

PUNJAB STATE INFORMATION COMMISSION

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

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Sh Rajinder Singh,
R/o 997, Ward No-26,
Jeet MC Wali Gali,
Guru Harkrishan Nagar,
Khanna, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o District Food and Civil Supplies Controller,
Ludhiana.

First Appellate Authority,
O/o District Food and Civil Supplies Controller,
Ludhiana.

...Respondent

Appeal Case No. 4086 of 2021

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

ORDER:

The appellant, through an RTI application dated 11.06.2021, has sought information regarding list of blue cards issued from the period 2019 till date under Atta Dal Scheme of Khanna circle – list of cards rejected with reason for rejection –name and designation of the officer appointed for scrutinizing the applications – a copy of notification for obtaining blue cards etc.etc. from the O/o District Food and Civil Supplies Controller, Ludhiana. The appellant was not provided with the information, after which the appellant filed a first appeal before the First appellate authority on 22.07.2021, which did not decide on the appeal.

The case last came up for hearing on 18.04.2022 through video conferencing at DAC Ludhiana. Both the parties were absent.

In the interest of justice, one more opportunity was granted and the case was adjourned.

Hearing dated 09.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant is absent nor is represented.

The respondent present pleaded that the requisite information has been supplied to the appellant vide letter dated 25.05.2022 and no deficiency has been pointed out by the appellant. The respondent further stated that a copy of the information supplied to the appellant has been forwarded to the Commission vide their letter dated 05.08.2022.

Having gone through the RTI application and hearing the respondent, the Commission finds that the RTI application has adequately been attended to by providing the information to the appellant. The Commission further observes that in the interest of justice, one more opportunity was granted to the appellant but the appellant is again absent and nor is represented. Moreover, the appellant has not conveyed any deficiency either to the Commission or to the PIO in the information provided by the PIO. As such, no further cause of action is left and the **case is disposed of and closed.**

**Chandigarh
Dated :09.08.2022**

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

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Sh Harsh Kumar, S/o sh Prem Chand,
R/o H NO-CEN 360, Kapila Street,
Near Shibumal chowk, Khanna,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o District Food and Civil Supplies Controller,
Ludhiana.

First Appellate Authority,
O/o District Food and Civil Supplies Controller,
Ludhiana.

...Respondent

Appeal Case No. 4119 of 2021

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

ORDER:

The appellant through an RTI application dated 11.06.2021 has sought information regarding list of blue cards issued from the period 2019 till date under Atta Dal Scheme of Khanna circle – list of cards rejected with reason for rejection –name and designation of officer appointed for scrutinizing the applications – copy of notification for obtaining blue cards etc. etc. from the O/o District Food and Civil Supplies Controller, Ludhiana. The appellant was not provided the information after which the appellant filed a first appeal before the First appellate authority on 22.07.2021 which took no decision on the appeal.

The case last came up for hearing on 18.04.2022 through video conferencing at DAC Ludhiana. Both the parties were absent.

In the interest of justice, one more opportunity was granted and the case was adjourned.

Hearing dated 09.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant is absent nor is represented.

The respondent present pleaded that the requisite information has been supplied to the appellant vide letter dated 25.05.2022 and no deficiency has been pointed out by the appellant. The respondent further stated that a copy of the information supplied to the appellant has been forwarded to the Commission vide their letter dated 05.08.2022.

Having gone through the RTI application and hearing the respondent, the Commission finds that the RTI application has adequately been attended to by providing the information to the appellant. The Commission further observes that in the interest of justice, one more opportunity was granted to the appellant but the appellant is again absent and nor is represented. Moreover, the appellant has not conveyed any deficiency either to the Commission or to the PIO in the information provided by the PIO. As such, no further cause of action is left and the **case is disposed of and closed.**

Sd/-

**Chandigarh
Dated :09.08.2022**

**(Khushwant Singh)
State Information Commissioner**



Sh Parampreet Singh,
Ward NO-14, Street NO-6,
Krishna Nagar, Amloh Road,
Khanna, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o District Food and Civil Supplies Controller,
Ludhiana.

