

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden
Sector:16, Chandigarh
Contact No.0172-2864116, Fax No.0172-2864125
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Sh.Narinder Kumar Bitta,
S/o SH. Rai Sahib, H.No.2438-A,
Street No.2, Shri Guru Nanak Nagar,
Near 16 Acre, Barnala.

Appellant

Versus

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

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

Respondent

Appeal CASE NO. 1863 OF 2018

PRESENT : Sh. Narinder Kumar Bitta, the appellant.
Dr. Karamjit Singh, PCS-cum-Assistant Commissioner (G) on
behalf of the respondent.

ORDER:

This order may be read with reference to the previous order dated
29.11.2018.

2. The appellant states that till today, complete information has not been
supplied to him by the respondent.

3. Sh. Karamjit Singh, PCS, Assistant Commissioner, General-cum- PIO
appears in person and states that the inquiry has been marked to the District
Revenue Officer, Barnala and it will take some more time.

4. The respondent is directed to conduct an inquiry within one month and
provide the final action taken report to the appellant without any further delay, with a
copy to the Commission, failing which action under Section 20(1) of the RTI Act,
2005 will be initiated. An affidavit has already been filed by the respondent, which
is taken on record. Copy of the original affidavit has also been handed over to the
appellant during the last hearing.

5. The respondent has assured that within one month, the final action
taken report will be supplied to the appellant.

Contd...p

6. On the assurance of the respondent, the case is, therefore, closed and disposed off. In case, the final action taken report is not received by the appellant, he is free to approach the Commission, after one month. Copies of the order be sent to the parties.

Chandigarh
23.01.2019

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

Through registered post

CC: Sh. Karamjit Singh, PCS, Assistant Commissioner, General-cum- PIO o/o Deputy Commissioner, Barnala,

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Sh.Narinder Kumar Bitta,
S/o SH. Rai Sahib, H.No.2438-A,
Street No.2, Shri Guru Nanak Nagar,
Near 16 Acre, Barnala.

Appellant

Versus

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

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

Respondent

Appeal CASE NO. 1868 OF 2018

PRESENT : Sh. Narinder Kumar Bitta, the appellant.
Dr. Karamjit Singh, PCS-cum-Assistant Commissioner (G) on
behalf of the respondent.

ORDER:

This order may be read with reference to the previous order dated
29.11.2018.

2. The appellant states that till today, complete information has not been
supplied to him by the respondent.

3. Sh. Karamjit Singh, PCS, Assistant Commissioner, General-cum- PIO
appears in person and states that the inquiry has been marked to the District
Revenue Officer, Barnala and it will take some more time.

4. The respondent is directed to conduct an inquiry within one month and
provide the final action taken report to the appellant without any further delay, with a
copy to the Commission, failing which action under Section 20(1) of the RTI Act,
2005 will be initiated. An affidavit has already been filed by the respondent, which
is taken on record. Copy of the original affidavit has also been handed over to the
appellant during the last hearing.

5. The respondent has assured that within one month, the final action
taken report will be supplied to the appellant.

Contd...p-2

6. On the assurance of the respondent, the case is, therefore, closed and disposed off. In case, the final action taken report is not received by the appellant, he is free to approach the Commission, after one month. Copies of the order be sent to the parties.

Chandigarh
23.01.2019

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

Through registered post

CC: Sh. Karamjit Singh, PCS, Assistant Commissioner, General-cum- PIO o/o Deputy Commissioner, Barnala,

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Sh.Narinder Kumar Bitta,
S/o SH. Rai Sahib, H.No.2438-A,
Street No.2, Shri Guru Nanak Nagar,
Near 16 Acre, Barnala.

Appellant

Versus

Public Information Officer,
O/o Tehsildar,
Barnala.

First Appellate Authority
o/o S.D.M,
Barnala.

Respondent

Appeal CASE NO. 1867 OF 2018

PRESENT : Sh. Narinder Kumar Bitta, the appellant.
Sh. Kuldeep Singh, Naib Tehsildar on behalf of the respondent.

ORDER:

This order may be read with reference to the previous order dated 29.11.2018.

