

**PUNJAB STATE INFORMATION COMMISSION**

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**APPEAL CASE NO. 104 OF 2019**

Sh. Kuldeep Singh,  
S/o Sh. Hari Singh,  
Heera Bagh, Street No. 12,  
Jagraon, District Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o Director,  
Health & Family Welfare Department,  
Punjab, Chandigarh.

**First Appellate Authority,**  
O/o Principal Secretary,  
Health & Family Welfare Department,  
Punjab, Chandigarh.

...Respondents

**PRESENT:** Adv S.P. Singh is present on behalf of the Appellant.  
Dr. Balwinder Singh, Assistant Civil Surgeon –cum- PIO O/o Civil  
Surgeon, Ludhiana.

**ORDER:**

The appellant has sought information as enumerated in his RTI application dated: 13.09.2018. First appeal was filed with the First Appellate Authority on dated: 22.10.2018 and second appeal was filed in the Commission on dated: 28.12.2018.

2. Notice of hearing has been issued to the parties for 21.02.2019 to appear before the Commission.

3. Adv S.P. Singh appears on behalf of the appellant and states that no information has been provided to the appellant by the Respondent – PIO.

4. Dr. Balwinder Singh, Assistant Civil Surgeon –cum- PIO O/o Civil Surgeon, Ludhiana appears on behalf of the Respondents and states that available information has been sent to the appellant vide letter no. ਪਿੱਠ ਅੰਕਣ ਨੰ: ਆਰ.ਟੀ.ਆਈ./19/292, ਮਿਤੀ: 11-02-2019.

5. The representative of the appellant further states that irrelevant information has been provided to the appellant.

6. The perusal of the case reveals that respondent has mishandling the RTI application of the appellant and required information has not supplied to him after 5 months period.

Cont....P-2

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**APPEAL CASE No. 104 OF 2019**

7. In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to Ms. Shashi Bala, Superintendent –cum- PIO O/o Director, Health & Family Welfare Department, Punjab, Chandigarh as to why penalty should not be imposed upon her and also why compensation be not awarded to the appellant under Section 19 (8) (b) for wilful delay/denial in supplying the information to the RTI applicant.

8. The Respondent – PIO is directed to file an affidavit in response to the Show Cause Notice and appear personally on the next date fixed, otherwise it will be presumed that she has nothing to say and the Commission shall initiate ex-parte proceeding.

9. In view of the above, the **First Appellate Authority** O/o Principal Secretary, Health & Family Welfare Department, Punjab, Chandigarh is also directed to appear personally and file his written submission regarding the RTI application of the appellant, on the next date of hearing, failing which action would be initiated as per provisions of the RTI Act, 2005.

10. The case is adjourned to **03.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

Chandigarh  
21.02.2019

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

**Copy to Intimation & Necessary Action: -**

**Ms. Shashi Bala,**  
Superintendent –cum- PIO,  
O/o Director,  
Health & Family Welfare Department,  
Punjab, Chandigarh.

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**APPEAL CASE NO. 115 OF 2019**

Sh. Jasbir Singh,  
Village Bholapur, Post Office Ramgarh,  
District Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o Food Safety Officer,  
O/o Civil Surgeon,  
District Faridkot.

**First Appellate Authority,**  
O/o Civil Surgeon,  
Faridkot.

...Respondents

**PRESENT:** Sh. Jasbir Singh, Appellant.  
Sh. Mukul Gill, Food Safety Officer, Faridkot is present on behalf of the Respondents.

**ORDER:**

The appellant has sought information as enumerated in his RTI application dated: 11.08.2018. First appeal was filed with the First Appellate Authority on dated: 11.09.2018 and second appeal was filed in the Commission on dated: 01.01.2019.

2. Notice of hearing has been issued to the parties for 21.02.2019 to appear before the Commission.

3. The appellant appears and states that no information has been provided to him by the Respondent – PIO.

4. Sh. Mukul Gill, Food Safety Officer, Faridkot appears on behalf of the Respondent – PIO and states that the information sought by the appellant has already been supplied to him vide letter no. ਟਾਰ.ਟੀ.ਆਈ/2018/12365, ਮਿਤੀ: 12-11-2018. Copy of the same is taken on record.

5. The Appellant is advised to point out the deficiency, if any, in the provided information to the Respondent – PIO within a week, under intimation to the Commission. The Respondent – PIO is directed to remove the same, after receiving the discrepancies from the appellant, before the next date of hearing.

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**APPEAL CASE NO. 115 OF 2019**

6. In view of the above, the Respondent – PIO is directed to file a reply why there is delay in supplying the information to appellant, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

6. The case is adjourned to **03.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh  
21.02.2019**

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

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**APPEAL CASE NO. 159 OF 2019**

Sh. Ashok Kumar Joshi,  
S/o Sh. Hari Krishan Joshi,  
Near Baba Pura Ji, Mohalla Sarafa Rai,  
District Shaheed Bhagat Singh Nagar.

...Appellant

Versus

**Public Information Officer,**  
O/o Senior Superintendent of Police,  
Shaheed Bhagat Singh Nagar.

**First Appellate Authority,**  
O/o Deputy Commissioner,  
Shaheed Bhagat Singh Nagar.

...Respondents

**PRESENT:** None is present on behalf of the Appellant.  
ASI Amarjit Singh is present on behalf of the Respondents.

**ORDER:** The appellant has sought information as enumerated in his RTI application dated: 03.10.2018. First appeal was filed with the First Appellate Authority on dated: 05.11.2018 and second appeal was filed in the Commission on dated: 01.01.2019.

2. Notice of hearing has been issued to the parties for 21.02.2019 to appear before the Commission.

3. The appellant is absent from today's hearing in the Commission.

4. ASI Amarjit Singh O/o S.S.P. District SBS Nagar appears on behalf of the Respondent - PIO and states that the reply of the RTI application of the appellant has already been sent to him vide letter no. 1694-R.T.I., dated: 26.10.2018. Copy of the same is taken on record.

5. After examining the case file, it is observed that the appellant is aggrieved due to late permission given to him for the Langer.

6. Here, judgment dated 03.04.2008 of Hon'ble High Court of Bombay at Goa in Civil Writ Petition No. 419 of 2007 in [Dr. Celsa Pinto Vs Goa State Information Commission](#) is referred below:-

("PIO cannot manufacture the information" The "Information" has been defined by Section 2 (f). The definition cannot include within its fold answers to the question "why" which would be the same thing as asking the reason for justification for a particular thing.

Cont...P-2

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**APPEAL CASE No. 159 OF 2019**

The Public Information Authorities cannot expect to communicate to the citizen the reason why certain thing was done or not done in the sense of justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information.)

7. The Commission, has to adjudicate as per provisions mandated by RTI Act, 2005. This is a case of grievance of the appellant who has attempted to find redressal thereof by filling second appeal in the Commission. The perception of the appellant that use of RTI Act can be employed as a mechanism for redressal of his grievance is beyond the paradigm of the Act. The Commission advises the appellant to approach the competent forum or Court for redressal of his grievance as it is unable to go outside the jurisdiction stipulated by the RTI Act. In wake of aforementioned, this Appeal Case is hereby devoid of merit and hence **closed and disposed off**. Copies of the order be sent to the parties.

**Chandigarh  
21.02.2019**

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

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**APPEAL CASE NO. 161 OF 2019**

Sh. Sukhdeep Singh  
S/o Sh. Randhir Singh,  
R/o Village Chawa, Tehsil Samrala,  
District Ludhiana-141412.

...Appellant

Versus

**Public Information Officer,**  
O/o Block Education Officer,  
Samrala-I, District Ludhiana.

**First Appellate Authority,**  
O/o Deputy Commissioner,  
Ludhiana.

...Respondents

**PRESENT:** None for the Parties.

**ORDER:**

The appellant has sought information as enumerated in his RTI application dated: 20.09.2018. First appeal was filed with the First Appellate Authority on dated: 25.10.2018 and second appeal was filed in the Commission on dated: 01.01.2019.

2. Notice of hearing has been issued to the parties for 21.02.2019 to appear before the Commission.

3. The appellant has sent a letter in the Commission vide diary no. 4039, dated: 20.02.2019 mentioning therein that he has received the complete information from the Respondent – PIO and wants to close the case.

4. Neither the Respondent - PIO is present for today's hearing nor has filed any reply to the Notice of the Commission.

5. After examining the case file, it is being observed that the Respondent – PIO has supplied the complete information to the appellant and the appellant is satisfied with the provided information and acknowledged in writing that he has received the complete information and wants to close the case. Therefore, no further action is required in this Appeal Case, which is hereby **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh  
21.02.2019

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

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**COMPLAINT CASE NO. 1018 OF 2018**

Sh. Palwinder Singh,  
S/o Sh. Jasbir Singh,  
R/o VPO: Gangomahal,  
Tehsil: Ajnala, Distt: Amritsar.

...Complainant

Versus

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

...Respondent

**PRESENT:** None is present on behalf of the Complainant.  
Sh. Navdeep Singh, Clerk O/o Civil Surgeon, Amritsar.

**ORDER:**

This order may be read with reference to the previous order dated:  
09.01.2019.

2. The Complainant is absent from today's hearing in the Commission.
3. Sh. Navdeep Singh, Clerk appears on behalf of the Respondent – PIO O/o Civil Surgeon, Amritsar and states that the RTI application of the Complainant received from D.C. Office, Amritsar vide letter no. R.T.I./2018/320/522, dated: 13.06.2018 but the information sought was related with the O/o S.D.M. Ajnala, District Amritsar and the same has been transferred to the concerned department.
4. After examining the case file, it is observed that the Complainant has sought information through an RTI application from the O/o Deputy Commissioner, Amritsar and the same has been transferred to the O/o Civil Surgeon, Amritsar but the information was related with the O/o S.D.M., Ajnala. Therefore the O/o Civil Surgeon, Amritsar transferred the same to the O/o S.D.M. Ajnala.
5. In view of the above, the Respondent – PIO (O/o Civil Surgeon, Amritsar) is directed to appear personally and file an Affidavit mentioning therein that no information is available in the official record of O/o Civil Surgeon, Amritsar, on the next date of hearing.



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**COMPLAINT CASE NO. 1018 OF 2018**

6. The Respondent – PIOs (O/o D.C., Amritsar and O/o S.D.M., Ajnala) both are directed to appear personally and file their written submission regarding the RTI application of the Complainant, on the next date of hearing, failing which action would be initiated against them as per provisions of the RTI Act, 2005.

7. Last opportunity is given to the Complainant to follow up his case in the Commission, failing which decision shall be taken on merits.

8. The case is adjourned for **03.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh  
21.02.2019**

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

**Copy to Intimation and Necessary Action: -**

**The Public Information Officer,  
O/o Deputy Commissioner,  
Amritsar.**

**The Public Information Officer,  
O/o Sub-Divisional Magistrate,  
Ajnala (District Amritsar).**

**PUNJAB STATE INFORMATION COMMISSION**

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**COMPLAINT CASE NO. 1210 OF 2018**

Sh.Brighh Bhan,  
S/o Sh. Saroop Chand,  
R/o H.No.33, Kahangarh Road,  
Patran, Distt: Patiala.

...Complainant.

Versus

**Public Information Officer,**  
O/o Punjab Pollution Control Board,  
Field Office, Patiala.

...Respondent

**PRESENT:** None is present on behalf of the Complainant.  
Sh. Lavneet Kumar, Environmental Engineer –cum- PIO, PPCB, Patiala.

**ORDER:**

This order may be read with reference to the previous order dated:  
15.01.2019.

2. The Complainant is absent from today's hearing in the Commission.

3. Sh. Lavneet Kumar, Environmental Engineer –cum- PIO, PPCB, Patiala appears in person and states that the requisite information has been provided to the Complainant vide letter no. 174, dated: 17.01.2019 through registered post. He further requests that some more time be given to him to file the reply in response to the Show Cause Notice issued to him vide order dated: 15.01.2019.

4. After examining the case file, it is observed that the Respondent – PIO joined the Respondent office after transferred from Head Office, Patiala on 27.11.2018. Therefore the delay is occurred on the part of the previous PIO i.e. Sh. S.S. Matharu, Executive Engineer/AXN, who is presently posted at Punjab Pollution Control Board, Regional Office, S.A.S. Nagar.

5. In view of the above, Sh. S.S. Matharu, Executive Engineer/AXN, O/o Punjab Pollution Control Board, Regional Office, S.A.S. Nagar is directed to appear in person and file his written submission regarding the delay in supplying the information to the Complainant, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

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**COMPLAINT CASE NO. 1210 OF 2018**

6. The Respondent – PIO (Sh. Lavneet Kumar, Environmental Engineer – cum- PIO, PPCB, Patiala) is also directed to file his reply in response to the Show Cause Notice issued to him, on the next date of hearing.
7. Last opportunity is given to the Complainant to follow up his case in the Commission, failing which decision shall be taken on merits.
8. The case is adjourned for **03.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

Chandigarh  
21.02.2019

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

**Copy to Intimation and Necessary Action: -**

**Sh. S.S. Matharu,**  
Executive Engineer/AXN,  
O/o Punjab Pollution Control Board,  
Regional Office, S.A.S. Nagar.

**PUNJAB STATE INFORMATION COMMISSION**

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**APPEAL CASE NO. 1897 OF 2018**

Sh. Joginder Singh,  
S/o Sh. Dayal Singh,  
H.No. B-IV/922, Old Radha Swami Street,  
Barnala.

...Appellant

Versus

**Public Information Officer,**  
O/o Executive Officer,  
Nagar Council, Bhadaur,  
Distt: Barnala.

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

...Respondents

**PRESENT:** Sh. Joginder Singh, Appellant.  
Sh. Gurcharan Singh, Executive Officer –cum- PIO O/o M.C.  
Bhadaur, District Barnala.

**ORDER:**

This order may be read with reference to the previous order dated:  
09.01.2019.

2. The appellant appears and states that no information has been provided to him by the Respondent – PIO till date.

3. Sh. Gurcharan Singh, Executive Officer –cum- PIO O/o M.C. Bhadaur appear in person and requests that some more time be given to him to provide the information.

4. In view of the above, last opportunity given to the Respondent – PIO to conduct departmental inquiry against the erring officer/official who is responsible for the delay in supplying the information and final action taken report be submit in the Commission. He is further directed to provide the requisite information and compensation amount of Rs. 2000/- to the appellant, before the next date of hearing and file an affidavit in response to the Show Cause Notice order dated: 21.11.2018, on the next date of hearing, failing which compensation will be enhanced and penalty provision will initiated under Section 20(1) of the RTI Act, 2005 against him.

5. The Respondent – PIO is also directed to bring the original record relating to the RTI application of the appellant, on the next date of hearing.

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**APPEAL CASE No. 1897 of 2018**

6. The case is adjourned for **03.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

Chandigarh  
21.02.2019

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

**Through Registered Post**

**Copy to Intimation & Necessary Action: -**

- i) **The Regional Deputy Director,**  
Urban Local Bodies,  
Mini Secretariat, Patiala.
- ii) **Sh. Gurcharan Singh,**  
Executive Officer –cum- PIO,  
Nagar Council, Bhadaur,  
District Barnala.

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**APPEAL CASE NO. 2923 OF 2018**

Sh. Sandeep Bahl (SEE),  
Punjab Pollution Control Board,  
Nabha Road, Patiala.

...Appellant

Versus

**Public Information Officer,**  
O/o Administrative Officer,  
Punjab Pollution Control Board,  
Patiala.

**First Appellate Authority**  
O/o Member Secretary,  
Punjab Pollution Control Board,  
Patiala.

...Respondents

**PRESENT:** Sh. Sandeep Bahl, Appellant.  
Sh. Harnek Chand, Former ADO now SLO O/o PPCB, Patiala.

**ORDER:**

This order may be read with reference to the previous order dated:  
15.01.2019.

2. The appellant states that the incomplete information has been provided to him by the Respondent – PIO.

3. Sh. Harnek Chand, SLO O/o PPCB, Patiala appears and handed over the remaining information alongwith the Demand Draft No. 075273, dated: 20.02.2019 of Rs. 2000/- as compensation to the appellant, during the hearing. He also filed an Affidavit. Copy of the same is taken on record.

4. After going through the information, the appellant states that he is satisfied with the provided information and express his willingness to close the case.

5. After perusal of the case file, it is revealed that the Respondent - PIO has provided the complete information alongwith the compensation of Rs. 2000/- to the appellant. The Respondent – PIO has filed Affidavit in response to the Show Cause Notice, which is taken on record. Keeping in view all the facts mentioned in the Affidavit are found satisfactory, therefore the Show Cause Notice is hereby, dropped.

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**APPEAL CASE NO. 2923 OF 2018**

6. In view of the above, therefore, no further action is required in this Appeal Case, hence this case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh  
21.02.2019

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

**Copy to Intimation & Necessary Action:-**

Sh. Amrik Singh,  
ADO  
O/o Punjab Pollution Control Board,  
Patiala.

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**APPEAL CASE NO. 3264 OF 2018**

Sh. Deepak Waraich, Advocate,  
Chamber No. 820, District Court Complex,  
District Courts, Ludhiana.

...Appellant

Versus

**Public Information Officer,**  
O/o Principal Secretary,  
Govt. of Science Technology and Environment,  
Punjab, Chandigarh.

**First Appellate Authority**  
O/o Principal Secretary,  
Govt. of Science Technology and Environment,  
Punjab, Chandigarh.

**Public Information Officer,**  
O/o Municipal Corporation,  
Ludhiana.

...Respondents

**PRESENT:** None is present on behalf of the Appellant.  
Sh. Jatinder Kumar, Superintendent –cum- PIO O/o Science Technology  
& Environment Department, Er. Amandeep Singh, RO-III O/o PPCB &  
None is present on behalf of the O/o M.C., Ludhiana.

**ORDER:**

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

2. The Representative of the appellant has sent an Email in the Commission mentioning therein that he is unable to attend today's hearing in the Commission and requests for an adjournment.

3. Sh. Jatinder Kumar, Superintendent –cum- PIO O/o Science Technology & Vatavaran Department appears in person and states that the information sought by the appellant is related with the Member Secretary, Punjab Pollution Control Board, Patiala and same has been transferred to him vide letter no. ਸੀਐੱ ਨੰ -11/07/2018-ਸਤਵ-4/12150/1, ਮਿਤੀ: 19-04-2018. Copy of the same is taken on record.

4. Er. Amandeep Singh, RO-III O/o PPCB appears and states that available information has already been supplied to the appellant. He further requests that some more time be given to him to file an Affidavit.



**PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, NEAR ROSE GARDEN,  
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**APPEAL CASE No. 3264 of 2018**

5. After examining the case file, it is revealed that the appellant sought information from the Principal Secretary, Govt. of Punjab vide RTI application dated: 05.04.2018 and the same is transferred to the Principal Secretary, Science Technology & Environment Department & Principal Secretary, Local Government, Punjab vide letter no. -ਪਿੱਐ.ਨੰ: 7/193/2018-ਜੀ.ਸੀ.(4)/5035, ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ: 13-04-2018.

6. In view of the above, the Respondent – PIOs (O/o Principal Secretary, Science Technology & Environment Department; O/o Principal Secretary, Local Government, Punjab; O/o Member Secretary, Punjab Pollution Control Board, Patiala; Er. Paramjit Singh, PIO –cum- Environmental Engineer, Punjab Pollution Control Board, Regional Office-III, Ludhiana & O/o Municipal Corporation, Ludhiana are directed to appear personally and file their written reply pertaining to the RTI application of the appellant and supply the available information to the appellant, if there is no other information then file an affidavit duly attested, failing which action would be initiated against them as per provision of the RTI Act, 2005.

7. The case is adjourned for **09.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh  
21.02.2019**

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

**Copy to Intimation & Necessary Action: -**

**The Public Information Officer,**  
O/o Principal Secretary,  
Local Government, Punjab,  
Chandigarh.

**The Public Information Officer,**  
O/o Member Secretary,  
Punjab Pollution Control Board,  
Patiala.

**Er. Paramjit Singh,**  
PIO –cum- Environmental Engineer,  
Punjab Pollution Control Board,  
Regional Office-III, Ludhiana.

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**APPEAL CASE NO. 3292 OF 2018**

Sh. Anil Kumar Singh,  
Village & Post Office Rahon,  
Tehsil & Distt: Nawanshahar.

...Appellant

Versus

**Public Information Officer,**  
O/o Municipal Council,  
Rahon, Distt: SBS Nagar.

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

...Respondents

**PRESENT:** Sh. Anil Kumar Singh, Appellant.  
Sh. G. B. Sharma, Executive Officer –cum- PIO O/o Municipal Council,  
Rahon, (S.B.S. Nagar).

**ORDER:**

This order may be read with reference to the previous order dated:  
09.01.2019.

2. The appellant appears and states that incomplete information has been provided to him by the Respondent – PIO.

3. Sh. G. B. Sharma, Executive Officer –cum- PIO O/o Municipal Council, Rahon (S.B.S. Nagar) appears and states that as per orders of the Commission, the appellant was again asked to visit the office of the Respondent on 29.01.2019 but he has not turned up and has also not deposited the inspection fee till today.

4. The appellant further states that he has sent the money order in the name of Respondent PIO.

5. In view of the above, it is ascertained that the appellant sought the voluminous information and did not deposit the inspection fee after the directions of the Commission time and again. The Appeal Case is **closed and disposed off** with the directions to the Respondent – PIO that after receiving the money order, sent by the appellant, provides the requisite information to the appellant, under intimation to the Commission. Copies of the order be sent to the parties.

Chandigarh  
21.02.2019

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

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**APPEAL CASE NO. 3551 OF 2018**

Sh. Joginder Singh,  
S/o Late Sh. Sukhvir Singh,  
R/o H. No. 553/1, Sector: 38/A,  
Chandigarh.

...Appellant

Versus

**Public Information Officer,**  
O/o Health and Family Welfare,  
Health Deptt, Govt., of Punjab,  
Mini Sectt., Sector: 09, Chandigarh.

**First Appellate Authority**  
O/o Health and Family Welfare,  
Health Deptt, Govt., of Punjab,  
Mini Sectt., Sector: 09, Chandigarh.

...Respondents

**PRESENT:** Sh. Joginder Singh, Appellant.  
Sh. Narinder Mohan, Superintendent –cum- PIO & Sh. Shavi Garg, Clerk  
O/o Director, Health & Family Welfare, Punjab (PMH Branch).

**ORDER:**

This order may be read with reference to the previous order dated:

08.01.2019.

2. The appellant appears and states that no information has been provided to him by the Respondent – PIO till date.

3. Sh. Narinder Mohan, Superintendent –cum- PIO O/o Director, Health & Family Welfare, Punjab (PMH Branch) appears in person and states that the information sought by the appellant is covered under Clinical Establishment Act and this Act is not exist in the Punjab and under consideration of Government of Punjab due to this reason, the information cannot be provided to the appellant. The same reply has been sent to the appellant vide letter no. Medical-(9)-P-2019/149, Dated, Chandigarh: 04.01.2019. Copy of the same is taken on record.

4. 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 appellant within stipulated period. He has been made to run from pillar to post for getting 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.

Cont...P-2

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**APPEAL CASE No. 3551 OF 2018**

5. 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 O/o PIO O/o Health and Family Welfare Department, Govt. of Punjab (PMH Branch), Chandigarh, is thus, responsible for the inadequate handling of the RTI request and in the instant case as well.

6. I, therefore, order that compensation of Rs. 2000/- (Rupees Two Thousand Only) be paid to the appellant for the detriments suffered by him.

7. This amount shall be payable from the funds of O/o PIO O/o Health and Family Welfare Department, Govt. of Punjab (PMH Branch), Chandigarh, by way of crossed Cheque/Demand Draft in the name of Sh. Joginder Singh within one month.

8. The Respondent - PIO O/o PIO O/o Health and Family Welfare Department, Govt. of Punjab (PMH Branch), Chandigarh is also directed to send a copy of Cheque/Demand Draft to the Commission to establish the fact that order of the Commission has been complied with.

9. The case is adjourned for **03.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh  
21.02.2019**

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

**Copy to Intimation & Necessary Action: -**

**Sh. Narinder Mohan,**  
Superintendent –cum- PIO  
O/o Director,  
Health & Family Welfare, Punjab (PMH Branch),  
Parivar Kalyan Bhawan, Sector-34-A, Chandigarh.

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**APPEAL CASE NO. 3634 OF 2018**

Sh. Sukhdev Singh,  
S/ Sh. Inder Singh,  
VPO: Kot Daram Chand Kalan,  
Tehsil & Distt: Tarn Taran.

...Appellant

Versus

**Public Information Officer,**  
O/o Senior Medical Officer,  
Tarn Taran.

**First Appellate Authority**  
O/o Civil Surgeon,  
Tarn Taran.

... Respondents

**PRESENT:** None for the Parties.

**ORDER:**

This order may be read with reference to the previous order dated:  
09.01.2019.

2. Both the parties are absent from today's hearing in the Commission.
3. One more opportunity is given to both the parties to appear before the Commission and represent their case, failing which decision shall be taken on merits.
4. The case is adjourned for **09.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh**  
**21.02.2019**

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

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**APPEAL CASE NO. 3650 OF 2018**

Sh. Gagandeep Singh Janjua,  
Village: Tura, P.O: Kumbh,  
Tehsil: Amluh, District Fatehgarh Sahib.

...Appellant

Versus

**Public Information Officer,**  
O/o Tehsildar,  
Banga, District SBS Nagar.

**First Appellate Authority**  
O/o Sub Divisional Magistrate,  
Banga, District SBS Nagar.

**Public Information Officer,**  
O/o Tehsildar,  
Nawanshahar, District SBS Nagar.

**Public Information Officer,**  
O/o Kanungo Circle,  
Banga, District SBS Nagar.

...Respondents

**PRESENT:** Sh. Gagandeep Singh Janjua, Appellant.  
Sh. Jaspal Chand, Patwari O/o Tehsildar, Banga.

**ORDER:**

This order may be read with reference to the previous order dated:  
09.01.2019.

2. The appellant appears and states that he has received the incomplete information from the Respondent – PIO.

3. Sh. Jaspal Chand, Patwari appears on behalf of the O/o Tehsildar, Banga with the information and same is handed over to the appellant. He further requests that within 2-3 days, he will provide the remaining information}”|n to the appellant.

4. After hearing both the parties and assurance given by the Respondent, that he will provide the remaining information to the appellant within week under intimation to the Commission in case of default, the appellant is liberty to re-open the case. Therefore, no further cause of action is left in this case and the Appeal Case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh  
21.02.2019

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

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**APPEAL CASE NO. 3728 OF 2017**

Sh. Anil Kumar Garg,  
H.No.2582, Block-C,  
Ranjit Avenue, Amritsar.

...Appellant

Versus

**Public Information Officer,**  
O/o Director Public Instructions (Colleges),  
Punjab,  
7<sup>th</sup> Floor, Punjab School Education Board Complex,  
Phase-8, S.A.S. Nagar (Mohali).

**First Appellate Authority**  
O/o Director Public Instructions (Colleges),  
Punjab,  
7<sup>th</sup> Floor, Punjab School Education Board Complex,  
Phase-8, S.A.S. Nagar (Mohali).

...Respondents

**PRESENT:** None for the parties.

**ORDER:**

This order may be read with reference to the previous order dated:

09.01.2019.

2. A letter has been received from the appellant in the Commission by email mentioning therein that he will not be able to attend today's hearing and sought an adjournment.

3. Neither the PIO nor his representative is present for today's hearing and he was also absent on last hearings dated: 13.02.2018, 26.09.2018, 21.11.2018 and 09.01.2019. The PIO has not bothered to inform the Commission about his absence, which shows that he has no regard to the orders of the Commission.

4. 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 appellant within stipulated period. He has been made to run from pillar to post for getting 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.

5. 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.

Cont...P-2

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**APPEAL CASE No. 3728 OF 2017**

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 O/o Director Public Instructions (Colleges), Punjab, S.A.S. Nagar (Mohali), is thus, responsible for the inadequate handling of the RTI request and in the instant case as well.

6. I, therefore, order that compensation of Rs. 4000/- (Rupees Four Thousand Only) be paid to the appellant for the detriments suffered by him.

7. This amount shall be payable from the funds of PIO O/o Director Public Instructions (Colleges), Punjab, S.A.S. Nagar (Mohali) by way of crossed Cheque/Demand Draft in the name of Sh. Anil Kumar Garg within one month.

8. The Respondent - PIO O/o Director Public Instructions (Colleges), Punjab, S.A.S. Nagar (Mohali) is also directed to send a copy of Cheque/Demand Draft to the Commission to establish the fact that order of the Commission has been complied with.

9. One more opportunity is given to the Respondent – PIO to appear personally and file a reply in response to the Show Cause Notice issued to him vide order dated: 21.11.2018, on the next date of hearing, failing which penalty provision will be initiated against him as per provisions of the RTI Act, 2005.

10. One more opportunity is given to the appellant to follow up his case in the Commission, failing which decision shall be taken on merits.

11. The case is adjourned for **09.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

**Chandigarh  
21.02.2019**

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

**Copy to Intimation and Necessary Action:-**

**The Secretary,**  
Education Department, Punjab,  
Chandigarh.

**Sh. Harvinder Singh Bhalla,**  
Deputy Director –cum – PIO  
Director Public Instructions (Colleges), Punjab,  
S.A.S. Nagar (Mohali).



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**APPEAL CASE NO. 3907 OF 2018**

Sh. Yashpal Wadhwa,  
President Haryana All India Anti  
Injustice Council, Post Box No.23,  
Yamuna Nagar.

...Appellant

Versus

**Public Information Officer,**  
O/o Chief Medical Officer,  
Civil Hospital, Kapurthala.

**First Appellate Authority**  
O/o Chief Medical Officer,  
Civil Hospital, Kapurthala.

...Respondents

**PRESENT:** Sh. Yashpal Wadhwa, Appellant.  
Dr. Rita Bala, S.M.O. I/C Civil Hospital, Kapurthala & Smt. Jasbir Kaur,  
Clerk is present on behalf of the Respondents.

**ORDER:**

This order may be read with reference to the previous order dated:  
15.01.2019.

2. The appellant appears and states that incomplete and irrelevant information has been provided to him by the Respondent – PIO.

3. Dr. Rita Bala, S.M.O. I/C Civil Hospital, Kapurthala appears on behalf of the Respondent – PIO and states that the RTI application of the appellant has been transferred from the O/o C.M.O. Civil Hospital, Kapurthala to the different SMOs but the actual position of the case is that the information sought by the appellant is related with the CMOs not with the SMOs.

4. After examining the case file, it is observed that the information sought by the appellant is available with the O/o Director, Health & Family Welfare Department Punjab and the PIO O/o C.M.O. Kapurthala.

5. In view of the above, the PIO (O/o Director, Health & Family Welfare Department Punjab & Dr. Balwant Singh, Civil Surgeon O/o C.M.O., Civil Hospital, Kapurthala) are directed to appear personally and file their written reply in response to the Orders of the Commission, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated against them.

Cont...P-2

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**APPEAL CASE NO. 3907 OF 2018**

6. Dr. Rita Bala, S.M.O. I/C Civil Hospital, Kapurthala is exempted from the further proceedings of the case.

7. The case is adjourned for **09.04.2019 at 11:00 AM**. Copies of the order be sent to the parties.

Chandigarh  
21.02.2019

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

**Copy to Intimation & Necessary Action: -**

- (i) **Dr. Rita Bala**  
Senior Medical Officer Incharge  
O/o S.M.O.,  
Civil Hospital, Kapurthala.
- (ii) **Dr. Balwant Singh,**  
Civil Surgeon –cum- PIO  
O/o Chief Medical Officer,  
Civil Hospital, Kapurthala.
- (iii) **First Appellate Authority**  
O/o Chief Medical Officer,  
Civil Hospital, Kapurthala.
- (iv) **Public Information Officer,**  
O/o Director,  
Health & Family Welfare Department,  
Punjab, Chandigarh.