

# **PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,**

**SECTOR 16, CHANDIGARH.**

Ph: 0172-2864100, Email: - [psic26@punjabmail.gov.in](mailto:psic26@punjabmail.gov.in)

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Sh. Tejinder Singh,  
R/o Village Bholapur,  
P.O: Ramgarh, Chandigarh Road,  
Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o Managing Director,  
Punjab Health System Corporation,  
State Institute of Health & Family Welfare Complex,  
SAS Nagar, Mohali.

**First Appellate Authority**  
o/o Managing Director,  
Punjab Health System Corporation,  
State Institute of Health & Family Welfare Complex,  
SAS Nagar, Mohali.

...Respondent

## **APPEAL CASE NO. 3286 OF 2018**

**PRESENT:** None is present on behalf of the appellant.  
Sh. Sunil Kumar, Computer Operator on behalf of the respondent.

### **ORDER:**

This order may be read with reference to the previous order dated  
08.01.2019.

2. The appellant is absent for today's hearing.
3. The PIO has authorized Sh. Sunil Kumar to appear on her behalf for today's hearing. Sh. Sunil Kumar has filed an affidavit today in the Commission, which is taken on record.

Contd...p-2

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## APPEAL CASE NO. 3286 OF 2018

4. After perusing the affidavit filed by the respondent, it is ascertained that the respondent has wrongly transferred the RTI application of the appellant to all the 22 districts in the Punjab whereas, it should be transferred to only one PIO. The Full Bench of State Information Commission, Punjab in [Complaint Case No. 2903 of 2011](#) had decided vide its order dated 13.01.2012 as under:-

(We hold that under Section 6(3) of the Act ibid the legal obligation of a PIO who receives a request for information under Section 6(1) of the Act is limited to transfer this request to only one public authority that holds the information. This obligation does not extend to transfer the request to **multiple public authorities.**)

5. The PIO is warned to be careful in future while dealing with the RTI application. In view of above, it is ascertained that the complaint is devoid of merit and as such the instant Complaint Case is hereby **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

(Prof. Viney Kapoor Mehra)  
State Information Commissioner

Chandigarh  
20.02.2019

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Sh. Tejinder Singh,  
R/o Village Bholapur,  
P.O:Ramgarh, Chandigarh Road,  
Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o Civil Surgeon,  
Jalandhar.

**First Appellate Authority**  
o/o Civil Surgeon,  
Jalandhar.

...Respondent

## **APPEAL CASE NO. 3569 OF 2018**

**PRESENT:** None is present on behalf of the appellant.  
Dr. S.S.Mann, PIO, the respondent.

### **ORDER:**

This order may be read with reference to the previous order dated 08.01.2019.

2. The appellant is absent for today's hearing.

3. Dr. S.S.Mann, PIO has filed an affidavit today in the Commission mentioning therein that the appellant sought information on three points vide RTI application dated 30.05.2018 and information has been provided to him by the concerned branch on 27.06.2018. He further states that the information was concerned with the different branches of the Civil Surgeon office and assistance was sought U/s 5(4) of the RTI Act, 2005 from all the three concerned branches and they were advised to hand over the information to the appellant.

Contd...p-2

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## **APPEAL CASE NO. 3569 OF 2018**

5. After going through an affidavit, it is ascertained that the information has been supplied to the appellant on 27.06.2018 within the stipulated period. The respondent has filed an affidavit in response to the show cause notice, which is taken on record. Keeping in view all the facts mentioned in the reply are found satisfactory. The show cause notice is hereby, dropped. The appellant has received the complete information and is satisfied with the same.

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

Sd/-

**(Prof. Viney Kapoor Mehra)**  
**State Information Commissioner**

**Chandigarh**  
**20.02.2019**

# **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Harjinder Singh,  
S/o Sh. Sobha Singh,  
Village Bakainwala, Tehsil & Distt: Fazilka.

...Appellant

Versus

**Public Information Officer,**  
O/o Director,  
Health & Family Welfare, Punjab,  
Parivar Kalyan Bhawan, Plot No.5,  
Sector:34/A, Chandigarh.

**First Appellate Authority**  
o/o Director,  
Health & Family Welfare, Punjab,  
Parivar Kalyan Bhawan, Plot No.5,  
Sector:34/A, Chandigarh.

...Respondent

## **APPEAL CASE NO. 2762 OF 2018**

**PRESENT:** (i) Sh. Harjinder Singh, the appellant.  
(ii) Sh. Jagtar Singh, Sr. Assistant and Smt. Manjit Kaur, Sr. Assistant is present on behalf of the respondent.

### **ORDER:**

This order may be read with reference to the previous order dated 04.12.2018.

2. The appellant states that till today, no final action taken report has been provided to him by the respondent.

3. The respondent states that inquiry has recently been completed and she has brought the final action taken report today in the Commission. Copy of the same is handed over to the appellant for his perusal.

4. The appellant states that some more time be given to him to go through the final action taken report.

Contd...p-2

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**APPEAL CASE NO. 2762 OF 2018**

5. On the request of the appellant, the case is adjourned for **02.04.2019**  
at **11.30AM**. Copies of the order be sent to the parties.

Sd/-

Chandigarh  
20.02.2019

(Prof. Viney Kapoor Mehra)  
State Information Commissioner

CC: PIO o/o Civil Surgeon, Fazilka (Regd. Post)

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Sh. Sumeet Kumar,  
S/o Sh. Bhagirath,  
R/o H. No.183, Type-II,  
Sector:1, Naya Nangal,  
PS Tehsil Nangal, Distt:Roopnagar.

...Appellant

Versus

**Public Information Officer,**  
O/o Executive Officer,  
M.C, Nangal, Distt:Roopnagar.

**First Appellate Authority**  
o/o Deputy Director,  
Local Bodies, Ludhiana.

...Respondent

## **Appeal Case No. 3240 of 2018**

**PRESENT** : (i) Sh. Gagandeep Brar, Advocate on behalf of the appellant.  
(ii) Sh. Manjinder Singh, E.O, DDR, Ludhiana on behalf of the respondent.

## **ORDER**

This order may be read with reference to the previous order dated 06.12.2018.

2. Sh. Gagandeep Brar, Advocate is appearing on behalf of the appellant and states that as per the directions of the Commission, the appellant visited the office of the respondent on 25.01.2019 and inspected the record but complete record has not been shown to him.

3. The respondent states that he has brought the record today in the Commission for the perusal of the appellant.

4. After going through the record, the representative of the appellant states that he will send the copy of the deficiency to the respondent within one week.

Contd...p-2

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## **Appeal Case No. 3240 of 2018**

5. The respondent is directed either to remove the deficiencies which will be pointed out by the appellant or to file an affidavit that the information which was available stands supplied and nothing is pending to be given to the appellant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **02.04.2019** at **11.30PM**. Copies of the order be sent to the parties.

**Chandigarh  
20.02.2019**

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



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Sh. Sumeet Kumar,  
S/o Sh. Bhagirath,  
R/o H. No.183, Type-II,  
Sector:1, Naya Nangal,  
PS Tehsil Nangal, Distt:Roopnagar.

...Appellant

Versus

**Public Information Officer,**  
O/o Executive Officer,  
M.C, Nangal, Distt:Roopnagar.

**First Appellate Authority**  
o/o Deputy Director,  
Local Bodies, Ludhiana.

...Respondent

## **Appeal Case No. 2367 of 2018**

**PRESENT** : (i) Sh. Gagandeep Brar, Advocate on behalf of the appellant.  
(ii) Sh. Manjinder Singh, E.O, DDR, Ludhiana on behalf of the respondent.

## **ORDER**

This order may be read with reference to the previous order dated 06.12.2018.

2. Sh. Gagandeep Brar, Advocate is appearing on behalf of the appellant and states that as per the directions of the Commission, the appellant visited the office of the respondent on 25.01.2019 and inspected the record but complete record has not been shown to him.

3. The respondent states that he has brought the record today in the Commission for the perusal of the appellant.

4. After going through the record, the representative of the appellant states that he will send the copy of the deficiency to the respondent within one week.

Contd...p-2

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## **Appeal Case No. 2367 of 2018**

5. The respondent is directed either to remove the deficiencies which will be pointed out by the appellant or to file an affidavit that the information which was available stands supplied and nothing is pending to be given to the appellant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **02.04.2019** at **11.30PM**. Copies of the order be sent to the parties.

**Chandigarh**  
**20.02.2019**

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

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S/o Sh. Bhagirath,  
R/o H. No.183, Type-II,  
Sector:1, Naya Nangal,  
PS Tehsil Nangal, Distt:Roopnagar.

...Appellant

Versus

**Public Information Officer,**  
O/o Executive Officer,  
M.C, Nangal, Distt:Roopnagar.

**First Appellate Authority**  
o/o Deputy Director,  
Local Bodies, Ludhiana.

...Respondent

## **Appeal Case No. 2364 of 2018**

**PRESENT** : (i) Sh. Gagandeep Brar, Advocate on behalf of the appellant.  
(ii) Sh. Manjinder Singh, E.O, DDR, Ludhiana on behalf of the respondent.

## **ORDER**

This order may be read with reference to the previous order dated 06.12.2018.

2. Sh. Gagandeep Brar, Advocate is appearing on behalf of the appellant and states that as per the directions of the Commission, the appellant visited the office of the respondent on 25.01.2019 and inspected the record but complete record has not been shown to him.

3. The respondent states that he has brought the record today in the Commission for the perusal of the appellant.

4. After going through the record, the representative of the appellant states that he will send the copy of the deficiency to the respondent within one week.

Contd...p-2

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## **Appeal Case No. 2364 of 2018**

5. The respondent is directed either to remove the deficiencies which will be pointed out by the appellant or to file an affidavit that the information which was available stands supplied and nothing is pending to be given to the appellant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **02.04.2019** at **11.30PM**. Copies of the order be sent to the parties.

**Chandigarh  
20.02.2019**

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

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Sh. Sumeet Kumar,  
S/o Sh. Bhagirath,  
R/o H. No.183, Type-II,  
Sector:1, Naya Nangal,  
PS Tehsil Nangal, Distt:Roopnagar.

...Appellant

Versus

**Public Information Officer,**  
O/o Executive Officer,  
M.C, Nangal, Distt:Roopnagar.

**First Appellate Authority**  
o/o Deputy Director,  
Local Bodies, Ludhiana.

...Respondent

## **Appeal Case No. 2366 of 2018**

**PRESENT** : (i) Sh. Gagandeep Brar, Advocate on behalf of the appellant.  
(ii) Sh. Manjinder Singh, E.O, DDR, Ludhiana on behalf of the respondent.

## **ORDER**

This order may be read with reference to the previous order dated 06.12.2018.

2. Sh. Gagandeep Brar, Advocate is appearing on behalf of the appellant and states that as per the directions of the Commission, the appellant visited the office of the respondent on 25.01.2019 and inspected the record but complete record has not been shown to him.

3. The respondent states that he has brought the record today in the Commission for the perusal of the appellant.

4. After going through the record, the representative of the appellant states that he will send the copy of the deficiency to the respondent within one week.

Contd...p-2

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## **Appeal Case No. 2366 of 2018**

5. The respondent is directed either to remove the deficiencies which will be pointed out by the appellant or to file an affidavit that the information which was available stands supplied and nothing is pending to be given to the appellant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **02.04.2019** at **11.30PM**. Copies of the order be sent to the parties.

**Chandigarh**  
**20.02.2019**

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

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Sh. Lajpat Rai,  
S/o Sh. Harbans Lal,  
H.No. B-3/287, Romana Street,  
Jaito, Distt:Faridkot.

Appellant

Versus

**Public Information Officer,**  
o/o Executive Officer,  
M.C, Jaitu, Distt:Faridkot.

**First Appellate Authority,**  
o/o Deputy Director,  
Urban Local Bodies, Ferozepur Cantt.

Respondent

## **APPEAL CASE NO. 683 OF 2018**

**PRESENT:** (i) Sh. Lajpat Rai, the appellant.  
(ii) Sh. Komal Sharma, Court Clerk is present on behalf of the respondent.

### **ORDER:**

The above said case was earlier heard by Hon'ble SIC Sh. Pawan Kumar Singla but now it has been allocated to Hon'ble S.I.C Prof. Viney Kapoor Mehra, vide office order dated 07.01.2019 of the Hon'ble Chief Information Commissioner, Sh. S.S.Channy Accordingly, the case is fixed for today's hearing, before the undersigned bench.

2. The appellant states that till today, complete information has not been supplied to him by the respondent. He further adds that he has already pointed out deficiencies but the PIO has not removed the same, till today, inspite of the directions of the Commission.

Contd...p-2

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## **APPEAL CASE NO. 683 OF 2018**

3. Sh. Komal Sharma, Court Clerk is appearing on behalf of the respondent without any authority letter. He also states that he is not aware about the facts of the case.

4. After hearing both the parties and perusing the record, it is ascertained that the PIO has not supplied the information to the appellant within the stipulated time as prescribed under the RTI Act, 2005. He has also not attended today's hearing, which shows that he has no regard to the orders of the Commission. A show cause notice has already been issued to the PIO but till today, no affidavit has been filed by him.

5. The perusal of the file and the conduct of the respondent have proved that he has not performed his duty as mandated by the RTI regime. Such kind of behavior of a Government employee needs to be condemned and such employees need to be taught a good lesson so that rest of the employees have a right kind of message to wake up and perform their duties under the RTI Act for ensuring complete transparency and due accountability in the governance affairs of the public authorities.

6. The perusal of the record reveals that in this case, the appellant has tried his best to get the information from the PIO who failed to provide the information to the applicant. He has been made to run from pillar to post for getting

Contd...p-3



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## **APPEAL CASE NO. 683 OF 2018**

the information, which he could not get even after the notice was issued by the Commission in the second appeal. He has suffered unnecessary detriments/harassment in getting the information at the hands of the PIO.

7. I have also looked into all the facts and circumstances of the case. In my view this is a fit case, where award of compensation under Section 19 (8) (b) is also called for. I have no doubt in my mind that this state of affairs has also come about on account of the absence of adequate machinery for handling the RTI work in the o/o **E.O, M.C, Jaiton, Distt:Faridkot** is thus, responsible for the inadequate handling of the RTI requests and in the instant case as well. **I, therefore, order that compensation of Rs. 2,000/- (Rs. Two thousand only)** be paid to the appellant for the detriments suffered by him. This amount shall be payable from the funds of the o/o **E.O, M.C, Jaiton, Distt:Faridkot** by way of Demand Draft to the appellant within one month.

8. The PIO is also directed to appear personally on the next date of hearing alongwith the original record related to the RTI application of the appellant. He is also directed to file an affidavit in response to the show cause notice, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

Contd...p-4

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**APPEAL CASE NO. 683 OF 2018**

9. The matter to come up for further hearing now on 04.04.2019 at 12.30PM through video conference at o/o Deputy Commissioner, Faridkot. Both the parties are directed to appear personally on the above said venue. Copies of the order be sent to the parties.

Sd/-

Chandigarh  
20.02.2019

(Prof. Viney Kapoor Mehra)  
State Information Commissioner

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Sh. Lajpat Rai,  
S/o Sh. Harbans Lal,  
H.No. B-3/287, Romana Street,  
Jaito, Distt:Faridkot.

Appellant

Versus

**Public Information Officer,**  
o/o Executive Officer,  
M.C, Jaitu, Distt:Faridkot.

**First Appellate Authority,**  
o/o Deputy Director,  
Urban Local Bodies, Ferozepur Cantt.

Respondent

## **APPEAL CASE NO. 682 OF 2018**

**PRESENT:** (i) Sh. Lajpat Rai, the appellant.  
(ii) Sh. Komal Sharma, Court Clerk is present on behalf of the respondent.

### **ORDER:**

The above said case was earlier heard by Hon'ble SIC Sh. Pawan Kumar Singla but now it has been allocated to Hon'ble S.I.C Prof. Viney Kapoor Mehra, vide office order dated 07.01.2019 of the Hon'ble Chief Information Commissioner, Sh. S.S.Channy Accordingly, the case is fixed for today's hearing, before the undersigned bench.

2. The appellant states that till today, complete information has not been supplied to him by the respondent. He further adds that he has already pointed out deficiencies but the PIO has not removed the same, till today, inspite of the directions of the Commission.

Contd...p-2

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## **APPEAL CASE NO. 682 OF 2018**

3. Sh. Komal Sharma, Court Clerk is appearing on behalf of the respondent without any authority letter. He also states that he is not aware about the facts of the case.

4. After hearing both the parties and perusing the record, it is ascertained that the PIO has not supplied the information to the appellant within the stipulated time as prescribed under the RTI Act, 2005. He has also not attended today's hearing, which shows that he has no regard to the orders of the Commission. A show cause notice has already been issued to the PIO but till today, no affidavit has been filed by him.

5. The perusal of the file and the conduct of the respondent have proved that he has not performed his duty as mandated by the RTI regime. Such kind of behavior of a Government employee needs to be condemned and such employees need to be taught a good lesson so that rest of the employees have a right kind of message to wake up and perform their duties under the RTI Act for ensuring complete transparency and due accountability in the governance affairs of the public authorities.

6. The perusal of the record reveals that in this case, the appellant has tried his best to get the information from the PIO who failed to provide the information to the applicant. He has been made to run from pillar to post for getting

Contd...p-3

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## **APPEAL CASE NO. 682 OF 2018**

the information, which he could not get even after the notice was issued by the Commission in the second appeal. He has suffered unnecessary detriments/harassment in getting the information at the hands of the PIO.

7. I have also looked into all the facts and circumstances of the case. In my view this is a fit case, where award of compensation under Section 19 (8) (b) is also called for. I have no doubt in my mind that this state of affairs has also come about on account of the absence of adequate machinery for handling the RTI work in the o/o **E.O, M.C, Jaiton, Distt:Faridkot** is thus, responsible for the inadequate handling of the RTI requests and in the instant case as well. **I, therefore, order that compensation of Rs. 2,000/- (Rs. Two thousand only)** be paid to the appellant for the detriments suffered by him. This amount shall be payable from the funds of the o/o **E.O, M.C, Jaiton, Distt:Faridkot** by way of Demand Draft to the appellant within one month.

8. The PIO is also directed to appear personally on the next date of hearing alongwith the original record related to the RTI application of the appellant. He is also directed to file an affidavit in response to the show cause notice, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

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**PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,**

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**APPEAL CASE NO. 682 OF 2018**

9. The matter to come up for further hearing now on 04.04.2019 at 12.30PM through video conference at o/o Deputy Commissioner, Faridkot. Both the parties are directed to appear personally on the above said venue. Copies of the order be sent to the parties.

Sd/-

Chandigarh  
20.02.2019

(Prof. Viney Kapoor Mehra)  
State Information Commissioner

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Sh. Lajpat Rai,  
S/o Sh. Harbans Lal,  
H.No. B-3/287, Romana Street,  
Jaito, Distt:Faridkot.

Appellant

Versus

**Public Information Officer,**  
o/o Executive Officer,  
M.C, Jaitu, Distt:Faridkot.

**First Appellate Authority,**  
o/o Deputy Director,  
Urban Local Bodies, Ferozepur Cantt.

Respondent

## **APPEAL CASE NO. 681 OF 2018**

**PRESENT:** (i) Sh. Lajpat Rai, the appellant.  
(ii) Sh. Komal Sharma, Court Clerk is present on behalf of the respondent.

### **ORDER:**

The above said case was earlier heard by Hon'ble SIC Sh. Pawan Kumar Singla but now it has been allocated to Hon'ble S.I.C Prof. Viney Kapoor Mehra, vide office order dated 07.01.2019 of the Hon'ble Chief Information Commissioner, Sh. S.S.Channy Accordingly, the case is fixed for today's hearing, before the undersigned bench.

2. The appellant states that till today, complete information has not been supplied to him by the respondent. He further adds that he has already pointed out deficiencies but the PIO has not removed the same, till today, inspite of the directions of the Commission.

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## **APPEAL CASE NO. 681 OF 2018**

3. Sh. Komal Sharma, Court Clerk is appearing on behalf of the respondent without any authority letter. He also states that he is not aware about the facts of the case.

4. After hearing both the parties and perusing the record, it is ascertained that the PIO has not supplied the information to the appellant within the stipulated time as prescribed under the RTI Act, 2005. He has also not attended today's hearing, which shows that he has no regard to the orders of the Commission. A show cause notice has already been issued to the PIO but till today, no affidavit has been filed by him.

5. The perusal of the file and the conduct of the respondent have proved that he has not performed his duty as mandated by the RTI regime. Such kind of behavior of a Government employee needs to be condemned and such employees need to be taught a good lesson so that rest of the employees have a right kind of message to wake up and perform their duties under the RTI Act for ensuring complete transparency and due accountability in the governance affairs of the public authorities.

6. The perusal of the record reveals that in this case, the appellant has tried his best to get the information from the PIO who failed to provide the information to the applicant. He has been made to run from pillar to post for getting

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## **APPEAL CASE NO. 681 OF 2018**

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Chandigarh  
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(Prof. Viney Kapoor Mehra)  
State Information Commissioner