

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
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Sh. Jasbir Singh,
R/o Guru Nanak Nagar,
Village Bholapur-Jhabewal
Post office Ramgarh,
Ludhiana Chandigarh Road,
Ludhiana.

... Complainant

Versus

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

...Respondent

Complaint Case No. 0916 of 2021

PRESENT: None for the complainant
Sh. Lovedeep Singh, PIO, for the Respondent

ORDER:

The complainant through RTI application dated 26.04.2021 has sought information on 04 points regarding total number of licences issued for sale of food items from January 2019 under Food Safety and Standards Rules 2011, notices issued to those who have not got licences or organised awareness camps, has any authority checked the shop / factory premises of those who are working without licences and other information as enumerated in the RTI application from the office of Food Safety Officer O/O Civil Surgeon, Moga. The complainant filed a complaint in the Commission on 13.07.2021.

The case has come up for hearing today through video conferencing at DAC Ludhiana/Moga. The respondent present pleaded that the information has already been provided to the complainant vide letter dated 18.11.2021 with a copy to the Commission through email.

The complainant is absent today. However, an e.mail has been received in the Commission wherein he informed that he has received all the information from the PIO to his satisfaction. The complainant has further stated in the email that his case may be closed.

As the information stands supplied, hence **the case is disposed of and closed.**

Chandigarh
Dated :13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Jasbir Singh,
R/o Guru Nanak Nagar,
Village Bholapur-Jhabewal
Post office Ramgarh,
Ludhiana Chandigarh Road,
Ludhiana.

... Complainant

Versus

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

...Respondent

Complaint Case No. 0855 of 2021

PRESENT: None for the complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 10.05.2021 has sought information on 02 points regarding the purchase of sanitisers, soaps, handwash, medicines, masks and other related items for pandemic corona-19 in January 2020 to date and information regarding the distribution of these items as enumerated in the RTI application from the office of Food Safety Officer O/O Civil Surgeon, Amritsar. The complainant filed a complaint in the Commission on 01.07.2021.

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

The complainant is absent today. However, an e-mail has been received in the Commission wherein he informed that he has received all the information from the PIO to his satisfaction. The complainant has further stated in the e.mail that his case may be filed.

As the information stands supplied, no cause of action is left. Hence, the case is disposed of and closed.

Chandigarh
Dated :13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Tejinder Singh,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur.

... Appellant

Versus

Public Information Officer,
O/o Food and Drugs Administrator,
Kharar.

First Appellate Authority,
O/o Commissioner,
Food and Drugs Administrator,
Kharar.

...Respondent

Appeal Case No. 1455 of 2021

PRESENT: Sh. Tejinder Singh, the Appellant
None for the Respondent

ORDER:

The appellant, through RTI application dated 24.10.2020 has sought information regarding the date of recruitment of Abhinav Khosla, Food safety officer, along with his posting – a copy of complaints received against him and action taken thereon – details of salary and suspension period and other information as enumerated in the RTI application from the office of Food and Drug Administration, Kharar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 03.02.2021, which did not decide on the appeal.

The case was last came up for hearing on 13.09.2021 through video conferencing at DAC Ludhiana. Both the parties are absent.

The Commission has received a copy of a letter dated 29.07.2021 from the PIO vide which the PIO has sent information to the appellant relating to points 1 & 2 and has transferred the RTI application to the Civil Surgeon, Sri Mukatsar Sahib for providing information on points 3 & 4.

Since the information on point-3 & 4 as per PIO-Food & Drug Administration, Kharar relates to the office of Civil Surgeon Sri Mukatsar Sahib, the PIO-Civil Surgeon, Sri Mukatsar Sahib was impleaded in the case and directed to provide information as per the provisions of the RTI Act to the appellant on points 3 & 4 (RTI application transferred by Food & Drug Administration Kharar on 29.07.2021). A copy of the RTI application was attached with the order for the PIO-Civil Surgeon Sri Mukatsar Sahib for reference.

Hearing dated 13.07.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana/ Sri Mukatsar Sahib. As per the appellant, he has received all the information in the instant case, and he is satisfied with the same and his case may be filed.

Since the information stands supplied and no further cause of action is left, hence, the case is disposed of and closed.

Chandigarh
Dated:13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-Civil Surgeon,
Sri Mukatsar Sahib.



Sh Nitin Kumar, C/o Police Public Diary,
15-A, Shastari Nagar, Model Town,
Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o SMO,
Ludhiana.

First Appellate Authority,
O/o Civil Surgeon,
Ludhiana.

...Respondent

Appeal Case No. 1733 of 2021

PRESENT: Sh.Nitin Kumar Garg, the Appellant
Dr.Charan Kamal, Civil Hospital Ludhiana, for the Respondent

ORDER:

The appellant through RTI application dated 23.12.2020 has sought information regarding statements duly approved for the purchase of medicine from 17.03.2020 to 23.12.2020 – amount received from the public in hospital daily-wise/month-wise – list of all types of medicines purchased and repair – list of all types of funds/grant received in hospital and other information as enumerated in the RTI application from the office of Civil Surgeon, Ludhiana. The appellant was not provided with the information, after which the appellant filed the first appeal before the First Appellate Authority on 01.02.2021, which took no decision on the appeal.

The case was last heard on 13.09.2021 through video conferencing at DAC Ludhiana. The appellant claims that the PIO has not supplied the information.

The respondent present pleaded that since the information is voluminous, the appellant was asked vide letter dated 14.01.2021 and again on 03.03.2021 to inspect the record on any working day and get the relevant information by depositing the requisite fee as the RTI, Act but the appellant did not turn up.

Since there has been huge pressure on the health department due to the pandemic Covid-19, I accept the plea of the respondent and direct the appellant to inspect the record by visiting the office of PIO on a mutually convenient date and time and get the relevant information by depositing requisite fee as per the RTI Act.

Hearing dated 13.07.2022:

The case has come for hearing today through video conferencing at DAC, Ludhiana. The respondent present pleaded that the appellant has inspected the record on 07.03.2022. The respondent also pleaded that since the sought information is voluminous, it cannot be provided free of cost. Thus, if the appellant is interested in getting the same, he should deposit the documentation fee.

The appellant pleaded that he had deposited the documentation fee amounting to Rs.3100/-. In the O/o the PIO but the PIO has supplied incomplete information as information of point 2 of the RTI has not been supplied. The respondent pleaded that information containing 1534 pages against the fee deposited by the appellant has already been provided.

The respondent stated that the appellant is demanding day-wise information of collection/payment received in the hospital, which is voluminous and the same cannot be given free of cost.

Having gone through the RTI application and hearing both the parties, the Commission advises the appellant to inspect the record on 15.07.2022 at 11.00 AM and get the information month-wise after paying requisite fee.

With the above order the **case is disposed of and closed.**

Chandigarh
Dated:13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Nitin Kumar, C/o Police Public Diary,
15-A, Shastari Nagar, Model Town,
Ludhiana.

Appellant

Versus

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

First Appellate Authority,
O/o Deputy Director Health,
Pb, Chandigarh.

...Respondent

Appeal Case No. 1734 of 2021

PRESENT: Sh.Nitin Kumar Garg as the Appellant
Sh.Rakesh Kumar, Clerk for the Respondent

ORDER:

The appellant, through RTI application dated 23.12.2020 has sought information regarding statements duly approved for the purchase of medicine from 26.05.2020 to 23.12.2020 – amount utilised for purchase of medicines, repairs like DMC/NHRM – list of funds/grants received and other information as enumerated in the RTI application from the office of Civil Surgeon, Ludhiana. The appellant was not satisfied with the reply of the PIO dated 14.01.2021 (that the information is voluminous and the appellant to inspect the record and get the information) after which the appellant filed the first appeal before the First Appellate Authority on 28.01.2021 which did not decide on the appeal.

The case came up for hearing on 13.09.2021 through video conferencing at DAC Ludhiana. The appellant claims that the PIO did not supply the information.

The respondent present pleaded that since the information is voluminous, the appellant was asked vide letter dated 14.01.2021 to inspect the record by visiting the office of the PIO on any working day and get the relevant information by depositing the requisite fee as per the RTI Act but the appellant did not turn up.

Given that there has been huge pressure on the health department due to the Covid -19 epidemic, I accept the plea of the respondent and direct the appellant to inspect the record by visiting the office of the PIO on a mutually convenient date and time and get the relevant information by depositing requisite fee as per the RTI Act.

Hearing dated 13.07.2022:

The case has come up for hearing today. As per the appellant, he has received the information from the respondents and is satisfied with the same.

No cause of action is left and hence, the case is **disposed of and closed.**

Chandigarh
Dated:13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Sanjeev Thakur,
Village Gudha Khurd,
P.O Madhopur Cantt.

... Appellant

Versus

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

First Appellate Authority,
O/o Deputy Director Health,
Pb, Chandigarh.

...Respondent

Appeal Case No. 808 of 2021

PRESENT: Sh. Sanjeev Thakur, the Appellant
None for the Respondent

ORDER:

The appellant, through the RTI application dated 21.10.2020 has sought information regarding the list of reimbursement bills received from 01.01.2020 to 22.03.2020 – a list of reimbursement bills passed and pending from 01.01.2020 to 22.03.2020 and other information as enumerated in the RTI application from the office of Civil Surgeon Pathankot. The appellant was not provided with the information, after which the appellant filed the first appeal before the First Appellate Authority on 04.12.2020 which took no decision on the appeal.

The case first came up for hearing on 13.01.2021 through video conferencing at DAC Pathankot. The appellant was absent due to illness and vide email had sought adjournment. In the said email, the appellant had also informed that the PIO did not supply the information.

The respondent was absent without any legitimate reasons for the absence nor has supplied the information. There has been an enormous delay of more than nine months in attending to the RTI application.

The PIO was directed to provide information to the appellant within 15 days and send a compliance report to the Commission.

Hearing dated 13.07.2022:

The case has come up for hearing today through video conferencing at DAC Pathankot. As per the appellant, information has not been received from the PIO till date. However, he acknowledged the receipt of compensation amount Rs.3000/- (Rupees three thousand only).

The PIO is absent nor is represented.

Having gone through the RTI application and record in the case file, it is observed that information containing about 85 pages has been received in the Commission on 04.03.2022 vide letter dated 02.03.2022. It is further observed that the PIO has made payment to the appellant of compensation of Rs.3000/- (Rupees Three Thousand only) vide demand draft 520514 dated 17.02.2022.

The provided information is being sent with this order.

No further cause of action is left, hence, **the case is disposed of and closed.**

**Chandigarh
Dated:13.07.2022**

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

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Sh Hansa Singh, S/o Sh Machhi Singh,
R/o Village Shamshabad,
Tehsil & Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o District Manager,
PUNSUP, Ferozepur.

First Appellate Authority,
O/o District Manager,
PUNSUP, Ferozepur.

...Respondent

Appeal Case No. 3159 of 2021

PRESENT: Shri Hansa Singh, the Appellant
Sh.Davinder Kumar, PIO for the Respondent

ORDER:

The appellant, through an RTI application dated 01.04.2021, has sought information regarding a copy of letters sent to the District Manager, PUNSUP, with a copy to MD PUNSUP Chandigarh on 12.12.2015, 19.01.2016, 21.10.2016, 08.02.2016 & 02.03.2016 and action taken on these letters by Head office and other information as enumerated in the RTI application from the office of District Manager, PUNSUP Ferozepur. The appellant was not provided with the information, after which the appellant filed a first appeal before the first appellate authority on 05.05.2021, which did not decide on the appeal.

The case first came up for hearing on 31.01.2022 through video conferencing at DAC Ferozepur. As per the appellant, the PIO did not supply the information.

As per the respondent, no such applications existed in their record.

The PIO was directed to file a suitable affidavit stating that the sought information was not available as per their records.

The case was last heard on 04.04.2022 through video conferencing at DAC Ferozepur. As per the appellant, the PIO did not supply the information.

The respondent present pleaded that in compliance with the order of the Commission, an affidavit has been sent to the Commission vide letter dated 29.03.2022.

As per record, no affidavit was yet received in the Commission.

The appellant was absent and, vide email has sought adjournment due to i

Hearing dated 04.04.2022:

The case has come up for hearing through video conferencing at DAC Ferozepur.

The appellant states that he has not received the affidavit from the PIO.

Appeal Case No. 3159 of 2021

The respondent present informed that the combined original affidavit pertaining to Appeal Case No.3148 and 3159 of 2021 had been sent to the Commission.

Having gone through the RTI application and the record available in the case file, it has been found that the original affidavit filed by the PIO has been received in the Commission vide letter dated 29.03.2022, which is being sent to the appellant with the Commission's order.

No further interference from the commission is required. **The case is disposed of and closed.**

Chandigarh
Dated :13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Hansa Singh, S/o Sh Machhi Singh,
R/o Village Shamshabad,
Tehsil & Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o District Manager,
PUNSUP, Ferozepur.

First Appellate Authority,
O/o District Manager,
PUNSUP, Ferozepur.

...Respondent

Appeal Case No. 3148 of 2021

PRESENT: Shri Hansa Singh, Appellant
Sh.Davinder Kumar, PIO for the Respondent

ORDER:

The appellant, through an RTI application dated 05.04.2021 has sought information regarding a draft note sent by PUNSUP Ferozepur to the Head office for issuing charge sheets to the employees due to crop loss in 2014-15 – the name of officials found responsible for the loss and other information as enumerated in the RTI application from the office of District Manager, PUNSUP Ferozepur. The appellant was not provided with the information after which the appellant filed a first appeal before the first appellate authority on 17.05.2021 which took no decision on the appeal.

The case first came up for hearing on 31.01.2022 through video conferencing at DAC Ferozepur. The respondent present informed that the information has been provided to the appellant.

The appellant claimed that the PIO did not supply the information on point-3.

Having gone through the RTI application and hearing both the parties, the PIO was directed to provide information on point-3 if it exists in the record. And if not, to file an appropriate reply on an affidavit.

The case came up for hearing on 04.04.2022 through video conferencing at DAC Ferozepur. The respondent present pleaded that the information relating to point-3 was not available in their record, and an affidavit in this regard had been sent to the Commission vide letter dated 29.03.2022.

As per record, no affidavit had yet been received in the Commission.

The appellant was absent and, vide email had sought adjournment due to illness.

Hearing dated 13.07.2022:

The case has come up for hearing through video conferencing at DAC Ferozepur.

Appeal Case No. 3148 of 2021

The appellant states that he has not received the affidavit from the PIO.

The respondent present informed that the combined original affidavit pertaining to Appeal Case No.3148 and 3159 of 2021 had been sent to the Commission.

Having gone through the RTI application and the record available in the case file, it has been found that the original affidavit filed by the PIO has been received in the Commission vide letter dated 29.03.2022, which is being sent to the appellant with the Commission's order.

No further interference from the commission is required. **The case is disposed of and closed.**

Chandigarh
Dated :13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Des Raj, S/o Sh Krishan Lal,
Guru Ravidas Nagar, Ward No-15/20,
H No-187, Opposite Sri Guru Ravidass Mandir,
Malout, Distt Sri Mukatsar Sahib.

... Appellant

Versus

Public Information Officer,
O/o District Food and Supply Controller,
Sri Mukatsar Sahib.

First Appellate Authority,
O/o District Food and Supply Controller,
Sri Mukatsar Sahib.

...Respondent

Appeal Case No. 2580 of 2021

PRESENT: None for the Appellant
Shri Kamaljit Singh, Inspector and Shri Mandeep, Inspector for the
Respondent

ORDER:

The appellant through an RTI application dated 05.11.2020 has sought information regarding a copy of the application filed for ration card along with attached documents in respect of cardholder Raj Rani w/o Prem Lal and Anil Kumar S/o Kewal Krishan – date of issue of the card along with details of material issued – the name of inspector who verified, along with the name of members and other information as enumerated in the RTI application from the office of District Food Supply Controller, Sri Mukatsar Sahib. The appellant was not provided with the information provided after which the appellant filed the first appeal before the first appellate authority on 10.04.2021 which did not decide on the appeal.

The case was come up for hearing today through video conferencing at DAC Sri Mukatsar Sahib. Both the parties were absent.

Hearing dated 13.07.2022

The case has come up for hearing through video conferencing at DAC Sri Muktsar Sahib

The appellant is absent today nor is represented. He was also absent on the previous date of hearing.

The respondent pleaded that requisite information, as per RTI application, has been supplied to the appellant twice, but no deficiency in the supplied information has been pointed out by the appellant.

Having gone through the record available in the case file, the Commission observes that the appellant is absent for the second consecutive time, and no communication from the appellant is available in the case file. The Commission also observes that the appellant has not pointed out any deficiency in the information supplied to him by the PIO, which shows that he is satisfied with the information supplied. Hence, the case is **disposed of and closed**.

Chandigarh
Dated: 13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh O.P Sharma,
R/o Lane No-2, Prem Nagar,
Near Happy Public School,
College Road, Pathankot.

... Complainant

Versus

Public Information Officer,
O/o SMO,
Pathankot.

...Respondent

Complaint Case No. 1061 of 2021

PRESENT: Sh.O.P.Sharma, the Appellant
Sh.Satish Kumar, Clerk for the Respondent

ORDER:

The complainant, through RTI application dated 12.05.2021 has sought information on 06 points regarding the name of officer on night duty on 01.01.2016 – time of commencement & termination of night duty – designation of medical officer on night duty – contact detail/address of medical officer – a copy of letter under which communicating was sent to police about an accident – ambulance number etc as enumerated in the RTI application from the office of SMO Pathankot. The complainant was not satisfied with the reply of the PIO dated 05.07.2021 after which the complainant filed a complaint in the Commission on 18.08.2021.

The case was last heard 06.10.2021 through video conferencing at DAC Pathankot. The respondent present pleaded that the information has already been provided to the complainant vide letter dated 05.07.2021 with a copy to the Commission through email.

The complainant is not satisfied.

Having gone through the RTI application and the reply of the PIO, the following was concluded:

- | | |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| - Point-1, 2 & 3 | - Sufficiently replied to. |
| - Point-4 | - The PIO to provide the official contact number and address of the said medical officer |
| - Point-5 | - PIO to provide the official mobile number |
| - Point-6 & 7 | - As per the respondent, the patient was brought in a private ambulance since the civil hospital ambulance is being used only for the referral of civil hospital patients to higher institutes. As per the respondent, the information relating to point 7 is nil. |

After going through the arguments and the facts on the file, there was prima-facie evidence that the information had been concealed and held back intentionally. Hence, the PIO was directed to file a reply on the matter (pointwise) on an affidavit stating that whatever information has been supplied is true and complete ,and no further information is available on the records.

Hearing dated 13.07.2022:

The case has come up for hearing today through video conferencing at DAC Ferozepur. As per the complainant, neither information nor affidavit has been supplied by the PIO.

Having gone through the RTI application and record in the case file, it is observed that an affidavit filed by the PIO has been received in the Commission vide letter dated 11.07.2022. The original Affidavit is being sent to the appellant with this order after retaining a copy of the same in the record file.

The case is **disposed of and closed**.

Chandigarh
Dated :13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Sandeep Kumar, S/o Sh Om Parkash,
R/o Street NO-2, near Shani Dev Mandir,
Patel Nagar, Malout, Distt Sri Mukatsar Sahib.

...Appellant

Versus

Public Information Officer,
O/o DFSC,
Ferozepur.

First Appellate Authority,
O/o DFSC,
Ferozepur.

...Respondent

Appeal Case No. 1914 of 2021

PRESENT: Sh.Sandeep Kumar as the Appellant
Sh. Rohit Datt, Inspector, for the Respondent

ORDER:

The appellant through an RTI application dated 27.10.2020 has sought information regarding letter No.1417 dated 08.10.2020 issued by District Controller, Food Civil Supplies Kapurthala – the name of dealer and agency which purchased/lifted 240 KL free sale kerosene oil on the eve of 550 years of Parkash Purab of Guru Nanak Dev – subsidised PDS Kerosene oil distributed to different purchasers and other information as enumerated in the RTI application from the office of DFSC Ferozepur. The appellant was not provided with the information, after which the appellant filed a first appeal before the First Appellate Authority on 05.01.2021, which did not decide on the appeal. After filing the first appeal, the PIO sent a reply to the appellant vide letter dated 02.02.2021 stating that the information was nil and that if the appellant is not satisfied with the reply, the appellant may visit the office of PIO and get the information by depositing requisite fee. The appellant filed his second appeal in the Commission on 05.01.2021

The case has come up for hearing on 06.10.2021 through video conferencing at DAC Sri Mukatsar Sahib/Ferozepur. As per the appellant, the PIO has not supplied the information.

The respondent was absent nor is represented.

Having gone through the RTI application and the reply of the PIO, the commission observes that the RTI application has not been attended to with the proper application of mind. While in one stroke the P,IO has written nil as information, in the next paragraph the ,PIO has asked the appellant to visit the office and take any information that the appellant may require after paying the requisite fee. The PIO is directed to relook at the RTI application and submit an appropriate reply on the matter, failure of which, can lead to the commission initiating action as per section 20 of the RTI Act.

Hearing dated 13.07.2022:

The case has come up for hearing today. As per the respondent, available information has been supplied to the appellant.

Appeal Case No. 1914 of 2021

The appellant claims that the information supplied by the respondent is incomplete and incorrect.

The respondent pleaded that no free-of-cost kerosene oil was lifted and supplied by their department. He further pleaded that only non-subsidized kerosene oil was lifted and supplied from Kapurthala, and if the appellant intends to get the information for non-subsidized kerosene, the same can be provided.

Having gone through the RTI application and hearing both the parties, to resolve the matter, the Commission directs the PIO to supply the information pertaining to lifting and supplying of non-subsidized kerosene oil to the appellant.

With the above order, **the case is disposed of and closed.**

Chandigarh
Dated: 13.07.2022

Sd/-
(Khushwant Singh)
State Information Commissioner