
O/o Punjab Pollution Control Board,
Vatavaran Bhawan, Nabha Road, Patiala.

...Respondents

PRESENT: Advocate Sukhwinder Singh, Appellant.
Er. Sukhdev Singh Gill, Assistant Environmental Engineer –cum-
APIO on behalf of the Respondent – PIO.

ORDER: This order may be read with reference to the previous order dated
09.10.2018.

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

Er. Sukhdev Singh Gill, Assistant Environmental Engineer –cum-
APIO appears on behalf of the Respondent – PIO and states that the requisite
information has already been provided to the appellant on the last date of
hearing, but he did not furnish the deficiencies.

In view of the above, the Respondent – PIO is directed to bring the
postal receipt of the letter dated: 27.03.2018. The Respondent – PIO O/o
Environment Engineer, Punjab Pollution Control Board, Bathinda is directed to
appear personally and file the proper pointwise reply in this regard, on the next
date of hearing, failing which action would be initiated against him as per
provisions of the Right to Information Act, 2005.

The case is adjourned to **24.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

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APPEAL CASE NO. 2782 OF 2018

Sh. Bhupinder Singh
S/o Late Sh. Om Parkash,
Street No. 5, House No. 6749,
New Janta Nagar, Daba Road, Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Deputy Superintendent of Police,
Chamkaur Sahib, District Roopnagar.

First Appellate Authority,
O/o Senior Superintendent of Police,
Roopnagar.

...Respondents

PRESENT: None is present on behalf of the Appellant.
ASI Inderjit Singh on behalf of Respondent - PIO.

ORDER:

This order may be read with reference to the previous order dated
09.10.2018.

The appellant is absent for today's hearing in the Commission.

ASI Inderjit Singh appears on behalf of the Respondent – PIO and
states that the appellant has furnished the deficiencies vide letter dated:
14.11.2018 and after removing the same, complete information has been sent to
him vide letter dated: 21.11.2018 through registered post. Copy of the same is
taken on record.

After examining the case file, it is revealed that the Respondent –
PIO has supplied the information to the appellant through registered post and
after that no observation has been received from him, it is presumed that the
appellant has received the same and is satisfied. Therefore, no further action is
required, hence the Appeal Case is **closed and disposed off**.

Copies of the order be sent to the parties.

Chandigarh
04.12.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 2792 OF 2018

Sh. Gurjit Singh,
603, Street No. 9, Mohall Roop Nagar,
District Hoshiarpur.

...Appellant

Versus

Public Information Officer,
O/o Director,
Health & Family Welfare Department,
Punjab, Chandigarh.

First Appellate Authority,
O/o Director,
Health & Family Welfare Department,
Punjab, Chandigarh.

...Respondents

PRESENT: Sh. Gurjit Singh, Appellant.
Sh. Sandeep Kumar & Sh. Rajinder Kumar, Sr. Assistants
on behalf of the Respondent – PIO.

ORDER: This order may be read with reference to the previous order dated
09.10.2018.

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

Sh. Sandeep Kumar, Sr. Assistant appears on behalf of the
Respondent – PIO and states that the requisite information has already been
supplied to the appellant. He further requests that some more to be given to file
an Affidavit.

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

In view of the above, a show cause notice under Section 20(1) of
the RTI Act is issued to the PIO O/o Director, Health & Family Welfare
Department, Punjab, Chandigarh, 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.

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 she has nothing to say and the Commission shall initiate
ex-parte proceeding.

Cont...Pg2

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE No. 2792 of 2018

A copy of this order be sent to PIO O/o Director, Health & Family Welfare Department, Punjab, Chandigarh, **by registered post.**

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 within stipulated period. 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 O/o Director, Health & Family Welfare Department, Punjab, Chandigarh, 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. 1000/- (Rupees One Thousand Only) be paid to the appellant for the detriments suffered by him.

This amount shall be payable from the funds of PIO O/o Director, Health & Family Welfare Department, Punjab, Chandigarh, by way of crossed Cheque/Demand Draft in the name of Sh. Gurjit 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 **24.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
04.12.2018**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**