

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

Tel No. 0172-2864116, Fax No. 0172-2864125

Visit us @ www.infocommpunjab.com; Email: psic26@punjabmail.gov.in;

COMPLAINT CASE NO. 93 OF 2018

Sh. Gurdeep Singh,
S/o Sh. Satnam Singh,
R/o Village Teja Rurela,
Tehsil & Distt: Fazilka.

...Complainant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Fazilka.

...Respondent

PRESENT: None is present on behalf of the complainant.
Ms. Paramjit Kaur Sandhu, PIO –cum- D.R.O. O/o D.C. Fazilka,
Sh. Pardeep Kumar, Panchayat Secy. O/o B.D.P.O. Fazilka,
Sh. Dharam Dass, V.D.O for the Respondents.

ORDER:

This order may be read with reference to the previous order dated:
03.10.2018.

The complainant is absent for today's hearing in the Commission.

Ms. Paramjit Kaur Sandhu, PIO –cum- D.R.O. O/o D.C. Fazilka
appears and states that the information sought by the complainant vide RTI
application dated: 20.08.2016, which was received on 24.08.2016 and the same
was transferred to the A.D.C. (D), Fazilka vide letter no. 1148/R.T.I., dated:
26.08.2016 because information sought was related with the Rural development.

Sh. Pardeep Kumar, Panchayat Secretary appears O/o B.D.P.O.
Fazilka and states that the information has already been supplied to the
complainant and Affidavit has also been filed by the B.D.P.O., Fazilka in this
regard.

In these circumstances, it is relevant to invite the attention of the
Complainant to the judgement of the Hon'ble Supreme Court of India rendered
on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C)
No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State
of Manipur and another, in Para 31 whereof, it has been held that while
entertaining a complaint case under Section 18 of the RTI Act, 2005. The
Commissioners have no jurisdiction to pass an order providing for an access to
the information.

Cont... P2

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COMPLAINT CASE No. 93 of 2018

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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.

In the complaint cases, it is to be seen whether the intention of the respondent-PIO is clear or not. In this case the complainant has filed his RTI on 20.08.2016, the first reply was sent to the complainant vide letter dated 26.08.2016. However, Respondent-PIO is warned to be careful, in future while dealing with the RTI application.

In view of the observations noted above, instant complaint case is hereby **closed and disposed off**.

Copies of the order be sent to the parties.

**Chandigarh
22.11.2018**

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

Through registered post

CC:

- i) The PIO O/o Additional Deputy Commissioner (D), Fazilka.**
- ii) Tehsildar, Fazilka.**
- iii) Block Development and Panchayat Officer, Fazilka.**
- iv) Village Development Officer
O/o Block Development and Panchayat Officer, Fazilka**

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COMPLAINT CASE NO. 154 OF 2018

Sh. Vinay Sophat,
#136/1, Block 12,
Shahpur Road,
Ludhiana.

...Complainant

Versus

Public Information Officer,
O/o DPI (Colleges),
Punjab, 7th Floor, Punjab School Education Board,
Complex, Phase-8, SAS Nagar, Mohali.

...Respondent

PRESENT: None is present on behalf of the complainant.
Sh. Jai Singh Rana, Sr. Assistant is present on behalf of the PIO.

ORDER: This order may be read with reference to the previous order dated
04.10.2018.

The Complainant has sent an email in the Commission mentioning therein that he has received the requisite information from the Respondent – PIO and is not wish to pursue his case further.

Sh. Jai Singh Rana, Sr. Assistant appears on behalf of the Respondent – PIO and files a reply in response to the Show Cause Notice and Penalty imposed upon the PIO.

In view of the above, the Respondent – PIO (Sh. Harvinder Singh Bhalla, Deputy Director –cum- PIO, O/o Director Public Instructions (Colleges), Punjab, S.A.S. Nagar (Mohali) is directed to appear in person and file his written reply in response to the order dated: 04.10.2018.

The case is adjourned to **16.01.2019 at 11.00 AM.**

Copies of the order be sent to the parties.

Chandigarh
22.11.2018

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

Through Regd. Post
Copy to Intimation and Necessary Action:-

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

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 399 OF 2018

Sh. Gurcharan Singh,
S/o Sh. Surjit Singh,
Village: Gosian, P.O: Sihon Majra,
Tehsil & Distt: Ropar.

