

Sh. Mangal Singh,
296, S.J.S Avenue,
Ajnala, Distt Amritsar.

... Appellant

Versus

Public Information Officer,
O/o Secretary,
Food Civil Supplies & Consumer Affairs, Pb,
Anaj Bhawan, Sector-39-C, Chandigarh.

First Appellate Authority,
O/o Secretary,
Food Civil Supplies & Consumer Affairs, Pb,
Anaj Bhawan, Sector-39-C, Chandigarh.

...Respondent

Appeal Case No. 492 of 2021

PRESENT: None for the Appellant
Sh.Amandeep Singh Inspector and Mrs. Satinder Kaur, Sr. Assistant O/o
DFSC Amritsar for the Respondent

ORDER:

The appellant through RTI application dated 22.09.2020 has sought information regarding action taken on the mail to DFSC Amritsar dated 02.09.2020 and action taken on a letter dated 22.09.2020 as enumerated in the RTI application concerning the office of Secretary, Food Civil Supplies & Consumer Affairs, Pb Chandigarh. The appellant was not provided the information after which the appellant filed the first appeal before the First Appellate Authority on 24.10.2020 which took no decision on the appeal.

The case first came up for hearing on 07.07.2021 through video conferencing at DAC Amritsar. As per the appellant, the PIO did not provide the information.

The respondent present pleaded that the appellant had filed an RTI application with the office of Secretary Food Civil Supply & Consumer Affairs, Pb Chandigarh which was forwarded to them by the Chandigarh office vide letter dated 26.04.2021 but they received the RTI application only on 13.05.2021. The respondent, however, was assured to provide the information within a week.

The PIO-DFSC Amritsar was directed to provide information within a week and send a compliance report to the Commission.

It appeared that the RTI application was received by DFSC on 13.05.2021 but it was never transferred within the time stipulated under the RTI Act and was merely forwarded by the office of Secretary Civil Supplies & Consumer Affairs Pb Chandigarh to DFSC Amritsar to provide information.

There was an enormous delay in transferring the RTI application by the PIO-Secretary Civil Supplies & Consumer Affairs Pb Chandigarh to DFSC Amritsar as well as in providing the information. **A show-cause notice was issued to the PIO for not transferring the RTI application to the concerned authority u/s 6(3) within the statutorily prescribed period of time, resulting in a delay in supplying the information.**

He/she was directed to file an affidavit in this regard. The PIO was further directed to inform that if there are other persons responsible for the delay in providing the information, direct them to appear before the Commission along with the written replies.

Hearing dated 09.02.2022

The case has come up for hearing today through video conferencing at DAC Amritsar.

The respondents present pleaded that DFSC Amritsar has already provided the information vide letter dated 12.07.2021 and the appellant has acknowledged having received the information vide dated 18.10.2021 to his satisfaction.

The reply to the show-cause notice issued to the PIO on 13.05.2021 has been received which has been taken on the file of the Commission. In the said reply, the PIO has mentioned that the delay has occurred at the level of concerned Senior Assistant as well as due to consequences of prevalence of Covid-19 pandemic and restrictions imposed for 50% presence of staff in the offices. However, the PIO has apologized unconditionally.

Since the appellant has received the information and does not want to pursue the case further the show cause is dropped.

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

Chandigarh
Dated : 09.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

**Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.**

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Sh. Jasbir Singh,
Guru Nanak Nagar,
Village Bolapur Jhabewal,
P.O Ramgarh, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Food Safety Officer,
O/o Civil Surgeon, Faridkot.

First Appellate Authority,
O/o Civil Surgeon,
Faridkot.

...Respondent

Appeal Case No. 698 of 2021

**PRESENT: None for the Appellant
 None for the Respondent**

ORDER:

The appellant through RTI application dated 15.10.2020 has sought information regarding the number of licenses issued for eatables under Food Safety & Standard Act 2006 – notices issued to the violators who did not get registration/license for eatables under Food Safety Rules 2011 – documents deposited by applicants for registration under Food Safety rule 2011 and other information as enumerated in the RTI application concerning the office of Food Safety Officer O/o Civil Surgeon Faridkot. The appellant was asked by the PIO vide letter dated 06.11.2020 to specify the period of information which the appellant specified vide letter dated 19.11.2020. Since the appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 15.02.2021 which took no decision on the appeal.

The case first came up for hearing on 07.07.2022 through video conferencing at DAC Ludhiana. The appellant was absent and vide email has informed that the PIO has not provided the information.

The respondent was absent and vide email has asked to provide a copy of the RTI application.

Since the appellant had already specified the period of information, the PIO was directed to provide complete information to the appellant within 15 days and send a compliance report to the Commission. A copy of the RTI application was attached with the order for the PIO.

Hearing dated 09.02.2022

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

The appellant vide letter received in the Commission on 19.08.2021 has informed that he has received the information and does not want to pursue the case further.

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

**Chandigarh
Dated : 09.02.2022**

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



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

... Complainant

Versus

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

...Respondent

Complaint Case No. 107 of 2021

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

ORDER:

The complainant through RTI application dated 13.11.2020 has sought information regarding the recording of CCTV in Govt. Civil Hospital from 06.11.2020 to 14.11.2020 – dates of salary released in Sept, Oct, Nov & De.2019 along with deductions - circular/letter for not providing increment for 2019-2020 and other information as enumerated in the RTI application concerning the office of SMO, Civil Hospital, Phillaur. The complainant was not satisfied with the reply of the PIO dated 07.12.2020 after which the complainant filed a complaint in the Commission on 12.01.2021.

The case last came up for hearing on 07.07.2021 through video conferencing at DAC Ludhiana. The respondent informed that the reply has been sent to the appellant vide letter dated 07.12.2020.

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 reply was sent to the complainant on 07.12.2020. As per the complainant, the information is incomplete and not as per the RTI application.

Having gone through the file, the Commission observes that it is a complaint case and the complainant has come to the Commission without going to the first appellate authority. As the RTI application has been replied to within time no further interference is required by the commission for now.

The case is remanded back to the First Appellate Authority –Civil Surgeon, Jalandhar with the direction to consider it an appeal case and dispose of the same within a period of 30 days.

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

Chandigarh
Dated : 09.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :Civil Surgeon, Jalandhar

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Sector 16, Chandigarh.

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Sh. Bittu, S/o Sh Om Kumar,
Village Bolapur Jhabewal,
P.O Ramgarh, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Director,
Health and Family Welfare,
Sector-34, Chandigarh.

First Appellate Authority,
O/o Director,
Health and Family Welfare,
Sector-34, Chandigarh.`

...Respondent

Appeal Case No. 694 of 2021

PRESENT: None for both the parties

ORDER:

The appellant through RTI application dated 24.10.2020 has sought information regarding action taken on the application sent to Director Health & Family Welfare on 19.10.2020 and other information as enumerated in the RTI application concerning the office of Director, Health and Family Welfare, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 24.11.2020 which took no decision on the appeal.

The case first came up for hearing on 07.07.2021 through video conferencing at DAC Ludhiana. The respondent present from the office of Commissioner, Food & Drug Administration was not apprised of the facts of the case and was merely sent to mark the attendance.

Having gone through the official file of the respondent, the Commission observed that the appellant had filed RTI application with the office of Director, Health & Family Welfare which transferred the same to the PIO O/o Commissioner, Food & Drug Administration Kharar u/s 6(3) of the RTI Act on 06.01.2021. The office of Commissioner Food & Drug Administration further transferred the RTI application to the office of Civil Surgeon, Ludhiana on 02.02.2021 for providing the information to the appellant.

From the above, it was clear that the information was to be provided by Civil Surgeon Ludhiana. The PIO-Civil Surgeon Ludhiana was impleaded in the case and directed to provide information to the appellant as per the RTI application transferred by the office of Commissioner Food & Drug Administration, Kharar vide letter dated 02.02.2021. A copy of the RTI application was again attached with the order for the Civil Surgeon Ludhiana's perusal.

Hearing dated 09.02.2022

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

The appellant vide letter received in the Commission on 15.12.2021 has informed that he has received the information and does not want to pursue the case further.

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

**Chandigarh
Dated : 09.02.2022**

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

**CC to :PIO-Civil Surgeon,
Ludhiana.**



Sh.Satinder Pal Singh,
Office Address # 890,
2nd Floor , Sector-70,
Mohali

...Appellant

Versus

Public Information Officer,
O/o Under Secretary, Estt-1, PSPCL,
Focal Point, Ludhiana.

First Appellate Authority,
O/o Secretary, PSPCL,
Patiala

.....Respondent

Appeal Case No. 3800 of 2019

PRESENT: None for the Appellant
Sh.Rakesh Kumar, LDC and Sh.Sukhmander Singh, Dy.Chief Engineer
PSPCL Circle Jalandhar (Earlier PIO-Focal Point, Ludhiana) for the
Respondent

ORDER:

The appellant through RTI application dated 18.05.2019 has sought information regarding the appointment of Kiranjeet Kaur d/o late Sh. Sukhdev Singh (Assistant Lineman) on compassionate ground vide letter memo No.7799 dated 15.09.2010 –documents submitted for the appointment and other information concerning the office of Under Secretary, Estt-1, PSPCL, Focal Point, Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 26.06.2019 which took no decision on the appeal.

The case has already been heard on 18.02.2020, 24.06.2020, 17.08.2020, 29.09.2020, 06.01.2021 & 28.03.2021.

On the date of hearing on 17.08.2020, since there had been an enormous delay of more than one year in attending to the RTI application, and PIO did not provide the information nor had appeared before the Commission, 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 also directed to appear personally before the Commission on the next date of hearing along with the written replies.

On the date of the hearing on **29.09.2020**, the respondent was absent and as per the appellant, did not provide the information. The PIO -Under Secretary, Estt.-1, PSPCL Focal Point, Ludhiana was directed to pay an amount of **Rs.3500/-** via demand draft drawn through Govt. Treasury as compensation to the appellant and submit proof of having compensated the appellant. The PIO was also directed to provide the information to the complainant within 10 days and appear personally on the next date of hearing.

Further since the PIO –PSPCL, Focal Point, Ludhiana was Superintending Engineer, PSPCL, Sarabha Nagar Ludhiana who was absent on 4th consecutive hearing nor had complied with the order of the Commission, a bailable warrant through SSP-Ludhiana was issued under section 18(3) of the RTI Act, to secure his presence before the Commission on 26.10.2020 which date was postponed to 06.01.2021.

On the date of hearing on **06.01.2021**, the appellant claimed that the PIO has not provided the complete information on point-1 & 2 as well as not paid the compensation amount. The PIO was absent.

Sh.Jagdish Singh, Sr. Xen-Focal Point Ludhiana appeared and informed that the information regarding point-1 relates to Sr.Xen/Op. PSPCL Division Raikot and point -2 relates to under Secretary (Est-1) PSPCL Ludhiana.

As per the respondent, when the show cause was issued, Sh.Sukhminder Singh was the PIO who had been transferred and posted as Dy. Chief Engineer(Production & maintenance), Circle Jalandhar and now Sh.Som Nath Mali, Dy. Chief Engineer(HQ)(Central Zone), PSPCL Ludhiana is the present PIO.

From the hearing, it was concluded that the earlier PIO had been transferred and a new PIO had joined. The current PIO was directed to ensure compliance of earlier orders of the Commission and provide the remaining information (mentioned above) as well as compensation amount to the appellant.

Since the reply to the show cause was not filed yet, Sh.Sukhminder Singh, Dy. Chief Engineer(Protection & maintenance), Circle Jalandhar (earlier PIO-PSPCL Focal Point Ludhiana) was directed to file a reply to the show-cause notice otherwise the Commission will act against the PIO in terms of provisions of section 20 of the RTI Act.

On the date of the last hearing on **28.03.2021**, Sh.Sukhminder Singh, Dy. Chief Engineer (Protection & maintenance), Circle Jalandhar (earlier PIO-PSPCL Focal Point Ludhiana) appeared and has sent his reply which was taken on the file of the Commission.

In the reply, Sh.Sukhminder Singh mentioned that he had worked as SE/Hq-Central Zone, PSPCL Ludhiana from 04.05.2020 to 04.01.2021 and could not attend the proceedings of the cited appeal since he did not receive any notice from the commission as the address of the response given by the appellant was incorrect. According to Sukhminder Singh, he only came to know about the case from the PIO-cum-Dy.CE/Hq O/o Chief Engineer/operation, Central Zone Ludhiana vide letter dated 27.01.2021.

The respondent further stated that as per the record relating to the RTI application dated 18.05.2019, the available information was supplied to the appellant vide letter dated 12.06.2019 by the PIO-cum-CE/HQ O/o CE/Op. The case was also considered by First Appellate Authority on 27.08.2019 but since the appellant did not attend proceedings, the appeal was disposed of.

The decision on show cause was to be taken on the next date of hearing.

The appellant vide email has informed that the PIO has neither provided the compensation, which was ordered on 29.09.2020 nor had supplied the complete information.

The current PIO Som Nath Mahi was absent. Since Sh.Som Nath Mali, Dy. Chief Engineer(HQ)(Central Zone), PSPCL Ludhiana was the current PIO, he was directed to provide the compensation as well as the complete information to the appellant otherwise the Commission will initiate proceedings as per the provisions of section 20 of the RTI Act.

On the date of the last hearing on **09.02.2022**, as per the respondent, the information had been provided. As per the appellant, the information regarding point-1 was still incomplete.

Sh.Som Nath Mahi, the current PIO was absent and vide letter received in the Commission on 23.06.2021 informed that the information has been provided and compensation amount of Rs.3500/- vide demand draft No.252556 dated 16.06.2021 has been paid to the appellant on 18.06.2021. The appellant had received the compensation.

However, the appellant was not satisfied with the information regarding point-1. The appellant was directed to inspect the record by visiting the office of PIO-Sh.Som Nath Mahi on 12.07.2021 at 12.00 Noon and get the relevant information. The PIO was directed to allow inspection of the record and provide the relevant information to the appellant.

The decision on show-cause notice was to be taken on the next date of hearing.

Hearing dated 09.02.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana/Jalandhar. As per the respondent, the appellant inspected the record on point-1 on 12.07.2021 and showed his satisfaction. The respondent has sent an acknowledgement of the appellant in this regard.

The appellant is absent nor is represented.

Having gone through the reply to the show-cause notice received on 28.03.2021 from Sh.Sukhmander Singh (earlier PIO-PSPCL Focal Point Ludhiana), I accept the plea of the PIO and drop the show cause.

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

Chandigarh
Dated: 09.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

- CC to 1. Superintending Engineer,**
PSPCL, Opp.PAU,
Sarabha Nagar, Ludhiana.
- 2. Sh.Sukhmander Singh, Dy. Chief Engineer**
(Protection & maintenance),
Circle Jalandhar
(earlier PIO-PSPCL Focal Point Ludhiana)
- 3. Sh.Som Nath Mahi, Dy. Chief Engineer(HQ)**
(Central Zone), PSPCL Ludhiana

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Sh. Sadhu Singh, S/ o Sh Sajjan Singh,
Village Rurka, P.O Dehlo,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Distt. Food Supply Department,
Ludhiana.

First Appellate Authority,
O/o District,
Food Supply Department,
Sarabha Nagar, Ludhiana.

...Respondent

Appeal Case No. 534 of 2021

PRESENT: None for both the parties

ORDER:

The appellant through RTI application dated 04.09.2020 has sought information regarding action taken on the letter dated 08.07.2020 for non-distribution of ration in the village and other information as enumerated in the RTI application concerning the office of District Food Supply Department, Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 18.11.2020 which took no decision on the appeal.

The case first came up for hearing on 07.07.2021 through video conferencing at DAC Ludhiana. The respondent present had pleaded that as per the report of the earlier inspector who was dealing with the RTI applications, some of the information has been provided and the remaining information relates to 3rd party information.

Hearing dated 09.02.2022

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

The respondent is absent. At the last hearing, the respondent present had informed that as per the report of the earlier inspector who was dealing with the RTI applications, some of the information had been provided and the remaining information which was related to 3rd party was not provided.

The appellant is absent for the 03rd consecutive hearing nor has contested the claim of the respondent in not providing the information which was related to a third party. It is presumed that the appellant is satisfied with the information provided by the respondent.

The case is disposed of and closed.

**Chandigarh
Dated : 09.02.2022**

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

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Sh Jasbir Singh,
Guru Nanak Nagar,
Village Bolapur Jhabewal,
P.O Ramgarh, Distt Ludhiana.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 537 of 2021

**PRESENT: None for the Appellant
Sh. Mandeep Singh, Information Assistant, for the Respondent**

ORDER:

The appellant through RTI application dated 14.10.2020 has sought information regarding action taken report on the news item published in the Dainik Jagran Newspaper on 24.09.2020 relating to arrest of two persons for illegal Prenatal sex determination test and other information as enumerated in the RTI application 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 19.11.2020 which took no decision on the appeal.

The case came up for hearing on 07.07.2021 through video conferencing at DAC Ludhiana. The appellant was absent and vide email has informed that the PIO has not provided the complete information.

The respondent was absent. The PIO was directed to sort out the discrepancies and provide complete information to the appellant within 15 days and send a compliance report to the commission.

Hearing dated 09.02.2022

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant is absent and vide letter received in the Commission on 15.12.2021 has informed that the PIO has not supplied the information.

The respondent present pleaded that the FIR was registered and the case is pending in the District Court and a reply has been sent to the appellant vide letter dated 30.12.2020 and again on 04.01.2022

Since the RTI application has been attended to within time and reply has been sent to the appellant by the PIO, no further interference of the Commission is required.

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

**Chandigarh
Dated : 09.02.2022**

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