2. The appellant states that he has received the information and is satisfied. He has given in writing that this case may please be closed.

3. The respondent states that as per the directions of the Commission, complete information has been provided to the appellant and has shown the acknowledgment having received the same. Copy of the same is taken on record.

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

Chandigarh
23.01.2019

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

Through registered post

CC: Deputy Commissioner, Barnala. (By Name)
Sh. Balkaran Singh, Tehsildar-cum-PIO o/o Tehsildar, Barnala.

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Sh. Sunil Handa,
407, GHS 33, Sector:20,
Panchkula.

Complainant.

Versus

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

...Respondent

Complaint Case No. 491 of 2018

PRESENT: (i) Sh. Sunil Handa, the complainant.
(ii) Smt. Balwinder Kaur, Suptd., and Sh. Naib Chand, Sr. Assistant
is present on behalf of the respondent.

ORDER:

This order may be read with reference to the previous order dated
29.11.2018.

2. The complainant states that the information has not been supplied to
him within the stipulated time as prescribed under the RTI Act, 2005.

3. The respondent states that as directed by the Commission, during the
last hearing, an inquiry has been conducted by the Deputy Secretary, Food Civil
Supplies and Consumer Affairs, Punjab and found that the delay has been occurred
due to the number of times transfer of the staff from November, 2017 to February,
2018 and no one permanent employee was there to deal with the RTI application in
time.

4. After examining the case file, it reveals that this is a complaint case
and first reply has been sent by the department to the complainant after the lapse of
three months but the Deputy Director, Food Civil Supplies and Consumer Affairs,
Punjab, Chandigarh has inquired into the matter and no one has been found guilty
due to the transfer of the staff. Taking a lenient view, the PIO is warned to be
careful in future while dealing with the RTI applications. Keeping in view all the

Contd...p-2

facts mentioned in the reply are found satisfactory. The show cause notice is hereby, dropped. No further cause of action is left in the instant Complaint Case, which is hereby, **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
23.01.2019

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

Through registered post

CC: Director, Food Civil Supplies and Consumer Affairs, Punjab,
Chandigarh. (By Name)

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Sh. Rakesh Sharma,
S/o Sh. Bhupinder Sharma,
182/12, Main Bazar Katra,
Parja, I/s Hathi Gate, Amritsar.

-----Appellant

Vs.

Public Information Officer
o/o Director School Education (EE),
Mohali.

First Appellate Authority
o/o Secretary Education,
Deptt Branch, 4, Punjab,
Chandigarh.

...Respondents

Appellant Case No. 2247 of 2018

PRESENT: None is present on behalf of the appellant.
Smt. Renu Mehta, Assistant Director on behalf of the respondent.

ORDER:

This order may be read with reference to the previous order dated
29.11.2018.

2. The appellant is absent for today's hearing.
3. Smt. Renu Mehta, Assistant Director appears in person and files an affidavit mentioning therein that the information has already been supplied to the appellant vide letter dated 14.09.2018. Copy of the same is taken on record.
4. The respondent is directed to send the another copy of the original affidavit to the appellant by registered post within one week under intimation to the Commission.
5. In view of the above, no further cause of action is left in the instant Appeal Case, which is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
23.01.2019

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

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Sh. Avtar Singh,
S/o Late Sh. Daljit Singh,
VPO: Chuharwali, Distt:Jalandhar.

Appellant

Versus

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

First Appellate authority
o/o Civil Surgeon,
Jalandhar.

Respondent

Appeal CASE NO. 2351 OF 2018

PRESENT: (i) None is present on behalf of the appellant.
(ii) Mrs. Rashu Mahajan, Food Safety Officer is present on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 29.11.2018.

2. The appellant is absent for today's hearing and was also absent during the last hearing.

3. Smt. Rashu Mahajan, Food Safety Officer o/o Civil Surgeon, Jalandhar and files an affidavit mentioning therein that complete information has been supplied to the appellant and no observation has been received from him. She further states that demand draft no. 121829 dated 27.12.2018 of Rs. 2000/- as compensation amount has also been sent to the appellant through registered post. She further states that as per the orders of the Commission dated 29.11.2018 regarding implementation of Section 4 of the RTI Act, action has been taken by ordering all the concerned officer vide office letter No. RTI/CS/2019/730-771 dated 18.01.2019. Copy of the same is taken on record.

