



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 purchase of medicine during 01.04.2019 to 28.02.2020 – list of all type amount received from public in hospital dailywise – 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 the information after which the appellant filed first appeal before the First Appellate Authority on 01.10.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana/Hoshiarpur. The respondent is absent.

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

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

To come up for further hearing on **18.08.2021 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 :11.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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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,
Batala, Distt Gurdaspur.

First Appellate Authority,
Civil Surgeon,
Gurdaspur.

...Respondent

Appeal Case No. 140 of 2021

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

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 amount received from the public in hospital daily wise – 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 has come up for hearing today through video conferencing at DAC Ludhiana/ Gurdaspur. The appellant claims that the PIO has not provided the information.

The respondent is absent. The Commission has 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 has also claimed that no letter / RTI application dated 02.07.2020 has been received by them.

The Commission observes that the reference of the letter (dated 22.06.2020) vide which the PIO claims to have sent the information, predates the RTI application (RTI application filed on 02.07.2020). This RTI application is on the file.

The PIO is directed to relook at the RTI application (a copy of which is being 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.

To come up for further hearing on **18.08.2021 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 : 11.05.2021

Sd/-
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Sh. Prem Singh, S/o Sh Jaspal Singh,
VPO Amarpura, Tehsil Abohar,
Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o CDPO, Abohar,
Distt Fazilka.

First Appellate Authority,
O/o DPO,
Fazilka.

...Respondent

Appeal Case No. 274 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 09.09.2020 has sought information regarding details of year-wise/month-wise DDs/cheques of un-disbursed amount of old age/widow/handicapped pension sent by then Panchayat Secretaries of village Amarpura to CDPO office Abohar and CDPO office received from 01.01.2008 to 31.12.2014 – a copy of DDs/Cheques number of un-disbursed amount – dispatch number and dates of CDPO office Abohar under which un-disbursed amount has been sent to SCSO office Fazilka and other information as enumerated in the RTI application concerning the office of CDPO Abohar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 23.10.2020 which took no decision on the appeal.

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

The Commission has received an email from the District Social Security Officer, Fazilka whereby the said officer has attached a letter sent to District Program Officer, Fazilka. In the letter, the District Social Security Officer has sent a copy of instructions dated 16.08.2017 of their head office to District Programme Officer, Fazilka and informed the District Programme officer that as per instructions of head the office, the APRs up to the year 20/12 are no longer available in their office.

The reply appears to be vague, and the PIO CDPO is directed to be present at the next hearing to clarify the contents of the above letter.

The PIO-District Social Security Officer is also impleaded in the case and directed to relook at the RTI application and send an appropriate reply on all points.

To come up for further hearing on **18.08.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh
Dated :11.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: PIO-District Social Security Officer, Fazilka



Sh. Sohan Lal Jain,
H No-1355, 1st Floor,
Sector-68, Mohali.

... Complainant

Versus

Public Information Officer,
O/o Secretary,
Department of health & Family Welfare,
Sector-34-A, Chandigarh.

...Respondent

Complaint Case No. 15 of 2021

PRESENT: None for the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 19.10.2020 has sought information regarding action taken on the application dated 06.05.2017 sent to Chief Minister for action against Dr Sudesh Gupta (now civil surgeon Sangrur) & others – a copy of rule on the basis of which action has been taken – posting order of Sr Assistant & other officials worked at Pb Civil secretariat from 06.02.1989 to till date - action taken on application dated 01.12.2016 and other information as enumerated in the RTI application concerning the office of Secretary, Department of Health & Family Welfare, Pb Chandigarh. The complainant was not provided with the information after which he filed a complaint in the commission.

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

The case is adjourned. To come up for further hearing on **10.08.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated :11.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 514 of 2021

PRESENT: Sh.Bitu as the Appellant
None for the Respondent

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 has come up for hearing today through video conferencing at DAC Gurdaspur. As per the appellant, no information has been provided by the PIO.

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

Having gone through the record, the Commission observes that there has been an enormous delay in attending to the RTI application. 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 persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide information to as soon as he resumes work from the quarantine.

To come up for further hearing on **18.08.2021** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Gurdaspur.

Chandigarh
Dated : 11.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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

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Sh. Lajpat Rai, S/o Sh.HarbansLal,
H No-B-3/287, Romana Street,
Jaito, Distt. Faridkot.

... Appellant

Versus

Public Information Officer,
O/o Deputy Director,
Local Audit, Bathinda.

First Appellate Authority,
O/o Deputy Director,
Local Fund, Bathinda.

...Respondent

Appeal Case No. 2646 of 2020

PRESENT: Sh.Lajpat Rai as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 24.01.2020 has sought information regarding a copy of the letter including enquiry report sent by Head office Examiner (Sharanjeet Singh) Local Fund Account Chandigarh-letter No.5 dated 30.01.2019 and 21.02.2020 filed against MC Jaitu and other information as enumerated in the RTI application concerning the office of Deputy Director, Local Audit, Bathinda. The appellant was not satisfied with the reply of the PIO dated 18.02.2020 after which the appellant filed a first appeal before the First Appellate Authority on 20.02.2020 which took no decision on the appeal.

The case was first heard on 23.03.2021. The respondent present sought some more time to provide the information on the plea that some of the information has to be collected from their Head Office and since the head office is closed due to some staff members testing positive for COVID-19, the information has been delayed.

Having gone through the RTI application, the Commission observed that a lot of information that the appellant had asked was merely an allegation of fraud and in question form. Section 2 of the RTI Act clearly defines "information" to include "any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force".

The Commission directed the PIO to go through the RTI application and provide only that information, which constitutes the information under the RTI Act. The information will be provided within 15 days with a compliance report to the Commission.

Hearing dated 11.05.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda. As per the appellant, the PIO has not provided the information.

The respondent is absent. Earlier order Stands.

AppealCase No. 2646 of 2020

The case is adjourned. In the meantime, the PIO is directed to comply with the earlier order of the Commission which still stands and send the information to the Commission which will be further sent to the appellant.

To come up for further hearing on **18.08.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Bathinda The appellant to appear through VC at DAC Faridkot.

Chandigarh
Dated 11.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Harmesh Lal S/o Sh Chaman Lal,
R/o Village Jandu Singha,
P.S Adampur,
Tehsil & Distt Jalandhar-2

Versus

... Complainant

Public Information Officer,
O/o DIG, Ferozepur Range,
Ferozepur Cantt.

...Respondent

Complainant Case No. 200 of 2020

PRESENT: Sh.Harmesh Lal as the Complainant
Sh.Major Singh, SI for the Respondent

ORDER:

The complainant through RTI application dated 15.10.2020 has sought information regarding (1) order No.1 Deputy Inspector dated 20.01.2002 relating to ACR ; (2)order No.2 - 613-18/ST dated 04.03.2020 from SSP Moga (3) appeal AS Harmesh Lal No.90/FRT Distt.Moga dated 18.03.2002 - action taken report and other information as enumerated in the RTI application concerning the office of DIG, Ferozepur Cantt. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 15.02.2021.

The case has come up for hearing today through video conferencing at DAC Fazilka. As per the respondent, the available information concerning them has already been provided to the complainant and the remaining information relates to the office of Director General of Police, Pb Chandigarh. The Commission has also received a copy of a letter dated 23.03.2021 from the PIO whereby the PIO has sent a reply to the complainant.

In the said letter, the PIO has mentioned that the information relating to points 3, 7, 8 &9 relates to the office of DGP, Pb- Chandigarh and the appellant may get the information from the office of DGP. However, the PIO has not transferred the RTI application to the office of DGP u/s 6(3) of the RTI Act, which should have done.

The Commission is impleading the PIO-DGP, Punjab, Chandigarh in the case with a direction that the PIO (a copy of which is being sent along with the order) provide the information on remaining points, as per the provisions of RTI Act.

To come up for further hearing on **18.08.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka. The PIO-DGP, Pb Chandigarh to appear through video conferencing in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 11.05.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-DGP, Pb Chandigarh.