

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Capt Parveen Vij,
R/o H No-337, Sector-21,
Panchkula.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 2399 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 06.01.2021 has sought information regarding charter of duties assigned to controller food accounts in relation to CFA's role in PUNGRAIN since inception of PUNGRAIN in 2002-03 – amendment done if any and other information as enumerated in the RTI application from the office of Director Food Civil Supplies and Consumer Affairs, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed first appeal before the first appellate authority on 16.02.2021 which took no decision on the appeal.

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 **01.02.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Mohali

Chandigarh
Dated: 12.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Dr. Neeru Guliani,
VPO Baijnath, Distt Kangra,
Himachal Pradesh.

... Appellant

Versus

Public Information Officer,
O/o Director, Ayurveda,
Pb, Sector-11-D, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Health and Family welfare,
Sector-9, Chandigarh.

...Respondent

Appeal Case No. 2295 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 02.10.2020 has sought information regarding copy of order passed by Principal Secretary on 09.11.2011 vide which appeal filed by the appellant was dismissed – copy of order dated 25.09.2013 of principal secretary on the appeal - - copy of letter written by Director Ayurveda on 24.03.2017 – copy of letter dated 26.04.2017 and other information as enumerated in the RTI application from the office of Director Ayurveda, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed first appeal before the first appellate authority on 24.11.2020 which took no decision on the appeal.

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

The Commission has received a copy of letter dated 02.09.2021 from the PIO vide which the PIO has informed that the information has been provided to the appellant vide letter dated 23.06.2021 and again on 02.09.2021.

The appellant vide letter received in the Commission on 29.09.2021 has informed that she has received the information but with a delay of 257 days which should have been provided within 30 days as specified under section 7(1) of the RTI Act.

The PIO is directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act and appear before the Commission on the next date of hearing along with explanation.

The case is adjourned. To come up for further hearing on **01.02.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Mohali

Chandigarh
Dated: 12.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Col Retd. Amarjit Singh, S/o Lt Sh S Raghbir Singh,
R/o K-902, Vikram Vihar, Sector-27,
Panchkula.

... Appellant

Versus

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

First Appellate Authority,
O/o Director,
Deptt of Health and Family Welfare,
Sector-34-A, Chandigarh.

...Respondent

Appeal Case No. 2544 of 2021

PRESENT: Col Retd Amarjit Singh as the Appellant
Dr.Harinderjit Singh Cheema for the Respondent

ORDER:

The appellant through an RTI application dated 11.01.2021 has sought information 11 points regarding No. of hospitals registered under Clinical Establishment (Registration and Regulation) Ordinance 2020 – has Indus International Hospital been registered under this regulation – when was the last inspection of facilities and staff at Indus International Hospital was done – minimum standard requirement to be maintained to operate an intensive care – whether BAMS doctor can be employed as part of intensive care – minimum standard to be maintained for mortuary and other information as enumerated in the RTI application from the office of Director Health and Family Welfare, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed first appeal before the first appellate authority on 01.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant claims that the PIO has not provided the information even after a lapse of ten months.

The respondent present has requested fifteen days time to provide the complete information.

The PIO is directed to provide whatever information available in the record to the appellant within fifteen days and send a compliance report to the Commission.

The case is adjourned. To come up for further hearing on **01.02.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Mohali

Chandigarh
Dated: 12.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Surjit Singh, S/o Sh.Gokul Singh,
VPO Jarg, Tehsil Payal,
Distt. Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Chairman,
Punjab State Schedule Caste Commission,
4th Floor, Civil Secretariat,
Sector-1, Chandigarh.

First Appellate Authority,
O/o Chairman,
Punjab State Schedule Caste Commission,
4th Floor, Civil Secretariat,
Sector-1, Chandigarh.

...Respondent

Appeal Case No. 2277 of 2021

PRESENT: None for the Complainant
Sh.Harwinder Singh, Clerk for the Respondent

ORDER:

The appellant through an RTI application dated 03.02.2021 has sought information regarding action taken on the complaint dated 23.01.2021 against an alleged false statement given by DPI SAS Nagar alongwith statement and rules and other information as enumerated in the RTI application from the office of Chairman, Pb State SC Commission Chandigarh. The appellant was not provided with the information after which the appellant filed first appeal before the First Appellate Authority on 12.03.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana/Mohali. The respondent present pleaded that the information has been provided to the appellant vide letter dated 03.03.2021.

The appellant is absent nor is represented. The appellant is directed to point out the discrepancies to the PIO, if any, and appear before the Commission on the next date of hearing to pursue his case.

The case is adjourned. To come up for further hearing on **01.02.2022** 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: 12.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Ravinder Kataria,
64, New Sant Fateh Singh Nagar,
Durgri Road, Ludhiana.

... Appellant.

Versus

Public Information Officer,
O/o SDM,
Zira, Distt Ferozepur.

First Appellate Authority,
O/o SDM,
Zira, Distt Ferozepur.

...Respondent

Appeal Case No. 2586 of 2021

PRESENT: Sh.Ravinder Kataria as the Complainant

ORDER:

The appellant through an RTI application dated 01.02.2021 has sought information regarding copies of form no.25 deposited by the owners of 15 years old two wheelers/four wheelers for renewal from 01.07.2020 to 31.12.2020 – documents submitted by vehicle owners of outside vehicles – procedure for assessment of renewal of vehicle and other information as enumerated in the RTI application from the office of SDM Zira, District Ferozepur. The appellant was not provided with the information after which the complainant filed first appeal before the first appellate authority on 09.04.2021 which took no decision on the appeal. After filing the first appeal, the PIO sent a reply on 17.05.2021 to which the appellant was not satisfied and filed 2nd appeal in the commission .

The case has come up for hearing today through video conferencing at DAC Ludhiana/Ferozepur. As per appellant, the PIO has not supplied the complete information.

Due to another engagement in the office of DC Ferozepur, the respondent could not be heard.

The case is adjourned. To come up for further hearing on **01.02.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear through VC at DAC Ferozepur.

Chandigarh
Dated: 12.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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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 DM, PUNGRAIN,
Ludhiana.

...Respondent

Appeal Case No. 2490 of 2021

PRESENT: Sh.Jaspal Singh as the Complainant
None 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 copy of register – 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 first appeal before the first appellate authority on 15.04.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant claims that the PIO has not provided the information.

The respondent is absent nor is represented.

There has been an enormous delay of more than seven months in providing the information. 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 person(s) 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 the appellant within 10 days of the receipt of the order.

The case is adjourned. To come up for further hearing on **01.02.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 12.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Davinder Kumar, S/o Late Sh Ram Murti,
VPO Sidhwan Bet, Tehsil Jagraon,
Distt Ludhiana.

Appellant.

Versus

Public Information Officer,
O/o Additional Chief Secretary,
Local Govt, Sector-35-A,
Chandigarh.

First Appellate Authority,
O/o Additional Chief Secretary,
Local Govt, Sector-35-A,
Chandigarh.

...Respondent

Appeal case No.2486/2020, 2487/2020 & 2488/2020

PRESENT: Sh.Davinder Kumar as the Appellant
Sh.Sanjeev Kumar, Suptd. O/o Pr. Secretary-(LG-2) and Sh.Kuldeep Singh,
Sr Asstt.(Trust Service Cell)O/o Director Local Govt. for the Respondent

ORDER:

The appellate through RTI application dated 09.01.2020 has sought information regarding a copy of the land of the law of the condition imposed at s.no.2 of submission by Director Local Govt and said the resolution passed by Secretary of Pb Govt under TSC 1356 dt. 303.07.2014 and other information as enumerated in the RTI application concerning the office of Additional Chief Secretary, Local Govt Pb Chandigarh. The appellant was not provided with the information after the appellant filed the first appeal before the First Appellate Authority on 17.07.2020 which took no decision on the appeal.

The case first came up for hearing on **09.02.2021** through video conferencing at DAC Ludhiana. The respondent present pleaded that no such record regarding "Land of law" is available in their record and the reply has been sent to the appellant vide letter dated 27.01.2021.

The Commission observed that there has been an enormous delay in attending to the RTI application since the RTI application was filed on 19.01.2020 whereas the reply was sent on 27.01.2021. In reply, the respondent stated that no RTI application was received by them and the RTI was received along with the notice of the Commission only.

The reply received from the PIO was sent to the appellant, and the appellant, if wants to pursue the case, was directed to send his observations to the PIO.

The Commission further observed that the appellant had filed two more appeal cases No.2487/2020 & 2488/2020 for seeking exactly the same information from Director Local Govt and Law Officer, Local Govt. and the respondent had submitted the same reply in all cases, all these cases were clubbed together.

Appeal case No.2486/2020, 2487/2020 & 2488/2020

On the date of hearing on **26.05.2021**, the respondent informed that the reply has already been sent to the appellant.

The appellant was absent.

On the date of last hearing on **20.09.2021**, the respondent Sh.Kuldeep Singh informed that the information has already been provided vide letter dated 27.01.2021 that no record relating to Land of the Law is available.

The appellant stated that the contents of the letter are not clear since the PIO has not mentioned the date & no of the previous letter issued by Director Local Govt. and has not provided a copy of the land of law charging collector rate prevailing at the time in 2015 while allotting alternative plots.

Hearing both the parties, the PIO was directed to ensure a reply from the PIO-Principal Secretary, Local Govt whereby details of the sought information are clearly mentioned with the reply as discussed during the hearing. The information to be provided within 15 days.

Hearing dated 12.10.2021:

The respondent present from the office of Principal Secretary Local Govt.(LG-2) pleaded that the information has to be provided by PIO-Trust Service Cell whereas as per the respondent present from Trust Service Cell, the information has to be provided by LG-2.

Since the order has already been passed, the PIO is given one last opportunity to comply with the earlier order of the Commission and provide the information as discussed during the hearing. The order is reiterated for easy and quick compliance. T

The appellant has asked:-

“The Secretary Local Government Punjab has imposed certain conditions before approval of the Local Government Department Punjab and one of the condition at serial no. 2 that the allotment of alternative plots be made at the present collector rate prevailing at that time. Please supply me the copy of the LAND OF THE LAW of this condition imposed at serial no.2 of the submissions by Director Local Government Punjab and the said resolution passed by the Secretary of Punjab Government Local Government Department under TSC 1356 of dated 03.07.2014 enclosed with this application for your ready reference as the deciding meeting was held in the office of the Secretary and Chaired by him in which it was decided to impose certain conditions and one of the conditions at serial no.2 to charge the present collector rate prevailing at that time of allotment letters issued in March, 2015 in place of the reserve price of 1999 when the date of allotment of concluding the draw of lots.”

During the hearing and the various answers submitted by the PIO-Director Local Govt and PIO-O/o Principal Secretary, Local Govt., it has been concluded that no such rule exists.

However, since the information sought was from the Principal Secretary, the PIO Principal Secretary is directed to draft a reply to the appellant incorporating the above paragraph and concluding that the information is not available in the record. The information be provided to the appellant before the next date of hearing otherwise the Commission will be constrained to take action against the PIO under section 20 of the RTI Act.

The case is adjourned. To come up for compliance on **10.11.2021 at 11.00 AM**.

Chandigarh
Dated: 12.10.2021

Sd/-
(Khushwant Singh)
State Information Commissioner