



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

... Appellant

Versus

Public Information Officer,
O/o Asst. Civil Surgeon,
Hoshiarpur.

First Appellate authority,
O/o Civil Surgeon,
Hoshiarpur.

...Respondent

Appeal Case No. 5352 of 2021

PRESENT: Sh.Tejinder Ssingh as the Appellant
Sh.Sh.Raman Viridi Food Safety Officer for the Respondent

ORDER:

The appellant through an RTI application dated 19.07.2021 has sought information regarding details of RTI applications received from Jan.2018 to 18.07.2021 alongwith fee recovered – Name of branch PIO/APIO – penalty imposed by State Information Commission on Food Safety Officer during that period – RTI applications received in the name of PIO-Civil Surgeon Moga – penalty imposed on PIO-Civil Surgeon of that time – Details of VIP duties ordered by DHA and Food & Drug Deptt. other information as enumerated in the RTI application concerning the office of Asstt. Civil Surgeon, Hoshiarpur. The appellant was not provided with the information after which the appellant filed a first appeal before the first appellate authority on 06.09.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Hoshiarpur/Ludhiana. As per the respondent, the information has been supplied to the appellant.

The appellant has received the information and is satisfied.

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

Chandigarh
Dated: 25.05.2022

Sd/-
(Khushwant Singh)
State Information Commission



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

... Appellant

Versus

Public Information Officer,
O/o Food Safety Officer,
O/o Civil Surgeon, Moga.

First Appellate authority,
O/o Civil Surgeon,
Moga.

...Respondent

Appeal Case No. 5362 of 2021

PRESENT: Sh.Tejinder Singh as the Appellant
Sh.Lovdeep Singh, Food Safety Officer for the Respondent

ORDER:

The appellant through an RTI application dated 19.07.2021 has sought information on 10 points regarding the number of sanctions allowed for sampling by Commissioner Food & Drug Administration from Jan.2019 to 18.07.2021 – cases filed during that period – letters issued for providing an opportunity to get the same tested from other labs – cases for action approved by a designated officer – a copy of the order for including one Govt employee as a witness – budget allocated by Food & Drug Administration to FSOs -the number of cases filed in the court of CJM and ADC – fine imposed by the court of ADC and other information as enumerated in the RTI application concerning the office of Food Safety Officer O/o Civil Surgeon, Amritsar. The appellant was not provided with the information after which the appellant filed a first appeal before the first appellate authority on 06.09.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Moga/Ludhiana. As per the respondent, the information has been supplied to the appellant vide letter dated 09.08.2021.

As per the appellant, the information was provided on 19.04.2022 which is misleading information.

Having gone through the RTI application and hearing both the parties, the following is concluded:

- | | |
|-------------------|---|
| - Point-1 | - The PIO is directed to provide the list of samples collected |
| - Point-2 , 3 & 4 | - The PIO to provide the information |
| - Point-5 | - As per the respondent, no such rule exists. The PIO to give this in writing that no such rule exists. |
| - Point-6 | - The PIO to transfer to the concerned Budget Branch |
| - Point-7 | - The PIO to provide the information |
| - Point-8 | - Point rejected |
| - Point-9 & 10 | - The PIO to provide the information |

The information be provided within 10 days of the receipt of the order with a copy to the Commission.

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

Chandigarh
Dated: 25.05.2022

Sd/-
(Khushwant Singh)
State Information Commission



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

... Appellant

Versus

Public Information Officer,
O/o Director,
Health & Family Welfare Deptt,
Sector-34-A, Chandigarh.

First Appellate authority,
O/o Director,
Health & Family Welfare Deptt,
Sector-34-A, Chandigarh

...Respondent

Appeal Case No. 5369 of 2021

PRESENT: Sh.Tejinder Singh as the Appellant
Sh.Sh.Rohit Kumar, Jr. Assistant Civil Hospital Jalandhar for the
Respondent

ORDER:

The appellant through an RTI application dated 04.06.2021 has sought information regarding details of medical/diagnostic items/vaccine/sanitiser/bed sheets purchased during 2020-21 alongwith their bills – expenditure incurred for the said purchase including diesel/petrol etc. – audit report for the years 2019-20 & 2020-21 and other information as enumerated in the RTI application concerning the office of Director Health and Family Welfare, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed a first appeal before the first appellate authority on 06.09.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. As per the letter received from the office of Director Health on 24.02.2022, the RTI application was transferred to PIO-Medical Suptd. Civil Hospital Jalandhar under section 6(3) of the RTI Act on 10.06.2021.

The respondent present from the office of Medical Suptd. Civil Hospital Jalandhar pleaded that the appellant was asked to vide letter dated 09.09.2021 to deposit the requisite fee, which the appellant did not deposit and the information was not provided.

As per the appellant, the fee has not been raised within time and also did not mention the actual amount.

Having gone through the RTI application and hearing both the parties, the PIO is directed to provide the information free of cost. Regarding point-3, if the information exists, to provide it, and if no audit was done for the said period, to give in writing on an affidavit.

The information be provided within 15 days of the receipt of the order with a copy to the Commission.

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

Sd/-

Chandigarh
Dated: 25.05.2022

(Khushwant Singh)
State Information Commission



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

... Appellant

Versus

Public Information Officer,
O/o Food Safety Officer,
O/o Civil Surgeon, Moga.

First Appellate authority,
O/o Civil Surgeon,
Moga.

...Respondent

Appeal Case No. 5390 of 2021

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

ORDER:

The appellant through an RTI application dated 03.09.2021 has sought information under which account of the Govt is the payment made to collect samples of products from shopkeepers as per sample number and slip no. as mentioned in the RTI application – funds allotted from last ten years – audit report of the funds provided and other information as enumerated in the RTI application concerning the office of Food Safety Officer, O/o Civil Surgeon Moga. The appellant was not provided with the information after which the appellant filed a first appeal before the first appellate authority on 03.10.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Moga/Ludhiana. The appellant is absent and vide letter dated 18.02.2022 received in the Commission on 24.02.2022 has informed that the PIO has not supplied the information.

As per the respondent, the information has been sent to the appellant vide letter dated 30.03.2022. The Commission has received a copy of the reply of the PIO dated 30.03.2022 which has been taken on record.

Having gone through the RTI application and the reply of the PIO, the Commission finds that the RTI application has been sufficiently replied and no further interference from the Commission is required.

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

Chandigarh
Dated: 25.05.2022

Sd/-
(Khushwant Singh)
State Information Commission



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

... Appellant

Versus

Public Information Officer,
O/o Pr.Secy,
Health & Family Welfare Deptt,
Sector-34-A, Chandigarh.

First Appellate authority,
O/o Pr.Secy,
Health & Family Welfare Deptt,
Sector-34-A, Chandigarh.

...Respondent

Appeal Case No. 5372 of 2021

PRESENT: Sh.Tejinder Singh as the Appellant
Sh.Rishu Sharma Sr.Assistant for the Respondent

ORDER:

The appellant through an RTI application dated 02.08.2021 has sought information regarding details of expenses incurred by all Civil Surgeons for the prevention of Covid-19 from March 2020 as per the order of the Principal Secretary –the balance non-incurred fund and further information as enumerated in the RTI application concerning the office of Principal Secretary, Health & Family Welfare, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed a first appeal before the first appellate authority on 07.09.2021 which took no decision on the appeal.

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

The appellant claims that he has not received the information.

The respondent handed over a copy of the information to the appellant during the hearing and the appellant has received the same.

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

Chandigarh
Dated: 25.05.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Arun Gupta,
H No-BXI/162, Backside Nirankari Bhawan,
Barnala.

... Appellant

Versus

Public Information Officer,
O/o Health & Family Welfare Deptt,
Sector-34-A, Chandigarh.

First Appellate Authority,
O/o Director, Health & Family Welfare Deptt,
Sector-34-A, Chandigarh.

...Respondent

Appeal Case No. 5260 of 2021

PRESENT: Sh.Arun Gupta as the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 18.01.2021 has sought information regarding detailed clarification about the eligibility status of candidates as per written test merit appointed at Sr.No.1,2,3,& 14 for the post of lab technician grade-2 under Gen EWS category – the total number of candidates appointed from Nov.2020 – candidates who secured more than 40 marks – non-eligible candidates who secured more than 40 marks and other information as enumerated in the RTI application concerning the office of Department of Health & Family Welfare, Pb Chandigarh. The appellant was not provided with the information after which the appellant filed a first appeal before the first appellate authority on 11.10.2021 which took no decision on the appeal.

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

The respondent is absent nor is represented. There is nothing on record which shows that the RTI application has been attended to.

I have gone through the RTI application and direct the PIO to provide information on point-a to the appellant. The information on point-b-c-d does not qualify as the information under section 2(f) of the RTI Act, hence rejected.

The information be provided within 15 days of the receipt of the order.

With the above order, the case is **disposed of and closed**. However, it is made clear that if the information is not provided, the appellant is free to come to the Commission again.

Chandigarh
Dated: 25.05.2022

Sd/-
(Khushwant Singh)
State Information Commission

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Ashok Singh, S/o Sh Jangir Singh,
R/o Village Tiwana Kalan,
Tehsil Jalalabad, Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o Sr., Medical Officer,
Incharge, Civil Hospital,
Fazilka.

First Appellate authority,
O/o Civil Surgeon,
Fazilka.

...Respondent

Appeal Case No. 5508 of 2021

PRESENT: Sh.Ashok Singh as the Appellant
Dr.Eric for the Respondent

ORDER:

The appellant through an RTI application dated 01.07.2021 has sought information regarding disability certificate No.PB2110119900013434 dated 19.03.2019 and 152 dated 17.04.2017 – basis/formula/criteria to assess the disability and other information as enumerated in the RTI application concerning the office of SMO-Civil Hospital Fazilka. The appellant was not satisfied with the reply of the 16.08.2021 after which the appellant filed a first appeal before the first appellate authority on 07.09.2021 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 present informed that the assessment was made as per the Govt guidelines which were shown to the appellant.

Having gone through the RTI application and hearing both the parties, the PIO is directed to provide a copy of the guidelines on the basis of which the disability was assessed and the certificate issued. The respondent has assured to provide the same.

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

Chandigarh
Dated: 25.05.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Baljit Singh, S/o Sh Gurcharan Singh,
Patti Nangal, VPO Kokri Kalan,
Distict Moga.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 4872 of 2021

PRESENT: None for the Appellant
Sh.Satinder Kaur, Sr. Assistant for the Respondent

ORDER:

The appellant through an RTI application dated 26.07.2021 has sought information regarding the ration facility provided by the Central Govt during Covid-19 from March 2020 to July 2021 – a copy of the letter issued by Central Govt to Punjab with instructions relating to allotting ration – a copy of letter/instructions issued by the department to the concerned district offices relating to the distribution of ration – the details of ration purchased and other information as enumerated in the RTI application concerning the office of Secretary Food Supply & Consumer Affairs, Pb Chandigarh. . The appellant was not provided the information after which the appellant filed a first appeal before the first appellate authority on 01.09.2021 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Moga. The respondent present pleaded that the information has been supplied to the appellant vide letter dated 29.03.2022. The respondent also claimed that they had asked the appellant to point out the discrepancies if any, but no communication has been received.

The appellant is absent nor is represented as well not communicated any discrepancies. It is presumed that the appellant has received the information and is satisfied.

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

Chandigarh
Dated: 25.05.2022

Sd/-
(Khushwant Singh)
State Information Commission

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Bhupinder, S/o sh Dina Nath,
R/o Indira Colony, Gali No-5,
Tehsil & Distt Pathankot.

... Complainant

Versus

Public Information Officer,
O/o SMO, Civil Hospital,
Pathankot.

...Respondent

Complaint Case No. 1230 of 2021

PRESENT: **None for the Appellant**
 None for the Respondent

ORDER:

The complainant through an RTI application dated 10.04.2021 has sought information regarding the purchase of items i.e. printing prescription slips, the register used in the hospital, repair of the electrical, camera and surgical items from 31.12.2020 – the name of the dealer from whom the items are purchased and other information as enumerated in the RTI application concerning the office of SMO-Civil Hospital, Pathankot. The complainant was not provided with the information after which the complainant filed a complaint in the Commission on 22.10.2021.

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

The Commission observes that when the RTI was filed on 10.04.2021, this period was witnessing a peak of the 3rd wave of the Covid pandemic and the health department was facing extraordinary circumstances, and a timely reply would not have been possible. Hence, this bench condones the issue of compliance within 30 days.

Further since this is a complainant case and the complainant has come to the Commission under the provision of Section 18 of the RTI Act, 2005 in which no directions for providing further information can be given by the Commission.

The Hon'ble Supreme Court of India in its Order dated 12.12.2011 in Civil Appeal Nos.10787-10788 of 2011 (arising out of SLP No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information.

Since there is an alternative and efficacious remedy of first appeal available to the complainant under section 19(1) of the RTI Act, 2005 which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasons speaking order.

If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he/she will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

In view of the observations noted above, the instant case is remanded back to the concerned First Appellate Authority with a copy of RTI application for their ready reference and is also directed to call the complainant within 15 days of the receipt of the order, provide the information/reply pertaining to this RTI application. A compliance report of the same be sent to the Commission.

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

Chandigarh
Dated: 25.05.2022

Sd/-
(Khushwant Singh)
State Information Commission

CC to :First appellate Authority-cum
Civil Surgeon, Pathankot.