

PUNJAB STATE INFORMATION COMMISSION
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Sector 16, Chandigarh.
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Dr. Nirlep Kaur, W/o Dr. Harsimran Singh,
H No-92, Nanak Sadan, Near Minerva Academy,
VPO Daon, Mohali.

... Appellant

Versus

Public Information Officer,
O/o Principal Secretary,
Department of Health and Family Welfare, Punjab,
Health 4 Branch, Mini Secretariat, Sector-9,
Chandigarh.

First Appellate Authority,
O/o Principal Secretary,
Department of Health and Family Welfare,
Mini Secretariat, Sector-9,
Chandigarh

...Respondent

Appeal Case No. 476 of 2021

PRESENT: **Dr.Nirlep Kaur as the Appellant**
Sh.Ajit Singh, Suptd.-cum-PIO O/o Principal Secretary and Sh.Toshpinder Singh, Suptd.-cum-PIO O/o Director Health & Family Welfare, Pb for the Respondent

ORDER:

The appellant through RTI application dated 26.10.2020 has sought information regarding copy of DPC proceedings for the post of addl. Director for the years 2018, 2019 & 2020 – copy of action taken on agenda sent by DHS in 2018 – copy of correspondence and file noting concerning the agendas – name of Dy Directors/DDHO transferred or given new postings during last 3 months of their tenure before retirement as enumerated in the RTI application concerning the office of Principal Secretary, Department of Health & Family Welfare, Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 27.11.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent present from the office of Principal Secretary, Department of Health & Family Welfare informed that the information regarding point-1 has been provided to the appellant, the information regarding points-2 & 3 cannot be provided since a court case is pending and for the information regarding point-4, the RTI application has been transferred to Director, Department of Health & Family Welfare, Pb on 04.11.2020 and the reply has been sent to the appellant. The Commission has also received reply of the PIO on 07.05.2021 which has been taken on the file of the Commission.

As per appellant, the PIO has supplied the DPC proceedings for the year 2019 only and the PIO has not supplied the DPC proceedings for the year 2018 & 2020. As per respondent, no DPC meeting was held in the year 2018 & 2020 and hence no proceedings available. The PIO is directed to give this in writing on an affidavit.

Having gone through the RTI application, reply of the PIO and hearing both the parties, the Commission observes that the PIO in its reply has not been able to justify the bench (regarding points 2 & 3) that how the ongoing court case will hamper the proceedings of the case? Hence, the PIO is directed to provide information on points 2 & 3.

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As per respondent, the RTI application regarding information on point-4 has been transferred to Director, Health & Family Welfare. The PIO O/o Director-Health & Family Welfare is directed to provide information on point-4.

The case is adjourned. To come up for further hearing on **26.10.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated :23.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :PIO O/o Director-Health & Family Welfare
Pb, Chandigarh.



Sh. Madan Khullar, S/o Sh Parshotam lal Khullar,
R/o H No-3870/1, Sector-47-D,
Chandigarh.

... Appellant

Versus

Public Information Officer,
O/o Department of Food Civil Supplies,
And Consumer Affairs, Pb Mini Secretariat,
Sector-9, Chandigarh.

First Appellate Authority,
O/o under Secretary,
Deptt of Food Civil Supplies,
And Consumer Affairs, Pb Mini Secretariat,
Sector-9, Chandigarh.

...Respondent

Appeal Case No. 738 of 2021

PRESENT: None for the Appellant
Sh.Manjit Singh, Suptd.-cum-PIO for the Respondent

ORDER:

The appellant through RTI application dated 06.10.2020 has sought information regarding the posting of ACFA/DCFA in the Food & Supply department who deals with financial matters of consumer commission, Punjab during 05.03.2020 to 05.10.2020 as enumerated in the RTI application concerning the office of the Department of Food Civil Supplies, And Consumer Affairs, Pb Mini Secretariat, Pb, Chandigarh. The appellant was denied the information by the PIO vide letter dated 05.11.2020 stating that as per point-9 of the letter dated 25.04.2008 issued by Govt. of India the information cannot be provided, after which the appellant filed first appeal before the First Appellate Authority on 19.11.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant is absent. As per the respondent, the information is in the custody of the Finance Department.

Having gone through the record, the Commission observes that the PIO has blanketly denied the information without any justification. The PIO has also not transferred the application to the concerned authority under whose custody the information lies, as stated by the respondent at the hearing.

The Commission has taken a serious view of this and hereby directs the PIO to **show cause that 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 as well as for willful denial of information.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

Appeal Case No. 738 of 2021

The PIO-Department of Finance, Pb is impleaded in the case and directed to look at the RTI application, a copy of which is being enclosed along with the order, and provide the information to the appellant as per the RTI Act.

The case is adjourned. To come up for further hearing on **26.10.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated :23.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :PIO –Department of Finance,Pb
Civil Secretariat, Chandigarh.



Sh. Prem Singh S/o Sh Jaspal Singh,
VPO Amarpura, Tehsil Abohar,
Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o District Social Security Officer,
Mohali.

First Appellate Authority,
O/o Director,
Department of Social Justice and Empowerment & Minorities,
Pb, SCO-6-7, Phase-1, Mohali.

...Respondent

Appeal Case No. 479 of 2021

PRESENT: Sh.Prem Singh as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 29.09.2020 has sought information regarding Govt policy to recover the un-disbursed amount of old-age pension, handicap and widow pension from Sarpanch/panchayat secretary through CDPO from 2008 onwards – a copy of procedure adopted by the department of social security to recover un-disbursed amount – guidelines issued to all DSSOs by Director for recovery of un-disbursed amount – name & designation of officer deputed at the block level and district level liable for recovery as enumerated in the RTI application concerning the office of District Social Security Officer, Mohali. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 24.11.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. As per the appellant, the PIO has not provided the information.

The respondent is absent without any legitimate reasons for the absence. If the information as sought by the appellant exists, the PIO is directed to provide it to the appellant within 15 days and send a compliance report to the commission. Failure to comply with the order would attract penal action under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **26.10.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka. The PIO to appear through VC at DAC Mohali.

Chandigarh
Dated :23.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Jatinder Singh, S/o Sh Manjeet Singh,
1886/56, Inder Nagri, Jalalabad (West),
Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o SDM,
Jalalabad.

First Appellate Authority,
O/o SDM,
Jalalabad.

... Respondent

Appeal Case No. 481 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 21.08.2020 has sought information regarding details of funds received relating to Covid-19 from District office – Punjab Govt./WHO or other institution/authority – utilization of the funds along with bills and copy of rules as enumerated in the RTI application concerning the office of Department of SDM Jalalabad. The appellant was not provided information after which the appellant filed the first appeal before the First Appellate Authority on 03.11.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. Both the parties are absent.

The case is adjourned. To come up for further hearing on **26.10.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh
Dated :23.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Prem Singh S/o Sh Jaspal Singh,
VPO Amarpura, Tehsil Abohar,
Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o District Social Security Officer,
Bathinda.

First Appellate Authority,
O/o Director,
Department of Social Justice and Empowerment & Minorities,
Pb, SCO-6-7, Phase-1, Mohali.

...Respondent

Appeal Case No. 478 of 2021

**PRESENT: Sh.Prem Singh as the Appellant
None for the Respondent**

ORDER:

The appellant through RTI application dated 29.09.2020 has sought information regarding Govt policy to recover undisbursed amount of old age pension, handicap and widow pension from Sarpanch/panchayat secretary through CDPO from 2008 onwards – copy of procedure adopted by department of social security to recover undisbursed amount – guidelines issued to all DSSOs by Director for recovery of undisbursed amount – name & designation of officer deputed at block level and district level liable for recovery as enumerated in the RTI application concerning the office of District Social Security Officer, Bathinda. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 24.11.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. As per appellant, the PIO has not provided the information.

The respondent is absent without any legitimate reasons for the absence. If the information as sought by the appellant exists, the PIO is directed to provide to the appellant within 15 days and send a compliance report to the commission. Failure to comply the order would attract penal action under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **26.10.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka. The PIO to appear through VC at DAC Bathinda.

**Chandigarh
Dated :23.06.2021**

**Sd/-
(Khushwant Singh)
State Information Commissioner**



Sh. Mohan Lal Punia, S/o Sh Nathu Ram,
R/o village Taja Patti, Tehsil Abohar,
Distt Fazilka..

... Appellant

Versus

Public Information Officer,
O/o CDPO, Abohar,
Block Abohar Office, Distt Fazilka.

First Appellate Authority,
O/o District Social Security Officer,
DC Complex, Fazilka.

...Respondent

Appeal Case No. 468 of 2021

PRESENT: Sh.Mohan Lal Punia as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 25.02.2020 has sought information regarding copies of applications along with attached documents submitted by Lakshmi Devi w/o Satish Kumar and Priyanka d/o Satish Kumar for availing pension benefits – a copy of the order of approval of pension – bank branch and bank account number in which the pension is deposited monthly from 2019 as enumerated in the RTI application concerning the office of CDPO Abohar. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 28.10.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. As per the appellant, the PIO has not supplied the information.

The respondent is absent.

The case is adjourned. To come up for further hearing on **26.10.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh
Dated :23.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh Raman Kumar, S/o Sh Sumer Chand,
R/o village Ram Singh Wala,
Tehsil Jalalabad (W),
Distt. Fazilka.

... Complainant

Versus

Public Information Officer,
O/o District Programmer Office (Angarwari),
O/o Social Security & Women & Child Department,
Fazilka.

...Respondent

Complaint Case No. 135 of 2021

PRESENT: None for the Complainant
None for the Respondent

ORDER:

The complainant through RTI application dated 19.11.2020 has sought information regarding the date of joining of Anganwari staff in village Hazara Ram Singh Wala – category of appointment of staff - documents attached with the application for getting appointment/promotion along with their educational qualifications as enumerated in the RTI application concerning the office of District Programme Office(Anganwari), Social Security & Women/Child Department, Fazilka. The complainant was not satisfied with the reply of the PIO dated 10.12.2020 after which the complainant filed a complaint in the commission on 25.01.2021.

The case has come up for hearing today through video conferencing at DAC Fazilka. Both the parties are absent.

Having gone through the record, the Commission observed that the appellant in his RTI application has clearly asked for details of Anganwari staff of village Hazara Ram Singh Wala whereas the PIO vide letter dated 10.12.2020 instead of providing the information has asked the appellant to specify the centre for which the information was sought.

There has been an enormous delay of more than seven months in providing the information. The Commission has taken a serious view of this and hereby directs the PIO 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 as well as for willful denial of information.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **26.10.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh
Dated :23.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Prem Singh S/o Sh Jaspal Singh,
VPO Amarpura, Tehsil Abohar,
Distt. Fazilka.

... Appellant

Versus

Public Information Officer,
O/o District Social Security Officer,
Fazilka.

First Appellate Authority,
O/o Director,
Department of Social Justice and Empowerment & Minorities,
Pb, SCO-6-7, Phase-1, Mohali.

...Respondent

Appeal Case No. 663 of 2021

PRESENT: Sh.Prem Singh as the Appellant'
None for the Respondent

ORDER:

The appellant through RTI application dated 24.10.2020 has sought information regarding a copy of the account statement of DSSO vide which pension funds of old age pension, handicap and widow pension sent to Panchayat Secretary village Amarpura through BDPO/CDPO Abohar from 01.01.2008 to 31.12.2014 and 01.01.2016 to 29.04.2019 – statement of un-disbursed amount debit in pension account of DSSO office Fazilka deposited by BDPO/Secretary – list of cheques/DD numbers through which un-disbursed amount deposited – NOC issued by DSSO to Ex-Sarpanch Maya Devi from 2008 to 2013 as enumerated in the RTI application concerning the office of District Social Security Officer, Fazilka. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 08.12.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. As per the appellant, the PIO has not provided the information.

The respondent is absent without any legitimate reasons for the absence. If the information as sought by the appellant exists, the PIO is directed to provide it to the appellant within 15 days and send a compliance report to the commission. Failure to comply with the order would attract penal action under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **26.10.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh
Dated :23.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner