



Sh Vitin Puri, S/o Sh Pawan puri,
Mahalla Ahluwalia, Near Mai Dhola Mandir,
Khalwara Gate, Phagwara.

... Appellant

Versus

Public Information Officer,
O/o SMO, Civil Hospital,
Sultanpur Lodhi.

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

...Respondent

Appeal Case No. 2413 of 2021

PRESENT: Non for the Appellant
Dr. Deepak Chandra, SMO Sultanpur Ludhi for the Respondent

ORDER:

The appellant through an RTI application dated 12.12.2020 has sought information on 05 points regarding relieving of doctors from duty and if not compulsory, reasons thereof and other information as enumerated in the RTI application from the office of SMO Civil Hospital, Sultanpur Lodhi. The appellant was not satisfied with the information provided by the PIO vide letter dated 14.01.2021 after which the appellant filed the first appeal before the first appellate authority on dated Nil which took no decision on the appeal.

The case first came up for hearing 31.01.2022 through video conferencing at DAC Kapurthala. The respondent present informed that the information has already been provided to the appellant vide letter dated 14.01.2021 except points 4 & 5 which comprise of personal of the officer and cannot be provided since the concerned officer has not given its consent to disclose the information.

Having gone through the RTI application and hearing both the parties, the PIO was directed to send the sought documents (point 4) in a sealed cover to the Commission and regarding point-5, the PIO was directed to provide the basic salary of the employee to the appellant.

Hearing dated 15.03.2022

The case has come up for hearing today through video conferencing at DAC Kapurthala. The respondent present informed that the information regarding point No.5 has been provided to appellant vide letter dated 09.02.2022 with a copy to the Commission. The copy of the letter dated 09.02.2022 received in the Commission by email is taken on record.

However, the PIO has not sent the information relating to point-4 in a sealed cover but has sent a copy of information through email which has been taken on record.

The appellant is absent nor is represented.

The information on point-5 has been provided. The information on point-4 is the personal information of the officer, it cannot be provided.

Since the RTI has been sufficiently replied to, no further interference of the Commission is required. The case is **disposed of and closed**.

Chandigarh
Dated: 15.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



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. 193 of 2021

PRESENT: None for the theAppellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 11.09.2020 has sought information regarding details of machinery purchased by the Health Department from 01.01.2015 till date along with bills of machinery and name of suppliers – details of medicines purchased along with bills and suppliers details and other information as enumerated in the RTI application concerning the office of Punjab Health System Corporation, Mohali. The appellant was not satisfied with the reply of the PIO dated 19.10.2020 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.

As per the respondent, the information sought was very voluminous and would divert the resources of the department since the appellant had asked for information from the year 01.01.2015 till date.

Having gone through the RTI application and hearing both the parties, the PIO was directed to provide information to the appellant from 01.01.2017 till the date of filing of the RTI application and send a compliance report to the commission.

On the date of the last hearing on 03.11.2021, the respondent present pleaded that since the information is voluminous, the appellant was asked vide letter dated 22.10.2021 to deposit requisite fee of Rs.34700/- (Rs.29000/- for 14500 pages plus Rs.5700/- as postal charges (for 75 kg wt @Rs.76/- per kg) but the appellant did not deposit the same.

The appellant wanted to file a reply against the fee demanded by the PIO. The appellant was directed to send a reply and appear 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. Both the parties are absent.

The appellant has also not sent any reply contesting the raising of the fee by the respondent.

I have also gone through the case file and observed that there is nothing on record that shows that the appellant has deposited the requisite fee as raised by the respondents.

If the appellant still wants the information, he is directed to deposit the requisite fee as raised by the PIO and get the information.

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

**Chandigarh
Dated 15.03.2022**

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

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

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Local Government,
Sec-35-A, Pb, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Local Government,
Sec-35-A, Pb, Chandigarh.

...Respondent

Appeal Case No. 471 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 12.09.2019 has sought information on 7 points regarding a speaking order passed on 14.06.2019 by Principal Secretary Local Government for the rate of alternative plots acquired for the commercial project known as City Centre Ludhiana and other information concerning the office of Principal Secretary, Local Govt. Punjab. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 20.11.2019 which took no decision on the appeal.

The case was first heard on 17.08.2020. The appellant claimed that despite his visit to the office of the PIO thrice and meeting & requesting the PIO, the information was not provided. The respondent was absent. The PIO was directed to provide whatever information is available within 15 days as per the RTI application and send a compliance report to the Commission.

Since there has been an enormous delay of more than eleven months in attending to the RTI application, the PIO was issued a show-cause notice **under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of hearing on **09.09.2020**, the respondent present pleaded that the information on points 1 & 2 has been provided to the appellant vide letter dated 16.10.2019 and since the information regarding points 3 to 7 relates to the Improvement Trust, Ludhiana, the RTI application was transferred to them under section 6(3) of the RTI Act.

The appellant was absent. The respondent from Improvement Trust was also absent. The PIO-cum-Executive Officer, Improvement Trust, Ludhiana was impleaded in the case and directed to look at the RTI application transferred by the Department of Local Govt on 16.10.2019 and provide the information to the appellant within 15 days. The decision on show-cause notice was to be taken on the next date of hearing.

Appeal Case No. 471 of 2020

On the date of hearing on **22.03.2021**, the respondent present from the office of Local Govt informed that the information concerning them (points 1 & 2) has already been provided on 16.10.2020. As per the appellant, he had not received the information. The respondent submitted a copy of the information to the Commission which was taken on the file of the Commission. A copy of the same was sent to the appellant alongwith the order.

The respondent present from Improvement Trust Ludhiana informed that the information relating to points 4 to 7 has been sent to the appellant vide letter dated 16.12.2020. The appellant was not satisfied with the information relating to points 3, 6 & 7.

Hearing both the parties, the appellant was advised to inspect the record on 24.03.2021 at 12.00 noon in the office of Improvement Trust Ludhiana and get the relevant information. The PIO-improvement Trust was directed to allow inspection of the record and provide the relevant information to the appellant as per the provisions of the RTI Act.

The PIO-Local Govt. did not file a reply to the show-cause notice. The PIO was directed to file a reply to the show cause before the next date of hearing

On the date of hearing on **08.07.2021**, the respondent was present from the office of the Local Govt. Chandigarh informed that the information concerning them has already been provided and for the remaining information, the RTI application was transferred to Improvement Trust, Ludhiana vide letter dated 16.10.2019. The respondent further informed that he has already sent a reply to the show-cause notice.

Having gone through the reply received in the Commission on 06.04.2021, the plea of the PIO-Local Govt. Pb Chandigarh was accepted and the show cause was dropped.

The appellant was absent and vide email dated 29.06.2021 has informed that after completing the inspection on 24.03.2021, he received a telephonic message from the office of Improvement Trust only on 28.06.2021 stating that the information is ready and the appellant may collect the same. However, on his visit at 2.30 PM to the office of Improvement Trust, it was told that the information had been sent through a speed post.

The respondent from the office of Improvement Trust Ludhiana was absent and vide letter received in the office on 06.07.2021 informed that the information has been sent to the appellant on 28.06.2021 through speed post.

The Commission observed that the delay had occurred on the part of the PIO-Improvement Trust, Ludhiana since the RTI application was transferred by the Local Govt. Department on 16.10.2019 whereas the information has been provided on 28.06.2021 with a delay of more than eight months. The PIO-Improvement Trust, Ludhiana was issued a **show-cause 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.**

On the date of the last hearing on 03.11.2021, the respondent present from the office of Improvement Trust Ludhiana informed that the information has already been provided to the appellant.

The PIO-Improvement Trust Ludhiana was absent nor had sent any reply to the show-cause notice. As per the respondent, Smt.Kuljeet Kaur was the PIO-cum-EO Improvement Trust Ludhiana.

Appeal Case No. 471 of 2020

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-Improvement Trust, Ludhiana was held guilty for not providing the information on time as prescribed under section 7, nor had replied to the show cause, a penalty of **Rs.10,000/-** was imposed on Smt.Kuljeet Kaur, PIO-Improvement Trust, Ludhiana, and directed to submit a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

Hearing dated 15.03.2022

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

The Commission has received a letter dated 11.03.2022 from the PIO-cum-EO Improvement Trust Ludhiana stating that the penalty amount of Rs.10000/- has been deposited in the Govt treasury on 09.03.2022 vide Reference No.1982799 in SBI Bank. The PIO has also sent a copy of challan as proof of having deposited the amount in Govt treasury which has been taken on record.

Since the information has been provided and the penalty has been deposited by the PIO, no further course of action is required.

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

Chandigarh
Dated 15.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO-Executive Officer,
Improvement Trust, Ludhiana



Sh.Sukhdhir Singh, Head Teacher,
Block-Mangat-2, Ludhiana.
R/o H No-4, Baba Nand Singh Nagar,
Basant Avenue Dugri,
Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o DEO (EE),
Ludhiana.

First Appellate Authority,
O/o DEO (EE),
Ludhiana.

...Respondent

Appeal Case No. 847 of 2020

PRESENT: Sh.Sukhdhir Singh as the Appellant
Mrs. Seema Goyal, APC(General) for the Respondent

ORDER:

That the appellant through RTI application dated 06.09.2019 has sought information regarding observations /objections of DEO(EE) Ludhiana about his case on the state awards for the years 2018-19 & 2019-20, any objection if any, statement of complainant, enquiry report of the enquiry officer and other information concerning the office of DEO(EE) Ludhiana. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 01.01.2020 which took no decision on the appeal. After filing first appeal, the PIO sent a reply to the appellant vide letter dated 05.02.2020. On being not satisfied with the reply, the appellant filed a second appeal in the Commission.

The case first came up for hearing on **24.08.2020**. Due to a network problem, the VC could not take place. The appellant was present at Chandigarh and informed that the PIO has not supplied the information as per the RTI application.

Having gone through the reply, the Commission observed that the reply was incomplete and without application of mind. The PIO was then directed to provide the information as per the RTI application. It was also stated that should the PIO seek an exemption to not provide the sought information, the PIO should give a speaking order using the exemptions provided under the RTI Act.

The Commission further observed that there had been an enormous delay in attending to the RTI application. Taking a serious view of this, 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.**

On the date of the hearing on 22.03.2021, (1) Smt.Sukhbir Kaur, the PIO in this case was absent, nor had she filed any reply to the show-cause notice. (2) She was being represented by her colleague, who, however, was not the PIO in this particular case and had no authority letter to represent the PIO in this case. (3) The said information had not been provided.

Appeal Case No. 847 of 2020

Since the PIO had neither provided the information on time as prescribed under section 7, which is within 30 days of the receipt of the request nor had replied to the show cause, it was presumed that the PIO has nothing to say on the matter.

Given the facts of the case, a penalty of **Rs.10,000/-** was imposed upon Smt. Sukhbir Kaur, PIO-DEO(E) Ludhiana which was to be deposited in the Govt. Treasury. The PIO-DEO(E) was directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

On the date of the last hearing on **08.07.2021**, the PIO had not deposited the amount of penalty. The PIO was given one last opportunity to deposit the amount of penalty and submit proof of having deposited the penalty amount in the Govt. Treasury.

On the date of last hearing on 03.11.2021 Smt. Sukhbir Kaur, PIO-DEO(E) Ludhiana was absent nor had sent any proof of having deposited the amount of penalty in the government treasury. However, she informed via vide email that the information was to be provided by PIO-cum-District Coordinator, Smagra Siksha Abhiyan Ludhiana and they have already provided the information to the appellant vide letter dated 23.06.2021. She requested to reconsider the decision of penalty imposed for non-supply of information.

Sh.Kuldeep Singh, Dy.DEO(E) was present and informed that Smt.Sukhbir Kaur has been transferred and is now posted as Suptd. o/o DEO(SE) Moga.

Since the order had already been passed after hearing all the facts, Smt.Sukhbir Kaur was given one last opportunity to deposit the amount of penalty and submit a copy of challan as proof of having deposited the amount of penalty in the Govt. Otherwise, the Commission will be constrained to recommend disciplinary action against the PIO under section 20(2) of the RTI Act for non-compliance of the order of the Commission.

Hearing dated 15.03.2022

The case has come for hearing today through video conferencing at DAC Ludhiana. Smt. Seema Goyal, Asstt. Project Coordinator is present and informed that Smt. Sukhbir Kaur has deposited the penalty of Rs.10000/- vide Challan No. 2000914 dated 14.03.2022. The PIO has also sent a copy of challan as proof of having deposited the penalty in Govt treasury which has been taken on record.

Since the penalty amount has been deposited, no further course of action is required.

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

Chandigarh
Dated 15.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :1. Director General School Education,Pb
Mohali.

2. Smt.Sukhbir Kaur, Suptd.
O/o DEO(SE) Moga
(Earlier PIO-DEO(E) Ludhiana)



Sh Iqbal Singh,
VPO Rasulpur, Tehsil Jagraon,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Social Justice, Empowerment & Minority Deptt,
SCO-6-7, Phase-1, Mohali.

First Appellate Authority,
O/o Principal,
Social Justice, Empowerment & Minority Deptt,
SCO-6-7, Phase-1, Mohali.

...Respondent

Appeal Case No. 3126 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 04.02.2021 has sought information regarding action taken report on a letter dated 05.05.2017 relating to the direction of Hon'ble Supreme Court in CWP No.140 of 2006 regarding non-implementation of SC and ST Act 1989 and other information as enumerated in the RTI application from the office of Principal Secretary, Social Justice, Empowerment & Minority Deptt. Pb Mohali. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 09.03.2021 which took no decision on the appeal.

The case last came up for hearing today through video conferencing at DAC Ludhiana. Both the parties were absent. The case was adjourned.

Hearing dated 15.03.2022:

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

The respondent is absent. The Commission has received a copy of the letter from the office of Director Social Justice, Empowerment & Minority, Pb Mohali vide which the RTI application has been transferred to the Secretary Department of Home & Justice Pb Civil Secretariat Chandigarh. Further as per the letter dated 22.02.2022 received from the office of Department of Home & Justice, Pb, the RTI has been further forwarded to the Director General of Police Pb Chandigarh asking them to send information directly to the office of Director Social Justice, Empowerment and Minority, Pb.

The appellant is absent on 2nd consecutive hearing nor is represented. The appellant, however, vide email has informed that the PIO has not supplied the information.

Since the appellant is absent on 2nd consecutive hearing and is corresponding only through emails the case is **disposed of and closed** for non-pursuance. The commission cannot waste its time doing the work of the appellant of continuously downloading and reading through the emails, whereas an opportunity has been afforded to the appellant to be present at the hearing to plead the case.

Chandigarh
Dated: 15.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh R.P Singh,
4th Floor, Near Public Lift, Court Complex,
Ludhiana.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 3222 of 2021

PRESENT: Sh.R.P.Singh as the Appellant
Dr.Harcharan Singh, SMO for the Respondent

ORDER:

The appellant through an RTI application dated 07.04.2021 has sought information regarding details of staff in Govt dispensary lyali Khurd, name and designation of the officers, dispensary timings, facilities being provided to staff – list of approved medicines by Health Department – total pregnancy cases done in Private and dispensary 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 a first appeal before the First Appellate Authority on 11.05.2021 which took no decision on the appeal.

The case last came up for hearing on 01.02.2022 through video conferencing at DAC Ludhiana. The respondent present informed that the information has already been provided to the appellant vide letter dated 15.07.2021.

The appellant was not satisfied with the information relating to point-1. Regarding this point, the respondent informed that the information relating to them has already been provided and the remaining information relates to Zila Parishad since one of the rural dispensaries is approved by Zila Parishad.

The PIO however, did not transfer the RTI application to the concerned PIO. The PIO-Zila Parishad Ludhiana was impleaded in the case and directed to provide information concerning them. A copy of the RTI application was attached with the order for the PIO-Zila Parishad.

Hearing dated 15.03.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the information relating to Zila Parishad Ludhiana has been provided to the appellant and the appellant has received the same.

The appellant stated that the information is uncertified, to which the respondent has assured to get it certified by the concerned PIO.

Appeal Case No. 3222 of 2021

The PIO is directed to provide a certified copy of the information to the appellant and send a compliance report to the Commission.

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

Chandigarh
Dated: 15.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to Secretary Zila Parishad,
Civil Lines, Ludhiana.



Sh. Sanjay Garg, S/o Sh Om Parkash Garg,
R/o H NO-1102, Sector-7,
Panchkula(Haryana).

... Appellant

Versus

Public Information Officer,
O/o Joint Director,
Food civil Supplies and Consumer Affairs,
Pb, (Storage Branch), Sector 39-C,
Chandigarh.

First Appellate Authority,
O/o Director,
Food civil Supplies and Consumer Affairs,
Pb, (Storage Branch),
Chandigarh.

...Respondent

Appeal Case No. 3725 of 2020

PRESENT: None for the Appellant
Sh.Gurdeep Singh, Suptd. And Sh.Amit Kumar, Inspector for the
Respondent

ORDER:

The appellant through RTI application dated 11.09.2020 has sought information on 20 points regarding tender dated 21.01.2020 floated by Pungrain for construction and hiring of CAP - a copy of relevant terms/rules/notification for taking over the CAP from the date of final completion - within what period - - relevant rule for not being liable if Pungrain fails to use CAP - complaints received and action taken in last 10 years against T.S.Chopra, Distt.Food & Supplies Controller – contract agreement for labour and cartage, transportation of foodgrains for Sangrur from 2019-20 to 2020-21 and other information as enumerated in the RTI application concerning the office of Joint Director Storage Branch, Food Civil Supplies and Consumer Affairs, Pb Chandigarh. 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 was first heard on 10.03.2021. Both the parties were absent.

The Commission received a copy of the letter from the PIO on 05.02.2021 vide which the PIO had sent reply/information to the appellant which was taken on the file of the Commission.

The appellant had not communicated any discrepancies. The appellant was directed to point out the discrepancies if any to the PIO with a copy to the Commission and the PIO was directed to remove the same.

On the date of the next hearing on 04.08.2021, both the parties were absent. The appellant vide email informed that the PIO has not supplied the complete information.

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

Appeal Case No. 3725 of 2020

On the date of the hearing on **22.09.2021**, the respondent informed that the information has already been supplied to the appellant vide letter dated 02.02.2021 with a copy to the Commission.

The appellant was absent and vide email has informed that since he is in Delhi due to his transfer and cannot attend the hearing. The appellant further informed that the PIO has not supplied the required information.

The appellant was given one more opportunity to point out the discrepancies if any in writing to the PIO and the PIO was directed to remove the same. The appellant was also directed to appear before the Commission on the next date of hearing to pursue his case. A copy of the information received from the PIO on 05.02.2021 was sent to the appellant alongwith the order.

On the date of hearing on **25.01.2022**, the appellant was present at Chandigarh and informed that he has already pointed out the discrepancies to the PIO vide letter dated 19.04.2021 with a copy to the Commission through email but the PIO has not removed the same.

The respondent was absent. There has been an enormous delay of more than one year and three months in providing the complete information. The PIO was issued a **show-cause notice under section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

The PIO was again directed to sort out the discrepancies and provide complete information to the appellant within ten days of the receipt of the order. A copy of discrepancies pointed out by the appellant was also sent alongwith the order for the PIO.

Hearing dated 15.03.2022:

The respondent present pleaded that the discrepancies as pointed out by the appellant have been sorted out and complete information has been provided vide letter dated 14.03.2022 via registered letter as well as through email besides the information relating to point-4 which is being sent by Establishment-1 Branch today itself.

The respondent has also submitted a reply to the show-cause notice which has been taken on record. In the reply, the PIO has mentioned that since the information was voluminous (20 points) and has to be collected from different PIOs, the available information was provided to the appellant vide letter dated 02.02.2021 and for the remaining information, the concerned PIOs were asked to provide the information concerning them. Thereafter, the appellant pointed out discrepancies which were sorted out and complete information was provided on 14.03.2022. The respondent further pleaded that the information has been delayed due to the Covid pandemic as well as restrictions of 50% staff in the offices.

The appellant is absent nor is represented.

The information stands provided. I accept the plea of the PIO and drop the show cause notice.

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

Chandigarh
Dated 15.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner