

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 288 OF 2019

Sh. Manjit Singh,
S/o Sh. Gurcharan Singh,
Village Mane Majra, Tehsil Chamkaur Sahib,
District Ropar.

...Appellant

Versus

Public Information Officer,
O/o Civil Surgeon,
Fatahgarh Sahib.

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

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Parminder Singh, District MEIO –cum- APIO & Ms. Charanjit Kaur,
Dealing Assistant O/o Civil Surgeon, Fatehgarh Sahib.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 24.09.2018. First appeal was filed with the First Appellate Authority on dated: 13.11.2018 and second appeal was filed in the Commission on dated: 07.01.2019.

2. Notice of hearing has been issued to the parties for 06.03.2019 to appear before the Commission.

3. The appellant has sent a letter in the Commission vide diary no. 4777, dated: 05.03.2019 mentioning therein that he has received the information and is satisfied with the information and wants to close the case.

4. Sh. Parminder Singh, District Mass Media & Information Officer –cum- APIO appears on behalf of the Respondent – PIO O/o Civil Surgeon, Fatehgarh Sahib and states that the RTI application of the appellant received vide diary no. 5019, dated: 27.09.2018 in respondent office. Enquiry is pending relating to point no 1,2,3 & 5 of the RTI application of appellant and point no. 4 is third party (personal) information and the same reply has been sent to the appellant vide letter no. A-4/18/14193, dated: 16.10.2018. He further states that the appellant then filed first Appeal before the Director, Health & Family Welfare, Punjab again reply has been sent to him vide letter no. 117736, dated: 10.12.2018. Copy of the same is taken on record.

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APPEAL CASE NO. 288 OF 2019

5. After perusal of the case file, it is ascertained that the Respondent - PIO has provided the information to the appellant and the appellant has acknowledged in writing that he is satisfied with the provided information and wants to close the case. Therefore, no further action is required in this Appeal Case, hence this case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
06.03.2019

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

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APPEAL CASE NO. 339 OF 2019

Sh. Sanjeev Kumar,
S/o SH. Yodh Raj,
1256, Main Bazar Katra Baghian,
Amritsar.

...Appellant

Versus

Public Information Officer,
O/o District Health Officer,
O/o Civil Surgeon, Amritsar.

First Appellate Authority
O/o Civil Surgeon,
Amritsar.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Simranjit Singh Gill, Food Safety Officer –cum- PIO O/o District Health
Officer O/o Civil Surgeon, Amritsar.

ORDER: The appellant has sought information as enumerated in his RTI application
dated: 30.08.2018. First appeal was filed with the First Appellate Authority on dated:
12.10.2018 and second appeal was filed in the Commission on dated: 11.01.2019.

2. Notice of hearing has been issued to the parties for 06.03.2019 to appear
before the Commission.

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

4. Sh. Simranjit Singh Gill, Food Safety Officer –cum- PIO O/o District Health
Officer O/o Civil Surgeon, Amritsar and states that the requisite has already been sent
to the appellant vide letter no. Food/18/1375, dated: 20.09.2018 through ordinary post.
Copy of the same is taken on record.

5. In view of the above, the appellant is advised to go through the information
and furnished the deficiency, if any, within one week in writing to the Respondent with a
copy to the Commission. The respondent is directed to remove the same after receiving
the deficiencies from the appellant, before the next date of hearing. The Respondent is
further directed to bring the dispatch register, on the next date of hearing, failing which
action will be initiated as per the provisions of the RTI Act, 2005.

6. The case is adjourned to **22.04.2019 at 11:00 AM**. Copies of the order be
sent to the parties.

**Chandigarh
06.03.2019**

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

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APPEAL CASE NO. 356 OF 2019

Sh. Angrej Singh,
S/o Sh. Manjit Singh,
Village Haripur, P.O: Noorpur,
Amloh, Distt: Fatehgarh Sahib.

...Appellant

Versus

Public Information Officer,
O/o Chief Chemical Examiner,
Food & Drug Admin Building Complex,
Kharar, Distt: Mohali.