First Appellate authority,
O/o District Food and Civil Supplies Controller,
Ludhiana.

...Respondent

Appeal Case No. 4122 of 2021

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

ORDER:

The appellant, through an RTI application dated 11.06.2021, has sought information regarding the list of blue cards issued from the period 2019 under atta dal scheme – card rejected alongwith reasons for rejection – name & designation of the authority appointed for scrutinisation of application for selection and rejection – a copy of notification explaining criteria to obtain blue cards, and other information from the office of District Food and Civil Supplies Controller, Ludhiana. The appellant was not provided with the information, after which the appellant filed a first appeal before the First appellate authority on 22.07.2021, which did not decide on the appeal.

The case first came up for hearing on 18.04.2022 through video conferencing at DAC Ludhiana. The respondent present pleaded that the information on points 1 & 4 is available on their website and the appellant had been verbally apprised of the name & designation of the officer appointed for scrutiny of application relating to point-3.

The appellant was absent nor was represented.

Nothing was on record that the PIO had sent any reply to the RTI application within time. The Commission having taken a serious view of this directed the PIO to **show cause why penalty be not imposed on him under section 20 of the RTI Act 2005 for not attending to the RTI application and not supplying the information within the statutorily prescribed period. He/she should file an affidavit in this regard.** If there were other persons responsible for the delay in providing the information, the PIO was directed to inform such person(s) of the show cause and direct them to appear before the Commission along with the written replies.

Hearing dated 09.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the information has been provided to the appellant vide their letter 25.05.2022. The respondent further pleaded that reply to the show-cause notice has also been filed and sent the copy of same to the Commission vide their letter dated 04.08.2022 through email.

The appellant is absent nor is represented.

Having gone through the RTI application and the record in the file, the Commission observes that the RTI application has sufficiently been answered. The reply to the show cause notice filed by the respondent is considered and the show cause notice is withdrawn.

The case is disposed of and closed.

Chandigarh
Dated :09.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh R.P Singh, Advocate,
4th Floor, Near Public Lift,
Court Complex, Ludhiana.

... Appellant

Versus

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

First Appellate authority,
O/o Director Food Civil Supplies
And Consumer Affairs,
Anaj Bhawan, Sector-39-C, Chandigarh.

...Respondent

Appeal Case No. 4120 of 2021

PRESENT: Sh.R.P.Singh, the Appellant
Sh.Manoj Kamar, Inspector for the Respondent

ORDER:

The appellant, through an RTI application dated 11.06.2021, has sought information regarding action taken against the depot holders Sh.Pargat Singh, Sh.Jagroop Singh and Sh.Rakesh Bhaskar, after the cancellation of their licenses as enumerated in the RTI application from the office of District Food and Civil Supplies & Consumer Affairs, Pb Chandigarh. The appellant was not provided with the information, after which the appellant filed a first appeal before the First appellate authority on 19.07.2021 which did not decide on the appeal.

The case last came up for hearing on 18.04.2022 through video conferencing at DAC Ludhiana. As per the appellant, the PIO has not supplied the information.

The respondent Sh.Manjot Kumar Inspector was present from the office of DFSC Ludhiana who informed that pleaded that the action against the depot holders regarding cancellation of the licence is under consideration of the authorities, and the reply has been sent to the appellant vide letter dated 13.04.2022 with a copy to the Commission.

Having gone through the RTI application and the reply of the PIO, the Commission found that the RTI application has been sufficiently replied.

However, the Commission recommends that action be expedited at the earliest possible.

Hearing dated 09.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ludhiana. As per the appellant, the PIO has supplied uncertified information.

The respondent present pleaded that the certified information has been provided to the appellant vide their letter dated 08.08.2022 and copy of the same has been forwarded to the Commission through email.

