

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh Des Raj, S/o Sh Krishan Lal,
Guru Ravidas Nagar, Ward No-15/20,
H No-187, Opposite Sri Guru Ravidass Mandir,
Malout, Distt Sri Mukatsar Sahib.

... Appellant

Versus

Public Information Officer,
O/o District Food and Supply Controller,
Sri Mukatsar Sahib.

First Appellate Authority,
O/o District Food and Supply Controller,
Sri Mukatsar Sahib.

...Respondent

Appeal Case No. 2580 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 05.11.2020 has sought information regarding a copy of the application filed for ration card along with attached documents in respect of cardholder Raj Rani w/o Prem Lal and Anil Kumar S/o Kewal Krishan – date of issue of the card along with details of material issued – the name of inspector who verified, along with the name of members and other information as enumerated in the RTI application from the office of District Food Supply Controller, Sri Mukatsar Sahib. The appellant was not provided with the information provided after which the appellant filed the first appeal before the first appellate authority on 10.04.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Sri Mukatsar Sahib. Both the parties are absent.

The case is adjourned. To come up for further hearing on **17.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Sri Mukatsar Sahib.

Chandigarh
Dated: 05.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Dr Babita Rani, D/o Sh Ram Sanehi Mittal,
R/o Abohar Road, Sri Mukatsar Sahib.

... Appellant

Versus

Public Information Officer,
O/o National Health Mission,
5th Prayaas Building, Sector-38,
Pb, Chandigarh.

First Appellate Authority,
O/o Director,
National Health Mission,
5th Prayaas Building, Sector-38,
Pb, Chandigarh.

...Respondent

Appeal Case No. 2536 of 2021

PRESENT: Dr.Babita Rani as the Appellant
Sh.Harjot Singh, APIO for the Respondent

ORDER:

The appellant through an RTI application dated 23.02.2021 has sought information on eight points regarding the existence of a rule under which the National Health Mission vide letter dated 20.11.2020 has recommended action against the appellant without giving an opportunity of hearing – a copy of justification filed for the delay in the release of the budget which resulted in the release of salary for April as well as the rule under which acquitted and other information as enumerated in the RTI application from the office of National Health Mission, Pb Chandigarh. The appellant was not provided with the information provided after which the appellant filed first appeal before the first appellate authority on 12.04.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Sri Mukatsar Sahib/Mohali. As per the respondent, the information has been supplied to the appellant vide letter dated 19.05.2021 with a copy to the Commission.

The appellant is not satisfied and informed that the PIO has not supplied the information and the reply dated 19.05.2021 is misleading.

Having gone through the RTI application and the reply of the PIO, the Commission observes that there is prima facie evidence that the PIO could have supplied a misleading reply and denied the information intentionally. The PIO is given one last opportunity to relook at the RTI application and provide point-wise information to the appellant within 15 days with a copy to the Commission otherwise the commission will be constrained to proceed against the PIO under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **17.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Sri Mukatsar Sahib. The PIO to appear at Chandigarh.

Chandigarh
Dated: 05.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Jaspreet Singh, S/o Sh Gurmeet Singh,
Village Chak Pali Wala, Tehsil Jalalabad (East),
Distt Fazilka.

...Appellant

Versus

Public Information Officer,
O/o Director, Ayurvedic Department,
Sector-11-D, Chandigarh.

First Appellate Authority,
O/o Director, Ayurvedic Department,
SCO-823-824, Sector-22-A,
Chandigarh.

...Respondent

Appeal Case No. 2273 of 2021

PRESENT: Sh.Jaspreet Singh as the Appellant
Sh.Brahmjot Singh, PIO-O/o Director Ayurvedic & Ms.Vishakha-APIO O/o
Board of Ayurvedic & Unani Systems of Medicine, Pb for the Respondent

ORDER:

The appellant through an RTI application dated 15.02.2021 has sought information on four points regarding rule for applying for ayurvedic registration and notice if any issued – notice issued to ayurvedic/unani/allopathic medicine sellers without having registration as per circular/notification dated 05.03.2015 and other information as enumerated in the RTI application from the office of Director Ayurvedic Department, Pb Chandigarh. The appellant was not provided with the information provided after which the appellant filed the first appeal before the first appellate authority on 15.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka/Mohali. The respondent present from the office of Director Ayurvedic Department pleaded that the information relates to the Board of Ayurvedic And Unani Systems Of Medicine, Punjab. The respondent is present from the office of the Board of Ayurvedic and Unani System of Medicine and informed that:-

- Point-1 - The information is not available
- Point-2 & 3 - There is no prescribed procedure and action can only be initiated after receipt of a complaint.
- Point-4 No answer by the respondent

Having gone through the RTI application and the reply of the respondent, the Commission observes that the RTI application has not been addressed appropriately as the application is being passed from desk to desk without any official applying his/her mind on what the appellant seeks.

I am marking this RTI application to the Secretary, Health and Family Welfare, Pb Chandigarh with the direction to look at the RTI application and ensure that the RTI application is appropriately addressed and the appellant is provided with the information as per the RTI Act.

The case is adjourned. To come up for further hearing on **19.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka. The PIO to appear through VC at DAC Mohali.

Sd/-

(Khushwant Singh)

State Information Commissioner

Chandigarh
Dated: 05.10.2021

CC to Secretary, Health and Family Welfare, Pb
Chandigarh.

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Sh Jaspreet Singh, S/o Sh Gurmeet Singh,
Village Chak Pali Wala, Tehsil Jalalabad (East),
Distt Fazilka.

Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Health and Family Welfare,
Sector-34-A, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Health and Family Welfare,
Sector-34-A, Chandigarh.

...Respondent

Appeal Case No. 2270 of 2021

PRESENT: **Sh.Jaspreet Singh as the Appellant**
Sh.Brahmjot Singh, PIO-Director Ayurvedic & Ms.Vishakha-APIO O/o
Board of Ayurvedic & Unani Systems of Medicine, Pb for the Respondent

ORDER:

The appellant through an RTI application dated 15.02.2021 has sought information on three points regarding registration required for setting up of a medical store(sale/stock) for ayurvedic/unani medicines and if any has been issued for the same – act/rule under which action is being taken against the sellers of ayurvedic/unani/desi medicine without having registration and other information as enumerated in the RTI application from the office of Principal Secretary, Health and Family Welfare, Pb Chandigarh which transferred the RTI application u/s 6(3) to Director Ayurvedic Department, Pb Chandigarh. The appellant was not provided with the information provided after which the appellant filed the first appeal before the first appellate authority on 15.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka/Mohali. As per the respondent present from the office of Director Ayurved, the information relates to the Board Of Ayurvedic & Unani Systems of Medicine, Pb Mohali. The respondent present from the O/o Board of Ayurvedic & Unani System of Medicine informed that:-

- Point-1 - The information is available on the website of the department
- Point-2 & 3 - There is no prescribed procedure and action can only be initiated after receipt of a complaint.
- Point-4 No answer by the respondent

Having gone through the RTI application, the reply of the respondent and proceedings of the hearing, the Commission observes that the RTI application has not been addressed appropriately as the application is being passed from desk to desk without any official applying his/her mind on what the appellant seeks.

I am marking this RTI application to the Secretary, Health and Family Welfare, Pb Chandigarh with the direction to look at the RTI application and ensure that the RTI application is appropriately addressed and the appellant is provided with the information as per the RTI Act.

The case is adjourned. To come up for further hearing on **19.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka. The PIO to appear through VC at DAC Mohali

Chandigarh
Dated: 05.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to Secretary, Health and Family Welfare, Pb Chandigarh.



Sh Jaspreet Singh, S/o Sh Gurmeet Singh,
Village Chak Pali Wala, Tehsil Jalalabad (East),
Distt Fazilka.

Appellant

Versus

Public Information Officer,
O/o District Ayurvedic and Yunani Officer,
1924/18, Brown Road, Field Gunj,
Ludhiana.

First Appellate Authority,
O/o District Ayurvedic and Yunani Officer,
Ludhiana.

...Respondent

Appeal Case No. 2268 of 2021

PRESENT: Sh.Jaspreet Singh as the Appellant
Dr.Pankaj for the Respondent

ORDER:

The appellant through an RTI application dated 15.02.2021 has sought information regarding a copy of the notice issued to the sellers of ayurvedic/unani/allopathic medical stores, pansari, karyana store for selling medicines without having ayurvedic license and if not issued under which notification – act under which action can be taken against these sellers – eligibility of ayurvedic doctor to run OPD in the absence of AMO and other information as enumerated in the RTI application from the office of District Ayurvedic And Unani Officer, Ludhiana. The appellant was not provided with the information provided after which the appellant filed the first appeal before the first appellate authority on 15.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka/Ludhiana. The appellant claims that the PIO has not supplied the information.

The respondent present pleaded that the information has to be provided by Director Ayurveda, Pb Chandigarh and Board of Ayurvedic & Unani System of Medicines Mohali and they have already asked them vide letter dated 26.02.2021 to provide the information and the appellant has also been asked to contact the office of Director Ayurveda, Pb Chandigarh and Board of Ayurvedic & Unani System of Medicines Mohali.

Since similar information has already been provided by PIO-District Ayurvedic and Unani Officer, Amritsar the PIO's stand is not maintainable. The PIO is directed to contact the PIO-District Ayurvedic and Unani Officer, Amritsar and apprise himself about how to provide the sought information

The case is adjourned. To come up for further hearing on **19.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka. The PIO to appear through VC at DAC Ludhiana.

Chandigarh
Dated: 05.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Dr. K.N Makkar,
Street NO-2, Bagh Colony,
Jalandhar (West), Distt Fazilka.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 2611 of 2021

PRESENT: Dr.K.N.Makkar as the Appellant
Dr.Erik –Civil Hospital Fazilka for the Respondent

ORDER:

The appellant through an RTI application dated 03.10.2021 has sought information 10 points regarding copy of the service book from 01.07.1968 onwards part-1 & 2 – grade pay for revision of pension – action taken on application dated 25.07.2020 and other information as enumerated in the RTI application from the office of Civil Surgeon Fazilka. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 30.11.2020 which took no decision on the appeal. After filing the first appeal, the PIO sent information to the appellant on 10.03.2021 to which the appellant was not satisfied and filed 2nd appeal in the Commission.

The case has come up for hearing today through video conferencing at DAC Fazilka. As per the respondent, the information has been provided to the appellant.

The appellant claims that the PIO has supplied information only on point-1 which is also incomplete.

Having gone through the RTI application and hearing both the parties, there is prima facie evidence that the RTI application has not been addressed adequately.

The PIO is directed to relook at the RTI application and provide all information that is available in the record.

The case is adjourned. To come up for further hearing on **19.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh
Dated: 05.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Ajay Kumar, S/o Sh Ram Rakha,
R/o H No-A-1346, Street No-1,
Radha Swami Colony, Fazilka.

... Appellant

Versus

Public Information Officer,
O/o Deputy Director,
Local Govt, Ferozepur.

First Appellate Authority,
O/o Deputy Director,
Local Govt, Ferozepur.

...Respondent

Appeal Case No. 2601 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 13.01.2021 has sought information regarding approval of first-floor building constructed in Sri Jain Elementary Primary School Fazilka – a copy of approval for construction of the first floor – a copy of the receipt issued by NC Fazilka for keeping scrap material while constructing the building – a copy of the map approved other information as enumerated in the RTI application from the office of Deputy Director Local Govt. Ferozepur. The appellant was not provided with the information provided after which the appellant filed the first appeal before the first appellate authority on 03.03.2021 which took no decision on the appeal. After filing the first appeal, the PIO sent a reply to the appellant on 17.03.2021 to which the appellant was not satisfied and filed 2nd appeal in the Commission.

