

# **PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,**

**SECTOR 16, CHANDIGARH.**

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## **COMPLAINT CASE NO. 114 of 2019**

Shri Rakesh Kumar Sharma,  
Trust Engineer,  
Improvement Trust, Kapurthala.

...Complainant

Versus

**Public Information Officer,**  
O/o Director,  
Local Government, Punjab,  
Municipal Bhawan, Sector 35-A,  
Chandigarh.

...Respondents

**PRESENT:** None is present on behalf of the Complainant.  
Shri Harpal Singh, Senior Assistant, on behalf of Respondent – PIO.

### **ORDER:**

This order may be read with reference to the previous order dated: 16.04.2019.

2. The Complainant is absent from today's hearing in the Commission, however he has sent a letter in the Commission through Respondent mentioning therein that he has received the remaining information relating to point no. 4 of the RTI application and wants to close the case.

3. Sh. Harpal Singh, Senior Assistant appears on behalf of the Respondent – PIO and states that the remaining information has already been supplied to the Complainant and he has acknowledged in writing that he is satisfied with the provided information.

5. After examining the case file, it is revealed that the Respondent – PIO has supplied the information to the Complainant and he has received the same and expressed his willingness in writing that he is satisfied with the provided information and wants to close the case. Therefore, no further action is required, hence this Complaint Case is **closed and disposed off**. Copies of the order be sent to the parties.

**Chandigarh**  
**11.06.2019**

Sd/-  
**(Hem Inder Singh)**  
**State Information Commissioner**

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**APPEAL CASE NO. 475 OF 2019**

**&**

**APPEAL CASE NO. 479 OF 2019**

Advocate Anil Kumar,  
Jain Sweets Street,  
Opp. New Bus Stand,  
Khanna-141401 (Ludhiana).

...Appellant

Versus

**Public Information Officer,**  
O/o Additional Chief Secretary,  
Health & Family Welfare Department, Punjab,  
Room No. 510, 5<sup>th</sup> Floor, Mini Secretariat,  
Sector-9, Chandigarh.

**Public Information Officer,**  
O/o Punjab State AIDS Control Society,  
4<sup>th</sup> Floor, Prayas Building,  
Sector-38-B, Chandigarh-160036

**First Appellate Authority**  
O/o Additional Chief Secretary,  
Health & Family Welfare Department, Punjab,  
Room No. 510, 5<sup>th</sup> Floor, Mini Secretariat,  
Sector-9, Chandigarh.

...Respondents

**PRESENT:** None is present on behalf of the Appellant.  
Sh. Amit Sharma, Programme Assistant –cum- APIO O/o NHM, Punjab,  
Dr. Amrinder Singh, PIO –cum- Dy. Director O/o Punjab State AIDS Control Society.

**ORDER:**

This order may be read with reference to the previous order dated: 02.05.2019.

2. Information sought by the Appellant from the O/o Additional Chief Secretary, Health & Family Welfare Department, Punjab & O/o Punjab State AIDS Control Society is similar, so AC:475 of 2019 & AC:479 of 2019 cases are clubbed together.

3. The appellant is absent from today's hearing in the Commission, however he has Emailed in the Commission mentioning therein that he is unable to attend today's hearing in the Commission due to ill health and request for an adjournment.

4. Sh. Amit Sharma, Programme Assistant –cum- APIO O/o NHM, Punjab appears on behalf of the Respondent and states that the information sought by the appellant is related to O/o Punjab State AIDS Control Society.

P.T.O.

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## **APPEAL CASE No. 475 & 479 of 279**

5. Dr. Amrinder Singh, PIO –cum- Dy. Director O/o Punjab State AIDS Control Society appears in person with the requisite information perusal of the Commission and the Appellant but the appellant is absent.

6. After examining the case file, it is revealed that the O/o Director, Health & Family Welfare Punjab has been transferred the RTI application of the appellant u/s 6 (3) of the RTI Act, 2005 to the O/o National Health Mission, Sector-38, Chandigarh and the O/o State AIDS Control Society, Punjab vide letter no. ਆਰ.ਟੀ.ਆਈ.-(1)-ਪੰ:19/940-941, ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ 16-04-2019 and copy to the appellant .

7. In view of the above, Respondent – PIO O/o Punjab State AIDS Control Society is directed to send this information to the appellant through registered post under intimation to the Commission, before the next date of hearing, failing which punitive proceedings will be initiated against him as per provisions of the RTI Act, 2005.

8. The appellant is advised to follow up his case in the Commission, failing which appropriate order in his absence shall be passed.

9. The case is adjourned to **30.07.2019 at 12:30 PM**. Copies of the order be sent to the parties.

**Chandigarh  
11.06.2019**

**Sd/-  
(Hem Inder Singh)  
State Information Commissioner**

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## **APPEAL CASE NO. 1423 OF 2018**

Shri Sadhu Ram Kusla  
S/o Shri Ram Chand Bansal,  
SIDK Forum (People For People),  
Indira Lodge, #138, Veer Colony,  
Bathinda-151005.

...Appellant

Versus

**Public Information Officer,**  
O/O Superintendent,  
PWD Department, Marg-2 Branch,  
Block-C, Mini Secretariat, Patiala.

**First Appellate Authority,**  
O/O Chief Engineer,  
PWD Department,  
Block-C, Mini Secretariat, Patiala.

...Respondents.

**PRESENT:** Sh. Rajinder Singh is present on behalf of Appellant.  
Sh. Honey Bansal, Jr. Engineer is present on behalf of the Respondent – PIO.

### **ORDER:**

This order may be read with reference to the previous order dated 16.04.2019.

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

3. Sh. Honey Bansal, Jr. Engineer appears on behalf of the Respondent – PIO and states that the appellant was asked to deposit the documentation fee vide letter no. 3982, dated: 15.12.2017 but he did not turn up then he filed First Appeal. After filing first appeal the appellant was again asked to deposit the documentation fee vide letter no. 1806, dated: 01.02.2018, but he did not turn up. He further states that information would be provide to the appellant after receiving the documentation fee.

5. After examining the case file, it is revealed that the Respondent – PIO asked the appellant to deposit the documentation fee within stipulated time but he has not turned up. Therefore, the appellant is advised to visit the office of the Respondent to get the information after depositing the requisite fees. No further action is required in this Appeal Case, which is hereby **closed and disposed off**. Copies of the order be sent to the parties.

**Chandigarh**  
**11.06.2019**

Sd/-  
**(Hem Inder Singh)**  
**State Information Commissioner**

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## **APPEAL CASE NO. 1997 of 2018**

Shri Madan Lal (98723-67068)  
S/o Shri Om Parkash Jain  
MCB Zone -2, H.No. 10803,  
Parinda Road 18, Guru Teg Bahadur Nagar,  
Bathinda-151001.

...Appellant

Versus

**Public Information Officer,**  
O/o Sub Divisional Magistrate,  
Jaito, Distt. Faridkot.

**First Appellate Authority,**  
O/o Sub Divisional Magistrate,  
Jaito, Distt. Faridkot.

...Respondents

**PRESENT:** Sh. Madan Lal, Appellant.  
None is present on behalf of the Respondents.

### **ORDER:**

This order may be read with reference to the previous order dated 23.04.2019

2. The appellant states that no information has been given to him by the Respondent – PIO till date.

3. Neither the PIO nor his representative is present for today's hearing and he was also absent on last hearings dated: 23.04.2019. The PIO has not bothered to inform the Commission about his absence, which shows that he has no regard to the orders of the Commission.

4. The perusal of the case reveals that respondent has not provided the required information to the appellant after the lapse of 14 months period.

5. In view of the above, a **SHOW CAUSE NOTICE** under **Section 20(1)** of the **RTI Act, 2005** is issued to Sh. Sukhdev Singh, Superintendent –cum – PIO O/o Sub Divisional Magistrate, Jaito, Distt. Faridkot as to why penalty should not be imposed upon him and also why compensation be not awarded to the appellant under Section 19 (8) (b) for wilful delay/denial in supplying the information to the RTI applicant.

6. The Respondent – PIO is directed to file an affidavit in response to the Show Cause Notice and appear personally on the next date fixed, otherwise it will be presumed that he has nothing to say and the Commission shall initiate ex-parte proceeding.

7. The case is adjourned for **30.07.2019 at 12:30 PM**. Copies of the order be sent to the parties.

**Chandigarh**  
**11.06.2019**

Sd/-  
**(Hem Inder Singh)**  
**State Information Commissioner**

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## **APPEAL CASE NO. 2995 OF 2018**

Shri Darshan Singh  
S/o Sh. Inder Singh,  
VPO: Ajit Gill, Jaito,  
Distt. Faridkot.

...Appellant

Versus

**Public Information Officer,**  
O/o Executive Officer,  
Nagar Council, Jaito, Distt. Faridkot.

**First Appellate Authority,**  
O/o Regional Deputy Director,  
Local Government, Ferozepur.

...Respondents

**PRESENT:** None for the Parties.

### **ORDER:**

This order may be read with reference to the previous order dated: 15.04.2019.

2. The appellant is absent for today's hearing in the Commission and has also not attended the last hearings dated: 30.10.2018, 29.01.2019, 27.02.2019, 19.03.2019 and 10.04.2019.

3. Neither the PIO nor his representative is present for today's hearing and he was also absent on last hearings dated: 15.04.2019. The PIO has not bothered to inform the Commission about his absence, which shows that he has no regard to the orders of the Commission.

4. The perusal of the case reveals that respondent has not provided the required information to the appellant after the lapse of 14 months period.

5. In view of the above, a **SHOW CAUSE NOTICE** under **Section 20(1)** of the **RTI Act, 2005** is issued to Sh. Rajnish Sood, Executive Officer –cum – PIO O/o Executive Officer, Nagar Council, Jaito, Distt. Faridkot as to why penalty should not be imposed upon him and also why compensation be not awarded to the appellant under Section 19 (8) (b) for wilful delay/denial in supplying the information to the RTI applicant.

6. The Respondent – PIO is directed to file an affidavit in response to the Show Cause Notice and appear personally on the next date fixed, otherwise it will be presumed that he has nothing to say and the Commission shall initiate ex-parte proceeding.

7. The appellant is advised to follow up his case in the Commission, failing which appropriate order in his absence shall be passed.

8. The case is adjourned for **30.07.2019 at 12:30 PM**. Copies of the order be sent to the parties.

**Chandigarh**  
**11.06.2019**

Sd/-  
(Hem Inder Singh)  
State Information Commissioner

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## **APPEAL CASE NO. 3548 of 2017**

Shri Gurbaksh Ram  
S/o Sh. Ram Diya,  
Village: Nada, PO: Naya Gaon,  
Distt. SAS Nagar.

...Appellant

Versus

**Public Information Officer,**  
O/o Director,  
Local Government, Punjab,  
Sathanak Sarkar Bhawan, Sector 35-A,  
Chandigarh.

**Public Information Officer,**  
O/o Municipal Council,  
Naya Gaon, District SAS Nagar.

**First Appellate Authority,**  
O/o Director,  
Local Government, Punjab,  
Sathanak Sarkar Bhawan, Sector 35-A,  
Chandigarh.

...Respondents

**PRESENT:** Sh. Gurbaksh Ram, Appellant.  
Sh. Raman, Sr. Assistant is present on behalf of the Respondent – PIO.

**ORDER:** This order may be read with reference to the previous order dated: 16.04.2019.

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

3. Sh. Raman, Sr. Assistant appears on behalf of the Respondent – PIO and states that information sought by the appellant is not available in official record and the information is lying with the Municipal Council, Naya Gaon, District SAS Nagar. The same is conveyed to the appellant.

4. The Respondent – PIO (Director, Local Government, Punjab, Chandigarh) is directed to retrieve the requisite information from the concerned department and supply the same to the appellant, before the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

5. Since, the information is to be provided by the PIO O/o Municipal Council, Naya Gaon, District SAS Nagar. I, therefore, order that PIO O/o Municipal Council, Naya Gaon, District SAS Nagar be impleaded as necessary party as Respondent No. 2.

Cont...P-2

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**APPEAL CASE No. 3548 of 2018**

6. I further direct to the Respondent – PIO O/o Municipal Council, Naya Gaon, District SAS Nagar to bring the original record relating to the RTI application of the Appellant, on the next date of hearing.

7. The case is adjourned for **08.08.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh  
11.06.2019**

Sd/-  
**(Hem Inder Singh)**  
**State Information Commissioner**