4. The perusal of the record reveals that Sh. S.S.Mann, Additional Civil Surgeon-cum-PIO o/o Civil Surgeon, Jalandhar has already filed written reply, during the last hearing in response to the show cause notice. Keeping in view all the facts mentioned in the reply are found satisfactory. The show cause notice is hereby,

Contd...P-2

dropped. The appellant has not attended any of the hearing in the Commission, which shows that he is satisfied with the provided information and does not want to pursue the case.

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

Chandigarh
23.01.2019

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

Through registered post

CC: Sh. S.S.Mann, Additional Civil Surgeon o/o Civil Surgeon, Jalandhar.

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Sh. Sohan Lal,
S/o SH. Laxman Ram,
VPO: Jagatpur, Block:Mukandpur,
Distt: SBS Nagar.

...Appellant

Versus

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

First Appellate Authority
o/o Director,
Health & Family welfare,
Punjab, Chandigarh.

...Respondent.

Appeal Case No. 2354 of 2018

PRESENT: None is present on behalf of the appellant.
Dr. Balvinder Singh, ACS on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 29.11.2018.

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

3. Dr. Balvinder Singh, ACS is appearing on behalf of the respondent and files an affidavit in response to the show cause notice mentioning therein that the RTI application of the appellant was received in their office on 20.04.2018 and complete information has been supplied to him on 16.05.2018 except point no. 2. For point no. 2 the documentation fee of Rs. 328/- was demanded from the appellant which he has not paid till date because he is B.P.L. Card Holder. He further adds that he has brought the remaining information relating to point no. 2 today in the Commission.

4. The respondent is directed to send the same by registered post to the appellant, free of cost. The respondent has mentioned the reasons in the affidavit for the delay. Keeping in view all the facts mentioned, the reply is found satisfactory. The show cause notice is hereby, dropped.

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

Sd/-

Chandigarh
23.01.2019

(Prof. Viney Kapoor Mehra)
State Information Commissioner

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Sh. Jasbir Singh,
Village:Bholapur, Jhabewal,
P.O: Ramgarh, Distt:Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Civil Surgeon,
SBS Nagar.

First Appellate Authority
o/o Civil Surgeon,
SBS Nagar.

...Respondent.

Appeal Case No. 4045 of 2018

PRESENT: (i) Sh. Jasbir Singh, the appellant.
(ii) None is present on behalf of the respondent.

ORDER

The RTI application is dated 11.08.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 11.09.2019 and second appeal was filed in the Commission on 26.11.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 23.01.2019 in the Commission.

3. The appellant states that till today, no information has been supplied to him by the respondent.

4. A letter has been received from the respondent in the Commission vide diary no. 1834 dated 22.01.2019 mentioning therein that due to some urgent work, she cannot attend today's hearing and has sought another date.

5. Last opportunity is given to the respondent to send the complete information to the appellant, by registered post, before the next date of hearing and should personally appear, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **27.02.2019 at 11.30AM**. Copies of the order be sent to the parties.

Sd/-

Chandigarh
23.01.2019

(Prof. Viney Kapoor Mehra)
State Information Commissioner

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Sh. Ashok Kumar Joshi,
S/o Sh. Hari Krishan Joshi,
R/o Near Baba PUra Ji, Mohalla,
Sarafa Raho, Distt: SBS Nagar.

...Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
SBS Nagar.

First Appellate Authority
o/o Deputy Commissioner,
SBS Nagar.

...Respondent

Appeal Case No. 3492 of 2018

PRESENT: (i) Sh. Ashok Kumar Joshi, the appellant.
(ii) Smt. Sushma Kumari, Suptd. on behalf of the respondent.

ORDER

This order may be read with reference to the previous order dated 29.11.2018.

2. The appellant states that till today, no information has been supplied to him by the respondent.

3. The respondent states that the information has already been sent to the appellant by post on 21.01.2019. She further states that she has brought another copy of the same today in the commission. Copy of the same is handed over to the appellant.

4. After going through the information, the appellant states that he is not satisfied with the information provided.

5. The PIO is directed to appear personally, on the next date of hearing and file an affidavit that the information as per the official record stands supplied and nothing is pending to be given to the appellant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, will be initiated.

6. The perusal of the record reveals that in this case, the appellant has tried his best to get the information from the PIO who failed to provide the information to the applicant. He has been made to run from pillar to post for getting the information, which he could not get even after the notice was issued by the

Contd...p-2

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

7. I have also looked into all the facts and circumstances of the case. In my view this is a fit case, where award of compensation under Section 19 (8) (b) is also called for. I have no doubt in my mind that this state of affairs has also come about on account of the absence of adequate machinery for handling the RTI work in the o/o **Deputy Commissioner, SBS Nagar, Punjab** 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. 1,000/- (Rs. One thousand only)** be paid to the appellant for the detriments suffered by him. This amount shall be payable from the funds of the o/o **Deputy Commissioner, SBS Nagar, Punjab** by way of Demand Draft to the appellant within one month.

8. The matter to come up for further hearing now on **05.03.2019 at 11.30AM**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh
23.01.2019**

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

Through registered post

CC: Deputy Commissioner, SBS Nagar (By Name)

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Sh. Karamjit Singh,
S/o Sh. Jagir Singh,
R/o Village Rurki Kham,
Tehsil: Kharar, Distt:Mohali.

...Appellant.

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block Majri, Distt: SAS Nagar.

First Appellate Authority
o/o District Development and Panchayat Officer,
Distt: SAS Nagar. Mohali.

...Respondent

Appeal Case No. 2873 of 2018

PRESENT: (i) Sh. Karamjit Singh, the appellant.
(ii) None is present on behalf of the respondent.

ORDER

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

2. The appellant states that till today, no information has been provided to him by the respondent.

3. A letter has been received from the BDPO, Majri in the Commission vide diary no. 1386 dated 17.10.2019 in which he has directed Sh. Bharatpal, Panchayat Secy., for personal appearances but at today's hearing, none has appeared from the department, which shows that they have no regard to the orders of the Commission.

4. In view of the foregoing, **PIO o/o BDPO, Block Majri, Distt:Mohali is directed to show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and why the appellant should not be compensated for the harassment suffered by him. He should file an affidavit in this regard and should personally appear on the next date of hearing.**

Contd...p-2

5. During the last hearing, the appellant was advised to justify, what public interest is involved in seeking this voluminous information but he has failed to do so. Last opportunity is given to him to justify public interest in seeking this information, on the next date of hearing, failing which decision shall be taken on merits.

6. The matter to come up for further hearing now on **05.03.2019 at 11.30AM**. Copies of the order be sent to the parties.

Sd/-

**Chandigarh
23.01.2019**

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

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Sh. Yogesh Mahajan,
S/o Sh. Kuldeep Raj Mahajan,
President of Anti Corruption Council,
Opposite water Tank, Municipal Market,
Mission Road, Pathankot.

Appellant

Versus

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

First Appellate Authority
o/o Deputy Director,
health & Family Welfare, Punjab,
Chandigarh.

Respondent

Appeal Case No. 2292 of 2018

PRESENT: None for the parties.

ORDER

This order may be read with reference to the previous order dated 29.11.2018.

2. A letter has been received from the appellant in the Commission vide diary no. 1813 dated 22.01.2019 mentioning therein that till today, no information has been given to him by the respondent.

3. A letter has also been received from the responded in the Commission by email mentioning therein that information regarding point no. 2,3,4 and 5 has already been forwarded vide letter dated 20.11.2018 and para-wise information regarding point no. 1 to 6 has been sent on 17.01.2019 by registered post.

4. The PIO is directed to appear personally, on the next date of hearing alongwith the original record, which has been sent to the appellant. The respondent-PIO is also directed to file an affidavit that the information as per the official record stands supplied and nothing is pending to be given to the appellant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, will be initiated.

5. The appellant is also advised to follow up his case in the Commission, failing which decision shall be taken on merit.

6. The matter to come up for further hearing now on **05.03.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
23.01.2019

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