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

The case is adjourned. To come up for further hearing on **19.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka. The PIO to appear through VC at DAC Ferozepur.

Chandigarh
Dated: 05.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Ms Minaj Aggarwal, D/o Sh Subhash Chander,
R/o Street No-10, Arya Nagar, Near Kalka Mandir,
Fazilka.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 2538 of 2021

PRESENT: Ms.Sarita Aggarwal for the Appellant
Sh.Rajesh Kumar, Asstt.Programmer for the Respondent

ORDER:

The appellant through an RTI application dated 11.01.2021 has sought information regarding the copy of a letter received for approval by Thana Arniwala relating to FIR No.97 dated 03.07.2020 and a reply sent to them and other information as enumerated in the RTI application from the office of Civil Surgeon Fazilka. The appellant was not provided with the information provided after which the appellant filed the first appeal before the first appellate authority on 08.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present pleaded that the information as available in the record containing 07 pages has been sent to the appellant vide letter dated 09.02.2021 and no further information is available.

The appellant is not satisfied with the provided information.

Since the PIO has claimed that there is no further information available for the sought information and the appellant has expressed dissatisfaction, the PIO is directed to file an affidavit that the information that has been provided is true, complete and no further information is available in the record relating to this RTI application. The affidavit be provided within 15 days of the receipt of the order.

The case is adjourned. To come up for further hearing on **19.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh
Dated: 05.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Jagdish Chander, S/o Sh Maachi Ram,
H No-56-A, Street NO-3,
Radha Swami Colony, Fazilka.

... Appellant

Versus

Public Information Officer,
O/o Health and Family Welfare Deptt,
Sector-34-A, Chandigarh.

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

...Respondent

Appeal Case No. 2467 of 2021

PRESENT: Sh.Jagdish Chander as the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 16.03.2021 has sought information regarding the letter of approval for running/operating M/s Arora Neuro Centre on Mal Road Civil Line Ludhiana – a copy of instructions for getting approval – a copy of the letter received for renewal of license and other information as enumerated in the RTI application from the office of Department of Health and Family Welfare Pb Chandigarh. The appellant was not provided with the information provided after which the appellant filed the first appeal before the first appellate authority on 30.03.2021 which took no decision on the appeal.

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

The respondent is absent. The Commission has received a copy of the letter from the office of Dy. Director, Health & Family Welfare on 27.08.2021 vide which they have instructed the Civil Surgeon, Ludhiana to provide information to the appellant as per RTI application transferred to them u/s 6(3) of the RTI Act vide letter dated 30.03.2021.

As per a copy of the letter received in the Commission on 29.09.2021 from PIO-Civil Surgeon, Ludhiana, the PIO has denied the information stating that since the information relates to a private hospital and clinical establishment act has yet not been made applicable in Punjab, hence the private hospital does not come under their authority.

I am not in agreement with the reply of the PIO since the appellant has asked for a copy of the letter of approval granted to M/s Arora Neuro Centre as well as a copy of the letter received for renewal. If such information is held by the Civil Surgeon office as part of norms to obtain permissions to run medical centers or can be accessed by the public authority this information cannot be denied to an applicant.

Appeal Case No. 2467 of 2021

The PIO-Civil Surgeon is directed to relook at the RTI application and provide the information to the appellant within 15 days of the receipt of the order with a copy to the Commission otherwise the commission will be constrained to take action against the PIO under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **19.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka. The PIO-Civil Surgeon, Ludhiana to appear through VC at DAC Ludhiana.

Chandigarh
Dated: 05.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: PIO-Civil Surgeon, Ludhiana