Having gone through the RTI application and reply of the respondent, the Commission finds that the certified copy of information has been provided to the appellant. No further cause of action is left. **Hence, the case is disposed of and closed.**

Chandigarh
Dated :09.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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

... Complainant

Versus

Public Information Officer,
O/o Assistant,
Food and Civil Supplies Officer,
Central Sahnewal, Ludhiana.

...Respondent

Complaint Case No. 555 of 2021

**PRESENT: None for the Complainant
 Sh. Sahil, Inspector, for the Respondent**

ORDER:

The appellant through an RTI application dated 31.03.2021 has sought information regarding action taken on the complaint dated 19.03.2021 along with office noting/correspondence and other information as enumerated in the RTI application from the office of Asstt. Food & Civil Supply Officer, Ludhiana. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 03.05.2021 which took no decision on the appeal.

The case first came up for hearing on 29.11.2021 through video conferencing at DAC Ludhiana. Both the parties were absent. The case was adjourned.

On the date of hearing 11.04.2022 both the parties were absent.

The complainant vide email has informed that the PIO had not supplied the information.

There was nothing on record which showed that the RTI application had been attended to by the PIO.

In the interest of justice, one more opportunity was given and the PIO was directed to appear before the Commission on the next date of hearing and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Hearing dated 09.08.2022 :

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

The complainant is absent today and also on the previous hearing on 29.11.2021 & 11.04.2022.

For non-follow up of the case by the complainant, the case is **disposed of and closed**.

**Chandigarh
Dated: 09.08.2022**

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

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

... Complainant

Versus

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

...Respondent

Complaint Case No. 556 of 2021

**PRESENT: None for the Complainant
Mr. Sahil, Inspector, for the Respondent**

ORDER:

The appellant, through an RTI application dated 31.03.2021, has sought information regarding action taken on the complaint dated 19.03.2021 along with office noting/correspondence and other information as enumerated in the RTI application from the office of Principal Secretary, Food Civil Supply and Consumer Affairs, Pb Chandigarh. The appellant was not provided with the information, after which the appellant filed a first appeal before the First Appellate Authority on 03.05.2021, which did not decide on the appeal.

The case first came up for hearing on 29.11.2021 through video conferencing at DAC Ludhiana. Both the parties were absent. The case was adjourned.

On the hearing dated 11.04.2022 both the parties were absent.

The complainant, vide email, had informed that the PIO had not supplied the information.

There was nothing on record which shows that the RTI application has been attended to by the PIO.

In the interest of justice, one more opportunity was given, and the PIO was directed to appear before the Commission on the next date of hearing and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act; otherwise, the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

Hearing dated 09.08.2022 :

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

The complainant is absent consecutively for the 03rd time.

For non-pursuance of case by the complainant, the case is dismissed.

**Chandigarh
Dated: 09.08.2022**

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



Sh Jaspal Singh S/o Sh Ramesh Arora,
R/o 319/3, Gurdeep Nagar, Jagaon,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Inspector, PUNGRAIN,
Opposite DAV College, Jagraon,
Distt. Ludhiana.

First Appellate Authority,
O/o Addl. Secretary,
Department of Food Civil Supply, Pb
6th floor, Mini Secretariat,
Chandigarh.

...Respondent

Appeal Case No. 2490 of 2021

PRESENT: None for the Appellant
Sh.Beant Singh, AFSO for the Respondent

ORDER:

The appellant through an RTI application dated 01.03.2021 has sought information regarding paddy purchased from local and central mandis in 2020 & 2021 alongwith a copy of the register – the name of rice millers to whom the paddy allotted – bardana provided to rice millers and other information as enumerated in the RTI application from the office of inspector PUNGRAIN Jagraon Distt. Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 15.04.2021 which took no decision on the appeal.

The case first came up for hearing on 12.20.2021 through video conferencing at DAC Ludhiana. The appellant claimed that the PIO has not provided the information.

The respondent was absent.

There has been an enormous delay of more than seven months in providing the information. The PIO was issued a **show-cause notice under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file a reply on an affidavit.**

The PIO was again directed to provide information to the appellant within 10 days of the receipt of the order.

On the date of the hearing on **01.02.2022**, the appellant was absent and vide email sought exemption due to illness.

The respondent was absent on 2nd consecutive hearing nor had filed a reply to the show-cause notice. The PIO was given one more opportunity to comply with the order of the Commission which still stands and file a reply to the show-cause notice otherwise it will be

Appeal Case No. 2490 of 2021

presumed that he has nothing to say in the matter and the Commission will penalize the PIO as per provisions of the RTI Act.

On the last date of hearing on 15.03.2022 the appellant claimed that the PIO has not supplied the information.

Sh.Beant Singh, AFSSO was present and pleaded that the information has been provided to the appellant on 23.02.2022. The respondent further informed that the information was delayed due to election duty and has asked for some more time to file a reply to the show cause notice.

The Commission observed that there has been an enormous delay of more than eleven months in attending to the RTI application as well as the PIO has neither complied with the order of the Commission to provide the information within time nor has filed reply to the show cause notice.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-O/o PUNGRAIN Jagraon was held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. The PIO was also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.

Hence, given the above facts a penalty of **Rs.10,000/-** was imposed on the PIO-PUNGRAIN Jagraon which will be deposited in the Govt. Treasury. The PIO was 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.

Hearing dated 09.08.2022 :

The case has come up for hearing today through Video conferencing at DAC Ludhiana. The appellant is absent nor is represented.

The respondent present pleaded that the PIO has deposited the penalty amount of Rs.10,000/- (Rupees ten thousand only) in the Govt. Treasury vide receipt No.2776413 dated 08.05.2022 and the requisite information has been provided to the appellant by registered post vide letter dated 22.02.2022.

Since the Commission's previous order has been complied with by the PIO by depositing the penalty amount of Rs.10,000/- (Rupees ten thousand only) in the Govt. Treasury vide receipt No.2776413 dated 08.05.2022 and providing the requisite information to the appellant, no further cause of action by the Commission is left. Hence, **the case is disposed of and closed.**

Chandigarh
Dated: 09.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to District Food Supply Controller,
Ludhiana.

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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: None for 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.

On the date of the hearing on **09.02.2022**, the respondent informed that the information has been provided to the appellant.

The appellant was not satisfied with the provided information.

Having gone through the RTI application and hearing both the parties, the following was 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 was granted and Dr.Mahesh Prabhakar O/o Civil Surgeon, Jalandhar was impleaded in the case and directed to assist the PIO in handing over the sought information.

The case last came up for hearing on 21.03.2022 through video conferencing at DAC Ludhiana. Dr.Rohini Goyal and Dr.Prabhakar are present and stated as under:

- | | | |
|---------------------|---|--------------------------------------------------------------|
| - Point-1 & 2 | - | Information provided |
| - Point-3 | - | Personal information |
| - Point-4 | - | only one person was sanctioned leave |
| - Point-5 | - | No record available |
| - Point-6 | - | Provided |
| - Point-8,9&10 | - | No record exists and no instructions received from the Govt. |
| - Points 11,12 & 13 | - | Provided |

The appellant, however, appeared late and denied having received the information.

The respondent pleaded that they will call the appellant in their office to reconcile the information and sort out the discrepancies. The appellant agreed to the same.

Hearing dated 09.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ludhiana. Dr. Rohini Goyal present pleaded that on 31.03.2022 the RTI application has been reconciled with the appellant and the requisite information has been provided to the appellant on the spot. The appellant has acknowledged the receipt of the same by putting his signature with the remarks "received information today, satisfied". The PIO further pleaded that a copy of the information provided to the appellant has been forwarded to the Commission for record.

Having gone through the RTI application and record in the file, the Commission observes that the RTI application has been attended to and the PIO has provided the information to the appellant vide letter dated 31.03.2022 received in the Commission on 05.04.2022 which is taken on record. The Commission further observes that the appellant has acknowledged the receipt of the information provided by the PIO.

Since the information has been provided to the appellant, no more cause of action is left. Hence, the **case is disposed of and closed.**

Chandigarh
Dated: 09.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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



Sh. Ujjagar Singh, S/o Late Sh Bant Singh,
R/o Street NO-1, Maan Colony,
Daba, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Chairman,
Punjab State Scheduled Caste Commission,
Pb, Chandigarh.

First Appellate Authority,
O/o Chairman,
Punjab State Scheduled Caste Commission,
Pb, Chandigarh.

...Respondent

Appeal case No.3556 of 2020

PRESENT: None for the Appellant
Sh. Harminder Singh, Clerk for the Respondent

ORDER:

The appellant through RTI application dated 11.08.2020 has sought information regarding notices issued to the persons for appearing before the Committee constituted for conducting an enquiry on application registered to vide No.594 of 2020 – their statements action taken report and other information as enumerated in the RTI application from the office of Punjab State Scheduled Castes Commission. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 14.09.2020 which took no decision on the appeal.

The case first came up for hearing on 30.03.2021 through video conferencing at DAC Ludhiana. The appellant was absent and vide email informed that the PIO has not provided the information.

The respondent was absent. Having gone through the record, the Commission observes that there has been an enormous delay in attending to the RTI application. The PIO was directed to explain the reasons for the delay in providing the information and appear personally before the Commission on the next date of hearing along with a suitable reply.

On the date of hearing on **08.07.2021**, the appellant informed that the PIO has not supplied the information.

The respondent present pleaded that they received the RTI application on 08.09.2020 and since the enquiry was pending with the Director Bureau of Investigation, Punjab Chandigarh, the reply was sent to the appellant on 21.09.2020. The respondent further informed that they have already written to the Director of the Bureau of Investigation to complete the enquiry and send the enquiry report to them. As per the respondent, they have communicated the same vide letters dated 26.04.2020, 13.07.2020 & 18.05.2021.

From the facts of the case, it appeared that the information is in the custody of the Director of the Bureau of Investigation. Hence, the PIO-Director of Bureau of Investigation, Punjab, Chandigarh was impleaded in the case and directed to provide whatever information is available on the record, to the appellant. A copy of the RTI application was sent along with the order for reference.

On the date of hearing on **03.11.2021**, the Commission received a letter from the office of Punjab State SC Commission on 23.07.2021 vide which it was informed that a copy of the report received from the Director Bureau of Investigation, Punjab was sent to the appellant vide letter dated 06.07.2021 and the appellant asked to send a replication if any in writing in the office of SC Commission before 17.08.2021 so as to take a final decision on the matter.

The respondent present from the office of the Bureau of Investigation informed that the appellant had also filed a similar appeal case No.3296 of 2021 for seeking exactly the same information which is pending with the Chief Information Commissioner for final decision. The respondent was directed to send a copy of RTI in appeal case No.3296 of 2021 and a copy of the order of the Chief Information Commissioner so as to enable the Commission to take a final decision.

The appellant was absent. The appellant was directed to appear before the Commission on the next date of hearing to pursue his case.

The case last came up for hearing on 15.03.2022 through video conferencing at DAC Ludhiana/Mohali. The appellant is absent and vide email has sent a copy of the order of the Commission in appeal case No.3296 of 2021 which appears to be in complaint No.1144 whereas the complaint in the present case is No.594/2020.

Sh.Ravi Kumar, Constable from the office of Commissioner of Police, Ludhiana is present and has submitted a copy of the letter dated 02.03.2022 vide which the reply has been sent to the appellant stating that as per the report of HRC Branch since the enquiry is pending with ACP-Industrial Area-b, Ludhiana, the information cannot be provided under section 8(1)(h) of the RTI Act.

Hearing dated 09.08.2022 :

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that since the enquiry is pending, the information cannot be provided.

The appellant is absent for the 03rd time consecutively.

Having gone through the RTI application and record in the file, the Commission observes that the RTI application has sufficiently been attended to by the respondent. No further interference by the Commission is required.

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

Chandigarh
Dated: 09.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :PIO-Director of Bureau of Investigation,
Pb, Sector 9, Chandigarh.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh Kharaiti Lal Narang,
H No-B-XXI-12066, Street No-26,
Ram Nagar, Main Market,
Near Sangeet Cinema, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Ferozepur.

First Appellate Authority,
O/o SSP,
Ferozepur.

...Respondent

Appeal Case No. 3828 of 2020

PRESENT: Sh.Kharaiti Lal Narang as the Appellant
Sh. Sukhdev Singh, ASI, for the Respondent

ORDER:

The appellant through RTI application dated 20.11.2019 has sought information regarding inspection of record relating to the application dated 19.07.2019 filed in the office of Principal Secretary Home, which remained pending for two months without any further action and other information as enumerated in the RTI application from the office of Principal Secretary Home which transferred the same to Director General of Police Punjab vide letter dated 21.11.2019. The RTI application was further transferred to Assistant Inspector General of Police(Crime) Pb Chandigarh on 28.11.2019 which again transferred the same to SSP Ferozepur on 10.12.2019. The appellant was not provided with the information after which the appellate filed the first appeal before the First Appellate Authority on 23.01.2020 which took no decision on the appeal.

The case first came up for hearing on 04.08.2021 through video conferencing at DAC Faridkot. The Commission received a reply from the PIO on 07.04.2021 which was taken on the file of the Commission.

The respondent present pleaded that the RTI application was received by their office from the office of AGIP (Crime) on 13.12.2019 and since the complaint was pending with DCP(City)Ferozepur for action, the appellant was informed of the same vide letter dated 31.12.2019. Now the enquiry has been completed on 16.02.2021 and the information has been sent to the appellant vide letter dated 18.02.2021.

The appellant was not satisfied and stated that he wanted to inspect the file in which his original application dated 19.07.2019 lies and remained unattended for two months. As per the respondent, no original copy of the application was available in their office since they received only a copy of the application and the original may be in the office of DGP office at Chandigarh.

The PIO-SSP, Ferozepur was directed to trace out the original application by coordinating with the DGP office and ensure the inspection of that particular file in which the original document of the appellant lies. If the application is missing, file a complete status report on the matter.

Appeal Case No. 3828 of 2020

On the date of last hearing on **03.11.2021**, the respondent informed that the information has already been provided and no further information is available in their record. The respondent further informed that the appellant had filed a complaint in the office of Department of Home, which marked it to the DGP and thereafter, and only a photo copy of complaint came to their office (SSP Ferozepur). The original copy of the complaint is not available in their office.

The appellant wanted to inspect the original record.

Since the complaint was filed in the office of Department of Home, Pb, the PIO O/o Principal Secretary, Home Affairs & Justice, Pb was impleaded in the case and directed to reply on the matter and trace the original letter that the applicant had filed on 19.07.2019. A copy of the letter was enclosed for easy perusal of the matter.

The case last came up for hearing on 15.03.2022 through video conferencing at DAC Ludhiana. The respondent pleaded that they have only the first page of the original application and the 2nd page is a photocopy, which they received from the DGP's office.

Since there is a disagreement between both parties, the PIO is directed to bring the entire record to the Commission at Chandigarh on the next date of hearing. The appellant is also directed to bring his record on the next date of hearing at Chandigarh.

Hearing dated 09.08.2022 :

The case has come up for hearing today at Chandigarh.

The respondent has brought along the record and produced before the Commission. The respondent reiterated that they have only the first page of the original application and the 2nd page is a photocopy, which they received from the DGP's office.

The appellant is directed to inspect the record brought by the respondent in the court.

Hearing both the parties, it is observed as under :

1. That the appellant had filed an application/complaint in the office of the Principal Secretary(Home) on 19.07.2019 against Sh. Daljit Kumar Sharma son of Sh. Chandan Sharma for un-authorize use of roof of house No.686 & 687 of the appellant situated at Housing Board Colony, Ferozepur.
2. That the appellant had filed a RTI application on 20.11.2019 enclosing therewith a copy of the above application dated 19.07.2019 to provide the copy of action taken report on the application/complaint. However, the Principal Secretary(Home) marked the RTI application of the appellant alongwith a copy of the application/complaint to DGP, Punjab, Chandigarh.
3. That the DGP further forwarded the RTI application of the appellant alongwith a copy of the application/complaint to SSP, Ferozepur.
4. The SSP, Ferozepur has provided all the available information to the appellant but the appellant wants his original application dated 19.07.2019 which has not been provided by the respondent.

5. That Prima facie, the original application/complaint dated 19.07.2019 may ly in the record in the office of the Principal Secretary(Home) because as per evidence the Principal Secretary(Home) had marked the RTI application/complaint to DGP along with original first page of the application and photocopy of the second page. As such, the PIO office of the Principal Secretary(Home) was directed to look into the matter and provide the original first page of the application/complaint to the appellant. The PIO office of the Principal Secretary(Home) was further directed to give in writing that if the original first page of the application/complaint is not available in their record or if it is misplaced, appropriate action be taken against the concerned official.

The case is disposed.

**Chandigarh
Dated: 09.08.2022**

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

**CC to PIO-O/o Principal Secretary,
Home Affairs & Justice, Pb
Chandigarh.**



Sh.Kamaljit Singh,
Chamber No-5014, 5th Floor,
Lawyer Chamber Complex, Part-II,
Distt Courts, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Chief Medical officer,
Civil Lines, Ludhiana.

First Appellate Authority,
O/o Chief Medical Officer,
Civil Lines, Ludhiana.

...Respondent

Appeal Case No. 231 of 2021

PRESENT: None for the Appellant
Sh. Rakesh Kumar, RTI Clerk, for the Respondent

ORDER:

The appellant through an RTI application dated 08.08.2020 has sought information regarding a copy of the complete audit report for the years 2015-16, 2016-17, 2017-18 & 2018-19 of the CMO office along with entire documents/annexures attached with the report and other information as enumerated in the RTI application concerning the office of Chief Medical Officer, Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 18.09.2020 which took no decision on the appeal.

On the date of the first hearing on 13.05.2021, the hearing could not take place since the District Administration had shut down the VC due to a large number of corona cases.

On the date of the hearing on **17.08.2021**, the appellant claimed that the PIO has not supplied the information.

The respondent was absent on the 2nd consecutive hearing nor had supplied the information. The PIO was directed to provide the information to the appellant within 15 days of the receipt of the order, otherwise, the commission will be constrained to proceed against the PIO as per the provisions of Section 20 of the RTI Act.

On the date of hearing on 03.11.2021, the respondent present pleaded that they had sent the information to the PIO-CMO Ludhiana for providing the same to the appellant.

The appellant was absent. The case was adjourned.

The case last came up for hearing on 15.03.2022 through video conferencing at DAC Ludhiana. Both the parties were absent.

The case was adjourned.

Hearing dated 09.08.2022 :

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

The respondent present pleaded that the PIO O/o the Civil Surgeon, Ludhiana, has provided the information to the appellant vide their letter dated 22.12.2021 and copy of the same has been forwarded to the Commission.

The appellant is absent nor is represented.

Having gone through the RTI application and hearing the respondent, the Commission observes that the RTI application has adequately been attended to by the PIO.

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

Chandigarh
Dated 09.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner