

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Bhawan, Near Rose Garden, Madhya Marg,  
Sector: 16, Chandigarh.

Tel. No.0172-2864100-01, Fax No.0172-2864110

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Smt. Gurvinder Kaur  
w/o Shri Gurpreet Singh,  
R/O 10569, Haqikat Nagar,  
Haibowal Kalan, Ludhiana.

-----Complainant

Vs

Public Information Officer,  
o/o Station House Officer,  
Police Station, Haibowal, Ludhiana.

-----Respondent

## Complaint Case No. 749 of 2018

Present:- Shri Tejinder Singh, on behalf of the complainant .  
Shri Davinder Singh, Head Constable, on behalf of the respondent.

### ORDER

In this case, Smt. Gurvinder Kaur, Complainant, vide her RTI application dated 27.06.2018, addressed to the PIO, sought Action Taken Report on her complaint dated 26.05.2018 against Shri Rajinder Singh S/o Shri Mohinder Singh, resident of 10569, Haqikat Nagar, Haibowal Kalan, Ludhiana.

2. The case was last heard on 26.11.2018, when the representative of the complainant was directed to hand over a copy of RTI application to the representative of the respondents and the respondent PIO was directed to supply complete information to the complainant before the next date of hearing. The case was adjourned for today.

3. Today, the representative of the respondents informs that inquiry has been completed and Inquiry Report has been prepared. He hands over requisite information to the complainant, who after perusing the same, expresses satisfaction.

4. Accordingly, the case is **disposed of and closed**.

Dated : 23.01.2019

Sd/-  
( S.S. Channy)  
Chief Information Commissioner  
Punjab

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Shri Tejinder Singh  
r/o Village Bholapur,  
P.O. Ramgarh, Chandigarh Road,  
Ludhiana.

-----Appellant

**Vs.**

Public Information Officer  
O/o Sub Registrar, Ludhiana(West),  
Partap Singh Wala, Hambran Road,  
Ludhiana.

First Appellate Authority,  
O/o Sub Divisional Magistrate (West),  
Ludhiana.

-----Respondents

## **Appeal Case No. 3488 of 2017**

Present:- Shri Tejinder Singh, Appellant, in person.  
None on behalf of the respondents.

### **ORDER**

In this case, during hearing on 23.10.2018, the appellant was not present. None was present on behalf of the respondents during second consecutive hearing. Viewing the callous attitude of the PIO seriously, one last opportunity was afforded to him to supply the requisite information to the appellant before the next date of hearing, failing which punitive action under the provisions of RTI Act, 2005 would be initiated against him. The case was adjourned to 26.11.2018.

2. On 26.11.2018, the appellant informed that deficiencies in the provided information had already been sent to the PIO but complete information had not been provided to him as yet. None was present on behalf of the respondents without any

Contd.....p/2

intimation during third consecutive hearing. Viewing the callous and defying attitude of the PIO, seriously, a Show-Cause Notice was issued to Shri Ranjit Singh, Sub-Registrar, Ludhiana(West) for imposition of penalty. An opportunity of personal hearing was also afforded to him on the next date of hearing before imposition of penalty, in the interest of natural justice. Besides, in exercise of the powers conferred by Section 19(8)(b) of the RTI Act, 2005, a compensation of Rs. 2000/-(Rupees two thousand only) was awarded to Shri Tejinder Singh, Appellant, for the loss and detriment suffered by him, to be paid to him through a Bank Draft, before the next date of hearing. The case was adjourned for today.

3. Today, the appellant informs that the deficiencies in the provided information have already been furnished to the PIO but complete information has not been provided to him as yet. He further informs that compensation amount of Rs. 2000/- has also not been paid to him.

4. None is present on behalf of the respondents during fourth consecutive hearing without any intimation. It is noted with concern that despite issuance of a Show-Cause Notice to Shri Ranjit Singh, Sub-Registrar, Ludhiana(West) for imposition of penalty, he is not present today. Viewing his callous and defying attitude seriously, in exercise of powers vested with the Commission under Section 18(3)(a) of the RTI Act, 2005, read with relevant provisions of Civil Procedure Code, a **Bailable Warrant** is issued to ensure his presence on the next date of hearing to submit compliance report

in respect of the orders of the Commission. Besides, the compensation amount of Rs. 2000/- is enhanced to Rs. 3000/-(Rupees three thousand only) to be paid to Shri Tejinder Singh, Appellant through a Bank Draft, before the next date of hearing.

5. A copy of the order is forwarded to Shri R.N. Dhoke, IPS, Commissioner of Police, Ludhiana, for execution of the Bailable Warrant.

6. To come up on **11.03.2019 at 11.30 A.M. for further proceedings.**

**Dated : 23.01.2019**

**Sd/-  
( S.S. Channy)  
Chief Information Commissioner  
Punjab**

**CC: Shri R. N. Dhoke, IPS,  
Commissioner of Police,  
Ludhiana.**

**REGISTERED**

**Shri Ranjit Singh,  
Sub Registrar, Ludhiana(West),  
Partap Singh Wala,  
Hambran Road, Ludhiana.**

**REGISTERED**

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Shri Sushil Kumar  
s/o Shri Nand Lal,  
Plot No.13, Bus Stand Road,  
Malerkotla-148023.

-----Appellant

**Vs.**

The Public Information Officer  
o/o Deputy Director Local Government,  
Patiala.

First Appellate Authority,  
Regional Deputy,  
Local Government, Patiala.

-----Respondents

## **Appeal Case No. 846/2018**

Present: None for the appellant.

Shri Ajay Kumar, Superintendent, on behalf of the respondents.

### **ORDER**

This case was earlier heard by Dr. Pawan Kumar Singla, SIC on 29.05.2018, 02.07.2018, 20.08.2018, 24.09.2018 and 31.10.2018. During hearing of this case, a letter dated 09.10.2018 was sent to Hon'ble Chief Information Commissioner, Punjab, by the appellant requesting that his case may be heard by a Larger Bench. Accordingly, a Larger Bench comprising of Dr. S.S.Channy, CIC and Dr. Pawan Kumar Singla, SIC was constituted and a Notice of Hearing was sent to the concerned parties for 19.12.2018, which was further postponed for today due to certain administrative reasons.

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2. Today, the appellant is not present without any intimation. The representative of the respondents submits a letter No. 1-DDLG-19/1832, dated 22.01.2019 from the PIO-cum-Superintendent, office of Deputy Director Local Government, Patiala along with a letter dated 18.12.2018 from the appellant vide which the appellant has informed that he is satisfied with the information provided to him vide letter No. 2-DDLG-2018/22472, dated 26.11.2018. He has further informed that he does not want to pursue his Second Appeal filed with the Commission and has requested to close his Second Appeal case.

3. Accordingly, the instant case is **disposed of and closed**.

**Sd/-  
(Pawan Kumar Singla)  
SIC**

**Sd/-  
( S. S. Channy)  
CIC**

**Dated : 23.01.2019**

CC: PS/SIC(PKS) for the kind information of Hon'ble SIC(PKS)

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S. Jasbir Singh,  
Village Bholapur, Jhabewal,  
P.O. Ramgarh, District Ludhiana.

-----Appellant

**Vs**

Public Information Officer  
o/o Sub Divisional Magistrate, Payal,  
Ludhiana.

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

-----Respondents

## **Appeal Case No. 3896 of 2018**

Present:- Shri Jasbir Singh, Appellant, in person.  
Shri Parmjit Singh, Clerk, office of SDM, Payal, , on behalf of the respondent.

### **ORDER**

In this case, Shri Jasbir Singh, vide his RTI application dated 13.08.2018, addressed to the PIO, sought copy of Cash Register being maintained as per Rule 4(6) of the RTI Act, 2005. On receiving no information, he filed first appeal with the First Appellate Authority vide application dated 15.09.2018 and subsequently approached the Commission in the Second Appeal vide application dated 14..11.2018, which was received in the Commission on 14.11.2018. Accordingly, a Notice of Hearing was issued to the concerned parties for 19.12.2018, which was further postponed for today due to certain administrative reasons.

2. Today, the appellant informs that he has received the requisite information and requests that the case may be closed.

3. Accordingly, the case is **disposed of and closed**.

**Dated : 23.01.2019**

**Sd/-  
( S.S. Channy)  
Chief Information Commissioner  
Punjab**

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S. Jasbir Singh,  
Village Bholapur, Jhabewal,  
P.O. Ramgarh, District Ludhiana.

-----Appellant

**Vs**

Public Information Officer  
o/o Sub Divisional Magistrate,  
Ludhiana(East), Ludhiana.

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

-----Respondents

## **Appeal Case No. 3898 of 2018**

Present:- Shri Jasbir Singh, Appellant, in person.  
Smt. Neelam, Clerk, office of SDM, Payal, , on behalf of the respondents.

### **ORDER**

In this case, Shri Jasbir Singh, vide his RTI application dated 13.08.2018, addressed to the PIO, sought copy of Cash Register being maintained as per Rule 4(6) of the RTI Act, 2005. On receiving no information, he filed first appeal with the First Appellate Authority vide application dated 17.09.2018 and subsequently approached the Commission in the Second Appeal vide application dated 14.11.2018, which was received in the Commission on 14.11.2018. Accordingly, a Notice of Hearing was issued to the concerned parties for 19.12.2018, which was further postponed for today due to certain administrative reasons.

2. Today, the appellant informs that the provided information is incomplete. The representative of the respondents has brought the register being maintained by

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them, a perusal of which reveals that the register is not being maintained properly as per the provisions of the RTI Act, 2005 and this needs to be done immediately. Consequently, after hearing both the parties and discussing the matter, the respondent PIO is directed to furnish a copy of Register being maintained in general for receipt of RTI applications to the appellant as per his request before the next date of hearing and submit compliance report on the next date of hearing.

3. To come up on **18.03.2019 at 11.30 A.M. for confirmation of compliance of orders.**

**Dated : 23.01.2019**

**Sd/-  
( S.S. Channy)  
Chief Information Commissioner  
Punjab**

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Shri Sandeep Khatri,  
126/B6, Gulmohar City,  
Dera Bassi, Mohali.

-----Appellant

**Vs**

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

First Appellate Authority,  
Managing Director,  
Punjab Health system Corporation,  
State Institute of Health & Family Welfare Complex,  
Mohali.

-----Respondents

## **Appeal Cases No. 2249 and 2154 of 2018**

Present: None on behalf of the appellant.

Dr. Meena Hardip Singh, PIO of the office of Punjab Health Systems Corporation, Mohali and Shri Ramesh Singla, Pharmacist, on behalf of the respondents.

### **ORDER**

These cases were earlier clubbed and heard by Prof(Mrs.) Viney Kapoor Mehra, SIC on 05.10.2018, when during hearing, she recommended to constitute a Larger Bench to hear these cases. Accordingly, a Larger Bench comprising of Dr. S.S.Channy, CIC and Prof(Mrs.) Viney Kapoor Mehra, SIC was constituted and a Notice of Hearing was sent to the concerned parties for 19.12.2018, which was further postponed for today due to certain administrative reasons.

Contd.....p/2

2. Today, the appellant informs that the information regarding 3 points has been supplied to him but the information regarding remaining 6 points is still pending. Dr. Meena Hardip Singh, PIO of the office of Punjab Health Systems Corporation, Mohali, submits a letter No. P.H.S.C./RTI/19/28-30, dated 22.01.2019 vide which the factual position of the case has been explained and copies of letter No. RTI/18/107, dated 07.03.2018 from the PIO-cum-Assistant Civil Surgeon, Mohali and letter No. RTI/18/132, dated 12.04.2018 from First Appellate Authority-cum-Civil Surgeon Mohali have been sent. Vide these letters the PIO and the First Appellate Authority of the office of Civil Surgeon Mohali have informed the appellant that they are unable to provide the required information concerning INDUS International Hospital Derabassi which is a private entity and does not fall under the category of Public Authority as defined u/s 2(h) of the RTI Act, 2005.

3. The representative of the office of Civil Surgeon, Mohali submits a letter No. RTI/2019/21, dated 22.01.2019 from PIO-cum-Assistant Civil Surgeon, Mohali vide which it has been informed that The Clinical Establishments(Registration and Regulation)Act, 2010 has since not been implemented in the State of Punjab by the Government of Punjab.

4. Consequently, after hearing the representatives of the respondents and discussing the matter at length, the respondents are directed to ascertain as to whether any land has been given to the said Hospital on concessional rate by the Government

as in the case of MAX Hospital, Mohali and Fortis Hospital Mohali, on the basis of which these Hospitals have been declared as Public Authorities under the RTI Act, 2005. The respondents are directed to make a detailed written submission in this regard on the next date of hearing.

5. It is also pertinent to mention here that as per the Judgement of Supreme Court of India in case titled Thalappalam Service Cooperative Bank Ltd. and others versus State of Kerala and others in Civil Appeal 9017 of 2013 arising out of SLP© No. 24290 of 12, onus lies on the appellant to prove on the basis of documentary evidence that the said Hospital is a Public Authority under the RTI Act, 2005. Therefore, one final opportunity is afforded to him to vindicate his stand by submitting documentary evidence, if any, in this regard, on the next date of hearing to enable the Commission to arrive at a logical conclusion.

6. To come up on **06.03.2019 at 1.00 P.M. for further proceedings.**

**Sd/-  
(Viney Kapoor Mehra)  
SIC**

**Sd/-  
( S. S. Channy)  
CIC**

**Dated : 23.01.2019**

CC:- PS/SIC (VKM) for the kind information of Ld. SIC (VKM)

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Shri Jagjit Singh  
s/o S. Ajit Singh,  
#205, GH 44,  
Sector 20, Panchkula.

-----Appellant

**Vs**

The Public Information Officer  
o/o Secretary to Govt. of Punjab,  
Department of Social Welfare,  
(Reservation Cell), Civil Secretariat-2,  
Sector 9, Chandigarh.

First Appellate Authority,  
Oo/o Secretary to Govt. of Punjab,  
Department of Social Welfare,  
(Reservation Cell), Civil Secretariat-2,  
Sector 9, Chandigarh.

-----Respondents

## **Appeal Case No. 2989/2018**

Present: Shri Jagjit Singh, Appellant, in person.  
Shri Jaspreet Singh Randhawa, Senior Assistant, on behalf of the respondents.

### **ORDER**

This case was earlier heard by Prof(Mrs.) Viney Kapoor Mehra, SIC on 19.12.2017, 07.02.2018, 21.03.2018, 16.05.2018, 21.06.2018, 29.08.2018 and 17.10.2018. On 17.10.2018 during hearing, she recommended to constitute a Larger Bench to hear this case. Accordingly, a Larger Bench comprising of Dr. S.S.Channy, CIC and Prof(Mrs.) Viney Kapoor Mehra, SIC was constituted and a Notice of Hearing was sent to the concerned parties for 19.12.2018, which was further postponed for today due to certain administrative reasons.

2. Today, the appellant informs that the information regarding 3 points has been supplied to him but the information regarding remaining 6 points is still pending. The

Contd.....p/2

representative of the respondents states that an affidavit has already been submitted by the PIO on 23.07.2018 explaining the factual position of the case. He further states that some record has been destroyed as per Government instructions but list of destroyed files is not available in the record. Consequently, after hearing both the parties and discussing the matter, it is directed that a copy of affidavit submitted by the PIO be provided to the appellant. It is also directed that a list of files, destroyed as per Government instructions, be also supplied to the appellant and in case it is not available, then responsibility be fixed for missing of the record and status report be submitted on the next date of hearing.

3. To come up on **06.03.2019 at 1.00 P.M. for further proceedings.**

**Sd/-  
(Viney Kapoor Mehra)  
SIC**

**Sd/-  
( S. S. Channy)  
CIC**

**Dated : 23.01.2019**

CC:- PS/SIC (VKM) for the kind information of Ld. SIC (VKM)

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Shri Rajesh Kumar  
s/o Late Shri Om Parkash  
r/o Near Police Station (Sadar),  
Railway Road, Nabaha -147201.

-----Appellant

**Vs**

Public Information Officer  
O/o Deputy Commissioner, Mini Secretariat,  
Block A, Patiala.

First Appellate Authority,  
O/o Deputy Commissioner, Mini Secretariat,  
Block A, Patiala.

-----Respondents

## **Appeal Case No. 1303 of 2018**

Present: None for the appellant.

Shri Rajinder Kumar, Superintendent; Ms. Pallvi Sharma, Junior Assistant and  
Shri Naresh Kumar, Junior Assistant, on behalf of the respondents.

### **ORDER**

This case was earlier heard by Shri Khushwant Singh, SIC on 20.06.2018, 31.07.2018, 04.09.2018, 16.10.2018 and 18.11.2018. During hearing of this case, a letter dated 20.11.2018 was received in the Commission from the appellant requesting that his case may be transferred to a Larger Bench. Accordingly, a Larger Bench comprising of Dr. S.S.Channy, CIC and Shri Khushwant Singh, SIC was constituted and a Notice of Hearing was sent to the concerned parties for today.

2. Today, the appellant is not present during third consecutive hearing. However, a letter dated 22.01.2019 has been received from him through e-mail informing that he is unable to attend hearing due to some urgent domestic affairs. He has further informed that the information supplied to him is incomplete. He has requested to adjourn the case to some other date.

Contd.....p/2

3. The representatives of the respondents inform that the information on all the three points was earlier supplied to the appellant and discrepancies were furnished by the appellant vide his letter dated 05.01.2019. They further inform that after removing the discrepancies furnished by the appellant, complete information has been sent to the appellant vide letter No. 23, dated 15.01.2019. They submit a copy of the provided information to the Commission, which is taken on record.

4. During hearing of the case it is revealed that complete available information has been supplied to the appellant by the respondents. The Commission is satisfied with the information stands supplied. Since the appellant is not present, in the larger public interest, allow the inspection of the main file to the appellant and provide a copy of the entire file or of the documents identified by him on payment basis if such a request is received from him.

5. With these directions, the instant case is **disposed of and closed.**

**Sd/-  
(Khushwant Singh)  
SIC**

**Sd/-  
( S. S. Channy)  
CIC**

**Dated : 23.01.2019**

CC: PS/SIC(KS) for the kind information of Hon'ble SIC(KS)



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Shri Rajesh Kumar  
s/o Late Shri Om Parkash  
r/o Near Police Station (Sadar),  
Railway Road, Nabaha -147201.

-----Appellant

**Vs**

The Public Information Officer  
o/o Executive Officer,  
Municipal Committee,  
Nabha District Patiala.

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

-----Respondents

## **Appeal Case No. 1308 of 2018**

Present: None for the appellant.

Shri Naresh Kumar, Junior Assistant and Shri Rulia Ram, Clerk, on behalf of the respondents.

### **ORDER**

This case was earlier heard by Shri Khushwant Singh, SIC on 20.06.2018, 31.07.2018, 04.09.2018, 16.10.2018 and 03.12.2018. On 03.12.2018, the appellant was not present whereas the representative of the respondents had again brought the Assessment Register. Accordingly, the appellant was directed to be present on the next date of hearing failing which the case would be decided ex-parte. The respondent was also directed to bring the Assessment Register on the next date of hearing. During hearing of this case, a letter dated 20.11.2018 was received in the Commission from the appellant requesting that his case may be transferred to a Larger Bench. Accordingly, a Larger Bench comprising of Dr. S.S.Channy, CIC and Shri Khushwant Singh, SIC was constituted and a Notice of Hearing was sent to the concerned parties for today.

Contd.....p/2

2. Today, the appellant is not present during third consecutive hearing. However, a letter dated 22.01.2019 has been received from him through e-mail informing that he is unable to attend hearing due to some urgent domestic affairs. He has further informed that the information supplied to him is incomplete. He has requested to adjourn the case to some other date.

3. The representatives of the respondents have brought the original Assessment Register for the second time. They inform that complete requisite information has been supplied to the appellant. Accordingly, the respondents are directed to send again a copy of provided information to the appellant. In case, the appellant is still not satisfied with the provided information, he can inspect the Register and can get the requisite information, which will be supplied to him by the PIO, on the spot.

4. With these directions, the instant case is **disposed of and closed**.

**Sd/-  
(Khushwant Singh)  
SIC**

**Sd/-  
( S. S. Channy)  
CIC**

**Dated : 23.01.2019**

CC: PS/SIC(KS) for the kind information of Hon'ble SIC(KS)