



Sh. Bittu S/o Sh Om Kumar,
Village Bholapur Jhabewal,
P.O Ramgarh, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o District Controller,
Food Civil Supplies and Consumer Affairs,
Sarabha Nagar, Ludhiana.

First Appellate Authority,
O/o Director,
Food Civil Supplies and Consumer Affairs
Sector-17-E, Chandigarh.

...Respondent

Appeal Case No. 105 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 30.09.2020 has sought information regarding certified copies of documents submitted by Sh.Bhola Tati, Arjun Tati, Rukmani Devi, Angad Kumar, Raja Kumar, residents of Bholapur for getting smart cards/blue cards – verification report of verification officer – category relating to these cards - - rules for issue of smart cards and other information as enumerated in the RTI application concerning the office of District Controller, Food Civil Supply & Consumer Affairs, Pb Sarabha Nagar, Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 02.11.2020 which took no decision on the appeal.

The case first came up for hearing on 13.05.2021 through video conferencing at DAC, Ludhiana. Since the VC had been temporarily closed by the District Administration due to a large number of corona cases in Ludhiana, the hearing could not take place and the case was adjourned.

On the date of the next hearing on 17.08.2021, **both the** parties were absent. Due to a delay of more than eleven months, the PIO was issued a **show-cause notice** under section 20 of the RTI Act and directed to file a reply on an affidavit. The PIO was again directed to supply the information within 10 days of the receipt of the order.

On the date of the last hearing on 03.11.2021, both the parties were absent. The appellant vide email received in the Commission on 09.09.2021 informed that the PIO has not provided the information.

The PIO had also not filed a reply to the show-cause notice. The PIO was given one last opportunity to file a reply to the show-cause notice and appear personally on the next date of hearing. The appellant was also directed to appear on the next date of hearing to pursue his case.

Appeal Case No. 105 of 2021

Hearing dated 15.03.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana. Both the parties are absent on 4th consecutive hearing. The respondent vide letter dated 06.12.2021 received in the Commission on 13.12.2021 has informed that the information has already been supplied vide letter dated 15.03.2021 and 11.06.2021.

However, the PIO has also not filed any reply to the show-cause notice. The PIO is given the last opportunity to file a reply to the show-cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will act against the PIO as per provisions of section 20 of the RTI Act.

To come up for further hearing on **09.08.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 15.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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



Sh. Pankaj Kumar S/o Late Sh. Vijay Kumar Malhotra,
R/o B-34/6516, Sunil Nagar,
Near Pehalwan da Dera, Jassian Road,
Haibowal Kalan, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Punjab Health Systems Corporation,
PSEB Building, E-Block, 2nd Floor,
Phase-8, Mohali.

First Appellate Authority,
O/o Punjab Health Systems Corporation,
PSEB Building, E-Block, 2nd Floor,
Phase-8, Mohali.

... Respondent

Appeal Case No. 207 of 2021

PRESENT: None for the Appellant
Sh. Rakesh Kumar, Clerk O/o the Civil Surgeon, Ludhiana for the
Respondent

ORDER:

The appellant through an RTI application dated 11.09.2020 has sought information regarding details of medicines issued to Health department Ludhiana from 01.01.2017 till date along with details of consumption of medicines by Health department Ludhiana – funds consumed by Health department Ludhiana – balance sheet from 01.04.2017 to 31.03.2018, 01.04.2018 to 31.03.2019, 01.04.2019 to 31.03.2020 and other information as enumerated in the RTI application concerning the office of Punjab Health System Corporation, Mohali. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 23.10.2020 which took no decision on the appeal.

The case first came up for hearing on 13.05.2021 through video conferencing at DAC, Ludhiana. Since the VC had been temporarily closed by the District Administration due to a large number of corona cases in Ludhiana, the hearing could not take place. The case was adjourned.

On the date of hearing on **17.08.2021**, as per the appellant, the PIO had not supplied the information.

The respondent present informed that since the information relates to the office of Civil Surgeon Ludhiana, the RTI application was transferred to them on 28.05.2021.

