



Sh Jasbir Singh,
Guru Nanak Nagar,
Village Bolapur Jhabewal, P.O Ramgarh ,
Distt Ludhiana.

... Complainant

Versus

Public Information Officer,
O/o Civil Surgeon,
Fatehgarh Sahib.

...Respondent

Complaint Case No. 1075 of 2021

PRESENT: None for the Appellant
Sh.Satwinder Singh-Food Safety Officer for the Respondent

ORDER:

The complainant through an RTI application dated 29.06.2021 has sought information regarding samples collected for wine/alcohol from the year 2015 – a copy of the entry of samples in register – a copy of receipts provided to the contactors for getting samples as enumerated in the RTI application from the office of Civil Surgeon, Mohali. The complainant was not provided with the information after the complainant filed a complaint in the Commission on 19.08.2021.

The case has come up for hearing today through video conferencing at DAC Ludhiana. As per the respondent, the information has been provided to the complainant.

The complainant is absent and vide email has informed that he has received the information and does not want to pursue the case further.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed.**

Chandigarh
Dated: 21.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
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Sh Kharaiti Lal,
H No-B-XXI-12066,
Street NO-26, Ram Nagar,
Main Market, Near Sangeet Cinema,
Ludhiana.

... Complainant

Versus

Public Information Officer,
O/o SSP,
Ferozepur

...Respondent

Complaint Case No. 1031 of 2021

PRESENT: Sh.Kharati Lal as the Complainant
None for the Respondent

ORDER:

The complainant through an RTI application dated 03.03.2021 has sought information regarding action taken on the application dated 19.07.2019 filed in Press-1 branch of Civil Secretariat as enumerated in the RTI application from the office of SSP Ferozepur. The complainant was not provided with the information after the complainant filed a complaint in the Commission on 06.08.2021.

The case has come up for hearing today through video conferencing at DAC Ludhiana. As per the complainant, the information has not been provided by the PIO.

The respondent is absent nor is represented. The Commission has received a letter of the PIO dated 12.02.2022 vide which it has been informed that since the information sought in the RTI application was in question form, the information cannot be provided and the reply has been sent to the complainant vide letter dated 19.03.2021. The PIO has further mentioned in the letter that the enquiry report of the enquiry conducted on the complaint had already been provided to the complainant vide letter dated 18.02.2021.

Having gone through the record, the Commission observes that 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 with reasons speaking order.

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.

Complaint Case No. 1031 of 2021

In view of the observations noted above, the instant case is remanded back to the concerned First Appellate Authority with a copy of the RTI application for their ready reference and is also directed to call the complainant within 15 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: 21.02.2022

Sd/-
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State Information Commissioner

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Sh Sukhdev Singh, S/o Sh Pritam Singh,
R/o Basti Malsia Wali, Ward NO-2,
Tehsil Zira, Distt Ferozepur.

... Appellant

Versus

Public Information Officer,
O/o SSP,
Ferozepur.

First Appellate Authority,
O/o SSP,
Ferozepur.

...Respondent

Appeal Case No. 3584 of 2021

PRESENT: Sh.Manmohan Upneja-advocate for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 12.03.2021 has sought information regarding copies of office order/correspondence/letters in respect of action taken on request letter dated 28.01.2019 for compliance of order dated 24.01.2019 passed by High Court in CRM-M-3284 of 2019 – copies of office order/letter in respect of action taken on contempt notice in pursuance to the request letter dated 28.01.2019 as enumerated in the RTI application from the office of SSP Ferozepur. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 27.04.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ferozepur. The respondent is absent. The Commission has received a letter dated 20.01.2022 of the PIO stating that the information has been supplied to the appellant.

The advocate representing the appellant has informed that the appellant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed of and closed.**

Chandigarh
Dated: 21.02.2022

Sd/-
(Khushwant Singh)
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Sh Jagjit Singh,
R/o Aman Nagar, Street NO-3,
B/s Green Land School,
Near Jalandhar By-Pass, Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Director,
Food Civil Supplies & Consumer Affairs,
Anaj Bhawan, Sector-39-C, Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Food Civil Supplies & Consumer Affairs,
Anaj Bhawan, Sector-39-C, Chandigarh.

...Respondent

Appeal Case No. 3642 of 2021

PRESENT: None for the Appellant
Mrs.Surjit Kaur, Xen-Ms.Sweety Devgan, Dy.Director- Sh.Rajnish Kumar, Dy Director &
Sh.Jatin,Sr.Auditor for the Respondent

ORDER:

The appellant through an RTI application dated 03.05.2021 has sought information on 06 points regarding the number of complaints against all employees in categories A,B & C for the years 2016-2017 to 2020-2021 relating to negligence of duty and allegation of corruption by anyone – charge sheets issued if any – complete files of the employees – property return reports of employees and other information as enumerated in the RTI application from the office of Director, Food Civil Supplies and Consumer Affairs, Punjab. The appellant was not satisfied with the information provided by the PIO vide letter dated 01.06.2021 & 22.06.2021 after which the appellant filed the first appeal before the first appellate authority on 16.06.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana/Chandigarh. The respondents present informed that since the information that has been sought in the RTI application is 3rd party information, it cannot be provided under section 8(1)(j) of the RTI Act. and the reply has already been sent to the appellant vide letter dated 01.06.2021 & 22.06.2021. The respondent has further stated that if the appellant wants any specific information of any particular employee, the appellant may specify and get the information.

The appellant is absent nor is represented.

I have gone through the RTI application and find that the information sought in the RTI application is vague, hence I uphold the view of the PIO. If the appellant is still interested in seeking specific information, the appellant is directed to respond to the letter of the PIO and get the information by filing a fresh RTI application.

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

Chandigarh
Dated: 21.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 3594 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 17.05.2021 has sought information regarding posting detail alongwith name & mobile number of 12 number drug control officers appointed in 2020 – details of inspections reports by the said drug control officers in drug manufacturing units – a copy of the advertisement of the Govt for recruitment of drug control officers as enumerated in the RTI application from the office of Commissioner, Food and Drug Administration, Kharar. The appellant was not provided the information after which the appellant filed the first appeal before the first appellate authority on 28.06.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana/Chandigarh. The appellant is absent and vide email has informed that the PIO has not supplied the information.

The respondent is absent. The Commission has received a copy of the letter on 24.01.2022, vide which the PIO has informed that the information has been supplied to the appellant vide letter dated 19.01.2022 with a copy to the Commission.

A copy of the information received from the PIO is being sent to the appellant alongwith the order. The appellant is directed to point out the discrepancies if any 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: 21.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 3593 of 2021

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

ORDER:

The appellant through an RTI application dated 30.05.2021 has sought information on 02 points regarding the list of raids conducted by the concerned medical officers as per letter dated 01.10.2013 on the doctors practising without a proper degree in the area alongwith the copy of the order for conducting raids - and other information as enumerated in the RTI application from the office of Civil Surgeon, Ludhiana. The appellant was not provided the information after which the appellant filed the first appeal before the first appellate authority on 30.06.2021 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 informed that the PIO has not supplied the information.

The respondent present from the office of Civil Surgeon Ludhiana informed that since the information relates to different dispensaries/PHC/CHC, the RTI application was transferred to all concerned SMOs to provide information to the appellant directly concerning them.

The respondent further informed that the information from the office of SMO-CHC Machhiwara, zone-4 area falling under Civil Hospital Ludhiana and SMO-CHC Kumkalan has also been sent to the appellant with a copy to the Commission.

Having gone through the RTI application and the copy of reply/information received from the respondent, I find that the RTI has been sufficiently replied and no further interference of the Commission is required. A copy of the information/reply received from the respondent is being sent to the appellant alongwith the order.

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

Chandigarh
Dated: 21.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Kulwinder Singh S/o Sh. Ujjagar Singh, (6239336034)
R/o Village & Post Office Nadampur,
Tehsil Bhawanigarh, District Sangrur.

...Appellant

Versus

Public Information Officer,
O/o DPI (Colleges), Punjab,
S.A.S Nagar (Mohali).

First Appellate Authority
O/o Principal Secretary,
Higher Education Department, Punjab,
Civil Sectt.-II, Sector-9, Chandigarh.

...Respondents

APPEAL CASE NO. 4617 OF 2021

PRESENT: **None for the Appellant**
Sh.Harpreet Singh, Sr.Assistant O/o DPI (Colleges) and Mrs. Meenu-Principal/Kirti College Nial
Patra for the Respondent

ORDER:

The appellant through RTI application dated 18.07.2018 has sought information regarding a copy of the order of termination to the appellant in the year 2010 alongwith name of officer and department – copy of appointment letter issued to Santosh Kumari lecturer political science Govt Kirti College Nial-Patran Patiala – correspondence done with the appellant from July 2009 to Feb.2011 by Principal Govt Kirti College, DPI and Principal Secretary and other information as enumerated in the RTI Application from the office of DPI(Colleges) Punjab, Mohali. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 18.01.2019 which took no decision on the appeal.

The case was first heard by Sh.Hem Inder Singh, State Information Commissioner on 09.12.2021. The appellant claimed that the PIO has not supplied the information.

The respondent was absent. The PIO was directed to submit his written submission in reply to the notice of the Commission and appear before the Commission on the next date of hearing.

The case has come up for hearing before this bench **today**. The respondent has brought the information relating to points 1 to 3 and submitted it to the Commission. The respondent further informed that the enquiry report relating to point-4 has already been provided to the appellant.

The appellant is absent nor is represented.

Having gone through the RTI application and the copy of the information submitted by the respondent, I find that the RTI application has been sufficiently replied to and the information has been provided to the best possible extent. The information submitted by the respondent is being sent to the appellant alongwith the order.

No further course of action is required. The case is **disposed of and closed**.

Chandigarh
Dated: 21.02.2022

Sd/-
(Khushwant Singh)
State Information Commissioner