

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;

COMPLAINT CASE NO. 679 OF 2018

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

Versus

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

PRESENT: Sh. Kewal Kumar, Complainant.
Sh. Harwinder Singh, SEE is present on behalf of the FAA &
Sh. Daljit Singh, AEC-cum- APIO is present on behalf of the PIO.

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

The complainant states that incomplete information has been
provided to him by the Respondent – PIO till today.

Sh. Harwinder Singh, Senior Executive Engineer appears on behalf
of the Respondent – FAA and states that the RTI application of the complainant
received in the office on 24.03.2018 and forwarded to the PIO on 04.04.2018.

In view of the above, the Respondent – FAA is directed to file a
reply in the shape of Affidavit, 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 Respondent – PIO (O/o Chairman, Pollution Control Board,
Patiala) is again directed to file an Affidavit in response to the Show Cause
Notice issued to him vide order dated: 06.09.2018, on the next date of hearing,
failing which penalty action would be initiated against him as per provisions of the
RTI Act, 2005.

The case is adjourned to **29.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
06.12.2018

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

Copy to Intimation and Necessary Action:-

Sh. Harwinder Singh,
Sr. Environmental Engineer,
O/o Punjab Pollution Control Board,
Street No. 12, Power House Road, Bathinda.

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COMPLAINT CASE NO. 703 OF 2018

Sh. Sanjeev Kumar,
S/o Sh. Shiv Kumar,
79, Prem Nagar, Ward No. 28,
Gali No. 4, Dhaki Road, Pathankot.

...Complainant

Versus

Public Information Officer,
O/o DPI (EE),
Punjab, Mohali.

...Respondent

PRESENT: Sh. Sanjeev Kumar, Complainant.
None is present on behalf of the Respondent.

ORDER:

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

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

Neither the PIO nor his representative is present for today's hearing. The PIO has not bothered to inform the Commission about his absence.

After examining the case file, it is revealed that the Respondent – PIO has already been supplied the information to the complainant vide letter memo no. 25/69-2017 A1(2)/2782, dated: 12.06.2018.

In these circumstances, it is relevant to invite the attention of the Complainant to the judgement of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Cont... P2

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COMPLAINT CASE No. 703 of 2018

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under section 19 (1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

In the complaint cases, it is to be seen whether the intention of the respondent-PIO is clear or not. In this case the complainant has filed his RTI on 05.05.2018, the first reply was sent to the complainant vide letter dated 12.06.2018, and there is not too much delay. However, Respondent-PIO is warned to be careful, in future while dealing with the RTI application.

In view of the observations noted above, instant complaint case is hereby **closed and disposed off**.

Copies of the order be sent to the parties.

**Chandigarh
06.12.2018**

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

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COMPLAINT CASE NO. 1110 OF 2018

Sh. Kamal Talwar,
House No. 2073, Sector-66,
S.A.S. Nagar (Mohali).

...Complainant

Versus

Public Information Officer,
O/o Punjab Health System Corporation,
State Institute of Health & Family Welfare Complex,
Phase-VI, Near Civil Hospital,
S.A.S. Nagar (Mohali).

...Respondent

PRESENT: None is present on behalf of the Complainant.
Sh. Sunil Kumar, Computer Operator for the Respondent.

ORDER:

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

The complainant is absent for today's hearing.

Sh. Sunil Kumar, Computer Operator appears on behalf of the
Respondent – PIO and states that the demanded information inadvertently has
been sent to Sh. Kamaljit Singh instated of the complainant (Sh. Kamal Talwar)
vide letter no. p.h.s.c/RTI/18/229, dated: 27.06.2018 now the same information
has been sent again to the right person (Sh. Kamal Talwar) vide letter dated:
15.11.2018. He further apologies for that mistake.

The perusal of the file reveals that the complainant has not availed
the provision of the Section 19(1) of the RTI Act by filing an appeal with the First
Appellate Authority (FAA). As such the FAA has not been able to address the
grievances of the Complainant.

It must be noted that there is an alternate and efficacious remedy of
First Appeal available under Section 19(1) of the RTI Act. It appears that the
Complainant has failed to avail the same in the instant case. Consequently, the
First Appellate Authority (FAA) has not had the chance to review the PIO's
decision as envisaged under the RTI Act.

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COMPLAINT CASE NO. 1110 of 2018

In view of the aforesaid, the instant matter is remanded to the FAA.

The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard.

The FAA is directed to peruse all the relevant documents during the hearing and examine whether the information provided by the PIO is complete, relevant and correct. Where the FAA is satisfied that the information provided by the PIO is as per the records, the First Appeal shall be disposed of. In the event, there are any deficiencies in the information provided by the PIO, the FAA shall direct the PIO to provide the complete information in reply to the RTI application dated 31.05.2018 to the Complainant.

In the given circumstances, this case is hereby, remanded back to the PIO who is directed to decide the RTI application afresh as per provisions of the RTI Act 2005. In view of the above, the instant Complaint Case is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

**Chandigarh
06.12.2018**

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

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APPEAL CASE NO. 1955 OF 2018

Sh. Arun Yadav,
Guest House Road,
Street No.9, Sri Mukatsar Sahib.

...Appellant

Versus

Public Information Officer,
O/o Secretary,
District Red Cross Societies,
Sri Mukatsar Sahib.

First Appellate Authority
O/o Deputy Commissioner,
Sri Mukatsar Sahib.

...Respondents

PRESENT: Adv Impinder Singh Dhaliwal is present on behalf of the Appellant.
Sh. Gopal Singh, Secretary O/o DRCS, Sri Mukatsar Sahib.

ORDER:

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

Adv Impinder Singh Dhaliwal appears on behalf of the Appellant
and states that the appellant is satisfied with the reply of the Respondent – PIO.

Sh. Gopal Singh, Secretary O/o DRCS, Sri Mukatsar Sahib
appears and files an affidavit – PIO mentioning therein that demanded
information has already been provided to the appellant as per the availability of
the office record and there are no more enclosures with or pertaining to the
complaint filed by the gardner.

After perusal of the case file, it reveals that the requisite information
has already been supplied to the appellant and today the PIO has filed an
Affidavit in this regard. The Affidavit is taken on record. The appellant is at liberty
to collect original affidavit from the Commission, on any working day. Thus, no
further cause of action is left in the instant Appeal Case, which is hereby, **Closed
and Disposed Off.**

Copies of the order be sent to the parties.

Chandigarh
06.12.2018

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

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APPEAL CASE NO. 2364 OF 2018

Sh. Sumeet Kumar,
S/o Sh. Bhagirath,
R/o H.No.183, Type-II,
Sector: 01, Naya Nangal,
PS Tehsil Nangal, Distt: Ropar.

...Appellant

Versus

Public Information Officer,
O/o Executive Officer,
MC, Nangal, Distt: Ropar.

First Appellate Authority

O/o Deputy Director,
Local Govt., Ludhiana.

...Respondents

PRESENT: Sh. Sumeet Kumar, Appellant & Adv Gagandeep is present on behalf of the Appellant.
Sh. Manjinder Singh, E.O. M.C. Nangal & Sh. Paramjit Singh, A.T.P. & Bhupinder Singh, J.E. on behalf of the Respondent – PIO.

ORDER:

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

Adv Gagandeep appears on behalf of the appellant and states that incomplete information has been provided to the appellant by the PIO.

Sh. Manjinder Singh, E.O. M.C. Nangal appears and states that the available information has been provided to the appellant.

In view of the above, the appellant is advised to visit the office of respondent on 25.01.2019, inspect the relevant records, identify the documents copies whereof are required by him and obtain the information on payment of requisite fee, if more than 50 pages, before the next date of hearing.

The appellant is again advised to point out the deficiencies in writing in the provided information, within a week to the Respondent - PIO with a copy to the Commission. The Respondent - PIO is directed to remove the same, 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 **19.02.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
06.12.2018

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

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APPEAL CASE NO. 2365 OF 2018

Sh. Sumeet Kumar,
S/o Sh. Bhagirath,
R/o h.No.183, Type-II,
Sector: 01, Naya Nangal,
PS Tehsil Nangal, Distt: Ropar.

...Appellant

Versus

Public Information Officer,
O/o Executive Officer,
MC, Nangal, Distt: Ropar.

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

...Respondents

PRESENT: Sh. Sumeet Kumar, Appellant & Adv Gagandeep is present on behalf of the Appellant.
Sh. Manjinder Singh, E.O. M.C. Nangal & Sh. Paramjit Singh, A.T.P. & Bhupinder Singh, J.E. on behalf of the Respondent – PIO.

ORDER:

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

Adv Gagandeep appears on behalf of the appellant and states that incomplete information has been provided to the appellant by the PIO.

Sh. Manjinder Singh, E.O. M.C. Nangal appears and states that the available information has already been provided to the appellant.

After examining the case, it is ascertained that since information as available in record has been provided and no opinion or reasons are to be given regarding queries of the Appellant. 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
06.12.2018

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

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APPEAL CASE NO. 2366 OF 2018

Sh. Sumeet Kumar,
S/o Sh. Bhagirath,
R/o h.No.183, Type-II,
Sector: 01, Naya Nangal,
PS Tehsil Nangal, Distt: Ropar.

...Appellant

Versus

Public Information Officer,
O/o Executive Officer,
MC, Nangal, Distt: Ropar.

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

...Respondents

PRESENT: Sh. Sumeet Kumar, Appellant & Adv Gagandeep is present on behalf of the Appellant.
Sh. Manjinder Singh, E.O. M.C. Nangal & Sh. Paramjit Singh, A.T.P. & Bhupinder Singh, J.E. on behalf of the Respondent – PIO.

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

Adv Gagandeep appears on behalf of the appellant and states that incomplete information has been provided to the appellant by the PIO.

Sh. Manjinder Singh, E.O. M.C. Nangal appears and states that the available information has already been provided to the appellant and rest of the information is related with the third party.

In view of the above, the Respondent – PIO is directed to send the notice to the third party alongwith RTI application of the appellant and called him in the Commission. The Respondent - PIO is further directed to provide the remaining information to the appellant, if there is no information then file an Affidavit 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 **19.02.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
06.12.2018

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

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APPEAL CASE NO. 2367 OF 2018

Sh. Sumeet Kumar,
S/o Sh. Bhagirath,
R/o h.No.183, Type-II,
Sector: 01, Naya Nangal,
PS Tehsil Nangal, Distt: Ropar.

...Appellant

Versus

Public Information Officer,
O/o Executive Officer,
MC, Nangal, Distt: Ropar.

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

...Respondents

PRESENT: Sh. Sumeet Kumar, Appellant & Adv Gagandeep is present on behalf of the Appellant.
Sh. Manjinder Singh, E.O. M.C. Nangal & Sh. Paramjit Singh, A.T.P. & Bhupinder Singh, J.E. on behalf of the Respondent – PIO.

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

Adv Gagandeep appears on behalf of the appellant and states that incomplete information has been provided to the appellant by the PIO.

Sh. Manjinder Singh, E.O. M.C. Nangal appears and states that the available information has been provided to the appellant.

In view of the above, the appellant is advised to visit the office of respondent on 25.01.2019, inspect the relevant records, identify the documents copies whereof are required by him and obtain the information on payment of requisite fee, if more than 50 pages, before the next date of hearing.

The appellant is again advised to point out the deficiencies in writing in the provided information, within a week to the Respondent - PIO with a copy to the Commission. The Respondent - PIO is directed to remove the same, 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 **19.02.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
06.12.2018

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

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APPEAL CASE NO. 2372 OF 2018

Dr. Ravi Jindal,
112, Bharpur Garden,
Opp. Govt. Ayurvedic College,
Patiala.

...Appellant

Versus

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

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

...Respondents

PRESENT: Dr. Ravi Jindal, Appellant.
Sh. Gurjit Singh, Superintendent –cum- PIO, Sh. Gurjit Singh, S.A.
Ms. Sapna, Computer Operator O/o Civil Surgeon, Patiala.

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

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

Sh. Gurjit Singh, Superintendent –cum- PIO appears and requests
that some more time be given to him to provide the information to the appellant.

Ms. Sapna, Computer Operator O/o Civil Surgeon, Patiala appears
and states that the Court case is pending in the District Court, Patiala pertaining
to the information sought by the appellant in his RTI application.

The perusal of the case reveals that the required information has
not been supplied to the appellant after the lapse of the 9 months period.

In view of the above, a show cause notice under Section 20(1) of
the RTI Act is issued to Sh. Gurjit Singh, Superintendent –cum- PIO O/o Director,
Health & Family Welfare Department, Punjab, Branch Health-I, 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.

Cont...P-2

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE No. 2372 of 2018

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.

The Respondent - First Appellate Authority O/o Additional Secretary, Department of Health & Family Welfare, Punjab, Chandigarh is directed to appear personally and file written reply regarding the RTI application of the appellant, on the next date of hearing and fix the responsibility against the erring official, who is responsible for the delay for not supplied the requisite information within stipulated period to the appellant as prescribed in the RTI Act, 2005. on the next date of hearing, failing which action would be initiated against the FAA as per provisions of the Right to Information Act, 2005.

Dr. Shelly Jaitly, PIO –cum- Assistant Civil Surgeon, O/o Civil Surgeon, Patiala is also directed to appear personally and file her written reply pertaining to the point no. 2 and 3 of the RTI application of the appellant, on the next date of hearing, failing which action would be initiated against her as per provisions of the RTI Act, 2005.

In view of the above, the Respondent - PIO is directed to provide the requisite information to the appellant and file written submission to explain the reason of delay, on the next date of hearing.

The case is adjourned to **29.01.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
06.12.2018**

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

Copy to Intimation and Necessary Action:

Sh. Gurjit Singh,
Superintendent –cum- PIO
O/o Director, Health & Family Welfare Department, Punjab,
Branch Health-I, Chandigarh.

Dr. Shelly Jaitly,
PIO –cum- Assistant Civil Surgeon,
O/o Civil Surgeon, Patiala.

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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

Versus

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

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

...Respondents

PRESENT: Ms. Kulwant Kaur, Appellant.
Sh. Hardwinder Singh, Jr. Assistant is present on behalf of the PIO.

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

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

Sh. Hardwinder Singh, Jr. Assistant appears on behalf of the
Respondent – PIO and states that the appellant has demanded the third party
information which cannot be provided to her under section 8-1 (j) of the RTI Act,
2005 and reply of the same has already been sent to the appellant.

After examining the case file, it is revealed that the information
sought by the appellant relating to point no. 3 is third party information, point no.
4 is partial third party information and point no. 5 is vague information therefore,
the Respondent – PIO is directed to provide the information relating to point no.
1, 2 and partial information of point no. 4 as per RTI application of the appellant,
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 **29.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
06.12.2018

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

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APPEAL CASE NO. 2804 OF 2018

Sh. Parvinder Pal Singh Bawa,
House No. 4681 (MIG Ind.)
Sector -70, S.A.S. Nagar,
(Mohali)-160071.

...Appellant

Versus

Public Information Officer,
O/o Director,
Health & Family Welfare Department, Punjab
Plot No. 5, Sector-34-A, Chandigarh-160022

First Appellate Authority,
O/o o Director,
Health & Family Welfare Department, Punjab
Plot No. 5, Sector-34-A, Chandigarh-160022

The Public Information Officer,
O/o Civil Surgeon,
S.A.S. Nagar (Mohali).

...Respondents

PRESENT: Sh. Parvinder Pal Singh Bawa, Appellant.
Sh. Rajinder Kumar, Sr. Asstt. on behalf of the Respondent – PIO,
Dr. Parminder Singh O/o S.M.O, I/C District Hospital, Phase-6,
S.A.S. Nagar, Sh. Ramesh Kumar Singla, Pharmacist O/o Civil
Surgeon, Mohali.

ORDER:

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

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

Dr. Parminder Singh O/o Senior Medical Officer, Incharge District
Hospital, Phase-6, S.A.S. Nagar (Mohali) appears and states that the requisite
information has already been supplied to the appellant vide letter no. 2786,
dated: 15.10.2018 by post.

Sh. Ramesh Kumar Singla, Pharmacist O/o Civil Surgeon, S.A.S.
Nagar (Mohali) appears and states that the RTI application has been received in
this office vide letter dated: 13.04.2018 and the information sought by the
appellant is lying with the Senior Medical Officer, Incharge District Hospital,
Phase-6, S.A.S. Nagar (Mohali).

Cont...Pg-2

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APPEAL CASE NO. 2804 OF 2018

Therefore, he has transferred the RTI application of the appellant to the Senior Medical Officer, Incharge District Hospital, Phase-6, S.A.S. Nagar (Mohali) vide letter no. R.T.I./18/134, dated: 16.04.2018. The copy of the same has also been sent to the appellant, which is taken on record.

