



Sh. Jasbir Singh, S/o Sh. Harbans Singh,
R/o Village Jalal Khara, P.O Sular,
Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o DFSO,
Ludhiana.

First Appellate Authority,
O/o DFSO,
Ludhiana.

...Respondent

Appeal Case No. 179 of 2021

PRESENT: Sh.Jasbir Singh as the Appellant
None for the Respondent

ORDER: Facts of the case:-

That the appellant through an RTI application dated 30.09.2020 has sought information regarding depot holder block No.133 Ashok Nagar Ludhiana – details of wheat, pulses and other items received relating to BPL/APL/Blue cards – a copy of licenses of depot holders of Ashok Nagar copy of entry register of APL/BPL card holders – list of APL/BPL cardholders and other information as enumerated in the RTI application concerning the office of DFSO Ludhiana. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 05.11.2020 which took no decision on the appeal.

That 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 District Administration due to a large number of corona cases in Ludhiana, the hearing could not take place. The case was adjourned.

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

The respondent was absent on 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 the last hearing on **09.11.2021** which was heard through video conferencing at DAC Ludhiana/Patiala, the appellant informed that the PIO has not supplied the information despite the order of the Commission.

The respondent was absent on 3rd consecutive hearing nor was represented as well as not provided the information. There has been an enormous delay of more than one year in providing the information. The Commission having taken a serious view of this directed the PIO to **show cause why penalty be not imposed on him under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time. The PIO was directed to file an affidavit in this regard.**

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

That the case has come up for **hearing today through** video conferencing at DAC Ludhiana/Patiala. As per the appellant, the PIO has not supplied the information.

The respondent is absent on 4th consecutive hearing nor has filed a reply to the show-cause notice as well as not appearing before the Commission.

Keeping the above-mentioned facts of the case, it is clear that the PIO-O/o District Food Supply Officer, Ludhiana 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-O/o District Food Supply Officer, Ludhiana is hereby issued through Senior Superintendent of Police, Ludhiana for his presence before the Commission on **09.05.2022**.

The case is adjourned. To come up for further hearing on **09.05.2022** at 11.00 AM.

Chandigarh
Dated 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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

**In case: Jasbir Singh V/s PIO-O/o District Food Supply Officer,
Ludhiana**

APPEAL CASE NO. 179/2021

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005

Next Date of Hearing: **09.05.2022**

To

**The Senior Superintendent of
Police, Ludhiana**

Whereas PIO-O/o District Food Supply Officer, Ludhiana 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-O/o District Food Supply Officer, Ludhiana to appear before the undersigned at Red Cross Building, Near Rose Garden, Sector 16, Chandigarh on **09.05.2022 at 11.00A.M.**

**Chandigarh
Dated: 16.03.2022**

**(Khushwant Singh)
State Information Commissioner**



Sh Arun Gupta,
H NO-B-XI/162, Backside Nirankari Bhawan,
Barnala.

... Complainant

Versus

Public Information Officer,
O/o Health & Family Welfare Deptt,
Pb, Sector-34-A, Chandigarh.

...Respondent

Complaint Case No. 494 of 2021

PRESENT: Sh.Arun Gupta for the Appellant
Sh.Sandeep Kumar, Suptd.-cum-PIO for the Respondent

ORDER:

The complainant through an RTI application dated 28.12.2020 has sought information regarding the appointment of laboratory technical grade-2(98 posts) through BFUHS from Aug 2020 till date – total number of posts advertised – total posts reserved for Gen(EWS) category according to notification – clarification regarding less number of posts advertised- a copy of diploma/degree certificate, experience and EWS certificate of candidates appeared in counselling – unfilled posts –backlog of gen(EWS) and other information as enumerated in the RTI application from the office of Health and Family Welfare, Pb Chandigarh. The complainant was not provided with the information provided after which the complainant filed a complaint in the Commission on 20.04.2021.

The case first came up for hearing on 11.10.2021 through video conferencing at DAC Barnala/Mohali. As per the respondent present from the Establishment branch-7, O/o Health & Family Welfare, they received the RTI application on 06.09.2021 and the information was provided to the complainant vide letter dated 22.09.2021.

The complainant claimed that he received the information only on 06.10.2021, which was also incomplete.

However, as per the letter received in the Commission on 09.09.2021 from Dy. Director (RTI) O/o Director, Health & Family Welfare, the RTI was transferred to PIO-cum-Supt.(Establishment-7) vide letter dated 15.01.2021.

Since as per the letter of Dy. Director, the RTI application was transferred to PIO-Suptd. Establishment-7 on 15.01.2021 but the information was only provided on 22.09.2021, there has been a delay of more than eight months in attending the RTI application, the PIO-Superintendent (Establishment Branch-7) O/o Department of Health & Family Welfare was issued a **show-cause notice under section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

However, since the appellant had filed a complaint case and not gone to the First Appellate Authority; to hear the appellant's contention regarding incomplete information 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 per RTI Act.

Complaint Case No. 494 of 2021

On the date of the last hearing on **31.01.2022**, the respondent present pleaded that the remaining information has also been provided to the complainant vide letter dated 09.12.2021 except information on point-d which is a 3rd party information.

The PIO however did not file a reply to the show-cause notice. The PIO was given one last opportunity to file a reply to the show-cause notice otherwise it will be presumed that he has nothing to say in the matter and the decision will be taken as per provisions of the RTI Act.

Hearing dated 16.03.2022:

The case has come up for hearing today through video conferencing at DAC Barnala/ Chandigarh. The respondent present pleaded that the information has already been supplied to the appellant. The Commission has also received a reply to the show-cause notice from the PIO on 07.03.2020 which has been taken on record. It has been mentioned by the PIO in the reply that due to ongoing covid pandemic, the health department was continuously conducting recruitment process to fill the posts of medical and para-medical staff and the PIO was the only person handling the RTI applications, thus the information was delayed. The PIO has requested for condoning the delay due to the above circumstances.

I accept the plea of the PIO and drop the show cause.

However, the Commission is of the view that since the complainant 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- Department of Health and Family Welfare, Pb Chandigarh is directed to pay an amount of **Rs.5000/-** 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.

To come up for compliance on **31.05.2022** at 11.00 AM.

Chandigarh
Dated: 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Rajwinder Singh, S/o Sh Kulwant Singh,
Rivariya Mohalla, Ward No-8,
VPO Dhanola, Distt Barnala.

... Appellant

Versus

Public Information Officer,
O/o Director,
Education, SGPC, Bahadurgarh,
Distt Patiala.

First Appellate Authority,
O/o Director, Education,
SGPC, Bahadurgarh,
Distt Patiala.

...Respondent

Appeal Case No. 943 of 2021

PRESENT: Sh.Rajwinder Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 13.11.2019 has sought information on 8 points regarding a copy of the approval of the selection committee of SGPC for the placement of Sh.Sohajbir Singh as placement officer in Guru Teg Bahadur Khalsa College Sri Anandpur Sahib on 10.05.2017 along with the copy of diary register – number of students sent for study to foreign countries along with a copy of relevant rules – furniture purchased in Khalsa College, Patiala from the year 2008 and other information as enumerated in the RTI application concerning the office of Director Education, SGPC Bahadurgarh, Distt.Patiala. The appellant was not satisfied with the reply of the PIO dated 05.10.2020 after which the appellant filed a first appeal before the First Appellate Authority on 18.11.2020 which took no decision on the appeal.

The case first came up for hearing on 13.07.2021 through video conferencing at DAC Barnala. Both the parties were absent. The case was adjourned.

On the date of the last hearing on **09.11.2021**, the appellant informed that the PIO has not supplied the information.

The respondent was absent. There has been an enormous delay of two years 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**. The PIO was again directed to provide information to the appellant within 10 days of the receipt of the order.

Hearing dated 16.03.2022:

The case has come up for hearing today through video conferencing at DAC Barnala/Patiala. As per the appellant, the PIO has supplied information only on 14.03.2022 which is incomplete. The Commission has received a copy of the information sent to the appellant by the PIO vide letter dated 14.03.2022.

The respondent is absent nor is represented. The Commission has received a copy of an affidavit as a reply to the show-cause notice from the PIO through email which has been taken on record.

Appeal Case No. 943 of 2021

The appellant is directed to point out the discrepancies to the PIO with a copy to the Commission and the PIO is directed to sort out the same.

To come up for further hearing on **02.08.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Barnala. The PIO to appear through VC at DAC Patiala.

Chandigarh
Dated : 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Rajwinder Singh, S/o Sh Kulwant Singh,
Rivariya Mohalla, Ward No-8,
VPO Dhanola, Distt Barnala.

... Appellant

Versus

Public Information Officer,
O/o Director,
Education, SGPC, Bahadurgarh,
Distt Patiala.

First Appellate Authority,
O/o Director, Education,
SGPC, Bahadurgarh,
Distt Patiala.

...Respondent

Appeal Case No. 1045 of 2021

PRESENT: Sh.Rajwinder Singh as the Appellant
None for the Respondent

ORDER:

The appellant through the RTI application dated Nil has sought information on 8 points regarding a copy of the approval of the selection committee of SGPC for the placement of Sh.Sohajbir Singh as placement officer in Guru Teg Bahadur Khalsa College Sri Anandpur Sahib on 10.05.2017 along with a copy of the diary register – number of students sent for study to foreign countries along with a copy of the relevant rules – furniture purchased in Khalsa College, Patiala from the year 2008 and other information as enumerated in the RTI application concerning the office of Director Education, SGPC Bahadurgarh, Distt.Patiala. The appellant was not satisfied with the reply of the PIO dated 05.10.2020 after which the appellant filed a first appeal before the First Appellate Authority on 22.12.2020 which took no decision on the appeal.

The case first came up for hearing on 13.07.2021 through video conferencing at DAC Barnala. Both the parties were absent.

The case was adjourned.

On the date of the last hearing on **09.11.2021**, the appellant informed that the PIO has not supplied the information.

The respondent was absent. There has been an enormous delay 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**. The PIO was again directed to provide information to the appellant within 10 days of the receipt of the order.

Hearing dated 16.03.2022:

The case has come up for hearing today through video conferencing at DAC Barnala/Patiala. As per the appellant, the PIO has supplied information only on 14.03.2022 which is incomplete. The Commission has received a copy of the information sent to the appellant by the PIO vide letter dated 14.03.2022.

The respondent is absent nor is represented. The Commission has received an affidavit being a reply to the show-cause notice from the PIO through email which has been taken on record.

Appeal Case No. 1045 of 2021

The appellant is directed to point out the discrepancies to the PIO with a copy to the Commission and the PIO is directed to sort out the same.

To come up for further hearing on **02.08.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Barnala. The PIO to appear through VC at DAC Patiala.

Chandigarh
Dated : 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Smt Inderveer Kaur, W/o Lt Sh Iqbal Preet Singh,
R/o B-1206, Street No-3, New Partap Nagar,
Gurlal Bajar, Amritsar.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1043 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 21.08.2020 has sought information regarding action taken on the medical bill of Rs.189931/- sent for verification by Xen PWD – latest status of the bill – if approved by Director Health, to provide a copy of the approval and other information as enumerated in the RTI application concerning 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 20.09.2020 which took no decision on the appeal.

The case first came up for hearing on 13.07.2021 through video conferencing at DAC Amritsar/Ludhiana. As per the representative of the appellant, they had received no reply from the PIO. The respondent present pleaded that the bill has been sent to the Department of Health, Pb Chandigarh.

The PIO was directed to procure the information from the Department of Health, Chandigarh and sent it to the appellant within 15 days.

On the date of the last hearing on **09.11.2021**, both the parties were absent. The case was adjourned.

Hearing dated 16.03.2022:

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

The Commission has received a copy of the reply of the PIO dated 24.02.2020 through email stating that the medical bill duly passed by DHS Chandigarh was sent to the concerned department vide letter No.2345 dated 11.09.2020.

Appeal Case No. 1043 of 2021

Having gone through the RTI application and the reply of the PIO, the Commission observes that the PIO has not supplied the copy of the letter vide which the bill after approval was sent to the concerned department and the copy of the approval letter. The PIO is directed to send complete information to the appellant as per the RTI application.

The case is adjourned. To come up for further hearing on **06.07.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar. The PIO to appear through VC at DAC Ludhiana.

Chandigarh
Dated : 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Surinder Kumar, S/o Lt Sh Kashmiri Lal,
R/o H No-4004, Mohalla Patel Nagar,
Jandiala Guru, Distt Amritsar.

... Complainant

Versus

Public Information Officer,
O/o SSP,
Amritsar.

...Respondent

Complaint Case No. 182 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The complainant through RTI application dated 05.10.2020 has sought information regarding action taken on the complainant dated 04.04.2020 filed online against Jasdev Singh, Gurbhagat Singh, inspectors food supply department Jandiala Guru and other information as enumerated in the RTI application from the office of DGP Pb Chandigarh which transferred the same to SSP Amritsar u/s 6(3) of the RTI Act. The complainant was not provided with the information after which the appellant filed a complaint in the Commission on 05.02.2021.

The case first came up for hearing on 13.07.2021 through video conferencing at DAC Amritsar. As per the complaint, the PIO had not provided 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 per the RTI Act.

The Commission, however, observed that the RTI application was filed on 05.12.2020 but the PIO had chosen not to reply to the RTI application. As per section 7 (2) of the RTI Act, if the PIO fails to give information within thirty days, the PIO shall be deemed to have refused the information. The PIO-SSP Amritsar was directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act and be present on the next date of hearing.

On the date of the last hearing on **09.11.2021**, the appellant informed that despite the directions of the First Appellate Authority, the PIO has not supplied the information.

The respondent was absent as well as not sent the explanation for not attending to the RTI application within the time prescribed under the RTI Act.

The PIO was afforded one more opportunity to explain the reasons for not attending the RTI application on time, as prescribed under section 7 of the RTI Act.

Hearing dated 16.03.2022:

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

Complaint Case No. 182 of 2021

Earlier order stands. The case is adjourned.

To come up for further hearing on **06.07.2022** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Amritsar.

Chandigarh
Dated: 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

**CC to First Appellate Authority-cum-
Inspector-General of Police(Border Range)
Amritsar.**