The PIO-Civil Surgeon Ludhiana was impleaded in the case and directed to look at the RTI application transferred by the office of Punjab Health System Corporation, Pb Mohali on 28.05.2021 and provide the information to the appellant as per available record and send a compliance report to the commission.

On the date of the last hearing on 03.11.2021, the appellant informed that the PIO has not supplied the information.

The respondent present pleaded that they sent the information to the PIO- Civil Surgeon Ludhiana. As per the respondent, Dr.Manu Vij was the PIO O/o Civil Surgeon, Ludhiana.

The PIO-Civil Surgeon Ludhiana was absent nor complied with the order of the Commission. There has been an enormous delay of more than one year in providing the information, a show-cause **notice** under section 20 of the RTI Act was issued to Dr.Manu Vij- PIO-Civil Surgeon, Ludhiana and directed to file a reply on an affidavit. The PIO was also directed to provide information within 10 days of the receipt of the order.

Hearing dated 15.03.2022

The case has come for hearing today through video conferencing at DAC Ludhiana/Mohali. As per the respondent, the information has been supplied to the appellant vide letter dated 22.12.2021 with a copy to the Commission. The respondent further informed that since Dr Manu Vij has to attend a court case at Ludhiana, she has requested some more time to file a reply to the show-cause notice.

The appellant is absent nor has communicated any discrepancies.

The PIO is given one last opportunity to file a reply to the show-cause notice otherwise it will be presumed that she has nothing to say on the matter and the Commission will take penal action against the PIO under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **09.08.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 15.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to:PIO-Civil Surgeon,
Civil Hospital, Ludhiana



Sh.Kamaljit Singh,
Chamber No-5014, 5th Floor,
Lawyer Chamber Complex, Part-II,
Distt Courts, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Chief Medical officer,
Civil Lines, Ludhiana.

First Appellate Authority,
O/o Chief Medical Officer,
Civil Lines, Ludhiana.

...Respondent

Appeal Case No. 231 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 08.08.2020 has sought information regarding a copy of the complete audit report for the years 2015-16,2016-17, 2017-18 & 2018-19 of the CMO office along with entire documents/annexures attached with the report and other information as enumerated in the RTI application concerning the office of Chief Medical Officer, Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 18.09.2020 which took no decision on the appeal.

On the date of the first hearing on 13.05.2021, the hearing could not take place since the District Administration had shut down the VC due to a large number of corona cases.

On the date of the first hearing on **17.08.2021**, the appellant claimed that the PIO has not supplied the information.

The respondent was absent on the 2nd consecutive hearing nor had supplied the information. The PIO was directed to provide the information to the appellant within 15 days of the receipt of the order, otherwise, the commission will be constrained to proceed against the PIO as per the provisions of Section 20 of the RTI Act.

On the date of hearing on 03.11.2021, the respondent present pleaded that they had sent the information to the PIO-CMO Ludhiana for providing the same to the appellant.

The appellant was absent. The case was adjourned.

Hearing dated 15.03.2022

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

The case is adjourned. To come up for further hearing on **09.08.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated 15.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Ujjagar Singh, S/o Late Sh Bant Singh,
R/o Street NO-1, Maan Colony,
Daba, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Chairman,
Punjab State Scheduled Caste Commission,
Pb, Chandigarh.

First Appellate Authority,
O/o Chairman,
Punjab State Scheduled Caste Commission,
Pb, Chandigarh.

...Respondent

Appeal case No.3556 of 2020

PRESENT: None for the Appellant
Sh.Ravi Kumar, Constable for the Respondent

ORDER:

The appellant through RTI application dated 11.08.2020 has sought information regarding notices issued to the persons for appearing before the Committee constituted for conducting an enquiry on application registered to vide No.594 of 2020 – their statements action taken report and other information as enumerated in the RTI application from the office of Punjab State Scheduled Castes Commission. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 14.09.2020 which took no decision on the appeal.

The case first came up for hearing on 30.03.2021 through video conferencing at DAC Ludhiana. The appellant was absent and vide email informed that the PIO has not provided the information.

The respondent was absent. Having gone through the record, the Commission observes that there has been an enormous delay in attending to the RTI application. The PIO was directed to explain the reasons for the delay in providing the information and appear personally before the Commission on the next date of hearing along with a suitable reply.

On the date of hearing on **08.07.2021**, the appellant informed that the PIO has not supplied the information.

The respondent present pleaded that they received the RTI application on 08.09.2020 and since the enquiry was pending with the Director Bureau of Investigation, Punjab Chandigarh, the reply was sent to the appellant on 21.09.2020. The respondent further informed that they have already written to the Director of the Bureau of Investigation to complete the enquiry and send the enquiry report to them. As per the respondent, they have communicated the same vide letters dated 26.04.2020, 13.07.2020 & 18.05.2021.

Appeal case No.3556 of 2020

From the facts of the case, it appeared that the information is in the custody of the Director of the Bureau of Investigation. Hence, the PIO-Director of Bureau of Investigation, Punjab, Chandigarh was impleaded in the case and directed to provide whatever information is available on the record, to the appellant. A copy of the RTI application was sent along with the order for reference.

On the date of last hearing on **03.11.2021**, the Commission received a letter from the office of Punjab State SC Commission on 23.07.2021 vide which it was informed that a copy of the report received from the Director Bureau of Investigation, Punjab was sent to the appellant vide letter dated 06.07.2021 and the appellant asked to send a replication if any in writing in the office of SC Commission before 17.08.2021 so as to take a final decision on the matter.

The respondent present from the office of the Bureau of Investigation informed that the appellant had also filed a similar appeal case No.3296 of 2021 for seeking exactly the same information which is pending with the Chief Information Commissioner for final decision. The respondent was directed to send a copy of RTI in appeal case No.3296 of 2021 and a copy of the order of the Chief Information Commissioner so as to enable the Commission to take a final decision.

The appellant was absent. The appellant was directed to appear before the Commission on the next date of hearing to pursue his case.

Hearing dated 15.03.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana/Mohali. The appellant is absent and vide email has sent a copy of the order of the Commission in appeal case No.3296 of 2021 which appears to be in complaint No.1144 whereas the complaint in the present case is No.594/2020.

Sh.Ravi Kumar, Constable from the office of Commissioner of Police, Ludhiana is present and has submitted a copy of the letter dated 02.03.2022 vide which the reply has been sent to the appellant stating that as per the report of HRC Branch since the enquiry is pending with ACP-Industrial Area-b, Ludhiana, the information cannot be provided under section 8(1)(h) of the RTI Act.

The case is adjourned. To come up for further hearing on **09.08.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO-Punjab SC Commission and Bureau of Investigation to appear at Chandigarh.

Chandigarh
Dated: 15.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :PIO-Director of Bureau of Investigation,
Pb, Sector 9, Chandigarh.



Sh Kharaiti Lal Narang,
H No-B-XXI-12066, Street No-26,
Ram Nagar, Main Market,
Near Sangeet Cinema, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Ferozepur.

First Appellate Authority,
O/o SSP,
Ferozepur.

...Respondent

Appeal Case No. 3828 of 2020

**PRESENT: Sh.Kharaiti Lal Narang as the Appellant
Sh.Sukhdev Singh, ASI for the Respondent**

ORDER:

The appellant through RTI application dated 20.11.2019 has sought information regarding inspection of record relating to the application dated 19.07.2019 filed in the office of Principal Secretary Home, which remained pending for two months without any further action and other information as enumerated in the RTI application from the office of Principal Secretary Home which transferred the same to Director General of Police Punjab vide letter dated 21.11.2019. The RTI application was further transferred to Assistant Inspector General of Police(Crime) Pb Chandigarh on 28.11.2019 which again transferred the same to SSP Ferozepur on 10.12.2019. The appellant was not provided with the information after which the appellate filed the first appeal before the First Appellate Authority on 23.01.2020 which took no decision on the appeal.

The case first came up for hearing on 04.08.2021 through video conferencing at DAC Faridkot. The Commission received a reply from the PIO on 07.04.2021 which was taken on the file of the Commission.

The respondent present pleaded that the RTI application was received by their office from the office of AGIP (Crime) on 13.12.2019 and since the complaint was pending with DCP(City)Ferozepur for action, the appellant was informed of the same vide letter dated 31.12.2019. Now the enquiry has been completed on 16.02.2021 and the information has been sent to the appellant vide letter dated 18.02.2021.

The appellant was not satisfied and stated that he wanted to inspect the file in which his original application dated 19.07.2019 lies and remained unattended for two months. As per the respondent, no original copy of the application was available in their office since they received only a copy of the application and the original may be in the office of DGP office at Chandigarh.

Appeal Case No. 3828 of 2020

The PIO-SSP, Ferozpur was directed to trace out the original application by coordinating with the DGP office and ensure the inspection of that particular file in which the original document of the appellant lies. If the application is missing, file a complete status report on the matter.

On the date of last hearing on **03.11.2021**, the respondent informed that the information has already been provided and no further information is available in their record. The respondent further informed that the appellant had filed a complaint in the office of Department of Home, which marked it to the DGP and thereafter, and only a photo copy of complaint came to their office (SSP Ferozpur). The original copy of the complaint is not available in their office.

The appellant wanted to inspect the original record.

Since the complaint was filed in the office of Department of Home, Pb, the PIO O/o Principal Secretary, Home Affairs & Justice, Pb was impleaded in the case and directed to reply on the matter and trace the original letter that the applicant had filed on 19.07.2019. A copy of the letter was enclosed for easier perusal of the matter.

Hearing dated 16.03.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent pleaded that they have only the first page of the original application and the 2nd page is a photocopy, which they received from the DGP's office.

Since there is a disagreement between both parties, the PIO is directed to bring the entire record to the Commission at Chandigarh on the next date of hearing. The appellant is also directed to bring his record on the next date of hearing at Chandigarh.

To come up for further hearing on **09.08.2022 at 11.00 AM**.

Chandigarh
Dated: 15.03.2021
CC to PIO-O/o Principal Secretary,
Home Affairs & Justice, Pb
Chandigarh.

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
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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 Addl. Secretary,
Department of Food Civil Supply, Pb
6th floor, Mini Secretariat,
Chandigarh.

...Respondent

Appeal Case No. 2490 of 2021

PRESENT: Sh.Jaspal Singh as the Appellant
Sh.Beant Singh, AFSO 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 a copy of the register – the 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 the first appeal before the first appellate authority on 15.04.2021 which took no decision on the appeal.

The case first came up for hearing on 12.20.2021 through video conferencing at DAC Ludhiana. The appellant claimed that the PIO has not provided the information.

The respondent was absent.

There has been an enormous delay of more than seven months in providing the information. 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.**

The PIO was again directed to provide information to the appellant within 10 days of the receipt of the order.

On the date of the last hearing on **01.02.2022**, the appellant was absent and vide email sought exemption due to illness.

The respondent was absent on 2nd consecutive hearing nor had filed a reply to the show-cause notice. The PIO was given one more opportunity to comply with the order of the Commission which still stands and file a reply to the show-cause notice otherwise it will be

Appeal Case No. 2490 of 2021

presumed that he has nothing to say in the matter and the Commission will penalize the PIO as per provisions of the RTI Act.

Hearing dated 15.03.2022:

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

Sh.Beant Singh, AFSO is present and pleaded that the information has been provided to the appellant on 23.02.2022. The respondent further informed that the information was delayed due to election duty and has asked for some more time to file a reply to the show cause notice.

The Commission observes that there has been an enormous delay of more than eleven months in attending to the RTI application as well as the PIO has neither complied with the order of the Commission to provide the information within time nor has filed reply to the show cause notice.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-O/o PUNGRAIN Jagraon 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. The PIO is also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.

Hence, given the above facts a penalty of **Rs.10,000/-** is imposed on the PIO-PUNGRAIN Jagraon 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.

The case is adjourned. To come up for further hearing on **09.08.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana.

Chandigarh
Dated: 15.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to District Food Supply Controller,
Ludhiana.