



Sh.Gurjit Singh, S/o ShDarbara Singh,
R/o Village Chak Megha Viran,
Tehsil Guruharsahai,
Distt Ferozepur.

...Appellant

Versus

Public Information Officer,
O/o SSP,
Ferozepur.

First Appellate Authority,
O/o SSP,
Ferozepur.

...Respondent

Appeal Case No 1948 of 2021

PRESENT: None for the Appellant
Sh. Sukhdev Singh, ASI for the Respondent

ORDER:

The appellant through the RTI application dated 20.01.2021 has sought information regarding the action taken report on complaint no.231-special-PC dated 13.02.2018 filed by Manager, PADB Bank Guru Harsahai . and other information as enumerated in the RTI application from the office of SSP Ferozepur. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 06.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ferozepur. The respondent present pleaded that the RTI application was received by them on 21.01.2021 and since the information was not received from the concerned branch, the appellant was informed vide letter dated 03.02.2021 that after receipt of information, it will be provided to him. Thereafter, on receipt of information from the concerned branch, the appellant was asked to vide letter dated 18.02.2021 to deposit requisite fee of Rs.28/- and an envelope along with postal receipt of Rs.30/- for sending the information through the registered post but the appellant did not turn up. Now the information (14 pages) has been sent to the appellant vide letter dated 04.09.2021 through registered post with a copy to the Commission.

The appellant is absent nor is represented.

Having gone through the RTI application and the copy of the information that has been sent by the PIO, the Commission finds that the RTI has been sufficiently replied to and the information has been supplied to the best possible extent.

No further course of action is required. The case is **disposed of and closed**.

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. 1911of 2021

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

ORDER:

The appellant through RTI application dated 09.12.2020 has sought information on 08 points regarding letter No.2S(78)2019/1198 dated 04.0.2019 issued by Principal Secretary, Department of Food Supply, Pb relating to Arura Mal Labhu Ram, S.S.S & Sons, Guru Hargobind Oil Store – utilization certificates received from these firms for subsidized PDS Kerosene oil distributed during 550th year Parkash Purav from 01.01.2019 to 09.12.2020 -copy of allotment letter of kerosene oil - details of oil lifted by these firms directly from IOCL,HPCL & BPCL – details of oil distributed and other information as enumerated in the RTI application from the office of DFSC Ferozepur The appellant was not satisfied with the reply of the PIO dated 27.01.2021 stating that the Punjab Govt had not allotted any subsidized PDS kerosene oil on the occasion of 550th year of Parkash Purav 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/Ferozepur. As per the appellant, the PIO has not supplied the information.

The respondent is absent nor is represented but has communicated a reply via email.

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: 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,
Fazilka.

First Appellate Authority,
O/o DFSC,
Fazilka.

...Respondent

Appeal Case No. 1908 of 2021

PRESENT: Sh.Sandeep Kumar as the Appellant
Sh.Vikas Batra DFSO Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 09.12.2020 has sought information on 08 points regarding letter No.2S(78)2019/1198 dated 04.0.2019 issued by Principal Secretary, Department of Food Supply, Pb relating to Chander Sain Gulati & Sons, Dhanu Mal Ranga Ram, Ahuja & Company Fazilka & Ahuja & Company Abohar, – utilization certificates received from these firms for subsidized PDS Kerosene oil distributed during 550th-year Parkash Purav from 01.01.2019 to 09.12.2020 - a copy of allotment letter of kerosene oil - details of oil lifted by these firms directly from IOCL, HPCL & BPCL – details of oil distributed and other information as enumerated in the RTI application from the office of DFSC Fazilka. The appellant was not satisfied with the reply of the PIO dated 11.01.2021 stating that the information relates to 3rd party, it cannot be provided after which the appellant filed a first appeal before the First Appellate Authority on 25.01.2021 which took no decision on the appeal.

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

The respondent present states as under:

- Point-1 & 2 - No subsidized PDS kerosene oil received by the district from 01.01.2019 to 09.12.2020 since no subsidized PDS kerosene oil quota was allotted.
- Point-3 to 8 - The information relates to 3rd party and the 3rd parties have not given consent to disclose their information stating that such information includes commercial confidence, trade secrets of intellectual property the disclosure of which would harm competitive position. The replies of the 3rd parties are being sent.
Further, the wholesale dealers are directly purchasing the oil from oil industries i.e. IOCL, HPCL & BPCL.

