



Sh Arun Gupta,  
H NO-B-XI/162, Backside Nirankari Bhawan,  
Barnala .

... Complainant

Versus

**Public Information Officer,**  
O/o Health & Family welfare Deptt,  
Pb, Sector-34-A, Chandigarh.

...Respondent

**Complaint Case No. 494 of 2021**

**PRESENT: Sh.Arun Gupta for the Appellant**  
**Sh.Kamalpreet Singh, Clerk for the Respondent**

**ORDER:**

The complainant through an RTI application dated 28.12.2020 has sought information regarding appointment of laboratory technical grade-2(98 posts) through BFUHS from Aug 2020 till date – total number of posts advertised – total posts reserved for Gen(EWS) category according to notification – clarification regarding less number of posts advertised- copy of diploma/degree certificate, experience and EWS certificate of candidates appeared in counseling – unfilled posts –backlog of gen(EWS) and other information as enumerated in the RTI application from the office of Health and Family Welfare, Pb Chandigarh. The complainant was not provided with the information provided after which the complainant filed a complaint in the Commission on 20.04.2021.

The case has come up for hearing today through video conferencing at DAC Barnala/Mohali. As per the respondent present from the Establishment branch-7, O/o Health & Family Welfare, they received the RTI application on 06.09.2021 and the information has been provided to the complainant vide letter dated 22.09.2021.

The complainant claims that he has received the information only on 06.10.2021, which is also incomplete.

However, as per the letter received in the Commission on 09.09.2021 from Dy.Director (RTI) O/o Director, Health & Family Welfare, the RTI was transferred to PIO-cum-Suptd.(Establishment-7) vide letter dated 15.01.2021.

As per letter of Dy. Director, the RTI application was transferred to PIO-Suptd. Establishment-7 on 15.01.2021. For the facts, it is clear that the RTI application was transferred to the PIO-cum-Suptd (Establishment-7) on 15.01.2021 but the information was only provided on 22.09.2021.

And since the facts state that there has been a delay of more than eight months in attending the RTI application the Commission has taken a serious view of this and hereby directs the PIO-Superintendent (Establishment Branch-7) O/o Department of Health & Family Welfare 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.

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However, since the appellant has filed a complaint case and not gone to the First Appellate Authority; to hear the appellant's contention regarding incomplete information the case is remanded back to the First Appellate Authority with the direction to consider this as an appeal case and dispose of the same within a period of 30 days as per RTI Act.

The case is adjourned. To come up for further hearing on **31.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Barnala. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated: 11.10.2021**

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



Sh Iqbal Singh,  
Office near ADC Office,  
GT Road, Jagraon,  
Distt Ludhiana.

Complainant

Versus

**Public Information Officer,**  
O/o Additional Chief Secretary,  
Social Justice and Minority Affairs,  
Punjab, Chandigarh.

**First Appellate Authority,**  
O/o Additional Chief Secretary,  
Social Justice and Minority Affairs,  
Punjab, Chandigarh.

...Respondent

**Appeal Case No. 1931 of 2021**

**PRESENT:     None for the Appellant**  
**Sh.Baldev Singh, Sr.Assistant O/o Director Social Justice for the**  
**Respondent**

**ORDER:**

The appellant through an RTI application dated 12.01.2021 has sought information regarding complaints received against appointment on fake SC degree/certificates –complaints settled – complaints pending for enquiry – action taken and other information as enumerated in the RTI application from the office of Addl. Chief Secretary, Social Justice and Minority Affairs, Pb Chandigarh. The appellant was not provided with the information provided after which the appellant filed first appeal before the first appellate authority on 04.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present has sought some more time to provide the information.

The appellant is absent and vide email has sought exemption.

The case is adjourned. To come up for further hearing on **31.01.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated: 11.10.2021**

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



Sh Hardeep Singh, S/o ShKarnail Singh,  
H No-389, FF, Sector-71,  
Mohali.

... Complainant.

Versus

**Public Information Officer,**  
O/o Director,  
Health & Family Welfare,  
Punjab, Sector-34-A, Chd.

...Respondent

**Complaint Case No. 422 of 2021**

**PRESENT: Sh, Hardeep Singh as the Appellant**  
**Sh. Sajan, Clerk for the Respondent**

**ORDER:**

The complainant through an RTI application dated 13.01.2021 has sought information regarding advertisement for 98 posts of Lab Technician Grade-2 by Baba Farid University – copy of departmental rule for the post of lab technician – copy of notification for fixation of criteria of Punjabi & experience – copy of application dated 01.10.2020 along with remarks of officers and other information as enumerated in the RTI application from the office of Director Health and Family Welfare, Pb Chandigarh. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 07.04.2021

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent present informed that the information has been provided to the complainant.

The complainant claims that he has received information only on 07.10.2021 with a delay of more than nine months.

The Commission has received a copy of letter from the office of Director Health and Family Welfare dated 02.09.2021 whereby it has been informed that the RTI application was transferred to the PIO-cum-Superintendent (Establishment-7) office of Director Health vide letter dated 28.01.2021.

Since the RTI application of 13.01.2021 was transferred to PIO-cum-Suptd. (Establishment-7) on 28.01.2021, but the information was only provided on 07.10.2021 with a delay of more than nine months, the PIO-Suptd. (Establishment-7) O/o Health and Family Welfare is directed 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.

The case is adjourned. To come up for further hearing on **31.01.2022** at 11 AM through video conference facility available in the office of Deputy Commissioner, Mohali.

Sd/-

**Chandigarh**  
**Dated: 11.10.2021**

**(Khushwant Singh)**  
**State Information Commissioner**

PIO-Suptd. (Establishment-7)  
O/o Health and Family Welfare, Pb Chandigarh



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

... Appellant

Versus

**Public Information Officer,**  
O/o XEN, Water supply and Sanitation,  
Division-1, Roopnagar,  
Anandpur Sahib,

**First Appellate Authority,**  
O/o SE, Water Supply and Sanitation Circle,  
Sector-34-A, SCO-158-160,  
Chandigarh.

...Respondent

**Appeal Case No. 2429 of 2020**

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

**ORDER:**

The appellant through the RTI application dated 30.01.2020 has sought information regarding a copy of the sanction letter/like sports quotation issued for the work of CSR to all SDE in the division from 01.01.2019 to 31.01.2020 from the Xen Water Supply & Sanitation Division. No.1, Rupnagar Anandpur Sahib. The appellant was not provided the information after the appellant filed the first appeal before the first appellate authority on 01.06.2020 which took no decision on the appeal.

The case was last heard on 10.02.2021 through video conferencing at DAC Mohali. The appellant claimed that despite depositing the requisite fee of Rs.800/- as asked for by the PIO, the information has not been provided.

The respondent brought the information. The PIO was directed to send information to the appellant through a registered post within a week.

On the date of last hearing on **17.05.2021**, the appellant was absent and vide letter received in the Commission on 05.03.2021 informed that even depositing the requisite fee of Rs.800/- on 08.03.2020 as raised by the PIO vide letter dated 19.02.2020 for 400 pages, the PIO has sent only 22 pages and has not provided the complete information.

The respondent was absent. From the letter of the appellant, there appeared to be a mismatch between the fee raised by the PIO and the information that had been finally provided.

The PIO was directed to file a suitable reply, otherwise, the Commission will be constrained to proceed as per provisions of section 20 of the RTI Act.

On the date of last hearing on **24.08.2021**, the appellant informed that he has received some information on 05.03.2021 but the information is incomplete and not as per the fee raised by the PIO.

**Appeal Case No. 2429 of 2020**

The respondent was absent nor had sent any reply. Due to delay of more than one year in providing the information as well as mismatch between the fee raised by the PIO and the information that had been provided, (PIO raised Rs.800/- for 400 pages but sent only 22 pages of 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 as well as raising excess fee than the actual information provided and directed to file reply on an affidavit.**

**Hearing dated 11.10.2021:**

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

The respondent is absent nor has filed a reply to the show cause notice. The PIO is given one last opportunity to file a reply to the show cause notice and appear before the Commissioner personally on the next date of hearing. The PIO to also give details;

- Who was the PIO at the time of filing of RTI application?
- Who was the PIO who raised the fee and sent the information?
- Who was the PIO when the show cause notice was issued?
- Who is the current PIO?

To come up for further hearing on **31.01.2022 at 11.00 AM.** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear through VC at DAC Mohali.

**Chandigarh**  
**Dated:11.10.2021**

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