



Sh Bharat Bhushan Mattu,  
H No-153, Akash Nagar,  
Near Green Land School Central,  
P.O Ludhiana, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,  
O/o Director,  
Social Security Women & child Development,  
Sector-34-A, Chandigarh.

First Appellate Authority,  
O/o Director,  
Social Security Women & child Development,  
Sector-34-A, Chandigarh.

...Respondent

**Appeal Case No. 4116 of 2021**

**PRESENT:     None for    the Appellant**  
**Smt.Indu Bala, APIO for the Respondent**

**ORDER:**

The appellant through an RTI application dated 15.06.2021 has sought information regarding the list of employees falling under the grades A,B & C against whom complaints were received for the negligence of duty and allegations of corruption - charge sheets issued and all related documents – action taken by the competent authority against erring officials – action/punishment awarded if the corrupt officers fail to file satisfactory reply – a copy of property returns filed by staff and other information as enumerated in the RTI application from the office of Director Social Security Women & Child Development Pb Chandigarh. The appellant was not provided with the information after which the appellant filed a first appeal before the First appellate authority on 19.07.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The appellant is absent, and vide email has sought exemption due to illness.

The respondent present pleaded that since the information is personal information of the employees, it cannot be provided as per Govt circular dated 09.08.2021

Having gone through the RTI application, the Commission observes that since the appellant has asked for information regarding complaints if any received against the employees relating to corruption charges etc., it cannot be denied as per provision of the RTI Act.

The PIO is directed to provide point-wise information/reply to the appellant on the following and send a compliance report to the Commission.

- |                      |   |
|----------------------|---|
| - Point-1 to point-4 | - To provide  |
| - Point-5            | - To provide the total number of employees who filed property returns |
| - Point-6            | - The information sought is vague – not to be provided                |

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

**Sd/-**

**Chandigarh**  
**Dated :18.04.2022**

**(Khushwant Singh)**  
**State Information Commissioner**



Sh Bharat Bhushan Mattu,  
H No-153, Akash Nagar,  
Near Green Land School Central,  
P.O Ludhiana, Distt Ludhiana.

... Appellant

Versus

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

First Appellate Authority,  
O/o Director,  
Health and Family Welfare Deptt,  
Sector-34-A, Chandigarh.

...Respondent

**Appeal Case No. 4115 of 2021**

**PRESENT:     None for the Appellant**  
**Sh.Supinder Singh, Suptd., Sh.Aman Sood and Sh.Tarsem Lal,**  
**Sr.Assistant O/o DHS Pb Chandigarh and other representatives of District**  
**Health Centres/Hospitals for the Respondent**

**ORDER:**

The appellant, through an RTI application dated 15.06.2021, has sought information regarding the list of employees falling under the grades A,B & C against whom complaints received for the negligence of duty and allegation of corruption - charge sheets issued and all related documents – action taken by the competent authority against erring officials – action/punishment awarded if the corrupt officers fail to file satisfactory reply – copy of property returns filed by the staff of DHS Pb and other information as enumerated in the RTI application from the office of Director Health and Family Welfare, Pb Chandigarh. The appellant was not provided with the information, after which the appellant filed a first appeal before the First appellate authority on 19.07.2021 which did not decide on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. Sh.Supinder Singh, Suptd., Sh.Amand Sood and Sh.Tarsem Lal, Sr.Assistant from the office of DHS Pb Chandigarh and representatives of different District Health Centers/Hospitals (around 13 persons), are present. **The** representative from the office of DHS pleaded that the available information relating to the staff working in the office of DHS (Group A, B & C) has been sent to the appellant by E-1 Branch vide letter dated 02.03.2022. However, for the information relating to different District Health Centres/Hospitals, the RTI application was transferred to all the concerned centres under section 6(3) of the RTI Act with the direction to supply information concerning them directly to the appellant with a copy to DHS office Chandigarh.

The appellant is absent nor is represented.

As per the letter received in the Commission on 07.04.2022 from the office of Dy Director-cum-PIO (PB Branch) –DHS Pb Chandigarh, the information/reply by the office of Civil Surgeon, SAS Nagar, Barnala, Sri Mukatsar Sahib, Fatehgarh Sahib, Kapurthala, Mansa, Roopnagar, Patiala, Moga, Sangrur, Faridkot, Pathankot, Ferozepur has been sent to the appellant directly, and the information by other concerned Districts is being sent.

**Appeal Case No. 4115 of 2021**

The Commission has also received copies of letters from some of the Civil Surgeons vide which they have denied the information stating that the information being personal information of the employees, it cannot be provided.

**Decision**

Having gone through the RTI application, the Commission observes that since the appellant has asked for information regarding complaints if any received against the employees relating to corruption charges etc., it should be provided rather than being denied.

From the further perusal of the entire case and hearing the respondents, the Commission observes that the appellant has basically asked for the information from the office of the DHS and the information relates to DHS office, Chandigarh only. The presence of so many staff members from various departments is not required as it wastes vital time of the medical staff.

The following is concluded:

- |               |   |   |
|---------------|---|---|
| - Point-1     | - | Has been partially provided. To provide the left over information |
| - Point-2,3&4 | - | To provide  |
| - Point-5     | - | To provide total number of employees who filed property returns   |
| - Point-6     | - | Information sought is vague and arbitrary – not to be provided    |

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

**Chandigarh**  
**Dated :18.04.2022**

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



Sh Tejinder Singh,  
Civil Court, Tehsil Complex,  
Backside Sanjh Kender,  
Phillaur, Distt Ludhiana.

... Appellant

Versus

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

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

...Respondent

**Appeal Case No. 4134 of 2021**

**PRESENT:     None for the Appellant**  
**Dr.Manu for the Respondent**

**ORDER:**

The appellant, through an RTI application dated 28.05.2021, has sought a copy of the audit report for the year 2019-20 & 2020-21 (audit done by AG Punjab) 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 01.07.2021, which did not decide on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that since the information relates to National Health Mission Ludhiana, the RTI application was transferred to them under section 6(3) of the RTI act on 18.02.2022. As per the report of the District Accounts Officer, National Health Mission, the audit was done by the AG Audit in Dec.2021 but no observation from them for the said period has yet been received, and the reply has been sent to the appellant vide letter dated 01.04.2022 with a copy to the Commission.

The appellant is absent nor is represented.

Having gone through the RTI application and the reply of the PIO, the Commission finds that the RTI application has been sufficiently replied and no further interference from the Commission is required.

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

**Chandigarh**  
**Dated :18.04.2022**

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



Sh Bhushan Jain, S/o sh Rajinder Kumar,  
H NO-392, Street NO-3, Nirmal Nagar,  
Dugri, Ludhiana.

... Appellant

Versus

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

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

...Respondent

**Appeal Case No. 4138 of 2021**

**PRESENT:     None for the Appellant**  
**Dr.Manu for the Respondent**

**ORDER:**

The appellant, through an RTI application dated 04.06.2021, has sought information regarding action taken on the medical bills No.1598, 1599, 1600 dated 20.04.2021 and No.10054 dated 23.12.2020 & 1650 dated 27.04.2021 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 17.07.2021, which did not decide on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the reply on the status of the action taken on the medical bills as sought in the RTI application has been sent to the appellant vide letter dated 21.02.2022 with a copy to the Commission.

The appellant is absent, nor is represented and nor has communicated any discrepancies.

The appellant is directed to point out the discrepancies, if any in the provided information to the PIO and the PIO is directed to sort out the same.

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

**Chandigarh**  
**Dated :18.04.2022**

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



Sh Om Parkash ,S/o Sh Billu Ram,  
Village Mann Bibrian, P.O Moosa,  
Tehsil & Distt Mansa.

... Appellant

Versus

Public Information Officer,  
O/o District Welfare Officer,  
Mansa.

First Appellate authority,  
O/o Divisional Commissioner,  
Ferozepur Division, Ferozepur.

...Respondent

**Appeal Case No. 3391 of 2021**

**PRESENT:     None for the Appellant**  
**Sh.Jagsir Singh, District Welfare Officer, Mansa for the Respondent**

**ORDER:**

The appellant, through an RTI application dated 15.01.2021, has sought information regarding copy of diary register containing the entry of file relating to shagun scheme of Ms.Sukhdeep Kaur deposited with Suvidha Centre on 18.03.2020 – a copy of noting for processing the case – a copy of approval letter – objection of any – number of beneficiaries of shagun scheme from 01.12.2019 to 01.12.2020 as enumerated in the RTI application from the District Welfare Officer, Mansa. 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 did not decide on the appeal.

The case has come up for hearing today through video conferencing at DAC Mansa. The respondent present pleaded that the information relating to their office regarding point. No.6 has been supplied and the appellant has received the same. The respondent further states that the remaining information relates to Labour department Mansa and they have already transferred the RTI application on 11.04.2021.

The appellant is absent nor is represented.

The PIO-Labour department, Mansa is impleaded in the case and directed to look at the RTI application transferred by the District Welfare Officer Mansa on 11.04.2021 and provide information to the appellant as per the RTI Act and send a compliance report to the Commission.

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

**Chandigarh**  
**Dated :18.04.2022**

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

**CC to: PIO-Department of Labour,**  
**Mansa(Punjab)**



Sh Vasdev Garg,  
Mittwa street, Water Works Road,  
Mansa.

... Complainant

Versus

Public Information Officer,  
O/o Managing Director,  
Punjab Health System Corporation,  
Sector-62, Mohali.

...Respondent

**Complaint Case No. 1158 of 2021**

**PRESENT: Sh.Vasdev Garg as the Appellant**  
**None for the Respondent**

**ORDER:**

The complainant, through an RTI application dated 19.07.2021, has sought information regarding action taken on applications dated 15.04.2021 and 18.06.2021 for non-supply of contacting tonometer by Civil Hospital Mansa information as enumerated in the RTI application from the Managing Director, Punjab Health System Corporation, Mohali. The complainant was asked by the PIO vide letter dated 30.07.2021 to attach ID proof which even providing the information was supplied, after which the complainant filed a complaint in the Commission on 09.09.2021.

The case has come up for hearing today through video conferencing at DAC Mansa. The respondent is absent, and vide letter received in the Commission on 04.03.2022 has informed that the information/reply has already been sent to the appellant vide letters dated 20.09.2021, 08.10.2021 and 02.11.2021.

The complainant is not satisfied with the supplied information and has informed that the information has not been supplied by the PIO as per the RTI application.

Having gone through the record, the Commission observes that since this is a complainant case and the complainant has come to the Commission under the provision of Section 18 of the RTI Act, 2005 in which no directions for providing further information can be given by the Commission.

The Hon'ble Supreme Court of India in its Order dated 12.12.2011 in Civil Appeal Nos.10787-10788 of 2011 (arising out of SLP No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for access to the information.

Since there is an alternative and efficacious remedy of first appeal available to the complainant under section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.

**Complaint Case No. 1158 of 2021**

If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he/she will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act.,2005.

Given the observations noted above, the instant case is remanded back to the concerned First Appellate Authority-cum-Civil Surgeon, Ludhiana, with a copy of the RTI application for their ready reference and is also directed to call the complainant within 30 days of the receipt of the order, provide the information/reply pertaining to this RTI application. A compliance report of the same be sent to the Commission.

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

Chandigarh  
Dated: 18.04.2022

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