

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Visit us: - www.infocommpunjab.com



Sh.Naresh K Gupta,
Whistle Blower, R/o Chock No-1,
Jaitu, Distt. Faridkot.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Faridkot.

Public Information Officer,
O/o SSP,
Faridkot.

...Respondent

Appeal Case No. 2057of 2021

PRESENT: None for the Appellant
Sh.Ramesh Kumar, ASI for the Respondent

ORDER:

The appellant through an RTI application dated 25.01.2021 has sought information on ten points regarding notices under 156(3) by Ms Ekta Uppal Ld. JMIC Faridkot in complaint titled Naresh Kumar Gupta v/s Jasvir Singh & others with date & register number of DSP office Jaitu – action taken or not with reasons on the complaint – a copy of enquiry report by Jasvir Singh ASI & Mukhtiar Singh SHO - Copy of the report made by DSP & SP Faridkot sent for legal opinion – belt No. of DSP P.S.Aulakh & his reader – a copy of ADA objection – a copy of dispatch register and other information as enumerated in the RTI application from the office of SSP Faridkot. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 25.02.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Faridkot. As per the respondent, the information has been supplied to the appellant vide letter dated 11.09.2021.

The appellant is absent and vide email has sought adjournment.

The case is adjourned. To come up for further hearing on **24.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Smt Dimple Alias Shallu, W/o Sh Tilak Raj,
R/o Aawa Basti, Ferozpur.

... Complainant

Versus

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

... Respondent

Complaint Case No. 482 of 2021

PRESENT: Smt. Dimple as the Appellant
None for the Respondent

ORDER:

The complainant through RTI application dated 28.07.2020 has sought information regarding postings of Sh. Mangat Ram s/o Fakir Chand sweeper who retired on 31.12.2019 along with his nominee at the time of his appointment and other information as enumerated in the RTI application from the office of Civil Surgeon, Ferozpur. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 16.04.2021.

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

The respondent is absent nor is represented.

From the facts on the file, there is prima facie evidence that there has been an enormous delay of more than one year and two months in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time. He/she should file an affidavit in this regard.** If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such person(s) of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **31.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ferozpur.

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Sandeep Kumar, S/o Sh Om Parkash,
R/o Street NO-2, near Shani Dev Mandir,
Patel Nagar, Malout, Distt Sri Mukatsar Sahib.

...Appellant

Versus

Public Information Officer,
O/o DFSC,
Pathankot.

First Appellate Authority,
O/o DFSC,
Pathankot.

...Respondent

Appeal Case No. 1910 of 2021

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

ORDER:

The appellant through RTI application dated 22.12.2020 has sought information on seven points regarding subsidized PDS Kerosene oil distributed during the 550th Parkash Purab of Guru Nanak Dev from 01.01.2019 to 09.12.2020 as per letter memo No.2S(78)/2019/1198 dated 04.10.2019 of Principal Secretary, Pb Department – List of dealers who lifted the oil along with the quantity of oil lifted and utilization certificate received – allotment letter of oil –details of oil lifted by dealers from IPCL/HPCL/BPCL of Food Supply and other information as enumerated in the RTI application from the office of DFSC Pathankot The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 27.01.2021 which took no decision on the appeal.

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

The respondent is absent nor is represented.

Given the facts on the file, prima facie there appears to have been an enormous delay of more than one year and two months in attending to the RTI application. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time. He/she should file an affidavit in this regard.** If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such person(s) of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide information to the complainant within 15 days of the receipt of the order.

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 through VC at DAC Pathankot.

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Sandeep Kumar, S/o Sh Om Parkash,
R/o Street NO-2, near Shani Dev Mandir,
Patel Nagar, Malout, Distt Sri Mukatsar Sahib.

...Appellant

Versus

Public Information Officer,
O/o DFSC,
Ferozepur.

First Appellate Authority,
O/o DFSC,
Ferozepur.

...Respondent

Appeal Case No. 1914 of 2021

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

ORDER:

The appellant through RTI application dated 27.10.2020 has sought information regarding letter No.1417 dated 08.10.2020 issued by District Controller, Food Civil Supplies Kapurthala – the name of dealer and agency which purchased/lifted 240 KL free sale kerosene oil on the eve of 550 years of Parkash Purab of Guru Nanak Dev – subsidized PDS Kerosene oil distributed to different purchasers and other information as enumerated in the RTI application from the office of DFSC Ferozepur. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 05.01.2021, which took no decision on the appeal. After filing the first appeal, the PIO sent a reply to the appellant vide letter dated 02.02.2021 stating that the information was nil and that if the appellant is not satisfied with the reply, the appellant may visit the office of PIO and get the information by depositing requisite fee.

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

The respondent is absent nor is represented.

Having gone through the RTI application and the reply of the PIO, the commission observes that the RTI application has been not attended to with the proper application of the mind. While in one stroke the PIO has written nil as information, in the next paragraph the PIO has asked the appellant to visit the office and take any information that the appellant may require after paying the requisite fee. The PIO is directed to relook at the RTI application and submit an appropriate reply on the matter, failure of which, can lead to the commission initiating action as per 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 through VC at DAC Ferozepur.

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh O.P Sharma,
R/o Lane No-2, Prem Nagar,
Near Happy Public School,
College Road, Pathankot.

... Complainant

Versus

Public Information Officer,
O/o SMO,
Pathankot.

...Respondent

Complaint Case No. 1061 of 2021

PRESENT: Sh.O.P.Sharma as the Appellant
Sh.Satish Kumar, Clerk for the Respondent

ORDER:

The complainant through RTI application dated 12.05.2021 has sought information on 06 points regarding the name of officer on night duty on 01.01.2016 – time of commencement & termination of night duty – designation of medical officer on night duty – contact detail/address of medical officer – a copy of letter under which communicating was sent to police about an accident – ambulance number etc as enumerated in the RTI application from the office of SMO Pathankot. The complainant was not satisfied with the reply of the PIO dated 05.07.2021 after which the complainant filed a complaint in the Commission on 18.08.2021.

The case has come up for hearing today through video conferencing at DAC Pathankot. The respondent present pleaded that the information has already been provided to the complainant vide letter dated 05.07.2021 with a copy to the Commission through email.

The complainant is not satisfied.

Having gone through the RTI application and the reply of the PIO, the following is concluded:

- | | |
|------------------|--|
| - Point-1, 2 & 3 | - Sufficiently replied |
| - Point-4 | - The PIO to provide the official contact number and address of the said medical officer |
| - Point-5 | - PIO to provide the official mobile number |
| - Point-6 & 7 | - As per the respondent, the patient was brought in a private ambulance since the civil hospital ambulance is being used only for the referral of civil hospital patients to higher institutes. As per the respondent, the information relating to point-7 is nil. |

After going through the arguments and the facts on the file there is prima-facie evidence that the information could have been concealed and held back intentionally. Hence, the PIO is directed to file a reply on the matter (pointwise) on an affidavit stating that whatever information that has been supplied is true, complete and no further information is available on the records.

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, Pathankot.

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner