



Sh. Jatinder Kumar,  
C/o Sachkhand Mishthan Bhandar,  
Nehru Gate, Nawanshehar.

... Appellant

Versus

**Public Information Officer,**  
O/o Principal Secretary,  
Local Govt Department,  
Sector-35-A, Chandigarh.

**First Appellate Authority,**  
O/o Principal Secretary,  
Local Govt Department,  
Sector-35-A, Chandigarh.

...Respondent

**Appeal Case No. 2717 of 2020**

**PRESENT: Sh.Jatinder Kumar as the Appellant**  
**Sh. Sumit Kumar, Senior Assistant, LG-3 Branch, O/o for the**  
**Respondent**

**ORDER:**

The appellant through the RTI application dated 27.11.2019 has sought information regarding action taken on application dated 22.08.2019 filed for postponing the action of dismissal vide resolution No.426 dated 10.07.2019 till hearing the applicant and other information as enumerated in the RTI application from the office of Principal Secretary, Department of Local Govt.Pb Chandigarh. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 27.07.2020 which took no decision on the appeal.

The case came up for hearing first on 25.02.2021 through video conferencing at DAC Nawanshahar. Both the parties were absent.

The appellant vide email informed that the PIO has not provided the information. The PIO was directed to provide the information within 15 days and send a compliance report to the Commission. The PIO was also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

**On the date of the last hearing on 24.05.2021,** the appellant was absent and vide email had sought exemption due to an illness. The appellant in the email had informed that the PO has not provided the information.

The respondent also was absent on 2<sup>nd</sup> consecutive hearing nor had communicated any legitimate reasons for the absence. The PIO also did not comply with the order of the Commission to supply the information. Since there was a delay of one year and six months in attending to the RTI application, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

The PIO was again directed to provide the information to the appellant within 10 days of the receipt of the order.

The case last came up for hearing 14.09.2021 through video conferencing at DAC Nawanshahar/Mohali. As per the appellant, the PIO has not supplied the information.

The respondent was absent on 3<sup>rd</sup> consecutive hearing nor has complied with the order of the Commission to provide the information as well as not filed a reply to the show-cause notice.

As per a copy of the letter received in the Commission on 15.06.2021, the PIO- had asked the Superintendent-cum-PIO (Establishment Branch), Local Govt. Pb Chandigarh vide letter dated 09.06.2021 to send information/reply within 3 days. The PIO, however, did not transfer the RTI application to them as per procedure as prescribed under 6(3) of the RTI Act. As per another letter received in the Commission from the PIO on 09.09.2021, the PIO-O/o Principal Secretary, Local Govt has transferred the RTI application to the Superintendent-cum-PIO(Establishment Branch), Local Govt. Pb Chandigarh on 02.09.2021

Given the above facts the following was concluded.

That the RTI application was filed in the office of the Principal Secretary, Local Govt on 27.11.2019.

That the PIO-O/o Principal Secretary, Local Govt instructed the Superintendent - cum-PIO (Establishment Branch), Local Govt. Pb Chandigarh vide letter dated 09.06.2021 to send the information within 3 days which should have been transferred under section 6(3) of the RTI Act within 5 days from the date of receipt of RTI application as prescribed under the RTI Act if it does not pertain to them.

That the PIO O/o Principal Secretary, Local Govt. has transferred the RTI application to the Superintendent-cum-PIO (Establishment Branch) Local Govt. on 02.09.2021.

That the PIO O/o Principal Secretary, Local Govt. has failed to transfer the RTI application to the concerned branch within the time prescribed under the RTI Act. and there has been a delay of more than one year and nine months in providing the information

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-O/o Principal Secretary, Local Govt Pb Chandigarh was held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request as well as not transferring the RTI application to the concerned branch on time as prescribed under section 6(3)(ii) of the RTI Act. He was also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.

Hence, given the above facts a penalty of **Rs.10,000/-** was imposed on the PIO- O/o Principal Secretary, Local Govt. Pb Chandigarh, which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

Further, the Commission was of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

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The PIO O/o Principal Secretary, Local Govt. Pb Chandigarh was directed to pay an amount of **Rs.2000/-** via demand draft through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the commission of the compliance of the order and submit proof of having compensated the appellant.

The PIO is again directed to provide information to the appellant within 10 days of the receipt of the order.

**Hearing dated 28.07.2022**

The case has come up for hearing today through video conferencing at DAC Nawanshahar. The respondent present pleaded that in compliance with the previous order of the Commission, the penalty amounting to Rs.10,000/- (Rupees ten thousand only) has been deposited vide cheque No.400317 through challan portal and confirmation in this regard has been done 13.07.2022. The respondent further pleaded that a compensation amount of Rs.2000/- (Rupees two thousand only) has also been paid to the appellant on 16.03.2022.

