



Ms Harwinder Kaur,
686, MIJ(I),
Phase-9, Mohali.

... Appellant

Versus

Public Information Officer,
O/o Director,
Food and Drugs Administration,
PB, Kharar.

First Appellate Authority,
O/o Director,
Food and Drugs Administration,
PB, Kharar.

...Respondent

Appeal Case No. 2605 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 10.05.2021 has sought information regarding the list of analysts recruited from 2009 onwards – seniority list of analysts – a copy of the order for promotion to Smt. Varinder Pal Kaur as SO – complete file and noting of SOs promoted from 2019 onwards – file and noting of promotion of Smt. Varinder Pal Kaur and other information as enumerated in the RTI application concerning the office of Director Food and Drug Administration, Kharar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 27.05.2021 which took no decision on the appeal. The appellant had filed an appeal under Life and Liberty, however, the Chief Information Commissioner, Punjab ordered to consider the case under the General Category.

The case last came up for hearing today 17.08.2021 through video conferencing at DAC, Mohali. As per the respondent, the information was provided to the appellant vide letter dated 07.07.2021.

As per the appellant, the information was incomplete.

Having gone through the RTI application and hearing both the parties, the following was concluded:

- | | | | |
|-----------|----|---|---|
| - Point-1 | &2 | - | As per the respondent, the information stands provided. As per the appellant, the information is incomplete. The PIO is directed to sort out the discrepancies all further information. |
| - Point-3 | | - | Provided |
| - Point-4 | | - | PIO to procure the information from the concerned authority and provide it to the Appellant |
| - Point-5 | | - | Prima Facie this appears to be personal information, to be decided at the next date of hearing. |

On the date of the last hearing on **09.11.2021**, the respondent informed that the information has already been provided.

The appellant was absent.

Having gone through the file, the Commission observed that there is nothing on record that shows that the PIO has redressed the matter. The PIO was directed to file a suitable reply point-wise.

Hearing dated 16.03.2022:

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

Earlier order stands.

No further interference of the commission is required. The case is **disposed of**.

Chandigarh
Dated 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Raj Singh, S/o Lt Sh Ishar Singh,
Village Todarwal, P.O Babarpur Police Station,
Bhadson, Tehsil Nabha, Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o CMO,
Ludhiana.

First Appellate Authority,
O/o Director,
Health & Family welfare,
Sector-34-A, Chandigarh.

...Respondent

Appeal Case No. 2415 of 2021

PRESENT: Sh.Raj Singh as the Appellant
Dr.Manu & doctors of other Health Centers for the Respondent

ORDER:

The appellant through an RTI application dated 20.10.2020 has sought information regarding details of the building fund, maintenance fund, medicine fund from 01.01.2014 to 20.10.2020 relating to all PHC & Civil Hospitals – details of expenditures along with a copy of bills – details of funds received – competent authority to use funds and other information as enumerated in the RTI application concerning the office of SMO Ludhiana. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 21.12.2020 which took no decision on the appeal.

The case last came up for hearing on 22.11.2021 through video conferencing at DAC Patiala/Ludhiana. The appellant was present at Chandigarh and informed that the PIO has not supplied the information.

The respondent was absent. There has been an enormous delay of more than one year in attending to the RTI application. The Commission having taken a serious view of this, directed the PIO to appear before the Commission on the next date of hearing and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act otherwise the Commission will be constrained to issue show cause under section 20 of the RTI Act.

Hearing dated 16.03.2022:

The case has come up for hearing today through video conferencing at DAC Ludhiana/Patiala. Dr.Manu from the office of Civil Surgeon Ludhiana alongwith other doctors(SMOs of other Sub-divisions/CHC) are present. Dr.Manu informed that since the information relates to different health centres (16 health centres under the jurisdiction of Civil Surgeon, Ludhiana), all the SMOs were asked to provide information to the appellant directly. As per the respondent, the information relating to PHC Koom Kalan, Distt. Ludhiana has been sent to the appellant through a registered post. The respondent further informed that as per the report of other SMOs, the information is voluminous (around 5000 to 10000 pages of information per centre), however, compiled information has been sent to the appellant and the appellant has been asked to deposit the requisite fee if he wants detailed information.

Appeal Case No. 2415 of 2021

The appellant claims that the information is incomplete and the fee has not been raised within time.

Having gone through the RTI application and hearing both the parties, the Commission observes that collecting such voluminous information will interfere in the efficient operations of the department and will divert sufficient resources of the public authority.

However, after arbitration between both the parties, it is concluded that the appellant will personally inspect the record by visiting the office of SMO of each center after fixing a mutually convenient date and time and get the relevant information upto a maximum of 750 pages(per center) free of cost. The appellant has agreed for the same.

All the SMOs of the concerned Health Centers (under the jurisdiction of Civil Surgeon, Ludhiana) are directed to allow inspection of the record from year 2017 to year 2020 (as decided at the time of the hearing) and provide information to the appellant upto a maximum of 750 pages(per center) free of cost.

The order is valid for a period of four months. A copy of contact numbers of all health centers received from the PIO is being sent to the appellant alongwith the order.

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

Chandigarh
Dated: 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commission

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Sh Raj Singh, S/o Lt Sh Ishar Singh,
Village Todarwal, P.O Babarpur Police Station,
Bhadson, Teshil Nabha, Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o CMO,
Sangrur.

First Appellate Authority,
O/o Director,
Health & Family welfare,
Sector-34-A, Chandigarh.

...Respondent

Appeal Case No. 2416 of 2021

**PRESENT: Sh.Raj Singh as the Appellant
Dr.Inderjit Singla and Dr.Jaskirat Singh for the Respondent**

ORDER:

The appellant through an RTI application dated 20.10.2020 has sought information regarding details of the building fund, maintenance fund, medicine fund from 01.01.2014 to 20.10.2020 relating to all PHC & Civil Hospitals – details of expenditures along with a copy of bills – details of funds received – competent authority for to use funds and other information as enumerated in the RTI application concerning the office of CMO Sangrur. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 21.12.2020 which took no decision on the appeal.

The case last came up for hearing on 22.11.2021 through video conferencing at DAC Patiala. The appellant claimed that the PIO has not supplied the information.

The Commission received a reply of the PIO on 05.10.2021 which was taken on the file of the Commission. The respondent pleaded that since the information relates to different district welfare officers-cum-PIOs, the RTI application was transferred to all the concerned offices vide letter dated 27.11.2020 under section 6(3) of the RTI Act with the direction to provide the information to the appellant at their own level. The information relating to SMO Civil Hospital Sangrur, SMO-PHC Kohria, SMO-Malerkotla, SMO-Fatehpur Panjgaria, Moonak has been supplied. The following centers had raised the requisite fees from the appellant, which the appellant has not deposited:

- SMO-Dhuri	-	Rs.2966/-	vide letter dated 31.12.2020
- SMO-Sunam	-	Rs. 440/-	Vide letter dated 21.12.2020
- SMO-Sherpur	-	Rs. 190/-	Vide letter dated 23.12.2020
- SMO-Longowal	-	Rs. 798/-	Vide letter dated 29.12.2020
- SMO-Bhawanigarh	-	Rs. 814/-	Vide letter dated 23.12.2020
- SMO-Amargarh	-	Rs. 846/-	Vide letter dated 23.12.2020

As per the respondent, the information from SMO Ahmedgarh is yet to be received and provided.

Appeal Case No. 2416 of 2021

A copy of the reply received from the PIO was sent to the appellant along with the order and the appellant was directed to point out the discrepancies if any to the PIO with a copy to the Commission. The PIO was directed to remove the same.

Hearing dated 16.03.2022:

The case has come up for hearing today through video conferencing at DAC Patiala. The respondents present informed that there are 12 centers under the jurisdiction of Civil Surgeon, Sangrur and the reply/information relating to six health centers has already been provided and others have raised fee which the appellant has not yet deposited to get the information.

The appellant claims that the information is incomplete and the fee has not been raised within time.

Having gone through the RTI application and hearing both the parties, the Commission observes that there has been a delay in raising the fee. As per the section 7 (6) of the RTI Act the person making request for the information shall be provided the information free of charge where a public authority fails to comply with the time limits specified in sub-section (1).

Given the above conclusion, the PIO/SMO of each centre is directed to provide the sought information to the appellant free of cost.

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

Chandigarh
Dated: 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Raj Singh, S/o Lt Sh Ishar Singh,
Village Todarwal, P.O Babarpur Police Station,
Bhadson, Teshil Nabha, Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o CMO,
Patiala.

First Appellate Authority,
O/o Director,
Health & Family welfare,
Sector-34-A, Chandigarh.

...Respondent

Appeal Case No. 2418 of 2021

PRESENT: Sh.Raj Singh as the Appellant
Dr.S.J. Singh for the Respondent

ORDER:

The appellant through an RTI application dated 20.10.2020 has sought information regarding details of the building fund, maintenance fund, medicine fund from 01.01.2014 to 20.10.2020 relating to all PHC & Civil Hospitals – details of expenditures along with a copy of bills – details of funds received – competent authority to use funds and other information as enumerated in the RTI application concerning the office of CMO Patiala. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 21.12.2020 which took no decision on the appeal.

On the date of first hearing on 22.11.2021, the Commission received a reply from the PIO on 18.11.2021 which was taken on the file of the Commission. The respondent pleaded that since the information relates to different district welfare officers-cum-PIOs, all concerned block officers/PIO under this office were asked to vide letter dated 27.10.2020 to send the information within five days. However, the following centers raised the requisite fee from the appellant which the appellant did not deposit:

- | | | |
|---------------|---------------|------------------------------|
| - SMO-Samana | - Rs.20,000/- | vide letter dated 16.11.2020 |
| - SMO-Rajpura | - Rs.22,000/- | Vide letter dated 17.11.2020 |
| - SMO-Nabha | - Rs.17,000/- | Vide letter dated 17.11.2020 |

The respondent informed that the information from SMO Nabha has been supplied to the appellant vide letter dated 05.02.2021. The information from other centers was yet to be received. The respondent further pleaded that since the information is voluminous, the appellant was asked to inspect the record of the remaining centers and get the relevant information.

The appellant informed that he had received no intimation from any of the centers regarding the raised fee. Further, the information received from Nabha centre was incomplete.

Hearing both the parties, the appellant was directed to inspect the record of the remaining centers and get the relevant information by depositing the requisite fee as per the RTI Act.

Regarding the fee raised by SMO-Samana, Rajpura & Nabha, the PIO was directed to submit proof of dispatching the letters to the appellant along with the postal receipt.

Hearing dated 16.03.2022:

The case has come up for hearing today through video conferencing at DAC Patiala. The respondent present pleaded that the information relates to different health centers (12 health centers under the jurisdiction of Civil Surgeon, Patiala), all the SMOs were asked to provide information to the appellant directly. The respondent further informed that as per report of the SMOs, the information is voluminous and the appellant was asked to inspect the record and get the relevant information. Further, the fee raised by SMO-Samana, SMO Rajpura and SMO Nabha has not been deposited by the appellant. However, the information by SMO Nabha has already been provided to the appellant.

The appellant claims that he did not receive any intimation from any of the centers regarding fee and the information received from Nabha is incomplete.

Having gone through the RTI application and hearing both the parties, the Commission observes that the sought information is indeed voluminous and collecting such voluminous information will interfere in the efficient operations of the department and will also divert resources of the public authority.

However, after arbitration between both the parties, it is concluded that the appellant will inspect the sought record by visiting the office of SMO of each center after fixing a mutually convenient date and time and get relevant information upto a maximum 750 pages (per center) free of cost. The appellant has agreed for the same.

All the SMOs of concerned Health Centers (under the jurisdiction of Civil Surgeon, Patiala) are directed to allow inspection of the record from year 2017 to year 2020 (as finalized at the hearing) and provide information to the appellant upto a maximum of 750 pages (per center) free of cost.

The order is valid for a period of four months. A copy of contact numbers of all health centers received from the PIO is being sent to the appellant along with the order.

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

Chandigarh
Dated: 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Raj Singh, S/o Lt Sh Ishar Singh,
Village Todarwal, P.O Babarpur Police Station,
Bhadson, Teshil Nabha, Distt Patiala.

... Appellant

Versus

Public Information Officer,
O/o CMO,
Barnala.

First Appellate Authority,
O/o Director,
Health & Family welfare,
Sector-34-A, Chandigarh.

...Respondent

Appeal Case No. 2037 of 2021

PRESENT: Sh.Raj Singh as the Appellant
Dr.Nipsy Modi o/o Civil Hospital Batnala for the Respondent

ORDER:

The appellant through an RTI application dated 20.10.2020 has sought information regarding details of the building fund, maintenance fund, maintenance fund from 01.01.2014 to 20.10.2020 relating to all PHC & Civil Hospitals – details of expenditures along with copy of bills – details of funds received – competent authority for to use funds and other information as enumerated in the RTI application concerning the office of SMO Barnala. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 21.12.2020 which took no decision on the appeal.

The case last came up for hearing on 22.11.2021 through video conferencing at DAC Barnala. The appellant informed that he has received information from the Tapa centre only which is incomplete and the PIO has not supplied information relating to other centers.

The respondent was absent.

The Commission received a reply from the PIO which was taken on the file of the Commission. A copy of the reply was sent to the appellant along with the order. The appellant was directed to point out the discrepancies to the PIO and the PIO was directed to remove the same.

Hearing dated 16.03.2022:

The case has come up for hearing today through video conferencing at DAC Barnala/Patiala. Dr.Nipsy Modi from Civil Hospital Barnala is present who informed that since the information relates to different health centers (04 health centers under the jurisdiction of Civil Surgeon, Barnala), all the SMOs were asked to provide information to the appellant directly. As per respondent, the SMO Dhanaula had raised a fee of Rs.1500/- vide letter dated 30.03.2021 which the appellant did not deposit the same. The respondent further informed that no such separate building fund is received from the State Govt and the reply has been sent to the appellant vide letter dated 23.11.2020. The respondent further informed that as per report of other SMOs, the information is voluminous (around 14000 pages).

The appellant claims that the fee has not been raised within time.

Having gone through the RTI application and hearing both the parties, the Commission observes that collecting such voluminous information will interfere in the efficient operations of the department and will divert sufficient resources of the public authority.

However, after arbitration between both the parties, it is concluded that the appellant will inspect the record of by visiting the office of SMO of each center after fixing a mutually convenient date and time and get relevant information upto a maximum 750 pages(per center) free of cost. The appellant has agreed for the same.

All the SMOs of concerned Health Centers (under the jurisdiction of Civil Surgeon, Barnala) are directed to allow inspection of the record from year 2017 to year 2020 and provide information to the appellant upto a maximum of 750 pages(per center) free of cost.

The order is valid for a period of four months. A copy of contact numbers of all health centers received from the PIO is being sent to the appellant alongwith the order.

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

Chandigarh
Dated: 16.03.2022

Sd/-
(Khushwant Singh)
State Information Commission