The reply of the PIO is not maintainable as it is not in accordance with the RTI application. The reply is conflicting for in one stroke the PIO claims that no subsidized PDS kerosene oil was received from 01.01.2019 to 09.12.2020, in another paragraph the PIO cites section 11 of the RTI to deny information. If no quota was allotted why were replies of third parties sought? The PIO is directed to provide a point-wise reply to the appellant on an affidavit with a copy to the Commission.

With the above order, the case is **disposed of and closed.**

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,
Amritsar.

First Appellate Authority,
O/o DFSC,
Amritsar.

...Respondent

Appeal Case No. 1909 of 2021

PRESENT: Sh.Sandeep Kumar as the Appellant
Sh.Baldev Singh, Sr Auditor for the Respondent

ORDER:

The appellant through RTI application dated 22.12.2020 has sought information on 07 points regarding letter No.2S(78)2019/1198 dated 04.0.2019 issued by Principal Secretary, Department of Food Supply, Pb – list of dealers who lifted the subsidized PDS kerosene oil and utilization certificates received from these firms for subsidized PDS Kerosene oil distributed during 550th year Parkash Purav from 01.01.2019 to 09.12.2020 -a copy of allotment letter of kerosene oil - details of oil lifted by these firms directly from IOCL, HPCL & BPCL – details of oil distributed and other information as enumerated in the RTI application from the office of DFSC Amritsar. 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/Amritsar.. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 05.10.2021 with a copy to the Commission.

The appellant is not satisfied.

The Commission has received a reply from the PIO through email which has been taken on the file of the Commission. In the reply, the PIO has mentioned that in the letter dated 24.10.2019 vide which the kerosene oil was allotted, it has been clearly mentioned that this kerosene oil is non-subsidized oil. It has also been clarified by the wholesale dealers who lifted the kerosene oil that they did not receive any subsidized kerosene oil for the purpose.

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: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Hakam Singh, S/o Sh Darshan Singh,
R/o Madhir, Tehsil Gidderbaha,
Distt Mukatsar Sahib.

... Appellant

Versus

Public Information Officer,
O/o District Food Civil Supply and Consumer Affairs,
Sangrur.

First Appellate Authority,
O/o Director,
Food Civil Supply and Consumer Affairs,
Sangrur.

...Respondent

Appeal Case No. 1876 of 2021

PRESENT: None for the Appellant
Sh.Komal Goyal for the Respondent

ORDER:

The appellant through RTI application dated 22.07.2020 has sought information regarding a copy of the weight receipt of wheat distributed under Pradhan Mantri Kalyan Yojna along with mail register and copy of gate pass from 01.05.2020 to 20.07.2020 relating to centre Lehra and other information as enumerated in the RTI application from the office of DFSC Sangrur. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 20.11.2020 which disposed of the appeal on 26.02.2021 stating that as per the report of the official of DFSC, the information has been provided to the appellant.

The case has come up for hearing today through video conferencing at DAC Sri Mukatsar Sahib/Sangrur.. The respondent present pleaded that the information is available on the website of the department and the appellant can download the same from the website (www.epos.punjab.gov.in).

The appellant is absent nor is represented.

Since the information is available on the website of the department, it is no longer held by the department. The appellant is advised to download the information from the website of the department.

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

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



ShNanak Singh, S/o Sh Dallan Singh,
Village & P.O Kanganwala, (Via Sandaur),
Tehsil Malerkotla, Distt Sangrur.

... Appellant

Versus

Public Information Officer,
O/o Markfed, Sector-35-B,
Chandigarh.

First Appellate Authority,
O/o Markfed, Sector-35-B,
Chandigarh.

...Respondent

Appeal Case No. 1864 of 2021

PRESENT: Sh.Nanak Singh as the Appellant
Ms.Anita, Dy.Chief Account Officer for the Respondent

ORDER:

The appellant through RTI application dated 18.07.2020 has sought information regarding action taken on the decision of the High Court dated 19.09.2018 in CWP 3925/2010 relating to the benefits being given and other information as enumerated in the RTI application from the office of Markfed, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 28.09.2020 which took no decision on the appeal. After filing the first appeal, the PIO sent a reply to the appellant vide letter dated 06.10.2020 that in the advertisement which was published for 106 posts in the year 2019, no posts of peon and peon-cum-chowkidar were published and the case of the appellant will be considered as per order dated 19.09.2018 as and when the department requires the posts of peon-cum-chowkidar.

The case has come up for hearing today through video conferencing at DAC Sangrur. The respondent present pleaded that the information has already been sent to the appellant vide letter dated 18.03.2021 with a copy to the Commission.

From the reply of the PIO and the proceedings of the hearing, it appears to be an issue where the appellant is feeling aggrieved for not getting reemployment rather than a dispute over information as prescribed under section 2 (f) of the RTI.

Hence I see no reason to interfere further in the matter. However, I am referring the matter to the Managing Director, Markfed with a recommendation to help the appellant get employment in Markfed.

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

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Smt Rupinder Kaur,
138, Gali No-5, Bhalla Colony,
Chhearata, Amritsar.

... Complainant

Versus

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

...Respondent

Complaint Case No. 493 of 2021

PRESENT: None for the Appellant
Sh.Toshpinder Singh, Suptd and Sh.Hardeep Singh, Sr.Assistant for the
Respondent

ORDER:

The appellant through RTI application dated 05.03.2021 has sought information regarding posting and date of appointment letter of all new appointed medical officers(dental) – the name of medical officer(dental) who applied for extension along with the duration of extension – a copy of office order if any for special extension/time provided to medical officers 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 after which the appellant filed a first appeal before the First Appellate Authority on 20.04.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Sri Amritsar/Chandigarh. The respondent present pleaded that the information has been provided to the appellant vide letter dated 05.05.2021 with a copy to the Commission.

The appellant is absent nor has communicated any discrepancies.

It is presumed that the appellant has received the information and is satisfied.

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

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Jaspal Singh,
1205, Street NO-8,
Hussainpura East,
Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Police Commissioner,
Amritsar.

First Appellate Authority,
O/o Commissioner of Police,
Amritsar.

...Respondent

Appeal Case No. 1966 of 2021

PRESENT: None for the Appellant
Sh.Sh.Randhir Singh, ASI for the Respondent

ORDER:

The appellant through the RTI application dated 09.10.2020 has sought information regarding action taken against SE, Xen & other officials of MC on the basis of FIR No.0033 dated 27.02.2020 due to the death of sewerman and other information as enumerated in the RTI application from the office of Police Commissioner, Amritsar. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 18.11.2020 which took no decision on the appeal. After filing the first appeal, the PIO sent a reply to the appellant vide letter dated 25.11.2020 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 Sri Amritsar. The respondent present pleaded that the information has been supplied to the appellant.

The appellant is absent and vide email has informed that he has received the information and his appeal case may be closed.

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

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh.Sushil Kumar, S/o Sh.Nand Lal,
Plot No-13, Bus Stand Road,
Malerkotla.

... Appellant

Versus

Public Information Officer,
O/o Chief Vigilance Officer,
Local Deptt, Pb, Chandigarh.

First Appellate Authority,
O/o Chief Vigilance Officer,
Local Deptt, Pb, Chandigarh.

...Respondent

Appeal Case No. 874 of 2020

PRESENT: None for the Appellant
Sh.Rajiv Saggur, PIO for the Respondent

ORDER:

The case was first heard on 03.09.2020. Both the parties were absent.

On the date of the next hearing on **25.02.2021**, the appellant claimed that the PIO has not provided the information.

Sh.Rajiv Saggur, PIO appeared late and informed that the enquiry on the complaints is pending with Regional Deputy Director, Patiala since 13.08.2019 and the reply has been sent to the appellant vide letter dated 17.01.2020 that after receipt of enquiry report, the information will be provided to the appellant.

The respondent further informed that after receipt of the complete enquiry report, the same will be sent to the Chief Vigilance Officer for final decision and thereafter the information can be provided to the appellant.

The Commission recommended that the Regional Deputy Director, Local Bodies, Patiala to complete the enquiry report within 30 days and send it to the Chief Vigilance Officer for final decision. The Chief Vigilance Officer was directed to send a status report of the enquiry to the appellant.

On the date of the hearing on **12.05.2021**, the respondent present pleaded that the enquiry report from Regional Director Local Bodies, Patiala has been received but the Chief Vigilance Officer has not yet taken a final decision on the enquiry report.

The appellant vide letter received in the Commission on 26.03.2021 informed that the PIO had not sent any reply vide letter dated 17.01.2020 and the statement given by the PIO during the last hearing and order of the Commission dated 25.02.2021 is beyond the facts of the information that has been sought in the RTI application.

The appellant informed that he has sought information regarding case No.6/106/17-4 in which an FIR has already been lodged and the case is pending in Hon'ble Court.

The reply of the PIO did not relate to the RTI application.

During the hearing, the PIO after having gone through the facts of the case informed that the information is in the custody of Regional Deputy Director, Patiala.

The Commission made the respondent as deemed PIO in this case and directed him to relook at the RTI application and provide complete information to the appellant. If not available, procure it from wherever it is available and suitably respond the RTI application.