The appellant claims that he has received the compensation amount of Rs.2000/- (Rupees two thousand only) from the respondent.

Since the order has been complied with, no more cause action is left and hence, **the case is disposed off.**

**Chandigarh**  
**Dated: 28.07.2022**

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



Sh Baljinder Sodhi,(9815063997)  
# 120, Kanshi Nagar, Kot Sadeeq,  
Jalandhar.

... Appellant

Versus

**Public Information Officer,**  
O/o District Controller,  
Food and Supply Department,  
Jalandhar.

**First Appellate Authority,**  
O/o District Controller,  
Food and Supply Department,  
Jalandhar.

...Respondent

**Appeal Case No. 1816 of 2021**

**PRESENT:     None for the Appellant**  
**Sh. Robin Kumar, Food Safety Officer O/o Civil Surgeon, Jalandhar for**  
**the    Respondent**

**ORDER:**

The appellant, through an RTI application dated 30.09.2020 has sought information regarding the license issued to M/s Mansi Enterprises, Jalandhar for mfg Namkeen under the brand 'Jutt James Bond 007 Fried Snacks' – samples approved – date of approval – complaint received against the company – basis on which certificate was issued by FSSAI and other information as enumerated in the RTI application from the office of District Controller, Food & Supply Department Jalandhar. The appellant was not provided with the information after which, the appellant filed the first appeal before the first appellate authority on 17.11.2020 which took, no decision on the appeal.

The case came up for hearing 04.10.2021 through video conferencing at DAC Jalandhar. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and informed that he has sought a copy of the license issued to M/s Mansi Enterprises and a certificate for approval of samples relating and the basis on which FSSAI had issued the certificate.

The respondent said that the information is in the custody of Dr Arun Verma, Designated Officer/Food Safety Officer O/o Civil Surgeon, Jalandhar.

**Hearing dated 28.07.2022:**

The respondent present pleaded that Dr. Arun Verma, the designated officer has been transferred from the Civil Hospital, Jalandhar. The respondent further pleaded that he has brought the requisite information to hand it over to the appellant.

The appellant is absent nor represented.

Hearing the respondent, the Bench directs the respondent to send the information to the appellant by registered post with a copy to the Commission.

With the above order, **the case is disposed off.**

**Chandigarh**  
**Dated: 28.07.2022**

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



Sh Baljinder Sodhi, (9815063997)  
# 120, Kanshi Nagar, Kot Sadeeq,  
Jalandhar.

... Appellant

Versus

**Public Information Officer,**  
O/o District Controller,  
Food and Supply Department,  
Jalandhar.

**First Appellate Authority,**  
O/o District Controller,  
Food and Supply Department,  
Jalandhar.

...Respondent

**Appeal Case No. 1818 of 2021**

**PRESENT: Sh.Baljinder Singh as the Appellant**  
**Sh. Robind Kumar, Food Safety Officer O/o Civil Surgeon, Jalandhar**  
**for the Respondent**

**ORDER:**

The appellant, through an RTI application dated 30.09.2020 has sought information regarding the a license issued to M/s Omni Food Products for mfg and marketing the product Naman-G Noodle, China Chowmin' – sample approved and certificate issued - complaint received against the company from any person – FSSAI certificate issued and other information as enumerated in the RTI application from the office of District Controller, Food and Supply Department, Jalandhar. The appellant was not provided with the information after which, the appellant filed the first appeal before the first appellate authority on 17.11.2020 which took no decision on the appeal.

The case came up for hearing 04.10.2021 through video conferencing at DAC Jalandhar. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and informed that he has sought a copy of the license issued to M/s Mansi Enterprises and a certificate for approval of samples and the basis on which FSSAI had issued the certificate. The appellant further informed that the PIO has informed that no complaint is found against the company relating to point-2 but the appellant himself has filed a complaint earlier.

Having gone through the reply, the Commission observes that the PIO has denied the information under section 11 but has not issued notices to the 3<sup>rd</sup> parties.

The respondent said that the information was in the custody of Dr Arun Verma, Designated Officer/Food Safety Officer O/o Civil Surgeon, Jalandhar.

A license issued to a company does not qualify as third-party information, as a license is the most vital document which allows customers to have faith in a product. Moreover, many people display their license numbers on their business establishments to win the confidence of customers. I am nulling this observation of the PIO that the information could not be provided because it comes under 3rd party and is exempt under section 11 of the RTI Act.

