



Sh Navdeep Gupta,  
# 04, Nimrit Villa,  
Mansahia Colony, Patiala.

... Appellant

Versus

**Public Information Officer,**  
O/o Director,  
Food & Supplies,  
Sec-39-C, Chandigarh.

**First Appellate Authority,**  
O/o Director,  
Food & Supplies,  
Sec-39-C, Chandigarh.

...Respondent

**Appeal Case No. 4035 of 2020**

**PRESENT:** Sh.Pawan Goyal on behalf of the Appellant  
Ms.Satinder Kaur, Sr Assistant for the Respondent

**ORDER:**

The appellant through an RTI application dated 27.08.2020 has sought information regarding 24.69 lakhs ration packets distributed during lockdown period to the poor and labour class – district wise details of discrepancy in data updated by Covid-19 control room – responsibility fixed for the gap of actual packets prepared for the purpose and distributed – Amount received from the State Govt and Central Govt. – printing cost of the inscription on 24.69 lacs ration packets and other information as enumerated in the RTI application concerning the office of Director Food & Supply Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 27.10.2020 which took no decision on the appeal.

The case last came up for hearing on 09.08.2021 through video conferencing at DAC Patiala/Mohali. The appellant claimed that the PIO has not provided the information.

The respondent was absent without any legitimate reasons for the absence. There had been an enormous delay of one year in providing the information. The PIO was directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. The PIO was again directed to provide information to the appellant and send a compliance report to the Commission.

**Hearing dated 13.12.2021:**

The case has come up for hearing today through video conferencing at DAC Patiala/Mohali. As per the representative of the appellant, the PIO has not supplied the information.

The respondent is present at Chandigarh and has submitted a reply which has been taken on the file of the Commission.

**Appeal Case No. 4035 of 2020**

A copy of the reply is being sent to the appellant along with the order. The appellant is directed to file his reply to the PIO with a copy to the Commission.

The case is adjourned. To come up for further hearing on **06.04.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Patiala. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated: 13.12.2021**

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



Sh. Manjit Singh, S/o Sh. Jagat Singh,  
Village Kathgarh, P.O Chak Varoka,  
Tehsil Jalalabad, (East), Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Civil Surgeon,  
Fazilka.

**First Appellate Authority,**  
O/o Food and Drugs Administration Deptt,  
Family Welfare. Guru Teg bahadur Nagar,  
Kharar.

...Respondent

**Appeal Case No. 3947 of 2020**

**PRESENT:** Sh.Manjit Singh as the Appellant  
Sh.Naresh Kumar for the Respondent

**ORDER:**

The appellant through an RTI application dated 08.09.2020 has sought information regarding action taken on the application dated 01.06.2020 filed against Vinod Kumar s/o Babu Ram and Rubinder Kumar s/o Subhash Chander and other information as enumerated in the RTI application concerning the office of Civil Surgeon Fazilka. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 08.10.2020 which took no decision on the appeal.

The case last came up for hearing on 09.08.2021 through video conferencing at DAC Fazilka. The respondent present pleaded that the reply has already been sent to the appellant vide letter dated 28.12.2020 and again on 01.03.2021

The appellant was not satisfied with the information provided and wanted the full details of the action taken on his application of 01.06.2020.

The PIO was directed to provide whatever action has been taken on the application dated 01.06.2020 (along with noting/correspondence) to the appellant within ten days and send a compliance report to the Commission.

**Hearing dated 13.12.2021:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per the respondent, the inspection has been conducted and a report has been sent to the competent authority for further action.

The appellant claims that the PIO has not supplied the action taken on his application dated 01.06.2020.

The PIO is given one last opportunity to appear personally before the Commission on the next date of hearing and file an appropriate reply.

The case is adjourned. To come up for further hearing on **23.03.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated: 13.12.2021**

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



Sh. Gurmeet Singh, S/o Sh. Balwinder Singh,  
R/o Village Jandwala Kharta,  
Tehsil & Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o District Food and Supplies Controller,  
DC Complex, Fazilka.

