



Sh.Pawan Kumar Sharma,Advocate
S/o Sh.Bhagwant Kishore,
H.No.585, Phase-2, Mohali.

Complainant

Versus

Public Information Officer,
O/o Senior Medical Officer,
SAS Nagar (Mohali).

Respondent

Complaint Case No.1162/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
20.09.2018	Nil	Nil	Nil	01.11.2018

Present: Sh.Pawan Kumar Sharma, Complainant is absent.
Smt. Manju Mahajan, Staff Nurse on behalf of respondents.

ORDER:

This case has been committed to this Bench on the demitting of office by the former Information Commissioner Smt. Viney Kapoor Mehra. In her order dated 08.01.2019, she has made observations about the public authority to depute the officials who are well conversant with the facts of the case. The PIO has deputed a Staff Nurse who is not in a position to explain the legal stance of the respondents. The Commission finds that in their reply, the respondents have requisitioned a sum of Rs.5000/- as cost of providing information without any calculation of the amount. The conduct of the PIO smacks of his ignorance of law and defiance of the directions of the Commission.

It seems to be an act of willful suppression of the information.

PIO is hereby issued a Notice to show cause as to why penalty as envisaged in Section 20(1) of RTI Act be not imposed on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Complainant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20 (1) proviso thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte.



Complaint Case No.1162/2018

The appellant has sought exemption due to his indisposition having been afflicted with Herpes Zoster. The Commission accedes to his request and condones his absence.

The matter shall be heard on **08.08.2019 at 11.30 AM.**

13.06.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

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Sh. Updesh Singh,
Retd. From Punjab Home Guards
Street Panchayat Gurdwara Sahib
Himanupur, Railway Road, Sirhind
District Fatehgarh Sahib.

Appellant

Versus

Public Information Officer,
O/o Addl.Chief Secretary,
Department of Home Affairs & Justice
Punjab, Chandigarh.

First Appellate Authority,
O/o Addl.Chief Secretary,
Department of Home Affairs & Justice
Punjab, Chandigarh.

Respondent

Appeal Case No.540/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
09.09.2018	20.09.2018	19.11.2018	Nil	28.01.2019

Present: Sh.Updesh Singh, Appellant in person.
Smt. Parveen Garg, Supdt. Home Guards Deptt.- for respondents.

ORDER:

The appellant is a retired official of the Department of Home Guards, Punjab. He has a grievance against the respondents for not having considered his service rendered on ad hoc basis for the purpose of retiral benefits. The respondents say that his representation has been duly considered and after passing the speaking order, has been rejected. He has been duly informed of the same. The documents having been shown to the Commission seem to be in place and order. The appellant does not deny its receipt. Rather he questions its justification.

The Commission is not a Grievance Redressal Forum. The order in the application has been passed. In case he is not satisfied and intends to impugn it, he should either file an appeal before the competent authority in the Department or should approach the Civil Court to have his grievance redressed. The respondents say that he has been repeatedly filing applications on the same issue. The Commission directs the Registry not to entertain his appeal/complaint in case it is again filed on the issue in hand.

He has been sufficiently informed and no further intervention is called for.

Disposed.

13.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

CC: Deputy Registrar, Pb. State Information Commission.

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Sh.Hardeep Singh,
S/o Sh.Tarsem Lal,
Village Nurpur, Block Aur,
Tehsil Banga, Distt.SBS Nagar
(Nawanshahar) .

Appeal

Versus

Public Information Officer,
Gram Panchayat,Nurpur,
Block Aur, Distt.SAS Nagar (Mohali).

First Appellant Authority,
O/o Block Development & Panchayat Officer
Block Aur, District SBS Nagar(Nawanshahr)

Respondent

Appeal Case No.2037/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
22.12.2017	Nil	27.11.2017	Nil	14.06.2018

Present: **Sh.Hardeep Singh, Appellant in person.**
 Sh.Jeewan Singh, Supdt. O/o BDPO, Aur.
 Sh.Sandeep Jain, Advocate
 - on behalf of respondents.

ORDER:

The following order was passed on 03.04.2019:-

The appellant vide his original application dated 22.12.2017 had sought an information pertaining to various activities of the gram panchayat of Vill: Nurpur, P.O. Sarhal Kajja, Tehsil Banga, District Shaheed Bhagat Singh Nagar. He admits that by and large the information was provided to him. However, the one pertaining to four points mentioned at Sr. No. 3, 5, 6 and 17 of the application has not been supplied.

The Commission takes an exception to the lackadaisical conduct of the respondents. They are directed to provide the residual information as mentioned above and file a written reply to the Commission explaining the reasons of such an inordinate delay before the next date of hearing positively”.

The respondents represented by Sh.Jeewan Singh, Superintendent and Sh.Sandeep Jain, Advocate submit that in compliance with the order mentioned above, the residual information has been provided to him. It also transpires that the appellant had been booked criminally for forging the documents relating to leasing of Panchayat land. The respondents have produced the documents to vindicate their contention.



Appeal Case No.2037/2018

The appellant is absent. Nothing has been heard from him as well. The Commission presumes that he is satisfied with the information thus stated to have been provided to him. No further action is called for.

Disposed.

13.06.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

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Sh. William Masih,
S/o Sh. Hazur Masih
House No.3, Old Civil Hospital,
Ludhiana

Appeal

Versus

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

First Appellant Authority,
O/o Civil Surgeon,
Patiala.

Respondent

Appeal Case No.103/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
16.10.2018	Nil	16.11.2018	Nil	28.12.2018

Present: **Sh. William Masih, Appellant in person.**
 Sh.Harish Kumar, Senior Asstt. - on behalf of respondents.

ORDER:

The appellant is an employee of the Department of Health. He is seeking information about the outcome of his complaint made against one Dr. Grewal for running a private laboratory against the Rules. Having discussed the issue, it transpires that the appellant was charge sheeted at the instance of the aforesaid Dr. Grewal on account of his alleged misbehaviour with a female colleague. Obviously, he has grudge against his boss and intends to settle a score.

RTI Act is meant to promote transparency and accountability in the functioning of public officials. This is not a Forum to settle personal scores, much less by a subordinate against his superiors. Such an exercise breeds indiscipline and harms the public interest. The application/appeal is frivolous and is not desirable to be acted upon in the Commission. However, Civil Surgeon is directed to pursue the matter and take it to logical ends.

Dismissed.

13.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Sh. Hardial Singh,
S/o Sh. Sher Singh,
R/o VPO-Dhablan,
Tehsil & District- Patiala.

Appellant

Versus

Public Information Officer,
O/o District Development and Panchayat Officer,
Patiala.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Patiala.

Respondents

Appeal Case No.576/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
13.08.2018	Nil	20.11.2018	Nil	04.02.2019

Present: Sh. Hardial Singh, Appellant is absent.
Sh. Buta Singh, Panchayat Secretary, BDPO Office, Patiala
– for Respondents.

Order

The following order was passed on 02.04.2019:-

“The appellant had sought a copy of a statement recorded in the course of an enquiry into a complaint made by the appellant.

The respondents have conveyed in writing to the appellant that as the enquiry is yet to be completed it is not possible for them to part with the statement which will impact the outcome adversely. The appellant may like to react before the next date of hearing”.

A communication has been received from the appellant vide which he has sought transfer of the case from the undersigned to another Bench. There is no merit in his demand and as such, is rejected. The litigant cannot be allowed Bench shopping or hunting. Originally, his requisition has already been addressed to by an order passed by this Bench only in Appeal Case No.1821/2018. The present appeal is **disposed of in terms of the same.**

13.06.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**



Rakesh Kumar Gupta,
8/237, Jagraon Road,
Mandi Mullanpur
District Ludhiana-141101

Appellant

Versus

Public Information Officer,
O/o District Food & Civil Supplies Controller,
Ludhiana(West), Zone-D,
Municipal Corporation Building,
Sarabha Nagar, Ludhiana.

First Appellate Authority,
O/o The Director,
Food, Civil Supplies & Consumers Affairs
Anaj Bhawan, Sector-39C, Chandigarh

Respondents

Appeal Case No.2767/2017,2769/2017 & 2772/2017

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
03.11.16/ 03.11.16/ 29.09.16	Nil	09.05.17/ 14.05.17/ 13.05.17	Nil	30.11.17/ 29.09.17/ 04.06.17

Present: Sh.Rakesh Kumar Gupta, Appellant is absent.
Sh. Darbara Singh, Assistant Food & Supplies Officer, Raikot
– for Respondents.

Order

On the request of the Appellant, the matter is adjourned.

To be heard on **25.09.2019 at 11.30 AM.**

13.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner



Shri Anil Kumar Garg,
2852, Block-C,
Ranjit Avenue,
Amritsar-143001

Appellant

Versus

Public Information Officer,
O/o The Director,
Public Instruction (Colleges),
Sikhiya Bhawan, E Block 4th Floor,
PSEB Complex, Phase-VIII, Mohali.

First Appellate Authority,
O/o The Director,
Public Instruction (Colleges),
Sikhiya Bhawan, E Block 4th Floor,
PSEB Complex, Phase-VIII, Mohali.

Respondents

Appeal Case No.3728 /2017

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
04.07.2017	Nil	10.08.2017	Nil	11.10.2017

Present: Sh.Anil Kumar Garg, appellant is present.
None is present for the Respondents.

Order

It is a long standing case having been transferred from the Bench of Prof. Viney Kapoor Mehra who has demitted the office in the Commission. From perusal of the file, it is suggested that a show cause notice for imposition of penalty has already been issued for willful suppression of information on the PIO O/o Director, Public Instruction (Colleges), Punjab.

The Commission is intrigued that despite the express directions and issue of show cause notice, no tangible action has been taken by the respondents. Therefore, once again, the PIO is directed to provide a lucid response/reply to the information seeker under intimation to the Commission, failing which penal consequences shall follow. Be it noted that no further opportunity shall be afforded.

To be heard on **30.07.2019 at 11.30 AM.**

13.06.2019

Sd/-
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Shri Raj Kumar Ahuja
S/o Sh.Bhagwan Chand,
R/o Village Gram Panchayat, Neola
Tehsil and District Fazilka.

Appellant

Versus

Public Information Officer,
O/o The District Social Welfare Officer,
Fazilka.

First Appellate Authority,
O/o District Social Welfare Officer
Fazilka. .

Respondents

Appeal Case No.3210 /2017

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
01.12.2015	Nil	10.02.2016	Nil	16.05.2017

Present: Sh.Raj Kumar Ahuja, appellant is present.
Harbhajan Singh, Clerk is present for the Respondents.

Order

This is a very old case. The original application was filed on 0.12.2015. Having gone through the rigmarole of First ad Second appeal, the appellant is still in the dark. The information sought relates to the pensions sanctioned by the State Government in the Department of Social Security of Women and Child Welfare, Punjab.

The Commission takes very strong exception to the conduct of the respondents and directs the District Social Welfare Officer to arrange to provide information before the next date of hearing positively. It is underlined that regardless of the fact as to who is the PIO/custodian of the record, it shall be the responsibility of the District Social Welfare Officer, by name, to comply with these orders, being the head of the Public Authority in the district. The compliance should be conveyed to the Commission well before the deferred date.

The matter shall now be heard on **21.08.2019 at 11.30 AM through video conference at Fazilka.**

13.06.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**



Shri Vivek Baghla,
H.No.2857, Bank Colony,
Badha Road, Fazilka

Appellant

Versus

Public Information Officer,
O/o The Managing Director,
Punjab health Systems Corporation,
SAS Nagar (Mohali).

First Appellate Authority,
O/o The Principal Secretary to Govt. of Punjab
Department of Health & Family Welfare,
Punjab Civil Sectt.-2, Sec.9, Chandigarh.

Respondents

Appeal Case No.23/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
25.09.2018	Nil	30.10.2018	Nil	13.12.2018

Present: Sh.Vivek Baghla, appellant is absent.
Sh.Sunil Kumar, Computer Operator, Pb.Health Systems Corpn. Mohali
Sh.Harpreet Singh,S.A. Health & Family Welfare- for Respondents.

Order

The appellant has sought information governing the establishment and running of various private Hospitals/Nursing Homes. The respondents are ignorant about such provisions. The Director, Health & Family Welfare, Punjab is hereby directed to file a written reply to the notice of the Commission before the next date of hearing.

The appellant has requested for adjournment.

The matter shall now be heard on **21.08.2019 at 11.30 AM through video conference at Fazilka.**

13.06.2019

Sd/-
(Yashvir Mahajan)
State Information Commissioner