First Appellate Authority
O/o Chief Chemical Examiner,
Food & Drug Admin Building Complex,
Kharar, Distt: Mohali.

...Respondents

PRESENT: Adv A S Hundal is present on behalf of the Appellant.
Dr. Harkirat Singh Assistant Chemical Examiner O/o Chief Chemical
Examiner, Food & Drug Admin Building Complex, Kharar, Distt: Mohali.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 10.05.2018. First appeal was filed with the First Appellate Authority on dated: 26.11.2018 and second appeal was filed in the Commission on dated: 15.01.2019.

2. Notice of hearing has been issued to the parties for 06.03.2019 to appear before the Commission.

3. Adv A S Hundal appears on behalf of the appellant and states that the requisite information has been supplied to the appellant after the lapse of 6 months period by the Respondent - PIO.

4. Dr. Harkirat Singh Assistant Chemical Examiner appears on behalf of the Respondent – PIO O/o Chief Chemical Examiner, Food & Drug Admin Building Complex, Kharar, Distt: Mohali and states that the requisite has already been sent to the appellant vide letter no. RTI/2019/63, dated: 20.02.2019. Copy of the same is taken on record.

5. The perusal of the case reveals that respondent has delayed the information about 6 months.

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APPEAL CASE No. 356 Of 2019

6. In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to Dr. Rakesh Kumar Gupta, PIO –cum- Chemical Examiner O/o Chief Chemical Examiner, Food & Drug Admin Building Complex, Kharar, Distt: Mohali as to why penalty should not be imposed upon him and also why compensation be not awarded to the appellant under Section 19 (8) (b) for wilful delay/denial in supplying the information to the RTI applicant.

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

8. The case is adjourned to **22.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh
06.03.2019**

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

Copy to Intimation & Necessary Action: -

Dr. Rakesh Kumar Gupta,
PIO –cum- Chemical Examiner
O/o Chief Chemical Examiner,
Food & Drug Admin Building Complex,
Kharar, Distt: SAS Nagar (Mohali).

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COMPLAINT CASE NO. 679 OF 2018

Sh. Kewal Kumar,
S/o Sh. Bishan Dass,
R/o Gaushala Road,
Gidderbaha, Distt: Mukatsar Sahib.

...Complainant

Versus

Public Information Officer,
O/o Chairman,
Pollution Control Board,
Patiala.

...Respondent

PRESENT: Sh. Kewal Kumar, Complainant.
Sh. Daljit Singh, AEC –cum- APIO is present on behalf of the Respondent.

ORDER: This order may be read with reference to the previous order dated
29.01.2019.

2. The Complainant appears and states that incomplete information has been provided to him by the Respondent - PIO.

3. Sh. Daljit Singh, AEC –cum- APIO appears on behalf of Respondent – PIO O/o PPCB, Regional Office, Bathinda with the remaining information, which is handed over to the Complainant, today in the Commission.

4. The Complainant further states that the provided information is still incomplete.

5. In view of the above, last opportunity is given to the Respondent – PIO to appears personally and supply the available information to the Complainant, if there is no other information then file an affidavit duly attested in response to the information supplied and in response to the Show Cause Notice issued to him vide order dated: 06.09.2018, on the next date of hearing, failing which action under Section 20 of the RTI Act, will be initiated.

6. The case is adjourned for **15.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh
06.03.2019**

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

Copy to Intimation & Necessary Action: -
Sh. Harwinder Singh,
SEE o/o Punjab Pollution Control Board,
Street No.12, Power House Road, Bathinda.

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APPEAL CASE NO. 813 OF 2018

Sh. Nathu Ram,
S/o Sh. Mahavir Sihag,
R/o Village Taja Patti,
Tehsil: Abohar, Distt: Fazilka.

...Appellant

Versus

Public Information Officer,
O/o District Social Security Officer,
Fazilka.

First Appellate Authority
O/o Deputy Director,
Social Security Women & Child Development,
Sector: 34/A, Chandigarh.

Public Information Officer,
O/o CDPO,
Abohar-1. Distt: Fazilka.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Mukesh Gautam, DSSO, Hoshiarpur.

ORDER:

This order may be read with reference to the previous order dated:
13.12.2018.

2. The appellant is absent for today's hearing in the Commission.
3. Sh. Mukesh Gautam, DSSO, Hoshiarpur appears in person and file a written reply, which is taken on record.
4. In view of the above, **Orders are reserved** and will be pronounced in due course of time.

**Chandigarh
06.03.2019**

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

Copy to Intimation & Necessary Action: (Regd.Post)

Sh. Mukesh Gautam,
District Social Security Officer,
Hoshiarpur.

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APPEAL CASE NO. 819 OF 2018

Sh. Jasbir Singh,
Village: Bholapur, Jhabewal,
P.O: Ramgarh, Distt: Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o District Programme Officer,
Ludhiana.

First Appellate Authority

O/o Chairman,
Punjab State Child Rights Protection,
Commission, Punjab.

...Respondents

PRESENT: Sh. Tejinder Singh is present on behalf of the Appellant.
Sh. Rajwinder Singh Gill, Deputy Director –cum- PIO O/o Punjab State
Child Rights Protection Commission.

ORDER:

This order may be read with reference to the previous order dated
29.01.2019.

2. Sh. Tejinder Singh appears on behalf of the appellant and states that
incomplete information has been provided to the appellant.

3. Sh. Rajwinder Singh Gill, Deputy Director –cum- PIO O/o Punjab State
Child Rights Protection Commission appears in person and states that no information is
available in the official record and the reply has been conveyed to the appellant.

4. After perusal of the case file, it is observed that the Respondent – PIO has
sent the reply regarding the non available information. Therefore, no further action is
required in this Appeal Case, which is hereby **closed and disposed off**. Copies of the
order be sent to the parties.

Chandigarh
06.03.2019

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

Copy to Intimation & Necessary Action: -

- 1) **The District Programme Officer, Ludhiana.**
- 2) **District Transport Officer/ Regional Transport Authority, (by Name)**
Ludhiana.
- 3) **Public Information Officer (By Name)**
O/o Punjab Child Rights Protection Commission,
S.A.S. Nagar (Mohali).

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APPEAL CASE NO. 2373 OF 2018

Ms. Kulwant Kaur,
D/o Sh. Narjinderjit Singh,
Adda Chabhal, Amritsar Road,
Distt: Tarn Taran.

...Appellant

Vs.

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

First Appellate Authority
O/o Civil Surgeon,
Tarn Taran.

...Respondents

PRESENT: None is present on behalf of the appellant.
Sh. Baldev Singh, Sr. Assistant on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 29.01.2019.

2. The appellant is absent from today's hearing in the Commission.
3. Sh. Baldev Singh Sr. Assistant appears on behalf of the Respondent – PIO O/o Civil Surgeon, Tarn Taran and states that the requisite information has been provided to the appellant through registered post. Copy of the same is taken on record.
4. The Appellant is advised to point out the deficiency, if any, in the provided information to the Respondent – PIO within a week to the Respondent and copy to the Commission. The Respondent – PIO is directed to remove the same, after receiving the discrepancies from the appellant, before the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
5. The case is adjourned for **15.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh
06.03.2019**

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

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APPEAL CASE NO. 3774 OF 2018

Sh. Dabkesh Kumar,
S/o Sh. Ganga Ram,
306, Nursing Hostel,
Phase-2, GMCH-32, Chandigarh.

...Appellant

Versus

Public Information Officer,
O/o Director,
Health & Family Welfare, Punjab,
Parivar Kalyan Bhawan, Plot No.5,
Sector: 34/A, Chandigarh.

First Appellate Authority
O/o Director,
Health & Family Welfare, Punjab,
Parivar Kalyan Bhawan, Plot No.5,
Sector: 34/A, Chandigarh.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Mandeep Singh and Sh. Jagtar Singh, Sr. Assistants is present on
behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated
31.01.2019.

2. The appellant is absent from today's hearing in the Commission.
3. Sh. Mandeep Singh Sr. Assistant appears on behalf of the Respondent –
PIO O/o o Director, Health & Family Welfare, Punjab and states that the requisite
information has been provided to the appellant by hand. Copy of the same is taken on
record.
4. The Appellant is advised to point out the deficiency, if any, in the provided
information to the Respondent – PIO within a week, under intimation to the
Commission. The Respondent – PIO is directed to remove the same, after receiving the
discrepancies from the appellant, before the next date of hearing, failing which action
would be initiated against him as per provisions of the RTI Act, 2005.
5. The case is adjourned for **15.04.2019 at 11:00 AM**. Copies of the order be
sent to the parties.

Chandigarh
06.03.2019

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

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APPEAL CASE NO. 3798 OF 2018

Sh. Prabhjot Singh,
S/o Sh. Harbaksh Singh,
1748/17-C, Shakti Nagar,
Jagraon, Distt:Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o DEO (EE),
Ludhiana.

First Appellate authority
O/o DPI (EE),
Mohali.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Darpan Kumar, Clerk O/o B.P.E.O., Sidwan Bet-I on behalf of the Respondents.

ORDER: This order may be read with reference to the previous order dated:
31.01.2019.

2. The appellant is absent for today's hearing in the Commission.
3. Sh. Darpan Kumar, Clerk O/o B.P.E.O., Sidwan Bet-I appears on behalf of the Respondent – PIO and requests for an adjournment.
4. The Respondents are being represented by very low level officials who are not in a position to satisfy the commission and the appellant. From the next date of hearing, no person less than PIO or APIO will be allowed to appear. Appearance of low level officials will amount to disrespect to the RTI Act besides invoking the provisions of imposition of penalty and also award of compensation to the complainant and also recommendation of disciplinary action against PIO under Section 20(2) of RTI Act, 2005.
5. The perusal of the case reveals that respondent has delayed the information about 7 months.
6. In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to the Sh. Krishan Kumar, Superintendent – cum- PIO O/o District Education Officer (EE), Ludhiana to why penalty should not be imposed upon him and also why compensation be not awarded to the appellant under Section 19 (8) (b) for wilful delay/denial in supplying the information to the RTI applicant.

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APPEAL CASE No. 3798 Of 2018

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

8. The case is adjourned for **15.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh
06.03.2019**

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

Copy to Intimation & Necessary Action: -

Sh. Krishan Kumar,
Superintendent – cum- PIO
O/o District Education Officer (EE),
Ludhiana.

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APPEAL CASE NO. 3811 OF 2018

Sh. Harish Chander Gandhi,
H.No.1400/50, Street No.13,
Guru Nanak Nagar, Patiala.

...Appellant

Versus

Public Information Officer,
O/o Civil Surgeon,
(Birth and Death Record Office),
Near Head Post Office, Distt: Patiala.

First Appellate Authority
O/o Civil Surgeon,
(Birth and Death Record Office),
Near Head Post Office, Distt: Patiala.

...Respondents

PRESENT: Sh. Harish Chander Gandhi, Appellant.
Sh. Butta Ram, MPWCM is present on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 31.01.2019.

2. The Appellant appears and states that no information has been provided to him by the Respondent – PIO.

3. Sh. Butta Ram, MPWCM appears on behalf of the Respondent – PIO O/o Civil Surgeon, (Birth and Death Record Office), Patiala and states that the appellant has sought the similar information and the same matter has already been disposed off by the Hon'ble SIC Sh. Nirdharak Singh Brar in AC No. 1876/2018.

4. The appellant further states that the subject matter of the RTI application is different from the AC No. 1876/2018.

5. The perusal of the case reveals that respondent has not provided the required information to the appellant after the lapse of 6 months period.

6. In view of the above, a **SHOW CAUSE NOTICE** under **Section 20(1)** of the **RTI Act, 2005** is issued to **Sh. Ravneet Singh, Executive Officer –cum- PIO O/o Civil Surgeon, (Birth and Death Record Office), Patiala** as to why penalty should not be imposed upon him and also why compensation be not awarded to the appellant under Section 19 (8) (b) for wilful delay/denial in supplying the information to the RTI applicant.

Cont...P-2

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APPEAL CASE NO. 3811 OF 2018

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

8. The Respondent – PIO is further directed to bring the original record pertaining to the RTI application of the appellant, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

9. The case is adjourned for **15.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh
06.03.2019**

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

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APPEAL CASE NO. 3829 OF 2018

Smt. Veerpal Kaur,
W/o Late Sh. Gursewak Singh,
R/o Ladhoka Mandi, Tehsil & Distt: Fazilka,
Presently Village Dhaba Kokria,
Tehsil: Abohar, Distt: Fazilka.

...Appellant

Versus

Public Information Officer,
O/o DEO (Primary Education),
Distt: Fazilka.

First Appellate Authority
O/o DEO (Primary Education),
Distt: Fazilka.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Ms. Kulwinder Kaur, DEO (EE) on behalf of the FAA & Sh. Des Raj,
Sr. Assistant on behalf of the PIO.

ORDER:

This order may be read with reference to the previous order dated
31.01.2019.

2. The appellant is absent for today's hearing in the Commission.
3. Ms. Kulwinder Kaur, DEO (EE) appears on behalf of the FAA and states that the information cannot be provided to the appellant due to the third party information and the same is conveyed to her.
4. In view of the above, the Respondent – PIO is directed to send the information relating to point no. 1 and 3 of the RTI application of appellant through registered post, before the next date of hearing. The Respondent – PIO is further directed to file a reply in response to the Show Cause Notice issued to him vide order dated: 31.01.2019, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
5. The case is adjourned for **15.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh
06.03.2019**

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

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APPEAL CASE NO. 3830 OF 2018

Smt. Karam Kaur,
W/o Sh. Jagdish Singh,
C/o H. S. Baidwan,
872, Phase-11, Sector: 65,
Mohali.

...Appellant

Versus

Public Information Officer,
O/o Director,
Health & Family Welfare, Punjab,
Parivar Kalyan Bhawan, Plot No.5,
Sector: 34/A, Chandigarh.

First Appellate Authority
O/o Director,
Health & Family Welfare, Punjab,
Parivar Kalyan Bhawan, Plot No.5,
Sector: 34/A, Chandigarh.

...Respondents

PRESENT: Sh. Himmat Singh is present on behalf of the Appellant.
Sh. Narinder Mohan, Superintendent –cum- PIO & Sh. Jagtar Singh, S. A.

ORDER:

This order may be read with reference to the previous order dated 31.01.2019.

2. Sh. Himmat Singh appears on behalf of the Appellant and states that incomplete information has been provided to the Appellant by the Respondent – PIO.

3. Sh. Narinder Mohan, Superintendent –cum- PIO appears in person and states that he has brought the remaining information and handed over to the representative of the Appellant. He further files an Affidavit in response to the Show Cause Notice issued to him, which is taken on record.

4. After going through the information, the representative of the appellant has expressed his willingness that he is satisfied with the provided information and wants to close the case.

5. After perusal of the case file, it is revealed that the Respondent - PIO has provided the complete information to the representative of the Appellant and he has acknowledged in writing that he is satisfied with the provided information and wants to close the case.

Cont...P-2

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 3830 OF 2018

6. The Respondent – PIO has filed Affidavit in response to the Show Cause Notice, which is taken on record. Keeping in view all the facts mentioned in the Affidavit are found satisfactory, therefore the Show Cause Notice is hereby, dropped.

7. In view of the above, therefore, no further action is required in this Appeal Case, hence this case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
06.03.2019

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