...Complainant

Versus

Public Information Officer,
O/o Deputy Registrar,
Cooperative Societies,
Roopnagar.

Public Information Officer,
O/o Secretary,
The Dulchi Majra Multipurpose Cooperative Service Society Ltd.,
Dulchi Majra, Tehsil & Distt: Roopnagar.

...Respondents

PRESENT: None is present on behalf of the Complainant.
Ms. Rajbir Kaur, Assistant Registrar, Cooperative Society, Roopnagar.

ORDER:

This order may be read with reference to the previous order dated
03.10.2018.

The Complainant has sent a letter in the Commission vide diary no.
23333, dated: 20.11.2018 mentioning therein that he has some urgent work and
sought an adjournment.

Ms. Rajbir Kaur, Assistant Registrar O/o Cooperative Society,
Roopnagar appears on behalf of the Respondent – PIO and files a reply
mentioning therein that the demanded information is not available in the official
record. Copy of the same is taken on record.

In these circumstances, it is relevant to invite the attention of the
Complainant to the judgement of the Hon'ble Supreme Court of India rendered
on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C)
No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State
of Manipur and another, in Para 31 whereof, it has been held that while
entertaining a complaint case under Section 18 of the RTI Act, 2005. The
Commissioners have no jurisdiction to pass an order providing for an access to
the information. As such, since the complainant has approached the Commission
under the provision of Section 18 of the RTI Act, 2005, no directions for providing
further information can be given by the Commission.

Cont... P2

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COMPLAINT CASE No. 399 of 2018

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.

In the complaint cases, it is to be seen whether the intention of the respondent-PIO is clear or not. In this case the complainant has filed his RTI on 10.02.2018, the first reply was sent to the complainant vide letter dated 01.03.2018. However, Respondent-PIO is warned to be careful, in future while dealing with the RTI application.

In view of the observations noted above, instant complaint case is **closed and disposed off.**

Copies of the order be sent to the parties.

**Chandigarh
22.11.2018**

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

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COMPLAINT CASE NO. 569 OF 2018

Sh. Pawan Sood,
95, Tagore Nagar-A,
Civil Lines, Ludhiana.

...Complainant

Versus

Public Information Officer,
O/o President,
The Tagore Nagar 'A' Welfare Society,
107, Tagore Nagar 'A',
Civil Lines, Ludhiana-141001.

...Respondent

PRESENT: Sh. Pawan Sood, Complainant.
None is present on behalf of the Respondent - PIO.

ORDER: This order may be read with reference to the previous order dated:
03.10.2018.

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

Neither the PIO nor his representative is present for today's hearing. 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.

Despite repeated directions, the Respondent-PIO is not appearing before the Commission. Hence, **BAILABLE WARRANT** be issued to him through Commissioner of Police, Ludhiana so that he should appear before the Commission to present his case personally.

The case is adjourned for **16.01.2019 at 11:00 AM.**

Copies of the order be sent to the parties.

Chandigarh
22.11.2018

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

Copy to Intimation and Necessary Action:-

Sh. Anil Chopra,
President,
The Tagore Nagar 'A' Welfare Society,
107, Tagore Nagar 'A',
Civil Lines, Ludhiana-141001.

PUNJAB STATE INFORMATION COMMISSION

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BAILABLE WARRANT OF PRODUCTION

BEFORE

PROF. VINEY KAPOOR MEHRA,

STATE INFORMATION COMMISSIONER, PUNJAB

AT CHANDIGARH

In case: Sh. Pawan Sood Vs. Public Information Officer O/o President, The Tagore Nagar 'A' Welfare Society, # 107, Tagore Nagar 'A', Civil Lines, Ludhiana-141001.

COMPLAINT CASE NO. 569 of 2018

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005

Next Date of Hearing: 16.01.2019

To

The Commissioner of Police,
Ludhiana.

Whereas Public Information Officer O/o President, The Tagore Nagar 'A' Welfare Society, # 107, Tagore Nagar 'A', Civil Lines, Ludhiana-141001 has failed to appear before the State Information Commissioner despite the issuance of notice/summon in the above mentioned complaint case. Therefore, you are hereby directed to serve this bailable warrant to Sh. Anil Chopra, President, The Tagore Nagar 'A' Welfare Society, # 107, Tagore Nagar 'A', Civil Lines, Ludhiana-141001 to appear before undersigned at RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR – 16, CHANDIGARH on 16.01.2019 at 11:00 AM.