On the date of the last hearing on **23.08.2021**, the respondent informed that the information after collecting from the Regional Deputy Director, Patiala, has been supplied to the appellant vide letter dated 27.07.2021 with a copy to the commission. Further, since the information regarding point-3 relates to NC Malerkotla, the PIO-NC Malerkotla has also provided the information on point-3 vide letter dated 19.08.2021 with a copy to the Commission.

The appellant was not satisfied with the information regarding point-2 and wanted the documentary evidence on the basis of the which enquiry was conducted by CVO and statements recorded.

The respondent informed that no separate FIR was filed and as per the report of NC Malerkotla, the FIR was filed by the appellant himself and on the basis of the report of NC Malerkota, the enquiry was conducted and further action was taken.

Having gone through the RTI application, reply of the PIO and hearing both the parties, the commission found that the RTI has been sufficiently replied to and the information has been provided to the best possible extent.

However, the PIO was directed to give in writing to the appellant that no separate FIR has been filed and action has been taken on the basis of FIR already registered by the appellant.

Hearing dated 06.10.2021:

The case has come for hearing today through video conferencing at DAC Sangrur. The respondent is present at Chandigarh and informed that in compliance with the order of the Commission dated 23.08.2021, the information has been supplied to the appellant vide letter dated 27.08.2021 with a copy to the Commission through email.

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: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Harbans Singh, S/o Sh. Gurcharan Singh,
Patti Chahalan, VPO Bhawanigarh,
Distt Sangrur.

... Appellant

Versus

Public Information Officer,
O/o DEO (Primary),
Magzine Mohalla, Sangrur.

First Appellate Authority,
O/o DEO (EE),
Magzine Mohalla Sangrur.

...Respondent

Appeal Case No. 3310 of 2020

PRESENT: None for the Appellant
Sh.Rajinder Singh, Legal Assistant for the Respondent

ORDER:

The appellant through RTI application dated 22.07.2020 has sought information regarding the audited balance sheet for 31.03.2016 to 31.03.2020 of Heritage Public School, Rampura and Baba Sahib Das Public School Phaguwala – fee structure for the years 2016-17, 2-17-18, 2018-19, 2019-20, 2020-21 – a copy of affiliation of Kinder Garden classes – a copy of building safety certificate and other information as enumerated in the RTI application concerning the office of DEO(Primary) Sangrur. The appellant was not satisfied with the reply of PIO dated 28.07.2020 after which the appellant filed the first appeal before the First Appellate Authority on 05.08.2020 which took no decision on the appeal.

The case first came up for hearing on 28.07.2021 through video conferencing at DAC Patiala. The respondent present pleaded that the information has already been supplied to the appellant vide letter dated 28.07.2020.

The appellant was not satisfied with the reply of the PIO on all points.

Having gone through the RTI application and the reply of the PIO, the Commission directed the PIO to apprise the commission whether copies of audited balance sheets of private schools are in the custody of the department or not?

Further, the PIO did not reply appropriately regarding the building safety certificate sought in the RTI application. It might be noted that the Commission in its order (472 of 2020) has already directed the Education Department, Punjab to issue necessary instructions to all Govt and Private Schools to suo motto upload/paste building safety certificates on their website/notice board, and the PIOs reply that the information is not with the education department but with the PWD department is a blasphemous lie. Even in the event of the information not being in the DEO's custody, it should have been transferred to the concerned department u/s 6(3) of the RTI Act.

The Commission has taken a serious view of this, issued a **show-cause notice to the PIO under Section 20 of the RTI Act 2005 and for not supplying the information within the statutorily prescribed period of time as well as for inappropriate reply and willful blocking the information. The PIO was directed to file reply on an affidavit.** The DEO(E) Sangrur to appear personally on the next date of hearing.

On the date of the last hearing on **23.08.2021**, the respondent informed that the complete information has been supplied to the appellant vide letter dated 05.08.2021.

The appellant was absent and vide email has informed that he has received the information and his appeal case may be closed.

The PIO however, did not file reply to the show-cause notice. The PIO was given one last opportunity to file a reply to the show-cause notice and appear personally before the Commission on the next date of hearing.

Hearing dated 06.10.2021:

The case has come up for hearing today through video conferencing at DAC, Sangrur. The respondent informed that they have sent reply to the show-cause notice.

The Commission has received a reply of the PIO on 07.09.2021 which has been taken on the file of the commission.

Having gone through the reply, I accept the plea of the PIO and drop the show cause.

Information stands provided. No further course of action is required. The case is **disposed of and closed.**

Chandigarh
Dated: 06.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner