

**PUNJAB STATE INFORMATION COMMISSION**  
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Sh. Jaspal Singh S/o Sh Surjit Singh,  
H No-157, Street NO-8-A,  
Manjit Nagar, Bhadson Road,  
Patiala.

... Appellant

Versus

**Public Information Officer,**  
O/o DC,  
Patiala.

**First Appellate Authority,**  
O/o DC,  
Patiala.

...Respondent

**Appeal Case No. 3447 of 2020**

**PRESENT: Sh.Jaspal Singh as the Appellant**  
**None for the Respondent**

**ORDER:**

The appellant, through an RTI application dated 27.07.2020, has sought information regarding forms A, B, C, and D deposited by unaided schools u/s 3(2) of Punjab Regulation of fee of unaided educational Institutions Act 2016 and other information as enumerated in the RTI application concerning the office of DC Patiala. The appellant was not satisfied with the reply of PIO dated 24.08.2020, after which the appellant filed the first appeal before the First Appellate Authority on 31.08.,2020, which took no decision on the appeal.

The case first came up for hearing on 28.07.2021 through video conferencing at DAC Patiala. The appellant claimed that the PIO has not supplied the information.

The respondent was absent without intimation. Having gone through the RTI application, the PIO was directed to provide whatever information is available in the record relating to points-2 point-6. The decision on point 1 will be taken on the next date of the hearing.

On the date of the next hearing on **28.09.2021**, due to a technical fault in the VC, the hearing could not take place. The case was adjourned.

On the date of the hearing on **04.01.2022**, due to the non-presence of the staff in the DC Office Patiala because of the farmers' protest, the hearing could not take place. The case was adjourned.

On the date of the last hearing on **19.04.2022**, the appellant claimed that the PIO has not supplied the information.

The respondent was absent. There has been an enormous delay of more than one and half years in providing the information. The Commission having taken a serious view of this, issued a **show cause notice to the PIO under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit.** The PIO was again directed to provide information to the appellant within 15 days of the receipt of the order.

**Hearing dated 12.09.2022:**

The case has come up for hearing today through video conferencing at DAC Patiala. The appellant pleaded that despite the order of the Commission, the PIO has not supplied the information.

**Appeal Case No. 3447 of 2020**

The respondent is absent on the 3<sup>rd</sup> consecutive hearing nor is represented. The Commission has received a reply from the PIO O/o District Education Officer (S.E) Patiala on 26.08.2022, which has been taken on record. It has been mentioned in the reply that the appellant had filed an RTI application with the office of DC Patiala, which was transferred to their office under section 6(3) by the office of DC on 03.08.2020, and the reply was sent to the appellant vide letter dated 24.08.2020. Now, as per the order of the Commission dated 28.07.2021, the information on points 2 to 6 has been sent to the appellant vide letter dated 16.09.2021. The PIO has further mentioned in the reply that due to his busy schedule in making arrangements for the inspection of Govt Aided Privately managed schools of District Patiala scheduled in the month of April 2022 as well as meetings organized by the DC Patiala regarding implementation of Fee Act 2016, the PIO could not attend the hearing on 19.04.2022.

Having gone through the reply of the PIO dated 24.08.2020 (that there is no record available with them) and reply dated 16.09.2021, as well as the reply to show cause notice, the Commission finds that the reply is flimsy and mere hogwash as three consecutive absences cannot be condoned. Moreover, this appeal is against the information provided, and only the presence of the PIO could have helped untangle the difference in the information that has been provided and the stand of the applicant that the provided information is not accurate and has been denied malafidely

However, the arguments of both the parties could not be heard due to the continued absence of the PIO or any representative.

The explanation extended for the continued absence of the PIO or any representative at the hearings is feeble and holds no merit. Hence, the PIO's reply to the show cause is rejected.

It is clear that the RTI application wasn't handled with the due diligence it requires, nor did the PIO use the opportunity of the court hearings to clarify the department's position.

Given the above, the PIO O/o District Education Officer (S.E.) Patiala is hereby held guilty for not providing correct and complete information when the RTI was filed, as well not providing complete information after the orders of the commission.

A penalty of **Rs.25,000/-** is imposed on the PIO O/o District Education Officer (S.E.) Patiala which will be deposited in the Govt. Treasury. The PIO is 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.

Further, the Commission is of the view that since the complainant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

Hence the PIO O/o District Education Officer (S.E.) Patiala is directed to pay an amount of **Rs.5000/-** via demand draft through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the commission of the compliance of the order and submit proof of having compensated the appellant.

The case is adjourned. To come up for further hearing on **01.11.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Patiala.

**Chandigarh**  
**Dated: 12.09.2022**

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

**CC to: Public Information Officer,**  
**O/o District Education Officer(S.E),**  
**Patiala.**



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

... Complainant

Versus

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

...Respondent

**Complaint Case No. 1047 of 2021**

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

**ORDER:**

The complainant, through an RTI application dated 29.06.2021 has sought information regarding a list of alcohol samples collected from the year 2015 – a copy of the entry register – a copy of receipts for the value issued – license issued etc. as enumerated in the RTI application concerning the office of Civil Surgeon, Patiala. The complainant was not provided with the information after which the appellant filed a complaint in the Commission on 10.08.2021

The case last come up for hearing on 17.05.2022 through video conferencing at DAC Patiala. Both parties were absent. The case was adjourned.

**Hearing dated 12.09.2022:**

The case has come up for hearing today through video conferencing at DAC Ludhiana/Patiala. The complainant, vide email has informed that the PIO has not supplied the information.

The respondent is absent on 2<sup>nd</sup> consecutive hearing nor is represented as well as not attending to the RTI application. There has been an enormous delay of more than one year and two months 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 attending to the RTI application 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 **01.11.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear through VC at **DAC Patiala.**

**Chandigarh**  
**Dated: 12.09.2022**

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



Sh Jiwan Lal,  
# 2156, Sunny Enclave,  
Kharar, Distt Mohali.

... Complainant

Versus

Public Information Officer,  
O/o Director,  
Ayurvedic Department,  
Sector-11, Chandigarh.

...Respondent

**Complaint Case No. 869 of 2021**

**PRESENT: Sh.Jiwan Lal as the Complainant  
Dr. Ravi-PIO for the Respondent**

**ORDER:**

The complainant, through an RTI application dated 27.04.2021 has sought information regarding the outstanding amount, if any, against the complainant from State Medicinal Plant Board and other information as enumerated in the RTI application concerning the office of Director Ayurvedic Department, Pb Chandigarh. The complainant was not provided with the information, after which the complainant filed a complaint in the Commission on 06.07.2021.

The case last came up for hearing on 10.07.2022 in the Commission's Office, Chandigarh. The complainant was absent.

The respondent pleaded that available information had been supplied to the complainant vide letters dated 18.08.2021 and 13.04.2022

Having gone through the RTI application and hearing the respondent, the Commission observed that after the year 2014, all the record of S.M.P.B is available with the Secretary, Forest Department, Punjab. It was further observed that neither the PIO has supplied the information to the complainant nor transferred his RTI application to the PIO office of the Secretary, Forest Department, Punjab.

Therefore, a show cause notice under section 20(1) of the RTI Act, 2005, was issued to PIO O/o Director Ayurvedic Department, Punjab, Chandigarh as to why penalty be not imposed upon him/her for willful delay and denial in providing the information to the complainant. He was directed to file his /her **reply to the show cause notice** in writing before the next date of hearing.

**Hearing dated 12.09.2022:**

The case has come up for hearing today. As per the complainant, the PIO has not supplied the information.

The respondent present pleaded that he has just joined as PIO in April 2022 and Dr.Brahmjot Singh was the PIO when the RTI application was filed.

From the above, it is clear that the violation has occurred at the level of Dr.Brahmjot Singh, who was the PIO when the RTI was filed. Hence Dr.Brahmjot Singh is hereby **show caused as to why penalty** be not imposed upon him/her for willful delay and denial in providing the information to the complainant. He is directed to file a **reply to the show cause notice** in writing before the next date of hearing.

**Complaint Case No. 869 of 2021**

To come up for further hearing on **12.12.2022** at 11.00 AM in the Commission's Office, Chandigarh.

**Chandigarh**  
**Dated: 12.09.2022**

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

**CC to :Dr.Brahmjot Singh, Medical Officer,**  
**Govt.Ayurvedik & Unani Dispansary,**  
**Nandiali, P.O. Banur, Distt.Mohali.**



Sh Lajpat Rai S/o Sh. Harbans Lal,  
R/o Romana Street, Jaito,  
Tehsil Jaito, Distt Faridkot.

... Appellant

Versus

**Public Information Officer,**  
O/o SHO, Police Station,  
Jaito, Tehsil & Distt Faridkot.

**First Appellate Authority,**  
O/o SSP,  
Faridkot.

...Respondent

**Appeal Case No. 1619 of 2021**

**PRESENT: Sh.Lajpat Rai as the Appellant**  
**Sh.Ramesh Kumar, ASI O/o SSP Faridkot for the**  
**Respondent**

**ORDER:**

The appellant through the RTI application dated 04.02.2021 has sought information on nine points regarding the letter for installation of CCTV –a copy of dak register and other information as enumerated in the RTI application from the office of SHO Police Station Jaito. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 16.02.2021 which took no decision on the appeal.

The case first came up for hearing on 08.09.2021 through video conferencing at DAC Faridkot. Due to a technical fault in the VC, the hearing could not take place. The case was adjourned.

On the date of hearing on **03.01.2022**, the Commission observed that the copy of the RTI application with the commission is not legible. The appellant was directed to send a typed legible copy of the RTI application to the Commission with a copy to the PIO.

The PIO was directed to look at the original RTI application and provide whatever information is available in the record.

On the date of last hearing on **19.04.2022**, the appellant sent a legible typed copy of RTI application which was taken on record. The appellant claimed that the PIO has not supplied the information.

The respondent present from police station Jaito pleaded that the information on point No.1,2,3 & 5 has been sent to the RTI cell and point 4 relates to account branch and point-6 relates to the service branch.

The respondent present from RTI cell informed that the information after collecting from the concerned police station, the case has been marked to the SSP.

**Appeal Case No. 1619 of 2021**

After entire arguments, the Commission observed that the PIO of all the information of the District is SSP, hence marked this case to the SSP Faridkot with the direction to reconcile the entire case and ensure that all the information as per RTI application which is available in different sections of the Police Department of the District is provided to the appellant.

**Hearing dated 12.09.2022:**

The case has come up for hearing today through video conferencing at DAC Faridkot. As per respondent, the information has been supplied to the appellant.

As per appellant, the information is incomplete and the discrepancies have already been pointed out to the PIO.

Hearing both the parties, the appellant is directed to contact the respondent in their office and get the discrepancies sorted out for which the appellant has agreed to.

The PIO is directed to sort out the discrepancies and provide complete information to the appellant with a copy to the Commission.

To come up for further hearing on **12.12.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Faridkot.

**Chandigarh**  
**Dated:12.09.2022**

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

**CC to Senior Superintendent of Police,**  
**Faridkot.**



Sh Gurlabh Singh, S/o Sh Bharpur Singh,  
R/o Village Ahil, Distt Faridkot.

... Complainant

Versus

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

Respondent

**Complaint Case No. 382 of 2021**

**PRESENT: Sh.Gurlabh Singh as the Appellant**  
**Sh.Salinder Singh, Sr.Assistant for the Respondent**

**ORDER:**

The complainant through the RTI application dated 30.11.2020 has sought information regarding not considering the child of a freedom fighter on the post of Medical Lab Technician Grade-2 under 1% Freedom Fighter Quota against 98 posts advertised on 13.07.2020 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 30.03.2021.

The case first came up for hearing on 08.09.2021 through video conferencing at DAC Faridkot/Mohali. Due to a technical fault in the VC, the hearing could not take place.

The Commission received a copy of a letter dated 06.08.2021 from the PIO through email which was taken on the file of the Commission. Vide this letter, the PIO had sent a reply to the complainant that the information being in question form, cannot be provided under the RTI Act.

On the date of hearing on **03.01.2022**, as per the complainant, the PIO had not supplied the information.

As per the letter dated 05.10.2021 received from the Superintendent (RTI Branch), the RTI application of 30.11.2020 was transferred to the Superintendent (Establishment-7) Branch on 28.01.2021.

As per record, the reply was sent by the PIO-cum-Suptd.(E-7) to the appellant on 06.08.2021. From these facts, there is prima facie evidence that there has been a delay of more than seven months in attending to the RTI application, which is a violation of Section 7 (1) of the RTI Act. The PIO was issued a **show cause notice under section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

**On the date of last hearing on 19.04.2022:** both the parties were absent. The case was adjourned.

**Hearing dated 12.09.2022:**

The case has come up for hearing today through video conferencing at DAC Faridkot. The Commission has received a reply from the PIO through an email, which has been taken on record. It has been mentioned in the reply that, as per the advertisement dated 06.08.2020, the recruitment of medical laboratory technical grade-2,-98 posts was still under process as COVID-19 had delayed the process Regarding the delay in attending to the RTI application, the PIO has stated that it was due to the recruitment process which was to be finalized on an emergency basis due to COVID.



**Complaint Case No. 382 of 2021**

Nothing is mentioned regarding the sought information (relating to 1% freedom fighter quota against 98 posts advertised). The respondent present has also not been able to clarify the same .

The commission does not find any merit in the reply of the PIO as it does not address convincingly the delay, hence, a penalty of **Rs.10,000/-** is imposed on the PIO-cum-Suptd.(E-7) O/o Director Health and Family Affairs, Pb which will be deposited in the Govt. Treasury. The PIO is 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.

To come up for further hearing on **12.12.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Faridkot. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated: 12.09.2022**

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

**CC to PIO-cum-Suptd.(E-7)**  
**O/o Director, Health & Family Welfare,**  
**Pb, Sector 34-A, Chandigarh.**