The perusal of the case reveals that there is considerable delay in transferring the RTI application to concerned department by the respondent O/o Director, Health & Family Welfare Department, Punjab.

In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to Ms. Shashi Bala, Superintendent –cum- O/o Director, Health & Family Welfare Department, Punjab, Chandigarh, as to why penalty should not be imposed upon her 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.

A copy of this order be sent to Ms. Shashi Bala, Superintendent – cum- 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.

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APPEAL CASE NO. 2804 OF 2018

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 PIO O/o Senior Medical Officer, Incharge District Hospital, Phase-6, S.A.S. Nagar (Mohali), 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. 2000/- (Rupees Two 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 Senior Medical Officer, Incharge District Hospital, Phase-6, S.A.S. Nagar (Mohali), by way of crossed Cheque/Demand Draft in the name of Sh. Parvinderpal Singh Bawa within one month.

The Respondent - PIO [O/o Senior Medical Officer, Incharge District Hospital, Phase-6, S.A.S. Nagar (Mohali)] 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 **29.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

**Chandigarh
06.12.2018**

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

Copy to Intimation and Necessary Action:-

Ms. Shashi Bala,
PIO –cum- Superintendent
O/o Director,
Health & Family Welfare Department, Punjab,
Plot No. 5, Sector-34-A, Chandigarh-160022

The Public Information Officer,
O/o Senior Medical Officer,
Incharge District Hospital,
Phase-6, S.A.S. Nagar (Mohali).

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

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

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APPEAL CASE NO. 3240 OF 2018

Sh. Sumeet Kumar,
S/o Sh. Bhagirath,
R/o H.No.183, Type-II,
Sector: 1, Naya Nangal,
PS Tehsil Nangal, Distt: Roopnagar.

...Appellant

Versus

Public Information Officer,
O/o Executive Officer,
M.C, Nangal, Distt:Roopnagar.

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

...Respondents

PRESENT: Sh. Sumeet Kumar, Appellant & Adv Gagandeep is present on behalf of the Appellant.
Sh. Manjinder Singh, E.O. M.C. Nangal & Sh. Paramjit Singh, A.T.P. & Bhupinder Singh, J.E. on behalf of the Respondent – PIO.

ORDER:

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

Adv Gagandeep appears on behalf of the appellant and states that incomplete information has been provided to the appellant by the PIO.

Sh. Manjinder Singh, E.O. M.C. Nangal appears and states that the available information has already been provided to the appellant and rest of the information is related with the third party.

In view of the above, the appellant is advised to visit the office of respondent on 25.01.2019, inspect the relevant records, identify the documents copies whereof are required by him and obtain the information on payment of requisite fee, if more than 50 pages, before the next date of hearing.

The appellant is again advised to point out the deficiencies in writing in the provided information, within a week to the Respondent - PIO with a copy to the Commission. The Respondent - PIO is directed to remove the same, 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 **19.02.2019 at 11:30 AM.**

Copies of the order are sent to the parties.

Chandigarh
06.12.2018

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

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

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

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APPEAL CASE NO. 3396 OF 2018

Dr. Harjinder Singh Cheema,
31-G, Sarabha Nagar,
Opp. PAU Gate No. 2,
Ferozepur Road, Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Shaheed Bhagat Singh Nagar.

First Appellate Authority
O/o Deputy Inspector General,
Ludhiana Range,
Ludhiana.

...Respondents

PRESENT: Sh. Jagtar Singh is present on behalf of the Appellant.
ASI Amarjit Singh is present on behalf of the Respondent – PIO.

ORDER: The appellant has sought information as enumerated in his RTI application dated: 11.06.2018. First appeal was filed with the First Appellate Authority on dated: 04.08.2018 and second appeal was filed in the Commission on dated: 24.09.2018.

Notice of hearing has been issued to the parties for 06.12.2018 to appear before the Commission.

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

ASI Amarjit Singh appears on behalf of the Respondent – PIO and states that information sought by the appellant is third party information and cannot be given to the appellant. Copy of the same is taken on record.

After examining the case file, it is revealed that the information sought by the appellant is his personal information. Therefore, the Respondent – PIO is directed to provide the complete information, 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 for **29.01.2019 at 11:30 AM.**

Copies of the order be sent to the parties.

Chandigarh
06.12.2018

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