



Sh. Lajpat Rai, (9814230616)

S/o Sh. Harbans Lal,
House No B-3/287, Romana Street,
Jaito, Distt. Faridkot.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Nagar Panchayat,
Sri Chamkaur Sahib.

.....Respondent

First Appellate Authority

O/o Deputy Director,
Urban Local Bodies, Ludhiana.

Appeal Case No.311 of 2021

Present: Appellant: Sh. Lajpat Rai (on telephone call)
Respondent: Sh. Harjeet Singh (Clerk) 9914229111

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 05.01.2021. Accordingly, the case is fixed for today.
2. Respondent Sh. Harjeet Singh pleaded that the sought information as enumerated in the RTI application has been supplied to the appellant through registered post dated 15.02.2021. A copy of the same is submitted at the time hearing.
3. Appellant, Sh. Lajpat Rai (telephonically) contended that no information has been received till date.
4. After hearing both the parties and going through the case file, it is revealed that, once the appellant receives the information supplied by the respondent authority, he is advised to **point out discrepancies**(in written form) if any in the information so supplied by the respondent, within 15 days from the issue of this order under intimation to the commission. The respondent shall make good the deficiencies, in case the same pointed out by the appellant.

Another opportunity is given to both the parties to present the case on next date of hearing positively, failing to which the case would be decided on merit basis.

5. To come up on **31.03.2021** through personal hearing at PSIC Chandigarh, **11:30 AM**.

Chandigarh
Dated: 17.02.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner



Sh. Lajpat Rai, (9814230616)

S/o Sh. Harbans Lal,
House No B-3/287, Romana Street,
Jaito, Distt. Faridkot.

.....Appellant/Complainant

Versus

Public Information Officer

O/o SHO, Police Station, Jaito,
Distt Faridkot.

.....Respondent

Complaint Case No. 72 of 2021

Present: Complainant: Sh. Lajpat Rai (on telephone call)
Respondent: Absent

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 05.01.2021. Accordingly, the case is fixed for today.
2. Complainant, Sh. Lajpat Rai (telephonically) stated that no information has been supplied so far by the respondent authority.
3. **As nobody is preset on behalf of respondent authority** the case is adjourned to date **31.03.2021, 11:30 AM** through **personal hearing** at PSIC Chandigarh, with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated.

Chandigarh
Dated: 17.02.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner



Sh. Kamalpreet Singh, (7719791331)

134, Basant City, Threekay,
Post Office Daad, Pakhowal Road,
Ludhiana-142022.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Director,
Health and Family Welfare, Punjab,
Sector-34 A, Chandigarh.

.....Respondent

Public Information Officer

O/o Addl. Chief Secretary (Health), Punjab,
Mini Secretariat, Sector-9, Branch- 7 Chandigarh

First Appellate Authority

O/o Addl. Chief Secretary (Health), Punjab,
Mini Secretariat, Sector-9, Chandigarh.

Appeal Case No.319 of 2021

Present: Appellant: Sh. Kamalpreet Singh

Respondent: Sh. Gurpreet Singh (Sr. Assistant) 7009565977

ORDER

1. The Appellant/Complainant filed appeal/complaint case in the Commission dated 05.01.2021. Accordingly, the case is fixed for today

2. **Relevant facts emerging during hearing:**

Both the parties are present. The appellant stated that he has been denied information with mala fide intension. The respondent stated that the sought information has already been supplied to the appellant. On this the appellant stated that incorrect and incomplete information has been supplied by the respondent authority so far. Respondent, Sh. Gurpreet Singh further added that the sought information is in question form which is exempted under RTI Act.

3. **Decision:-**

Keeping in view the facts of the case and the submissions made by both the parties, it is evident that no satisfactory reply had been provided by the respondent in the matter, which is a grave violation of the provisions of the RTI Act, 2005. The Commission therefore, directs the respondent to directed to provide an additional reply to the appellant on all of the points raised in the RTI application as discussed in the court except for points no. **d, e, h** and **i**. For this, PIO is directed to offer inspection of the relevant available records to the appellant at a mutually convenient date and time (**i.e. on 09.03.2021 at 02:30 PM**). The appellant is directed to avail of the said offer of inspection from the respondent authority, failing which no further opportunity will be provided to him.

In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission without fail.

Public Information officer, O/o Addl. Chief Secretary (Health), Punjab, Mini Secretariat Chandigarh is impleaded as necessary party in this case. A copy of RTI application be sent to the said office along with this order through registered post for their ready reference along with directions as an opportunity to provide the requisite information to the appellant and to represent

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this case in person or through any of his representative(s) on the next date of hearing to clear the facts of this case, failing to which action under section 20(1) of RTI would be initiated against the concerned respondent PIO.

6. To come up on **17.03.2021** through personal hearing at PSIC Chandigarh, **11:30 AM**.

Sd/-

Chandigarh
Dated: 17.02.2021

(Maninder Singh Patti)
State Information Commissioner



Sh. Kamalpreet Singh, (7719791331)

134, Basant City, Threekay,
Post Office Daad, Pakhowal Road,
Ludhiana-142022.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Chemical Examiner to Punjab Govt,
Inside Civil Hospital, Kharar, 140301

.....Respondent

First Appellate Authority

O/o Chemical Examiner to Punjab Govt,
Inside Civil Hospital, Kharar, 140301

Appeal Case No.320 of 2021

Appeal Case No.321 of 2021

Present: Appellant: Sh. Kamalpreet Singh

Respondent: Sh. Jaswinder Singh (lab Technician) 9463187545

ORDER

1. The Appellant/Complainant filed appeal/complaint cases in the Commission dated 05.01.2021. Accordingly, the case is fixed for today. As both parties are same, therefore a single speaking order is being passed in both the above mentioned cases.
2. The appellant is aggrieved with the fact that the desired information was not provided to him.
3. Respondent, Sh. Harwinder Kumar made a written submission in the court and the relevant portion of which is reproduced below:-

1. ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਆਪਣੇ ਪੱਤਰ ਨੰ:ਕੇ.ਪੀ.ਸੀ.ਈ.ਕੇ/13, ਮਿਤੀ 18.09.2020 ਰਾਹੀਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦੇ ਸਬੰਧ ਵਿੱਚ ਵਿਸ਼ੇ ਅੰਕਿਤ ਅਪੀਲ ਦਾਇਰ ਕੀਤੀ ਹੈ। ਪ੍ਰਾਰਥੀ ਨੇ ਕੋਰਟ ਕੇਸ ਨੰ:ਸੀ.ਆਰ ਐਮ 12646 ਆਫ 2019 ਦੇ ਸਬੰਧ ਵਿੱਚ ਮੰਗੀ ਸੂਚਨਾ ਬਾਰੇ ਡੀ.ਐਚ.ਐਸ ਤੋਂ ਪੱਤਰ ਨੰ: ਆਰ.ਟੀ.ਆਈ/20/1173 ਮਿਤੀ 29.09.2020 ਰਾਹੀਂ ਸੇਧ ਲਈ ਗਈ, ਜੋ ਅਪੀਲ ਕੇਸ ਨਾਲ ਅਨੈਕਚਰ-3 (ਪੇਜ ਨੰ : 9) ਤੇ ਹੈ। DHS ਵੱਲੋਂ ਦਿੱਤੀ ਸੇਧ ਅਨੁਸਾਰ (ਨੱਥੀ ਕਾਪੀ) ਕੋਰਟ ਕੇਸ ਦੇ ਸਬੰਧ ਵਿੱਚ ਪ੍ਰਾਰਥੀ ਨੇ ਸਵਾਲ ਜਵਾਬ ਕੀਤੇ ਸਨ, ਜਦੋਂ ਕਿ ਆਰ.ਟੀ.ਆਈ.ਐਕਟ ਅਨੁਸਾਰ ਡਾਕੂਮੈਂਟ ਹੀ ਦਿੱਤੇ ਜਾ ਸਕਦੇ ਹਨ। ਪ੍ਰਾਰਥੀ ਨੂੰ ਇਸ ਸਬੰਧ ਵਿੱਚ ਰਜਿਸਟਰਡ ਪੱਤਰ ਨੰ: ਆਰ.ਟੀ.ਆਈ-20/110, ਮਿਤੀ 12.11.20, ਜੋ ਅਪੀਲ ਕੇਸ ਨਾਲ ਅਨੈਕਚਰ-5 (ਪੇਜ ਨੰ: 9) ਤੇ ਹੈ, ਰਾਹੀਂ ਸਪੱਸ਼ਟ ਲਿਖ ਦਿੱਤਾ ਸੀ ਕਿ ਕੋਰਟ ਕੇਸ ਅੰਡਰ ਪ੍ਰੋਸੈਸ ਹੋਣ ਕਰਕੇ ਜਵਾਬਦਾਵਾ ਦਾਇਰ ਕੀਤਾ ਜਾਣਾ ਹੈ ਅਤੇ ਇਹ ਸੂਚਨਾ ਜਵਾਬਦਾਵੇ ਰਾਹੀਂ ਮਿਲ ਜਾਵੇਗੀ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਸੰਸਥਾ ਦਾ ਰਿਕਾਰਡ ਸੀਕਰੇਸ਼ਨ ਰੂਪਤ ਹੋਣ ਕਰਕੇ ਚੀਫ ਕਮਿਸ਼ਨਰ ਦੇ ਫੈਸਲੇ ਅਨੁਸਾਰ ਆਰ.ਟੀ.ਆਈ ਐਕਟ 2005 ਦੀ ਧਾਰਾ 8(1) (ਐਚ) ਅਧੀਨ ਕਵਰ ਹੁੰਦੀ ਸੂਚਨਾ ਨਹੀਂ ਦਿੱਤੀ ਜਾ ਸਕਦੀ।

4. Keeping in view the facts of the case and the submissions made by both the parties, it is evident that no satisfactory reply had been provided by the respondent in the matter, which is a grave violation of the provisions of the RTI Act 2005.

The PIO is expected to apply his/her mind, duly analyse the material before him/her and then either disclose the information sought or give grounds for non-disclosure.

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Appeal Case No.321 of 2021

The Commission therefore, directs the respondent to:

- a) provide a clear and specific information to the Appellant within a period of 15 days in accordance with the provisions of the RTI ACT, 2005;
 - b) along with directions to PIO (By name) & Dr. Rampal Singh (Chemical Examiner) to represent this case in person on the next date of hearing to clear the facts of this case, failing to which action under section 20(1) of RTI would be initiated against the concerned respondent PIO.
5. To come up on **17.03.2021** through personal hearing at PSIC Chandigarh, **11:30 AM**.

Sd/-

Chandigarh
Dated: 17.02.2021

(Maninder Singh Patti)
State Information Commissioner