**First Appellate Authority,**  
O/o Director,  
Food and Supplies and Consumer Affairs,  
Sector-39-D, Chandigarh.

...Respondent

**Appeal Case No. 3998 of 2020**

**PRESENT:     None for the appellant**  
**Sh.Sukhwinder Kumar Inspector for the Respondent**

**ORDER:**

The appellant through RTI application dated 27.07.2020 has sought information regarding the name of the officer handling the complaint dated 13.03.2020 filed against Jagtar Singh depot holder Jhandwala, Karam Chand Inspector & AFSO Simarjit Singh – action taken on the complaint - the time period for disposal of complaint – statement of witnesses and other information as enumerated in the RTI application concerning the office of District Food and Supplies Controller Fazilka. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 09.10.2020 which took no decision on the appeal.

The case last came up for hearing on 09.08.2021 through video conferencing at DAC Fazilka. The appellant claimed that the PIO has not provided the information.

The respondent present pleaded that since the enquiry is pending, the information cannot be provided.

The PIO however, did not reply to the RTI application. There has been a delay of more than one year in attending to the RTI application. 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 and directed to file a reply on an affidavit.**

**Hearing dated 13.12.2021:**

**The case** has come up for hearing today through video conferencing at DAC Fazilka. The respondent reiterated his earlier plea that since the enquiry is pending, the information cannot be provided.

The PIO has, however, not sent any reply to the show-cause notice. The PIO is given one last opportunity to file a reply to the show cause notice and appear personally on the next date of hearing otherwise it will be presumed that the PIO has nothing to say in the matter and the decision will be taken ex-parte.

To come up for further hearing on **23.03.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh  
Dated:13.12.2021

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

Sh. Sohan Lal Jain,  
H No-1355, 1<sup>st</sup> Floor,  
Sector-68, Mohali.

... Complainant

Versus

**Public Information Officer,**  
O/o Secretary,  
Department of health & Family Welfare,  
Sector-34-A, Chandigarh.

...Respondent

**Complaint Case No. 15 of 2021**

**PRESENT: Sh.Sohan Lal as the Complainant**  
**Sh.Gurjeet Singh, PIO and Sh.Jagjit Singh, APIO for the Respondent**

**ORDER: Facts of the case:-**

That the complainant through RTI application dated 19.10.2020 has sought information regarding action taken on the application dated 06.05.2017 sent to the Chief Minister for action against Dr Sudesh Gupta (now civil surgeon Sangrur) & others – a copy of rule on the basis of which action has been taken – posting order of Sr Assistant & other officials worked at Pb Civil secretariat from 06.02.1989 to till date - action taken on application dated 01.12.2016 and other information as enumerated in the RTI application concerning the office of Secretary, Department of Health & Family Welfare, Pb Chandigarh. The complainant was not provided with the information after which he filed a complaint in the commission.

That the case first came up for hearing on 11.05.2021 through video conferencing at DAC Mohali. Both the parties were absent. The case was adjourned.

That on the date of last hearing on **10.08.2021**, the appellant claimed that the PIO has not supplied the information.

Since it was a complaint case and the complainant had come to the Commission without going to the First Appellate Authority, the case was 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 prescribed under the RTI Act.

However, since the respondent was absent on 2<sup>nd</sup> consecutive hearing nor had sent any reply to the RTI application as well as there has been an enormous delay of more than ten months in attending to the RTI application, 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 and directed to file reply on an affidavit.**

That the case has come up for hearing **today** through video conferencing at DAC Mohali. The respondent is present at Chandigarh and has submitted his reply which has been taken on the file of the Commission. In the reply, the PIO has mentioned that since they did not receive any notice/order of the Commission except the order of the Commission dated 10.08.2021, they could not appear before the commission. The respondent has further informed that they have now sent a reply to the complainant vide letter dated 06.12.2021 with a copy to the Commission.

The Commission is not in agreement with the reply of the PIO since the RTI application was filed on 19.10.2020 which was duly received by them and the reply has been sent to the complainant on 06.12.2021 with a delay of more than one year only after the issuance of show cause notice.

**Complaint Case No. 15 of 2021**

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, Sh.Gurjeet Singh- PIO-O/o Secretary, Department of Health and Family Welfare, Pb, Chandigarh is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. He is also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information.

Hence, given the above facts a penalty of **Rs.10,000/-** is imposed on Sh.Gurjeet Singh- PIO-O/o Secretary Department of Health and Family Welfare, Pb, Chandigarh 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 appellant 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 Secretary, Department of Health and Family Welfare, Pb, Chandigarh is directed to pay an amount of **Rs.2,000/-** 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.