Chandigarh
22.11.2018

(Prof. Viney Kapoor Mehra)
State Information Commissioner

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COMPLAINT CASE NO. 580 OF 2018

Sh. D.N. Kapoor,
Ex General Secretary,
Adarsh Colony, Cooperative HB Society,
1134, Phase-II, Dugri, Ludhiana.

...Complainant

Versus

Public Information Officer,
O/o Deputy Registrar,
Cooperative Societies,
Ludhiana.

...Respondent

PRESENT: None is present on behalf of the Complainant.
Sh. Manmohan Singh, Superintendent on behalf of the PIO.

ORDER:

This order may be read with reference to the previous order dated:
03.10.2018.

The Complainant has sent a letter in the Commission mentioning therein that due to ill health, he cannot attend today's hearing.

Sh. Manmohan Singh, Superintendent appears on behalf of the Respondent – PIO and files an Affidavit mentioning therein that requisite information has already been supplied to the Complainant vide letter dated: 26.12.2017 and nothing is pending to be supplied to the complainant.

In these circumstances, it is relevant to invite the attention of the Complainant to the judgement of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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SECTOR – 16, CHANDIGARH

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COMPLAINT CASE No. 580 of 2018

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.

In the complaint cases, it is to be seen whether the intention of the Respondent-PIO is clear or not. In this case the complainant has filed his RTI on 15.11.2017, the first reply was sent to the complainant vide letter dated 17.11.2017 and after that requisite information supplied to the Complainant vide letter dated: 26.12.2017 and there is no too much delay. However, Respondent-PIO is warned to be careful, in future while dealing with the RTI application.

In view of the observations noted above, instant complaint case is **closed and disposed off.**

Copies of the order be sent to the parties.

**Chandigarh
22.11.2018**

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

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 582 OF 2018

Sh. D.N. Kapoor,
Ex General Secretary,
Adarsh Colony, Cooperative HB Society,
1134, Phase-II, Dugri, Ludhiana.

...Complainant

Versus

Public Information Officer,
O/o Assistant Registrar,
Cooperative Societies,
Ludhiana (East).

...Respondent

PRESENT: None is present on behalf of the Complainant.
Sh. Manmohan Singh, Superintendent on behalf of the PIO.

ORDER: This order may be read with reference to the previous order dated:
03.10.2018.

The Complainant has sent a letter in the Commission mentioning therein that due to ill health, he cannot attend today's hearing.

Sh. Manmohan Singh, Superintendent appears on behalf of the Respondent – PIO and files a reply in response to the Show Cause Notice issued to the PIO mentioning the reason for the delay, which is taken on record.

After examining the case file, it is ascertained that the Respondent has supplied the requisite information to the complainant after received from the concerned person. The Respondent - PIO has filed the reply 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.

In these circumstances, it is relevant to invite the attention of the Complainant to the judgement of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Cont... P2

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COMPLAINT CASE No. 582 of 2018

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.

In the complaint cases, it is to be seen whether the intention of the Respondent-PIO is clear or not. In this case the complainant has filed his RTI on 09.01.2018, the first reply was sent to the complainant vide letter dated 17.01.2018 and there is no too much delay.

In view of the observations noted above, instant complaint case is **closed and disposed off.**

Copies of the order be sent to the parties.

**Chandigarh
22.11.2018**

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

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 586 OF 2018

Sh. Lokesh Chander Khanna,
534/14, Park Street, Civil Lines,
Ludhiana.

...Complainant

Versus

Public Information Officer,
O/o the Central Cooperative Bank,
Branch Office, Mod3el Town,
Ludhiana.

...Respondent

PRESENT: None is present on behalf of the Complainant.
Adv A.S. Khaira is present on behalf of the Respondent.

ORDER:

This order may be read with reference to the previous order dated:
03.10.2018.

The Complainant is absent for today's hearing in the Commission and he was also absent on the last hearings dated: 23.08.2018 and 04.10.2018.

Adv A.S. Khaira appears on behalf of the Respondent – PIO and states that Ludhiana Central Cooperative Bank does not come within the meaning of term 'Public Authority' as defined under Section 2 (h) of the Right to Information Act, 2005 and he has filed the detailed reply on 23.08.2018 in this regard. He further states that the same has also been conveyed verbally to the Complainant.

In these circumstances, it is relevant to invite the attention of the Complainant to the judgement of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Cont... P2

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COMPLAINT CASE No. 586 of 2018

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.

In view of the observations noted above, instant complaint case is **closed and disposed off.**

Copies of the order be sent to the parties.

**Chandigarh
22.11.2018**

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

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APPEAL CASE NO. 913 OF 2018

Sh. Krishan Lal,
S/o Sh. Goma Ram,
Presently Residing, Ward Servant Civil Hospital,
Abohar, Tehsil: Abohar, Distt: Fazilka.

...Appellant

Versus

Public Information Officer,
O/o Additional Deputy Commissioner,
Ferozepur.

First Appellate Authority
O/o Deputy Commissioner,
Ferozepur.

Public Information Officer,
O/o District Magistrate,
Fazilka.

...Respondents

PRESENT: Sh. Krishan Lal is present on behalf of the appellant.
Ms. Paramjit Kaur Sandhu, D.R.O. –cum- PIO & Sh. Tarsem Lal,
Clerk.

ORDER: This order may be read with reference to the previous order dated
04.10.2018.

The appellant appears and states that he is not satisfied with the information provided by the Respondent – PIO, though he has received the compensation amount of Rs. 2000/- from the Respondent.

Ms. Paramjit Kaur Sandhu, D.R.O. –cum- PIO appears and files written reply in response to the Show Cause Notice issued to her mentioning therein that the information sought by the appellant pertaining to his armed license and the information was related with Armed Branch but they mishandling the RTI due to delay in supplied the proper information. She further states that a show cause notice issued to the erring official who was responsible for the delay by the Deputy Commissioner, Fazilka.

In view of the above, the Deputy Commissioner, Fazilka is directed to initiate the strong disciplinary action against the erring official (4 officials) whose names have been mentioned in the reply filed by the Respondent – PIO and revert back to the Commission what action has been taken by the authorities against them.

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APPEAL CASE No. 913 of 2018

In these circumstances, it is relevant to invite the attention of the Complainant to the judgement of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information. As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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.

In the complaint cases, it is to be seen whether the intention of the respondent-PIO is clear or not. In this case the complainant has filed his RTI on 06.11.2015, the first reply was sent to the complainant vide letter dated 18.11.2015. However, Respondent-PIO is warned to be careful, in future while dealing with the RTI application.

In view of the observations noted above, instant complaint case is hereby **closed and disposed off**.

Copies of the order be sent to the parties.

**Chandigarh
22.11.2018**

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

Through registered post

**Copy to Intimation and Necessary Action:
The Deputy Commissioner,
Fazilka.**

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APPEAL CASE NO. 1082 OF 2018

Sh. Manjit Singh,
S/o Sh. Nigahia ISngh,
Flat No. 16/D, First Floor,
Akanksha Apartment, Parshant Vihar,
Baltana, Zirakpur.

...Appellant

Versus

Public Information Officer,
O/o Director,
Food Civil Supplies and Consumer Affairs,
Punjab, Chandigarh.

First Appellate Authority,
O/o Director,
Food Civil Supplies and Consumer Affairs,
Punjab, Chandigarh.

...Respondents

PRESENT: Sh. Manjit Singh, the appellant.
None is present on behalf of the respondent.

ORDER:

This order may be read with reference to the pervious order dated
03.10.2018

The appellant states that no information has been provided to him
by the Respondent - PIO.

Neither the PIO is present for today's hearing nor has filed any
reply to the show cause notice, which shows that he has no regard to the orders
of the Commission.

During the hearing dated 22.05.2018, a show cause notice was
issued to the PIO O/o Director, Food Civil Supplies and Consumer Affairs,
Punjab, Chandigarh but at today's hearing, no affidavit has been filed by the PIO.

Despite repeated directions, the Respondent-PIO O/o Director,
Food Civil Supplies and Consumer Affairs, Punjab, Chandigarh is not appearing
before the Commission. Hence, **BAILABLE WARRANT** be issued to him
through Senior Superintendent of Police, Chandigarh so that he should appear
before the Commission to present his case personally.

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 1082 OF 2018

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.

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 Director, Food Civil Supplies and Consumer Affairs, Punjab, Chandigarh, 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. 2000/- (Rupees Two Thousand Only) be paid to the appellant for the detriments suffered by him.

This amount shall be payable from the funds of PIO O/o Director, Food Civil Supplies and Consumer Affairs, Punjab, Chandigarh, by way of crossed Cheque/Demand Draft in the name of Sh. Manjit Singh within one month.

The respondent PIO 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.

The case is adjourned to **16.01.2019 at 11.00 AM.**

Copies of the order be sent to the parties.

**Chandigarh
22.11.2018**

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

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

Tel No. 0172-2864116, Fax No. 0172-2864125

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BAILABLE WARRANT OF PRODUCTION

BEFORE

PROF. VINEY KAPOOR MEHRA,

STATE INFORMATION COMMISSIONER, PUNJAB

AT CHANDIGARH

In case: Sh. Manjit Singh Vs. Public Information Officer O/o Director, Food Civil Supplies and Consumer Affairs, Punjab, Chandigarh.

APPEAL CASE NO. 1082 of 2018

UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005

Next Date of Hearing: 16.01.2019

To

**The Superintendent of Police,
Chandigarh.**

Whereas Public Information Officer O/o Director, Food Civil Supplies and Consumer Affairs, Punjab, Chandigarh has failed to appear before the State Information Commissioner despite the issuance of notice/summon in the above mentioned complaint case. Therefore, you are hereby directed to serve this bailable warrant to the PIO Director, Food Civil Supplies and Consumer Affairs, Punjab, Chandigarh to appear before undersigned at RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR – 16, CHANDIGARH on 16.01.2019 at 11:00 AM.

**Chandigarh
22.11.2018**

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

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APPEAL CASE NO. 1199 OF 2018

Sh. Gurdev Singh,
S/o Sh. Jarnail Singh,
R/o Ward No. 12, Makhu,
Tehsil: Zira, Distt: Ferozepur.

...Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Ferozepur.

First Appellate Authority
O/o Additional Deputy Commissioner (G),
Ferozepur.

...Respondents

PRESENT: Sh. Gurdev Singh, Appellant.
Sh. Nishan Singh, Sadar Kanungo is present on behalf of the PIO.

ORDER:

This order may be read with reference to the previous order dated:
03.10.2018.

The appellant states that till today, no information has been provided to him by the Respondent - PIO.

Sh. Nishan Singh, Sadar Kanungo appears on behalf of the Respondent – PIO and files an Affidavit, which is taken on record.

After examining the case file, it is revealed that the Respondent – PIO neither filed the proper affidavit nor he complied with the order dated: 03.10.2018. The Respondent – PIO (S. Manjit Singh, D.R.O. –cum- PIO O/o Deputy Commissioner, Ferozepur) is directed to appear personally and file proper affidavit in response to the Show Cause Notice issued to him vide order dated: 22.05.2018 alongwith the original record relating to the RTI application of the appellant, on the next date of hearing in the Commission, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

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.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

Tel No. 0172-2864116, Fax No. 0172-2864125

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APPEAL CASE NO. 1199 OF 2018

He has suffered unnecessary detriments/harassment in getting the information at the hands of the PIO.

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 Deputy Commissioner, Ferozpur, 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. 3000/- (Rupees Three Thousand Only) be paid to the appellant for the detriments suffered by him.

This amount shall be payable from the funds of O/o Deputy Commissioner, Ferozpur, by way of crossed Cheque/Demand Draft in the name of Sh. Gurdev Singh within one month.

The respondent PIO 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.

The case is adjourned to **16.01.2019 at 11.00 AM.**

Copies of the order be sent to the parties.

**Chandigarh
22.11.2018**

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

Through Regd. Post:
Copy to Intimation and Necessary Action:-

S. Manjit Singh,
D.R.O. –cum- PIO
O/o Deputy Commissioner,
Ferozpur.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

Tel No. 0172-2864116, Fax No. 0172-2864125

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APPEAL CASE NO. 1200 OF 2018

Sh. Gurdev Singh,
S/o Sh. Jarnail Singh,
R/o Ward No. 12, Makhu,
Tehsil: Zira, Distt: Ferozepur.

...Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Ferozepur.

First Appellate Authority
O/o Additional Deputy Commissioner (G),
Ferozepur.

...Respondents

PRESENT: Sh. Gurdev Singh, Appellant.
Sh. Nishan Singh, Sadar Kanungo is present on behalf of the PIO.

ORDER:

This order may be read with reference to the previous order dated:
03.10.2018.

The appellant states that till today, no information has been provided to him by the Respondent - PIO.

Sh. Nishan Singh, Sadar Kanungo appears on behalf of the Respondent – PIO and files an Affidavit, which is taken on record.

After examining the case file, it is revealed that the Respondent – PIO neither filed the proper affidavit nor he complied with the order dated: 03.10.2018. The Respondent – PIO (S. Manjit Singh, D.R.O. –cum- PIO O/o Deputy Commissioner, Ferozepur) is directed to appear personally and file proper affidavit in response to the Show Cause Notice issued to him vide order dated: 22.05.2018 alongwith the original record relating to the RTI application of the appellant, on the next date of hearing in the Commission, failing which action would be initiated against him under Section 20 of the RTI Act, 2005.

The case is adjourned to **16.01.2019 at 11.00 AM.**

Copies of the order be sent to the parties.

Chandigarh
22.11.2018

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

Through Regd. Post:

Copy to Intimation and Necessary Action:-

S. Manjit Singh,
D.R.O. –cum- PIO
O/o Deputy Commissioner, Ferozepur.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

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COMPLAINT CASE NO. 1398 OF 2017

Sh. Manjit Singh,
S/o Sh. Hari Singh,
Village Upperla Manwal,
P.O: Tehsil & Distt: Pathankot.

...Complainant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Pathankot.

Public Information Officer,
O/o XEN,
PWD, B & R, Pathankot.

Public Information Officer,
O/o XEN,
Punjab Mandi Board,
Pathankot.

...Respondents

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated: 04.10.2018.

Both the parties are absent for today's hearing in the Commission.

During the last hearing dated: 04.10.2018, the Show Cause Notice was issued to both the PIO O/o XEN, PWD, B & R, Pathankot and PIO o/o XEN, Punjab Mandi Board, Pathankot but no reply has been filed by both of them.

Last opportunity is given to the both the PIOs (O/o XEN, PWD, B & R, Pathankot and O/o XEN, Punjab Mandi Board, Pathankot) to file the point-wise reply in the shape of affidavit in response to the show cause notice issued to them vide order dated: 04.10.2018, if there are other persons responsible for the delay in providing the information, the PIOs are directed to inform such persons regarding show cause notice and direct them to appear before the Commission along with the written replies, on the next date of hearing, failing which penalty provision will be initiated against the concerned PIOs as per RTI Act, 2005.

The case is adjourned to **16.01.2019 at 11.00 AM.**

Copies of the order be sent to the parties.

Chandigarh
22.11.2018

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

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

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APPELLANT CASE NO. 1835 OF 2018

Sh. Parveen Kohli,
S/o Sh. Sawdesh Kohli,
451/2, College Road,
Jagraon, Distt: Ludhiana.

...Appellant

Vs.

Public Information Officer
O/o District Food & Supply Officer,
Jagraon, Distt:Ludhiana.

First Appellate Authority
P/o District Controller,
Food Civil Supplies & Consumer Affairs,
Ludhiana.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Gurinder Singh, D.F.S.O. is present on behalf of the PIO.

ORDER: This order may be read with reference to the previous order dated
04.10.2018.

The appellant has sent an E-mail in the Commission mentioning therein that he is unable to attend today's hearing in the Commission due to some personal reasons.

Sh. Gurinder Singh, D.F.S.O. appears on behalf of the Respondent with the remaining information for the perusal of the Commission and for the appellant but he is absent.

In view of the above, the Respondent – PIO is directed to bring this information again, on the next date of hearing.

One more opportunity is given to the appellant to follow up his case in the Commission, failing which it shall be presumed that he is satisfied with the response of the respondent.

The case is adjourned for **16.01.2019 at 11:00 AM.**

Copies of the order be sent to the parties.

Chandigarh
22.11.2018

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