Dr.Arun Verma, Designated Officer o/o Civil Surgeon, Jalandhar was impleaded in the case and directed to provide the information to the appellant and send a compliance report to the commission.

**Hearing dated 28.07.2022:**

The respondent present pleaded that Dr. Arun Verma, the designated officer, has been transferred from Civil Hospital, Jalandhar. The respondent further pleaded that he has brought the requisite information to hand over to the appellant.

The appellant is absent nor represented.

Hearing the respondent, the Bench directs the respondent to send the information to the appellant by registered post and a copy of the same along with a copy of the postal receipt to the Commission in confirmation of having posted the requisite information to the appellant.

With the above order, **the case is disposed off.**

**Chandigarh**  
**Dated: 28.07.2022**

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



Smt Dimple Kumari W/o Sh Nirmal Kumar,  
VPO Tibber, Distt Gurdaspur.

... Complainant

Versus

**Public Information Officer,**  
O/o Director,  
Ayurveda Department,  
Sector-11, Chandigarh.

...Respondent

**Complaint Case No. 409 of 2021**

**PRESENT:   None for the Complainant**  
**Shri Rahul Sharma, Senior Assistant, PIO for the Respondent**

**ORDER:**

The complainant, through an RTI application dated 28.12.2020 has sought information regarding the name category and merit list of 16 pharmacists recruited against the advertisement published on 04.12.2020 in Ajit Newspaper and other information as enumerated in the RTI application from the office of Director Ayurveda Department, Pb Chandigarh. The complainant was not provided with the information after which, the complainant filed a complaint in the Commission on 01.04.2021.

The case came up for hearing on 15.09.2022 through video conferencing at DAC Gurdaspur. The respondent present pleaded that the information has been sent to the complainant vide letter dated 04.08.2021 with a copy to the Commission. The Commission has received a copy of the letter dated 04.08.2021 of the PIO on 18.08.2021 which has been taken on the file of the Commission.

The complainant was absent nor is represented.

**Hearing dated 28.07.2022:**

The case has come up for hearing today through video conferencing at DAC Gurdaspur. The respondent present pleaded that the requisite information has already been provided to the complainant, and the complainant has given in writing that she has received the information and is satisfied with the same.

The complainant is absent nor represented.

Having gone through the RTI application and record available in the file, the Commission observes that the complainant has already received the information and is satisfied with the same. The Commission is not inclined to further interfere in the matter, hence, the case is **disposed of and closed**.

**Chandigarh**  
**Dated: 28.07.2022**

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



Sh Dalbir Singh, S/o Sh Surjit Singh,  
R/o Jafarwal,  
Tehsil & Distt Gurdaspur.  
Complainant

Versus

**Public Information Officer,**  
O/o Director,  
Social Security, Women & Child Development Deptt,  
Sector-34, Chandigarh.

...Respondent

**Complaint Case No. 401 of 2021**

**PRESENT: None for the Complainant**

**Smt. Daljit Kaur, Senior Assistant, for the Respondent**

**ORDER:**

The complainant, through an RTI application dated 11.02.2021 has sought information regarding an enquiry report on the enquiry conducted by the department against Jagtar Singh, who was terminated in 2014 and reinstated in 2018 along with his posting details in Tarn taran – a copy of the complaint against Jagtar Singh clerk CDPO Ajnala filed in 2017 along with a copy of the enquiry report – a copy of the complaint against Jagtar Singh, clerk Children Home Gurdaspur on the transfer along with a copy of enquiry report of the Committee and other information as enumerated in the RTI application from the office of Director, Social Security, Women & Child Development Pb Chandigarh. The complainant was not provided with the information, after which the complainant filed a complaint in the Commission on 31.03.2021.

The case was previously heard on 15.09.2021 through video conferencing at DAC Gurdaspur. The respondent is present at Chandigarh and pleaded that the enquiry had been conducted and the enquiry report along with other information has been sent to the complainant on 26.08.2021.

The complainant was absent without any legitimate reasons for the absence nor is represented.

Having gone through the record, the Commission observed that there has been an enormous delay or more than six months in attending to the RTI application and a **show cause was issued to the PIO why penalty should not be not imposed under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO was directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

**Hearing dated 28.07.2022:**

The case has come up for hearing today through video conferencing at DAC Gurdaspur. The respondent present pleaded that the complainant has given in writing that he has received the information, and he is satisfied with the same.

The complainant is absent today nor represented. The complainant was also absent on the previous date of hearing.

As the complainant is absent for the 02<sup>nd</sup> time consecutively, **the case is disposed of** due to non-pursuance of the case by the complainant.

**Chandigarh**  
**Dated: 28.07.2021**

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