Further as per the complainant, the First Appellate Authority has not taken any decision on the appeal as per the order of the Commission. The First Appellate Authority, Secretary- Department of Health & Family Welfare, Pb is again directed to consider this an appeal case and dispose of the same within the time prescribed under the RTI Act.

To come up for further hearing on **08.03.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh  
Dated :13.12.2021

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

CC to:First Appellate Authority,  
Secretary, Department of Health & Family Welfare,  
Pb Chandigarh



Sh. Akash Verma,  
# 80, New Officers Colony,  
Stadium Road, Patiala..

... Appellant

Versus

**Public Information Officer,**  
O/o Secretary, General,  
SOS Children's Village National Office,  
Plot-4, Block C-1, Institutional Area,  
Nelson Mandela Marg, Vasant Kunj,  
New Delhi.

**First Appellate Authority,**  
O/o Secretary, General,  
SOS Children's Village National Office,  
Plot-4, Block C-1, Institutional Area,  
Nelson Mandela Marg, Vasant Kunj,  
New Delhi.

...Respondent

**Appeal Case No. 82 of 2021**

**PRESENT: Sh.Akash Verma as the Complainant**  
**Sh.Sanjeev Singh SOS Children Village, Rajpura for the Respondent**

**ORDER:**

The appellant through RTI application dated 31.08.2020 has sought information regarding details of donations collected through outsourced contracts from fundraising companies – name & details of agencies with whom contract has been entered - amount/percentage of donations collected & details of commission paid to outsource agencies – date on which SOS CV has entered into fundraising agreement with along with a certified copy of the agreement with Give India, Syrex Info Pvt Ltd, Spiceflash, APPCO –a certified copy of entre banking/financial transactions, bank drafts, cheque financial receipts – detail of first appellate authority and other information as enumerated in the RTI application, concerning the office of Secretary-General, SOS Children's village National office New Delhi. The appellant was not satisfied with the reply of the PIO dated 12.10.2020 after which the appellant filed first appeal before the First Appellate Authority on 30.10.2020 which disposed of the appeal on 25.11.2020.

The case first came up for hearing on 13.05.2021 through video conferencing at DAC Patiala. The respondent was absent. The case was adjourned.

On the date of the last hearing on **17.08.2021**, the commission received a reply from the PIO on 29.06.2021 which was taken on the file of the Commission. In the reply, the PIO had mentioned -

“That the respondent is a non-government organization society registered under the Indian Societies Registration Act, 1860 at New Delhi on 12<sup>th</sup> March 1964. The organization consists of 32 Children's Villages, about 8 SOS – Hermann Gmeiner Schools SOS Children's Village situated at Rajpura Punjab is only one amongst these 32 villages. SOS CV Rajpura has been set up in a piece of land leased by the Government of Punjab vide lease deed of 1994.

**Appeal Case No. 82 of 2021**

That the application of the RTI Act and its provisions on society is not based on the State or Union Territory in which the Society is registered. The Respondent organization does not fall within the definition of a Non-Government Organization substantially financed by the government of Punjab.

That the SOS CVI does not come within the definition of Public Authority under section 2(h) of the RTI Act 2005.”

The appellant filed objections which were received in the Commission on 01.07.2021 and taken on the file of the Commission.

The appellant stated that the respondent cannot deny the information since it has been granted PAN u/s 80(G) (iv) of IT Act 1961 by Director Income Tax Delhi on 11.07.2011 with some conditions. That it is a public authority as the SOS Children's village in Rajpura has been built on land leased by the Government of Punjab.

After going through the submissions, written and oral of the respondent and the appellant respectively, the matter before the commission was in two parts-

- 1) Firstly, whether the Punjab State Information has jurisdiction to listen to this appeal or not. This matter has arisen on two grounds, a) the appellant had filed the RTI application to the office of the Secretary General , SOS Children's Villages of India located in New Delhi; b) The respondent has claimed that it is a non-government organization society registered under the Indian Societies Registration Act, 1860 at New Delhi on 12<sup>th</sup> March 1964. The organization consists of 32 Children's Villages, about 8 SOS – Hermann Gmeiner Schools and SOS Children's Village situated at Rajpura Punjab is only one amongst these 32 villages.
- 2) Secondly, that whether SOS Children's Villages of India is a public authority and falls under the preview of the RTI Act?

At that hearing, I was inclined to deal with the first point. i.e. regarding the jurisdiction of the PSIC to listen to this case.

Given the above, I directed the Secretary-General, SOS Children's Villages of India, New Delhi to file an affidavit stating the organizational charter of the organization, its history of inception and growth, as well as the station where it files its income tax returns.

**Hearing dated 13.12.2021:**

The case has come up for hearing today through video conferencing at DAC Patiala. The Commission has received a reply of the appellant on 14.09.2021 which has been taken on the file of the Commission.

The case is sent to the Hon'ble Chief Information Commissioner to constitute a larger bench.

The file is being sent to DR for placing the case before the Hon'ble Chief Information Commissioner for constituting a larger bench.

**Chandigarh**  
**Dated 13.12.2021**

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

**CC to DR, PSIC**



**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
**Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in**  
**Visit us: -[www.infocommpunjab.com](http://www.infocommpunjab.com)**



Sh.Aman Kumar Jain, S/o Sh.Bhagwan Dass,  
R/o H NO-2164, Lakar Mandi, Abohar,  
Distt.Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Tehsildar, Abohar,  
Distt.Fazilka.

**First Appellate Authority,**  
O/o SDM, Abohar, Distt.Fazilka

...Respondent

**Appeal Case No. 4426 of 2019**

**PRESENT: Sh.Aman Kumar as the Appellant**  
**None for the Respondent**

**ORDER:**

The appellant through RTI application dated 30.08.2019 has sought information regarding attachment and stay of property as per DRT Chandigarh – case No.725 of 2000 – a copy of the register in which the said order was entered and other information concerning the office of Tehsildar Abohar. The appellant was not satisfied with the reply of the PIO dated 03.09.2019 vide which the appellant was asked to clarify the number and date on which the application was submitted in the office of Tehsildar Abohar, after which the appellant filed the first appeal before the First Appellate Authority on 09.10.2019 which took no decision on the appeal.

The case was first heard on 12.03.2020. The appellant pleaded that they have already mentioned the date and number of the application in the RTI application but the PIO has not provided the information. The PIO was directed to relook at the RTI application and provide appropriate information to the appellant within 15 days.

On the date of the hearing on **22.09.2020**, the appellant claimed that the PIO has not provided the information. The respondent stated that the copy of the bank letter is not available in their record and the appellant be asked to provide a copy of that letter. The appellant had provided a copy of the letter to the PIO.

The respondent was assured to provide the information within a week. The respondent said that the appellant may collect the information by hand. The appellant had agreed for the same. The respondent was directed to provide the information within a week and send a compliance report to the Commission. The appellant was directed to collect the information by hand from the office of PIO on any working day.

On the date of the hearing on **10.11.2020**, the respondent informed that the information has been provided. As per appellant, the information was not provided.

The Commission received a copy of the letter from the PIO through email vide which the PIO had sent the following reply to the appellant:

Point-1                 -                 To get the information from the concerned Patwari by depositing the Requisite fee.

- Point-2 - Information will be provided after receipt of verification from the Bank.
- Point-3 - To get the information from the Sewa Kendra by depositing the requisite fee

Since the appellant had asked for information under RTI Act, the PIO was directed to relook at the entire RTI application and provide the information to the clear satisfaction of both the parties under the RTI Act.

On the date of the hearing on **29.01.2021**, the respondent present pleaded that the information has been provided to the appellant vide letter dated 25.01.2021 with a copy to the Commission. The appellant was not satisfied.

Hearing both the parties, the PIO was directed to procure the information on point-2 from the concerned bank and provide it to the appellant. The PIO was also directed to sort out other discrepancies if any.

On the date of the hearing on **17.05.2021**, the appellant claimed that the PIO has not provided the complete information.

The respondent was absent. The appellant was not able to get the information despite various interim orders and continuous assurances by the PIO, which had led to an enormous delay in providing the information regarding point-2.

Since there was a continuous delay in providing the information as well in compliance with Commission's order, The case was marked to the Deputy Commissioner, Fazilka to ensure that the compliance of the order takes place within 15 days of receipt of this order. That the information regarding point-2 is provided as per the available record to the appellant. A copy of the RTI application was attached with the order for the Deputy Commissioner's reference.

On the date of the last hearing **24.08.2021**, the respondent present informed that the information after collecting it from the concerned bank, has been supplied to the appellant vide letter dated 23.08.2021 with a copy to the Commission.

Due to an abrupt technical fault with the internet, the hearing could not be concluded and the case was adjourned.

**Hearing dated 13.12.2021:**

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant claims that the PIO has not supplied the correct information relating to point-2 since the appellant has asked for a copy of that particular Govt order on the basis of which entry of attachment order and stay order has been removed in the record of office of Tehsildar Abohar after 06.10.2009.

Since there is a continuous disagreement between the appellant and the PIO regarding the information provided by the PIO, the case is marked to the Deputy Commissioner Fazilka with the direction to reconcile and provide if such document exists or to file an affidavit that no such document exists in the record.

The case is adjourned. To come up for further hearing on **23.03.2022 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Fazilka.

**Chandigarh**  
**Dated:13.12.2021**

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

**CC to: Deputy Commissioner, Fazilka.**



Sh.Om Prakash, S/o Sh Dev Dutt,  
R/o Village Chuhri Wala Dhanna,  
Tehsil & Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o BDPO,  
Khuiaan Sarwar Camp,  
Abohar, Distt Fazilka.

**First Appellate Authority,**  
O/o DDPO,  
DC Complex, Fazilka.

...Respondent

**Appeal Case No. 2401 of 2020**

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

**ORDER: Facts of the case:**

That the appellant through the RTI application dated 04.06.2020 has sought information regarding advocate Sh.Mahavir Bhatiwala – cases allotted from 2013 to 2018 – cases attended in the courts – fees paid to the advocate along with the copy of bills – a resolution passed for deputing the advocate and other information concerning the office of BDPO Khuia Sarwar Cap Abohar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 17.07.2020 which took no decision on the appeal.

That the case was first heard on 29.01.2021 through video conferencing at DAC Fazilka. Both the parties were absent.

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

That on the date of the hearing on **17.05.2021**, both the parties were absent. The case was adjourned.

That on the date of the last hearing on **24.05.2021**, both the parties were absent. The PIO was directed to comply with the earlier order of the Commission and send a compliance report to the Commission.

That the case has come up for hearing today through video conferencing at DAC Fazilka. The respondent is absent on the 4<sup>th</sup> consecutive hearing nor has complied with the order of the Commission to provide the information as well as not appearing before the Commission.

Keeping the above-mentioned facts of the case, it is clear that the PIO-BDPO, Khuia Sarwar Camp, Abohar is flouting the spirit of the RTI Act continuously. The PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not appearing before the commission despite various orders of the Commission.

To secure an erring PIO's presence before the commission, the Information Commission is empowered to issue warrants to the PIO Under Section 18(3) of the RTI Act. A bailable Warrant of the PIO-BDPO, Khuian Sarwar Camp at Abohar, District Fazilka is hereby issued through Senior Superintendent of Police, Fazilka for his presence before the Commission on **14.03.2022**.

**The PIO** is also directed to provide information to the appellant within 10 days of the receipt of this order.

To come up for further hearing on **14.03.2022 at 11.00AM**.

**Chandigarh**  
**Dated:13.12.2021**

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

**BAILABLE WARRANT OF PRODUCTION  
BEFORE  
SHRI KHUSHWANT SINGH  
STATE INFORMATION COMMISSIONER,  
PUNJAB AT CHANDIGARH**

In case:Om Parkash V/s BDPO-Khuian Sarwar Camp at Abohar

APPEAL CASE NO.2401/2020

**UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005**

Next Date of Hearing: **14.03.2022**

To

**The Senior Superintendent of  
Police, Fazilka**

Whereas PIO-BDPO Khuian Sarwar Camp, Abohar District Fazilka has failed to appear before the State Information Commissioner, Punjab despite the issuance of notice/summon in the above mentioned appeal case. Therefore, you are hereby directed to serve this bailable warrant to the PIO-BDPO Khuian Sarwar Camp, Abohar to appear before the undersigned at Red Cross Building, Near Rose Garden, Sector 16, Chandigarh on **14.03.2022 at 11.00A.M.**

**Chandigarh  
Dated:13.12.2021**

**(KhushwantSingh)  
State Information Commissioner**