

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR – 16, CHANDIGARH

Tel No. 0172-2864116, Fax No. 0172-2864125

Visit us @ www.infocommpunjab.com; Email: psic26@punjabmail.gov.in;

APPEAL CASE NO. 352 OF 2018

Sh. Hardial Singh,
S/o Sh. SHer Singh,
Village & P.O: Dhablan,
Tehsil & Distt: Patiala.

...Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Patiala.

First Appellate Authority
O/o District Development and Panchayat Officer,
Patiala.

...Respondents

PRESENT: Sh. Gian Chand is present on behalf of the Appellant.
Sh. Vineet Sharma, B.D.P.O., Sanour on behalf of the PIO.

ORDER

This order may be read with reference to the previous order dated
13.12.2018.

2. Sh. Gian Chand appears on behalf of the appellant and states that the appellant has received the compensation amount of Rs. 2000 but no information has been provided relating to point no. 3 of the RTI application of the appellant by the Respondent – PIO till date.

3. Sh. Vineet Kumar Sharma, B.D.P.O., Sanour appears on behalf of the PIO and states that he has filed an Affidavit on the last date of hearing, which is as under: -

“ਮੈਂ ਵਿਨੀਤ ਕੁਮਾਰ ਸ਼ਰਮਾ ਪੁੱਤਰ ਡਾ. ਵਿਜੈ ਕੁਮਾਰ ਸ਼ਰਮਾ ਬਤੌਰ ਬੀ.ਡੀ.ਪੀ.ਓ. ਸਨੌਰ ਕਮੇ ਕਰ ਰਿਹਾ ਹਾਂ। ਸ੍ਰੀ ਹਰਦਿਆਲ ਸਿੰਘ ਪੁੱਤਰ ਸ੍ਰੀ ਸ਼ੇਰ ਸਿੰਘ ਵਾਸੀ ਪਿੰਡ ਧਬਲਾਲ ਵਲੋਂ ਮੰਗੀ ਗਈ ਆਰ.ਟੀ.ਆਈ. ਤਹਿਤ ਸੂਚਨਾ ਦੇਰੀ ਨਾਲ ਦੇਣ ਸਬੰਧੀ (ਅਪੀਲ ਕੇਸ ਨੰ: 352 ਆਫ 2018 ਸਬੰਧੀ) ਮੈਂ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਬਿਆਨ ਕਰਦਾ ਹਾਂ ਕਿ:-

1. ਨਿਮਨ ਹਸਤਾਖਰ ਵਲੋਂ ਐਪਲੀਕੇਸ਼ਨ ਪੀ.ਆਈ.ਓ. ਸ੍ਰੀ ਹਰਿੰਦਰ ਸਿੰਘ, ਪੰਚਾਇਤ ਸਕੱਤਰ ਗਰਾਮ ਪੰਚਾਇਤ ਧਬਲਾਨ ਨੂੰ ਅਤੇ ਸ੍ਰੀ ਦਲਜੀਤ ਸਿੰਘ ਪੰਚਾਇਤ ਅਫਸਰ ਅਤੇ ਸ੍ਰੀ ਹਰਜੀਤ ਸਿੰਘ ਸੰਮਤੀ ਪਟਵਾਰੀ ਬਲਾਕ ਪਟਿਆਲਾ ਗਰਾਮ ਪੰਚਾਇਤ ਧਬਲਾਨ ਨੂੰ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: 4459-61 ਮਿਤੀ: 19-09-2017 ਰਾਹੀਂ ਟਰਾਂਸਫਰ ਕੀਤੀ ਗਈ ਸੀ।

2. ਇਹ ਹੈ ਕਿ ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਲੜੀ ਨੰ: 1 ਅਤੇ ਲੜੀ ਨੰ: 2 ਦੀ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: 74 ਮਿਤੀ: 5-3-2018 ਰਾਹੀਂ ਰਜਿਸਟਰਡ ਅਤੇ ਸਬੰਧਤ ਪੰਚਾਇਤ ਸਕੱਤਰ ਵਲੋਂ ਵੀ ਪਹਿਲਾਂ ਹੀ ਦਿੱਤੀ ਜਾ ਚੁੱਕੀ ਹੈ।

