

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden

Sector:16, Chandigarh

Contact No.0172-2864116, Fax No.0172-2864125

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Sh. Prince Garg,
H.No.228, Ward No. 16,
Adarsh Mohalla, Nabha Gate,
Sangrur.

-----Appellant

Vs.

Public Information Officer
o/o Senior Medical Officer,
Incharge Civil Hospital,
Sangrur.

First Appellate Authority
o/o Chief Medical Officer,
Sangrur.

...Respondents

Appellant Case No. 2817 of 2018

PRESENT:

Sh. Prince Garg, the appellant.
Dr. Kirpal Singh, SMO and Sh. Vipan Arora on behalf of the
respondent.

ORDER:

The RTI application is dated 19.05.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 21.06.2018 and second appeal was filed in the Commission on 24.08.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.10.2018 in the Commission.

3. The appellant states that he has received the information from the respondent except on two points i.e 1 and 10.

4. The respondent states that he has brought the original record today in the Commission, if the appellant wants to inspect the file, he can inspect the same.

5. After going through the record, the information regarding point no. 1 has been supplied to the appellant and for remaining information on point no. 10, the respondent states that the same will be supplied to the appellant, before the next date of hearing, with which the appellant is satisfied.

Contd...p-2

6. Last opportunity is given to the PIO to provide the complete information to the appellant and file an affidavit in this regard, on the next date of hearing,

7. The case is adjourned for **11.12.2018 at 11:00 AM**. Copies of the order are sent to the parties.

**Chandigarh
15.10.2018**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

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Sh. Harjinder Kumar,
S/o Sh. Sukhdev Ram,
H.No.178/7, Mohalla Muktpura,
Banga, Distt:SBS Nagar.

...Complainant

Versus

Public Information Officer,
O/o Nagar Council,
Banga, Distt:SBS Nagar.

...Respondent

Complaint CASE NO. 929 OF 2018

PRESENT : Sh. Harjinder Kumar, the complainant.
Sh. Kuldeep Aggarwal, AME on behalf of the respondent.

ORDER:

The RTI application is dated 09.07.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 27.08.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.10.2018 in the Commission.

3. The complainant states that till today, no information has been supplied to him by the respondent.

4. The respondent has not filed any reply to the Notice of the Commission, which shows that he has no regard to the orders of the Commission.

5. After perusing the record available on file, it emerges that PIO has delayed/ denied in providing the information to the complainant. In view of the above, **Sh. Rajiv Oberio, Executive Engineer –cum-PIO o/o Nagar Council, Banga is directed** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant.

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the

Contd...p-2

imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

7. The matter to come up for further hearing now on **11.12.2018 at 11.00AM.**

Copies of the order be sent to the parties.

**Chandigarh
15.10.2018**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

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Sh. Charanjit Singh,
S/o Sh. Palwinder Jit Singh,
R/o Village Surapur,
Tehsil: Nawanshaher.

...Appellant

Versus

Public Information Officer,
O/o SSP,
Nawanshahar.

First Appellate Authority
o/o DIG,
Ludhiana Zone, Ludhiana.

...Respondent

Appeal Case No. 2062 of 2018

PRESENT: (i) Sh. Charanjit Singh, the appellant
(ii) Sh. Amarjeet Singh, ASI is present on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 06.09.2018.

2. The appellant states that no information has been supplied to him by the respondent.

3. The respondent files written reply today in the Commission mentioning therein that the third party i.e. Sh. Subhash Bath, Sub Inspector, No.2031/JAL has denied that his personal information should not be disclosed to any person. The appellant has already been informed in this regard.

4. During the last hearing, the appellant was advised to justify what public interest is involved in the information asked for, before the next date of hearing but at today's hearing, he has failed to do so. Last opportunity is given to him to justify the public interest, before the next date of hearing with a copy to the respondent.

5. Sh. Subhash Bath, Sub Inspector is also directed to appear personally, on the next date of hearing alongwith the written reply.

6. The matter to come up for further hearing now on **28.11.2018 at 11.00AM**. Copies of the order be sent to the parties.

Chandigarh
15.10.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

Through registered post

CC: Sh. Subhash Bath, Sub Inspector, Police Station, Raho, Distt: SBS Nagar.

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Sh. Gobind Singh,
H.No.P-11/06,Old A.P.S,
Colony, Near Water Tank,
Delhi Cantt-110010.

...Appellant

Versus

Public Information Officer,
O/o Director,
Health and Family Welfare Deptt.,
Govt./of Punjab, Chandigarh.

First Appellate Authority
o/o Director,
Health and Family Welfare Deptt.,
Govt./of Punjab, Chandigarh.

...Respondent

Appeal CASE NO. 2867 OF 2018

PRESENT : None is present on behalf of the appellant.
Sh. Rajinder Singh, Sr. Assistant and SH. Rajinder Kumar,Sr.
Assistant on behalf of the respondent.

ORDER:

The RTI application is dated 12.03.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 22.04.2018 and second appeal was filed in the Commission on 27.08.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.10.2018 in the Commission.
3. The appellant is absent for today's hearing.
4. The respondent states that some more time be given to him to file the reply to the Notice of the Commission.
5. The PIO is directed to file written reply to the Notice of the Commission, on the next date of hearing and should personally appear, failing which action under section 20(1) of the RTI Act, 2005 will be initiated.
6. Last opportunity is given to the appellant to follow up his case in the Commission, failing which decision shall be taken on merits of the case.
7. The case is adjourned for **11.12.2018 at 11:00 AM**. Copies of the order are sent to the parties.

Chandigarh
15.10.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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Sh. Ashok Kumar,
(Rt. Jr. Assistant Pb Edu Deptt),
S/o Sh. Bishan Dass, H.No.160,
Model Town, Pathankot.

...Appellant

Versus

Public Information Officer,
O/o Block Primary Education Officer,
Pathankot: 3.

First Appellate Authority
o/o DEO(E),
Pathankot.

...Respondent

Appeal CASE NO. 2869 OF 2018

PRESENT : Sh. Ashok Kumar, the appellant.
Smt. Paramjit Kaur, BPEO, the respondent.

ORDER:

The RTI application is dated 02.05.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 18.06.2018 and second appeal was filed in the Commission on 27.08.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.10.2018 in the Commission.

3. The appellant states that till today, complete information has not been supplied to him by the respondent.

4. The respondent states that the information as per the office record has already been supplied to the appellant on 01.06.2018 by registered post. She further states that if the appellant wants to inspect the record, he can, if he is not satisfied with the provided information.

5. The appellant has refused to inspect the record. He has pointed out deficiencies verbally to the respondent, during the hearing today.

6. The respondent is directed to provide the information to the appellant, as per his RTI application, before the next date of hearing and file an affidavit that the information as per office record stands supplied and nothing is pending.

Contd...p-2

5. The case is adjourned for **11.12.2018 at 11:00 AM**. Copies of the order are sent to the parties.

**Chandigarh
15.10.2018**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

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Sh. Ashok Kumar,
(Rt. Jr. Assistant Pb Edu Deptt),
S/o Sh. Bishan Dass, H.No.160,
Model Town, Pathankot.

...Appellant

Versus

Public Information Officer,
O/o Block Primary Education Officer,
Pathankot: 3.

First Appellate Authority
o/o DEO(E),
Pathankot.

...Respondent

Appeal CASE NO. 2868 OF 2018

PRESENT : Sh. Ashok Kumar, the appellant.
Smt. Paramjit Kaur, BPEO, the respondent.

ORDER:

The RTI application is dated 02.05.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 18.06.2018 and second appeal was filed in the Commission on 27.08.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 15.10.2018 in the Commission.

3. The appellant states that till today, complete information has not been supplied to him by the respondent.

4. The respondent states that the information which has been sought by the appellant is not specific and is also very voluminous. She further states that the appellant has also not paid the documentation fee, which has been asked from him, within the time limit vide letter dated 01.06.2018 by registered post.

5. The appellant is advised to seek the specific information from the respondent within one week and is also directed to pay the documentation fee, which has been asked by the respondent by letter dated 01.06.2018. The respondent is directed to file point wise reply on the next date of hearing with a copy to the appellant.

Contd...p-2

6. The case is adjourned for **11.12.2018 at 11:00 AM**. Copies of the order are sent to the parties.

**Chandigarh
15.10.2018**

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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Sh. Gagan Deep Singh Janjua,
Village:Tura, P.O: Kumbh, Tehsil"Amloh,
Distt:Fatehgarh Sahib.

...Appellant

Versus

Public Information Officer,
O/o Court of Civil Judge
(Sr. Div), SBS Nagar.

First Appellate Authority
o/o Court of Civil Judge
(Sr. Div), SBS Nagar.

...Respondent

Appeal Case No.2085 of 2018

PRESENT: None for the parties.

ORDER

This order may be read with reference to the previous order dated 06.09.2018.

2. The appellant is absent for today's hearing.
3. Neither the PIO is present for today's hearing nor has filed any reply, which shows that he has no regard to the orders of the Commission.
4. Last opportunity is given to the PIO to appear personally and provide the complete information to the appellant, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.
5. The appellant is also advised to follow up his case in the Commission, failing which decision shall be taken on merit.
6. The matter to come up for further hearing now on 11.12.2018 at **11.00AM**. Copies of the order be sent to the parties.

Chandigarh
15.10.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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Sh. Naresh Kumar Gupta,
S/o Sh. Madal Lal Gupta,
Ward No. 16/384, Subhash Nagar,
Dhuri, Tehsil:Dhuri, Distt:Sangrur.

Appellant

Versus

Public Information Officer,
O/o District Food and Supply Controller,
Sangrur.

First Appellate authority
o/o District Food and Supply Controller,
Sangrur.

Respondent

Appeal CASE NO. 1580 OF 2018

PRESENT: None for the parties.

ORDER

This order may be read with reference to the previous order dated 18.09.2018.

2. The appellant has informed the Commission on telephone that he has received the information and is satisfied.
3. The respondent is absent for today's hearing.
4. During the last hearing, the respondent informed the Commission that complete information has been supplied to the appellant.
5. In view of the above, no further cause of action is left in the instant Appeal Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh
15.10.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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Sh. Pawan Kumar Sharma, Adv,
S/o Late Sh. Bhagwant Kishore,
H.No. 585,Phase-2, SAS Nagar.
Mohali.

...Appellant

Versus

Public Information Officer,
O/o Assistant Registrar,
Cooperative Societies, Punjab,
Verka Milk Plant, Phase-6,
SAS Nagar, Mohali.

First Appellate Authority
o/o Assistant Registrar,
Cooperative Societies, Punjab,
Verka Milk Plant, Phase-6,
SAS Nagar, Mohali.

...Respondent.

Appeal Case No. 363 of 2018

PRESENT: None is present on behalf of the appellant.
Sh. Kesar Singh, Sr. Assistant on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 18.09.2018.

2. A letter has been received from the appellant in the Commission by email mentioning therein that he has received the remaining information on 13.10.2018 and is satisfied. So, his case may kindly be closed.

3. The respondent states that the information as per the directions of the Commission has been supplied to the appellant.

4. In view of the above, no further cause of action is left in the instant Appeal Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh
15.10.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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Sh. Gagan Deep Singh Janjua,
Village:Tura, P.O: Kumbh, Tehsil"Amloh,
Distt:Fatehgarh Sahib.

...Appellant

Versus

Public Information Officer,
O/o COC,
Civil Judge (Sr. Division),
Barnala.

First Appellate Authority
o/o District & Session Judge,
Barnala.

...Respondent

Appeal Case No.434 of 2018

PRESENT: None for the parties.

ORDER

This order may be read with reference to the previous order dated 18.09.2018.

2. A letter has been received from the appellant in the Commission by email mentioning therein that due to some reason, he cannot attend today's hearing and has sought another date. He has further informed that till today, no information has been supplied to him by the respondent.

3. A letter has also been received from Sh. Baldev Singh, APIO-cum-Reader of the Court of Additional District & Session Judge-II, Barnala, which is taken on record.

4. Last opportunity is given to the PIO to appear personally and provide the complete information to the appellant, before the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

5. The appellant is also advised to follow up his case in the Commission, failing which decision shall be taken on merit.

6. The matter to come up for further hearing now on **11.12.2018 at 11.00AM**. Copies of the order be sent to the parties.

Chandigarh
15.10.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner

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Sh. Pawan Kumar,
S/o Sh. Birbal, Tilak Nagar,
St No. 8, Sri Mukatsar Sahib.

...Appellant

Versus

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

First Appellate Authority
o/o DEO (EE),
Ferozepur.

...Respondent

Appeal CASE NO. 2087 OF 2018

PRESENT: (i) None is present on behalf of the appellant.
(ii) Sh. Harpreet Singh, Jr. Assistant o/o BPEO, GHS-2 and Sh. Harmandeep Singh, Clerk o/o BPEO, GHS-1, on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 06.09.2018.

2. A letter has been received from the appellant in the Commission by email mentioning therein that due to some personal reason, he cannot attend today's hearing and no information has been provided to him by the respondent.

3. The respondent states that as per the directions of the Commission, the reply has already been sent to the appellant vide letter dated 11.10.2018.

4. During the last hearing, the PIO was directed to appear personally but at today's hearing, he is again absent, which shows that he has no regard to the orders of the Commission.

5. After perusing the record available on file, it emerges that PIO has delayed/ denied in providing the information to the appellant. In view of the above, **Sh. Harmesh Lal, B.P.E.O-Block-1 and Sh. Madan Lal, B.P.E.O, Block-2, both are directed** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon them for willful delay/ denial of the information to the RTI applicant and why the appellant be not compensated for the harassment suffered by him.

Contd...p-2

In addition to their submission, both the PIOs are also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. They may note that in case they do not file their submissions and do not avail themselves of the opportunity of personal hearings on the next date fixed, it will be presumed that they have nothing to say and the Commission shall proceed to take further proceedings against them ex-parte.

6. The matter to come up for further hearing now on **11.12.2018 at 11.00AM**.
Copies of the order be sent to the parties.

**Chandigarh
15.10.2018**

Sd/-
**(Prof. Viney Kapoor Mehra)
State Information Commissioner**

Through registered post

**CC: Sh. Harmesh Lal, Block Primary Education Officer, Block-1, GHS
Distt: Ferozepur.
Sh. Madan Lal, Block Primary Education Officer, Block-2, GHS
Distt: Ferozepur.**

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Sh. Gurmeet Singh,
S/o Sh. Boota Singh,
R/o Village Dhabwala Kalan,
Tehsil & Distt:Fazilka.

Complainant

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block Arniwala, Sheikh Subhan,
Distt:Fazilka.

Respondent

Complaint Case No. 94 of 2018

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated
18.09.2018

2. The complainant is absent for today's hearing.
3. Neither the PIO is present for today's hearing nor has filed any reply to
the
- 4.

Chandigarh
15.10.2018

(Prof. Viney Kapoor Mehra)
State Information Commissioner

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Sh. Baljinder Singh,
S/o Sh. Balkar Singh,
R/o Village Abdulpur,
Tehsil:Rajpura, Distt:Patiala.

...Complainant

Versus

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

Public Information Officer,
O/o A.F.S.O,
Rajpura.

...Respondents

COMPLAINT CASE NO. 1271 OF 2017

PRESENT : Sh. Baljinder Singh, the complainant.
Sh. Harpreet Singh, Inspector on behalf of the respondent.

ORDER:

This case may be read with reference to the previous order dated 06.09.2018.

2. The complainant states that till today, complete information has been provided to him by the respondent.

3. The respondent states that as directed by the Commission during the last hearing, the information has already been provided to the complainant.

4. After examining the case file, it reveals that the complainant filed RTI application to the District Controller, Food Civil Supplies and Consumer Affairs, Patiala on 29.08.2017 and they directed to the AFSO, Rajpura vide letter dated 01.09.2017 to provide the information to the complainant directly.

5. Since, the information is to be provided by the PIO, O/o A.F.S.O, Rajpura. I, therefore, order that PIO, O/o A.F.S.O, Rajpura be impleaded as Respondent No.2.

Contd...p-2

6. After perusing the record available on file, it emerges that PIO o/o **AFSO, Rajpura** has delayed/ denied in providing the information to the complainant. In view of the above, **PIO o/o AFSO, Rajpura is directed** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant.

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

7. The case is adjourned for **11.12.2018 at 11:00 AM**. Copies of the order are sent to the parties.

Chandigarh
15.10.2018

Sd/-
(Prof. Viney Kapoor Mehra)
State Information Commissioner