



Sh. Bikramjit Singh,  
H NO-8, Phase-3, Swiss City,  
Gumtala Mahal, Bypass,  
Amritsar.

... Complainant

Versus

**Public Information Officer,**  
O/o SGPC,  
Amritsar.

...Respondent

**Complaint Case No. 221 of 2021**

**PRESENT:   None for the Complainant**  
**Shri Simarjit Singh-PIO for the Respondent**

**ORDER:**

The complainant through RTI application dated 09.01.2021 has sought information regarding inspection of file related with letter emailed to Akal Takhat Sahib on 10.10.2020 and 02.01.2021 with letter No.792 and 1093 as enumerated in the RTI application concerning the office of SGPC Amritsar. The complainant was not provided with the information after which the complainant a complaint in the Commission on 17.02.2021.

The case first came up for hearing 07.07.2021 through video conferencing at DAC Amritsar. The complainant informed that earlier the PIO vide letter dated 05.04.2021 had informed that the enquiry is pending and the information cannot be provided. Thereafter, the PIO vide letter dated 21.06.2021 informed that the enquiry has been completed, the report has been received and the decision has been taken but the PIO did not supply a copy of a final decision as per the RTI application.

The complainant further informed that he was allowed inspection only on 6<sup>th</sup> July 2021 but during the inspection, he was not allowed to note down any letter numbers nor provided photocopies of the required information.

The respondent was absent and vide email has sought exemption.

The Commission observed that the PIO has not attended to the RTI application within a period of 30 days, the time prescribed under the RTI Act. As per the record on the file, the RTI application was filed on 09.01.2021 but the reply was sent only on 05.04.2021. The PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

**Hearing dated 09.02.2022**

The case has come up for hearing today through video conferencing at DAC Amritsar. Shri Simarjit Singh-PIO is present on behalf of the respondents. He informed that since the appellant's enquiry is pending with Shri Akal Takht, a letter was sent to the office of Shri Akal Takht Sahib on 15.01.2021 asking for the status of the enquiry and the reply was received on 23.03.2021. The reply was sent to the appellant vide letter dated 05.04.2021 stating therein that the enquiry was still pending.

**Complaint Case No. 221 of 2021**

The PIO has also sent a reply to the show-cause notice through email which has been taken on the file of the Commission.

The case is adjourned. To come up for further hearing on **09.03.2022 at 11.00** at Chandigarh.

**Chandigarh**  
**Dated:09.02.2022**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Building, Near Rose Garden,**

**Sector 16, Chandigarh.**

**Ph: 0172-2864114, Email: - [psicsic30@punjabmail.gov.in](mailto:psicsic30@punjabmail.gov.in)**

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Dr. Avtar Singh,  
H NO-2281-B, Jagdishpura Tajpur Road,  
Near Jalandhar Bypass, Ludhiana.

... Complainant

Versus

**Public Information Officer,**  
O/o SMO,  
Civil Hospital,  
Phillaur, Distt Jalandhar.

**First Appellate Authority,**  
O/o Civil Surgeon,  
Jalandhar.

...Respondent

**Appeal Case No. 450 of 2021**

**PRESENT: Dr.Avtar Singh as the Appellant**  
**Dr.Rohini Goyal SMO-Civil Hospital Phillaur for the Respondent**

**ORDER:**

The appellant through RTI application dated 24.09.2020 has sought information on 14 points regarding the date of release of salary for the months of Sept, Oct, Nov, Dec 2019 along with deductions – date of release of salary from Jan to Sept.2020 along with deductions – medical leave availed by employees in civil hospital from Sept.2019 to Sept 2020 leave granted to employees under covid-19 quarantine cases – letter/circular for not providing increment for 2019-2020 – attendance record and other information as enumerated in the RTI application concerning the office of SMO Civil Hospital Phillaur. The appellant was not satisfied with the reply of the PIO dated 23.10.2020 after which the appellant filed the first appeal before the First Appellate Authority on 13.11.2020 which took no decision on the appeal.

The case first came up for hearing on 07.07.2021 through video conferencing at DAC Ludhiana. As per the respondent, the reply was sent to the appellant vide letter dated 23.10.2020.

The appellant was absent and vide email had sought adjournment.

**Hearing dated 09.02.2022:**

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

The appellant is not satisfied with the provided information.

Having gone through the RTI application and hearing both the parties, the following is concluded:

- |               |   |  |
|---------------|---|--|
| - Point-1 & 2 | - | PIO to provide the information   |
| - Point-3     | - | Personal information, not to be provided   |
| - Point-4     | - | To provide the total number of persons who availed leave. Medical test reports are not to be provided. |
| - Point-5     | - | To provide information   |

**Appeal Case No. 450 of 2021**

- |                       |   |  |
|-----------------------|---|--|
| - Point-6             | - | To provide information specific to the appellant, Dr.Avtar Singh only. |
| - Point-8             | - | To provide the action taken report                                     |
| - Point-9             | - | To provide the information   |
| - Point-10            | - | To provide the name & designation                                      |
| - Point-11, 12 & 13 - |   | To provide the information   |
| - Point-14            | - | To be decided on the next date of hearing                              |

Dr.Rohini, the respondent further pleaded that since the case was earlier dealt with by Dr.Mahesh Prabhakar who was SMO-Civil Hospital Phillaur and now posted in the office of Civil Surgeon, Jalandhar, Dr.Prabhakar be also impleaded in the case to assist in providing the information.

The request is granted and Dr.Mahesh Prabhakar O/o Civil Surgeon, Jalandhar is impleaded in the case and directed to assist the PIO in handing over the sought information.

The case is adjourned. To come up for further hearing on **21.03.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

**Chandigarh**  
**Dated: 09.02.2022**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

**CC to Dr.Mahesh Prabhakar,**  
**O/o Civil Surgeon Jalandhar.**

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Sh Nitin Kumar Garg,  
C/o Police Public Dairy,  
15-A, Shastari Nagar, Model Town,  
Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o SMO,  
Hoshiarpur.

**First Appellate Authority,**  
Civil Surgeon,  
Hoshiarpur.

...Respondent

**Appeal Case No. 138 of 2021**

**PRESENT: Sh.Nitin Kumar Garg as the Appellant**  
**None for the Respondent**

**ORDER:**

The appellant through RTI application dated 26.08.2020 has sought information regarding comparative statements approved for the purchase of medicine during 01.04.2019 to 28.02.2020 – list of all type amounts received daily from the public in the hospital – amount utilized for medicine purchase and other information as enumerated in the RTI application concerning the office of SMO Hoshiarpur. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 01.10.2020 which took no decision on the appeal.

The case first came up for hearing on 11.05.2021 through video conferencing at DAC Ludhiana/Hoshiarpur. The respondent was absent.

The appellant claimed that the information that has been provided by the PIO vide letter dated 02.03.2021 is incomplete. The appellant pointed out the discrepancies, a copy of which was sent to the PIO along with this order.

The PIO was directed to provide further information, if available.

On the date of the last hearing on **18.08.2021**, both the parties were absent. The PIO was directed to appear personally at the next hearing.

The case was adjourned.

**Hearing dated 09.02.2022:**

The case has come up for hearing today through video conferencing at DAC Ludhiana/Hoshiarpur. As per the appellant, the discrepancies were pointed out to the PIO but the PIO has not supplied the complete information as per the RTI application.

The respondent is absent on 3<sup>rd</sup> consecutive hearing nor has complied with the order of the Commission to provide complete information. There has been an enormous delay of more than one year and five months in providing the information. 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.

To come up for further hearing on **11.04.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear through VC at DAC Hoshiarpur.

Chandigarh  
Dated :09.02.2022

Sd/-  
(Khushwant Singh)  
State Information Commissioner

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Sh Nitin Kumar Garg,  
C/o Police Public Dairy,  
15-A, Shastri Nagar, Model Town,  
Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o SMO,  
Batala, Distt Gurdaspur.

**First Appellate Authority,**  
Civil Surgeon,  
Gurdaspur.

...Respondent

**Appeal Case No. 140 of 2021**

**PRESENT: Sh.Nitin Kumar Garg as the Appellant**

**ORDER:**

The appellant through RTI application dated 02.07.2020 has sought information regarding comparative statements approved for the purchase of medicine during 01.04.2019 to 28.02.2020 – list of all type amounts received from the public in the hospital (daily)– amount utilized for medicine purchase and other information as enumerated in the RTI application concerning the office of SMO Batala. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 15.09.2020 which took no decision on the appeal.

The case first came up for hearing on 11.05.2021 through video conferencing at DAC Ludhiana/ Gurdaspur. The appellant claimed that the PIO has not provided the information.

The respondent was absent. The Commission received a letter from the PIO-SMO Batala stating that the information has been sent to the appellant vide letter dated 22.06.2020. In the same letter, the PIO also claimed that no letter / RTI application dated 02.07.2020 was received by them.

The Commission observed that the reference of the letter (dated 22.06.2020) vide which the PIO claimed to have sent the information, pre-dates the RTI application (RTI application filed on 02.07.2020). This RTI application was on the file.

The PIO was directed to relook at the RTI application (a copy of which was enclosed with the order) and send a point-wise reply along with complete information to the Commission, which will be further sent to the appellant.

On the date of the last hearing on **18.08.2021**, both the parties were absent. The PIO. The case was adjourned.

**Hearing dated 09.02.2022:**

The case has come up for hearing today through video conferencing at DAC Ludhiana/Gurdaspur.

As per the appellant, the PIO has not supplied the information.

Due to technical fault in the VC, the respondent could not be heard.

The case is adjourned. To come up for further hearing on **17.05.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear through VC at DAC Gurdaspur.

**Chandigarh**  
**Dated :09.02.2022**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**





Sh Bitu,  
Village Thatha, Tehsil Batala,  
Distt Gurdaspur.

... Appellant

Versus

**Public Information Officer,**  
O/o Assistant Food Supply Officer,  
Fatehgarh Churian.  
District Gurdaspur

**First Appellate Authority,**  
O/o District Food and Supply Controller,  
Gurdaspur.

...Respondent

**Appeal Case No. 514 of 2021**

**ORDER:**

The appellant through RTI application dated 21.09.2020 has sought information regarding details of ration distributed in village Thatha from 01.01.2020 to 31.08.2020 – ration distributed in Sept. – list of ration card suspended in September and list of new card issued and other information concerning the office of Assistant Food Supply Officer Fatehgarh Churian. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 21.11.2020 which took no decision on the appeal.

The case came up for hearing on 11.05.2021 through video conferencing at DAC Gurdaspur. The appellant claimed that the PIO has not provided the information.

The respondent was absent and vide an email has sought adjournment on the plea that since he was in touch with a Food Supply Officer who was COVID-19 positive, he had quarantined himself and was unable to attend the hearing.

Since there had been an enormous delay in attending to the RTI application. The PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.** The PIO was again directed to provide information as soon as he resumes work from the quarantine.

Sh. Rakesh Kumar, Inspector appeared late and assured to provide the information within a week. He was informed of the status of the hearing.

On the date of the last hearing on **18.08.2021**, both the parties were absent.

The respondent also did not file a reply to the show-cause notice. The PIO was given one last opportunity to file a reply to the show-cause notice otherwise it will be presumed that he has nothing to say in the matter and the decision will be taken ex parte.

**Hearing dated 09.02.2022:**

The case has come up for hearing today through video conferencing at DAC Gurdaspur. Due to a technical fault in the VC, the hearing could not take place.

The case is adjourned. To come up for further hearing on **17.05.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Gurdaspur.

**Chandigarh**  
**Dated :09.02.2022**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**



Sh. Gurdeep Singh,  
R/o H No-3023, Agwaar Ladhai,  
Rani Wala Khu,  
Jagraon, Distt. Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o Civil Surgeon,  
Ludhiana.

**First Appellate Authority,**  
O/o Civil Surgeon,  
Ludhiana.

...Respondent

**Appeal Case No. 3641 of 2020**

**Present: Sh.Gurdeep Singh as the Appellant**  
**Sh.Satwinder Singh, Sr.Assistant O/o SMO Sidhwan Bet for the**  
**Respondent**

**Order:**

The appellant through the RTI application dated 20.07.2020 has sought information regarding action taken on the application dated 12.06.2020 and other information concerning the office of Civil Surgeon Ludhiana. The appellant was not provided with the information, after which the appellant filed the first appeal before the First Appellate Authority on 08.09.2020 which took no decision on the appeal.

On the date of the first hearing on 17.03.2021, the appellant claimed that the PIO has not provided the information. The respondent was absent.

Since there has been an enormous delay of more than seven months in attending to the RTI application, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

The PIO was again directed to provide the information to the appellant within 10 days and send a compliance report to the Commission.

On the date of the hearing on **15.06.2021**, the appellant claimed that the PIO has not supplied the information.

The PIO was absent without any legitimate reasons for the absence nor had filed a reply to the show-cause notice as well as not provided the information.

The PIO was given one last opportunity to file a reply to the show-cause notice otherwise the Commission will be constrained to act against the PIO under the provisions of section 20 of the RTI Act. The PIO was also directed to provide information to the appellant within 10 days.

**On the date of the last hearing on 18.08.2021**, as per the appellant, the PIO did not supply the information.

The respondent was absent nor had sent any reply to the show cause notice as well as not provided the information.

The PIO was directed to send a reply to the show-cause notice and inform:-

- Who was the PIO when the RTI application was filed?
- Who was the PIO when the show cause notice was issued?
- Who is the present PIO?

**Hearing dated 09.02.2022:**

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present from the office of SMO Sidhwan Bet informed that the reply has been sent to the appellant on 24.01.2022. As per the appellant, the information is incomplete.

The Commission observes that the RTI application was filed on 20.07.2020 whereas the reply has been sent by the SMO Sidhwan Bet on 14.01.2022 with a delay of six months. However, the appellant had filed an appeal to the office of Civil Surgeon, Ludhiana. However, there has been no response from the office of the Civil Surgeon, nor is anyone present at the commission hearing from the office of Civil Surgeon Ludhiana. Even considering the Covid situation and giving the benefit of doubt to the PIO-Civil Surgeon for the delay in information, facts state that there has been a considerable delay and defiance on the part of the PIO-Civil Surgeon towards attending to the RTI application and the commission's various notices.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-Civil Surgeon Ludhiana is hereby held guilty for not providing the information within the time prescribed under the RTI Act as well as repeated defiance of the orders of the Punjab State Information Commission to provide the information and for non-appearance.

Hence, given the above facts a penalty of **Rs.10,000/-** is imposed on the PIO-Civil Surgeon, Ludhiana (the Civil Surgeon at the time of issuing of the show-cause notice), which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

To come up for further hearing on **11.04.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

**Chandigarh**  
**Dated 09.02.2022**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**

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**Sector 16, Chandigarh.**  
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Sh. Pargat Masih,  
Office Address- 33 Foot Road,  
Ghai Market, Gobind Nagar,  
Street No-1, Opposite Takar Wali Building,  
Chandigarh Road, Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
O/o District Social Security Officer,  
Ludhiana.

**First Appellate Authority,**  
O/o District Social Security Officer,  
Ludhiana.

...Respondent

**Appeal Case No. 4116 of 2020**

**Present:       None for the   Appellant**  
**None for the   Respondent**

**Order:**

The case first came up for hearing on 17.03.2021 through video conferencing at DAC Ludhiana. The appellant claimed that the PIO has not provided the information. The Commission received a reply of the PIO dated 10.02.2021 through email which was taken on the file of the Commission.

In the reply, the PIO has mentioned that the appellant is running a business of contracts in a house nearby this institution and unnecessarily interfering in the functioning of the management of the school since he wants to take over the management of this institution, for which a complaint has also been filed against Pargat Masih on 17.08.2020 in police station Jamalpur. The PIO has further mentioned in the reply that the school is being run for the welfare of blind girls/boys and the responsibility for the security of these children lies on the DSSO and its staff whereas Sh. Pargat Masih has sought information regarding the decisions taken by the SSSO and its staff which cannot be provided keeping in view the welfare and security aspect of the children.

Having gone through the RTI application especially points 1 and 3, and hearing both the parties, I am of the view that the information that is being sought is purely about the list of members and office bearers etc, of the Committee constituted in the Govt School for blinds, to make the decision for allowing blind children to attend any function, competition or any other programme outside, and parting with this information cannot pose any security threat to the institution about which the information is being sought. Moreover, the respondent has written a long response about the concerns but has not availed of any exemption as provided under the RTI ACT to deny the information. However, that does not imply that the commission has not taken cognizance of the concern raised by the respondent in parting with the information.

Given the above, Information was to be provided for points 1 & 3.

The commission carefully assessed the sought information in point -2 and keeping in mind the concerns raised by the PIO, directed the PIO to submit the information regarding point-2 in a sealed envelope to the commission.

On the date of the hearing **15.06.2021**, both the parties were absent. The case was adjourned.

On the date of the last hearing on **18.08.2021**, the appellant informed that the PIO has supplied the information on point 1 only.

The respondent was absent on 2<sup>nd</sup> consecutive hearing nor had complied with the previous order of the commission to send information regarding point-2 to the Commission in a sealed envelope as well as not supplied the information to the appellant on point-3.

There has been an enormous delay of more than one year and ten months in providing the information and the PIO has not complied with the order of the Commission. The PIO was issued a **show-cause under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

**Hearing dated 09.02.2022:**

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

Earlier order stands. The PIO is given one last opportunity to file a reply to the show-cause notice otherwise it will be presumed that the PIO has nothing to say on the matter and the Commission will act against the PIO as per provisions of section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on 11.04.2022 **at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana.

**Chandigarh**  
**Dated 09.02.2022**

**Sd/-**  
**(Khushwant Singh)**  
**State Information Commissioner**