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APPEAL CASE NO.352 OF 2018

3. ਇਹ ਹੈ ਕਿ ਲੜੀ ਨੰ: 3 ਤੇ ਪ੍ਰਾਰਥੀ ਵਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾਂ ਜੋ ਕਿ ਨਿਮਨ ਹਸਤਾਖਰ ਨਾਲ ਸਬੰਧਤ ਹੈ। ਜਿਸ ਵਿੱਚ ਪ੍ਰਾਰਥੀ ਨੂੰ ਬੀ.ਡੀ.ਪੀ.ਓ. ਦੀਆਂ ਸ਼ਕਤੀਆਂ ਅਤੇ ਕੰਮਾਂ ਦਾ ਵੇਰਵੇ ਬਾਰੇ ਪ੍ਰਾਰਥੀ ਨੂੰ ਜੁਬਾਨੀ ਅਤੇ ਵਿਭਾਗ ਦੀ ਵੈੱਬ ਸਾਈਟ ਤੇ ਦੇਖਣ ਲਈ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: 74 ਮਿਤੀ: 5-3-2018 ਰਾਹੀਂ ਲਿਖਿਆ ਗਿਆ ਸੀ।

4. ਇਹ ਕਿ ਨਿਮਨ ਹਸਤਾਖਰ ਵਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਵਿੱਚ ਦੇਰੀ ਦਾ ਦਾਰਨ ਕਿ ਉਸ ਸਮੇਂ ਨਗਰ ਨਿਗਮ ਦੀਆਂ ਚੋਣਾਂ ਵਿੱਚ ਬਤੌਰ ਸਹਾਇਕ ਰਿਟਰਨਿੰਗ ਅਫਸਰ ਡਿਊਟੀ ਲੱਗਣ ਕਾਰਨ ਅਤੇ ਵਾਰਡਬੰਦੀ ਦਾ ਕੰਮ ਪੂਰੇ ਜ਼ੋਰਾ ਤੇ ਚੱਲ ਰਿਹਾ ਸੀ। ਵਾਰਡਬੰਦੀ ਦੇ ਕੰਮ ਵਿੱਚ ਗੁਝਿਆ ਹੋਣ ਕਾਰਨ ਆਰ.ਟੀ.ਆਈ. ਦੀ ਸੂਚਨਾਂ ਦੇਣ ਵਿੱਚ ਦੇਰੀ ਹੋ ਗਈ ਸੀ।

5. ਨਿਮਨ ਹਸਤਾਖਰ ਮਾਨਯੋਗ ਸੂਚਨਾਂ ਕਮਿਸ਼ਨ ਪੰਜਾਬ ਜੀ ਨੂੰ ਵਿਸ਼ਵਾਸ ਦਿਵਾਉਂਦਾ ਹੈ ਕਿ ਭਵਿੱਖ ਵਿੱਚ ਆਰ.ਟੀ.ਆਈ. ਨਾਲ ਸਬੰਧਤ ਡਾਕ ਦਾ ਸਮੇਂ ਸਿਰ ਨਿਪਟਾਰਾ ਕੀਤਾ ਜਾਇਆ ਕਰੇਗਾ ਅਤੇ ਸੂਚਨਾਂ ਦੇਣ ਵਿੱਚ ਹੋਈ ਦੇਰੀ ਸਬੰਧੀ ਨਿਮਨ ਹਸਤਾਖਰ ਮਾਨਯੋਗ ਸੂਚਨਾਂ ਕਮਿਸ਼ਨ ਪੰਜਾਬ ਜੀ ਵਲੋਂ ਮੁਆਫੀ ਚਾਹੁੰਦਾ ਹੈ ਜੀ।

-ਸਹੀ-

ਤਸਦੀਕ

ਬਿਆਨਕਰਤਾ

ਮੇਰਾ ਉਕਤ ਬਿਆਨ ਬਿਲਕੁਲ ਸਹੀ ਵਾ ਦਰੁਸਤ ਹੈ ਅਤੇ ਇਸ ਵਿੱਚ ਕੋਈ ਵੀ ਗੱਲ ਲੁਕਾ ਛੁਪਾ ਕੇ ਬਿਆਨ ਨਹੀਂ ਕੀਤੀ ਹੈ।

-ਸਹੀ-

ਬਿਆਨਕਰਤਾ

4. In view of the above and after perusal of the record as available in the file, it is ascertained that the Respondent has supplied the available information alongwith Demand Draft of Rs. 2000/- as compensation amount to the appellant and has also submitted an affidavit, which is taken on record. Thus, no further action is required, hence this Appeal Case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
30.01.2019

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

Copy to Intimation & Necessary Action:

Sh. Vineet Kumar Sharma,
Block Development and Panchayat Officer,
Sanaur, District: Patiala.

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APPEAL CASE NO. 354 OF 2018

Sh. Dalvir Singh,
S/o Sh. Bhag Singh,
R/o Village Kot Penech, Tehsil: Khanna,
District: Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Khanna, District: Ludhiana.

First Appellate Authority

O/o District Development and Panchayat Officer,
Ludhiana.

...Respondents

PRESENT: Sh. Dalvir Singh, Appellant.
Sh. Dhanwant Singh, B.D.P.O. –cum- PIO.

ORDER:

This order may be read with reference to the previous order dated:

13.12.2018.

2. The appellant states that inspite of the directions of the Commission, no affidavit has been filed by the respondent.

3. Sh. Dhanwant Singh, B.D.P.O. –cum- PIO appears and states that he has filed an Affidavit on the last date of hearing, which is as under: -

“ਮੈਂ ਧਨਵੰਤ ਸਿੰਘ ਰੰਧਾਵਾ ਬੀ.ਡੀ.ਪੀ.ਓ. ਖੰਨਾ ਮਾਨਯੋਗ ਸ਼੍ਰੀਮਤੀ ਵਿਨੋ ਕਪੂਰ ਮਹਿਰਾ, ਸਟੇਟ ਇਨਫਾਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ ਪੰਜਾਬ ਚੰਡੀਗੜ੍ਹ ਜੀ ਦੇ ਦਫ਼ਤਰ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 354 ਆਫ 2018 ਦੇ ਤਹਿਤ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਬਿਆਨ ਕਰਦਾ ਹਾਂ ਕਿ:-

ਸ਼੍ਰੀਮਤੀ ਵਿਨੋ ਕਪੂਰ ਮਹਿਰਾ, ਸਟੇਟ ਇਨਫਾਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ ਪੰਜਾਬ ਚੰਡੀਗੜ੍ਹ ਜੀ ਦੇ ਦਫ਼ਤਰ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 354 ਆਫ 2018 ਦੇ ਤਹਿਤ ਬੇਨਤੀ ਹੈ ਕਿ ਸ੍ਰੀ ਦਲਵੀਰ ਸਿੰਘ ਸਾਬਕਾ ਸਰਪੰਚ ਪੁੱਤਰ ਸ੍ਰੀ ਭਾਗ ਸਿੰਘ ਵਾਸੀ ਕੋਟ ਪਨੈਚ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੀ ਉਸ ਸਬੰਧੀ ਬੇਨਤੀ ਹੈ ਕਿ ਇਸ ਦਫ਼ਤਰ ਵਿਖੇ ਜੋ ਸੂਚਨਾ ਉਪਲਬਧ ਸੀ ਉਹ ਇਸ ਦਫ਼ਤਰ ਦੇ ਪੱਤਰ ਨੰ: 2863 ਮਿਤੀ: 10/8/2018 ਰਾਹੀਂ ਰਜਿਸਟਰ ਪੋਸਟ ਦਿੱਤੀ ਜਾ ਚੁੱਕੀ ਹੈ ਅਤੇ ਦਰਖਾਸਤ ਵਿੱਚ ਜੋ ਸੂਚਨਾ ਲੜੀ ਨੰ: 1,5,6,8,9 ਅਤੇ 10 ਤੇ ਮੰਗੀ ਗਈ ਹੈ। ਉਸ ਸਬੰਧੀ ਬੇਨਤੀ ਹੈ ਕਿ ਇਹ ਇਨਕੁਆਰੀ ਉਪ ਮੰਡਲ ਅਫ਼ਸਰ, ਪਰ ਪਟਿਆਲਾ ਜੀ ਦੇ ਦਫ਼ਤਰ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਸੀ ਜਿਸ ਕਰਕੇ ਇਹ ਸੂਚਨਾ ਉਹਨਾਂ ਨਾਲ ਸਬੰਧਤ ਹੈ ਅਤੇ ਜੋ ਸੂਚਨਾ ਲੜੀ ਨੰ: 16,17 ਅਤੇ 18 ਤੇ ਮੰਗੀ ਗਈ ਹੈ ਉਸ ਸਬੰਧੀ ਬੇਨਤੀ ਹੈ ਕਿ ਜਿਸ ਸਮੇਂ ਦੀ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਜਾ ਰਹੀ ਹੈ ਉਸ ਸਮੇਂ ਇਹ ਦਫ਼ਤਰ ਹੋਂਦ ਵਿੱਚ ਨਹੀਂ ਸੀ ਅਤੇ ਸਬੰਧਤ ਪੰਚਾਇਤ ਬਲਾਕ ਸਮਰਾਲਾ ਅਧੀਨ ਆਉਂਦੀਆਂ ਸਨ।

-ਸਹੀ-

ਤਸਦੀਕ

ਬਿਆਨਕਾਰ

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 354 OF 2018

ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਲਿਖਿਆ ਹਲਫ਼ੀਆ ਬਿਆਨ ਮੇਰੇ
ਇਲਮ ਵਯਕੀਨ ਮੁਤਾਬਿਕ ਸਹੀ ਵਾ ਦਰੁਸਤ ਹਨ ਅਤੇ ਇਸ ਵਿੱਚ ਕੱਝ ਵੀ ਛੁਪਾ ਕੇ
ਰੱਖਿਆ ਗਿਆ ਹੈ।

ਮਿਤੀ

-ਸਹੀ-

ਬਿਆਨਕਾਰ

4. The original Affidavit and Demand Draft No. 002351 of Rs. 2000/-
as a compensation amount is handed over to the appellant during the hearing.
Copy of the same is taken on record.

5. In view of the above and after perusal of the record as available in
the file, it is ascertained that the Respondent has supplied the available
information alongwith Demand Draft No. 002351 of compensation amount of Rs.
2000/- to the appellant and has also submitted an affidavit, which the appellant
has received in original, before the Commission. Thus, no further action is
required, hence this Appeal Case is **closed and disposed off**. Copies of the
order be sent to the parties.

Chandigarh
30.01.2019

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

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 370 OF 2018

Sh. Vipin Kumar,
S/o Sh. Jiwan Kumar,
R/o Sherpur, Tehsil:Dhuri,
Distt: Sangrur.

...Appellant

Versus

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

First Appellate Authority
O/o Director,
Food Civil Supplies and Consumer Affairs,
Punjab, Chandigarh.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Ajayvir Singh Sarao, Deputy Director –cum- PIO.

ORDER

This order may be read with reference to the previous order dated:

13.12.2018.

2. The appellant is absent for today's hearing in the Commission.
3. Sh. Ajayvir Singh Sarao, Deputy Director –cum- PIO appears and files a reply in response to the Show Cause Notice issued to him mentioning the detailed facts of the case. The copy of the same is taken on record.
4. In view of the above, the Respondent – PIO is directed to pay the compensation amount of RS. 3000/- to the appellant, before the next date of hearing, failing which penalty provision will be initiated against him as per provisions in the Section 20 of the RTI Act, 2005.
5. The case is adjourned for **07.03.2019 at 11.30 AM** Copies of the order be sent to the parties.

Chandigarh
30.01.2019

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

The Appellant appeared after the hearing was over. He was briefed about the proceedings of the case.

Chandigarh
30.01.2019

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

Copy to Intimation & Necessary Action:

The Director,
Food Civil Supplies and Consumer Affairs, Punjab,
Chandigarh.

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 1271 OF 2017

Sh. Baljinder Singh,
S/o Sh. Balkar Singh,
R/o Village Abdulpur,
Tehsil: Rajpura, Distt: Patiala.

...Complainant

Versus

Public Information Officer,
O/o District Controller,
Food Civil Supplies and Consumer Affairs,
Patiala.

Public Information Officer,
O/o Assistant Food Supply Officer,
Rajpura.

...Respondents

PRESENT: Sh. Baljinder Singh, Complainant.
Sh. Bikramjit Singh, A.F.S.O & Sh. Harpreet Singh, Inspector on
behalf of the Respondents.

ORDER:

This case may be read with reference to the previous order dated
11.12.2018.

2. The Complainant appears and states that he is not satisfied with
the reply of the Respondent.

3. Sh. Bikramjit Singh, Assistant Food Supply Officer, Rajpura on
behalf of the Respondent No. 2 and files an Affidavit mentioning therein that
available information has already been supplied to the Complainant as per official
record. He further states that the Food Supply Officer, Rajpura has already filed
an Affidavit in this regard.

4. After perusal of the case file, it is revealed that both the PIOs have
already been provided the information to the Complainant and filed the Affidavits
in this regard, which are taken on record.

5. The Respondent – PIO (O/o AFSO, Rajpura) has filed reply in
response to the Show Cause Notice, which is taken on record. Keeping in view
all the facts mentioned in the reply are found satisfactory, therefore the Show
Cause Notice is hereby, dropped. However, the Respondent - PIOs are warned
to be careful in future while dealing with the RTI applications.

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 1271 OF 2017

5. In view of the above, therefore, no further action is required in this Complaint case, hence this case is **closed and disposed off** Copies of the order be sent to the parties.

**Chandigarh
30.01.2019**

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

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 1874 OF 2018

Sh. Rajesh Gupta,
H.No.738, Sector: 41/A,
Chandigarh.

...Appellant

Versus

Public Information Officer,
O/o Director,
Animal Husbandry, Livestock Complex,
Sector: 68, SAS Nagar.

First Appellate Authority
O/o Director,
Animal Husbandry, Livestock Complex,
Sector: 68, SAS Nagar.

...Respondents

PRESENT: Sh. Rajesh Gupta, Appellant.
Dr. K.P.S Pasricha, Sr. Veterinary Officer on behalf of the PIO.

ORDER: This order may be read with reference to the previous order dated:
19.12.2018.

2. The appellant appears and states that incomplete information has been provided to him by the Respondent – PIO and some unattested documents/information was provided to him on the last date of hearing.

3. Dr. K.P.S Pasricha, Sr. Veterinary Officer appears on behalf of the Respondent – PIO and states that the appellant has not deposited the Indian postal order of Rs. 156/- as documentation fee, that's why information cannot provide to him. He further states that he is ready to attest the remaining documents and has attested the same, during the hearing.

4. The appellant has brought the Indian postal order of Rs. 160/- and handed over to the Respondent and he provided the information in return.

5. The appellant further states that he has received the information except the sub-point no. (iv) and (v) of his RTI application.

6. In view of the above, the Respondent – PIO is directed to provide the information relating to sub-point no. (iv) and (v) of RTI application of the appellant, before the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

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APPEAL CASE NO. 1874 OF 2018

6. The case is adjourned for **05.03.2019 at 11.30 AM** Copies of the order be sent to the parties.

**Chandigarh
30.01.2019**

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

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

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APPEAL CASE NO. 2085 OF 2018

Sh. Gagan Deep Singh Janjua,
Village:Tura, P.O: Kumbh, Tehsil Amloh,
Distt: Fatehgarh Sahib.

...Appellant

Versus

Public Information Officer,
O/o Court of Civil Judge
(Sr. Div), SBS Nagar.

First Appellate Authority
O/o Court of Civil Judge
(Sr. Div), SBS Nagar.

...Respondent

PRESENT: None is present on behalf of the Appellant.
Sh. Naresh Kumar, PIO O/o Civil Judge (Sr. Div), SBS Nagar.

ORDER: This order may be read with reference to the previous order dated
11.12.2018.

2. A letter has been received from the appellant in the Commission by email mentioning therein that due to some reason, he cannot attend today's hearing and has sought another date.

3. Sh. Naresh Kumar, PIO O/o Civil Judge (Sr. Div), SBS Nagar appears in person and file a reply mentioning therein that the appellant demanded the copies of the Judicial Record under Right to Information Act but Hon'ble Punjab & Haryana High Court Rule Vol 4 Chapter 5F states that:

"The information specified under Section 8 of the Act shall not be disclosed and made available and in particular the following information shall not be disclosed."

"The information which relates to judicial functions and duties of the court and matters incidental thereto and of confidential nature shall not be disclosed in terms of Section 8 (1) (b) of the Act."

4. He further states that the appellant is advised to apply for the attested copies of the required information to be sought through proper channel i.e. through Judicial Copying Agency as court matter cannot be disclosed as mentioned above, but he refused to apply for the same. Therefore, it is not possible to provide the judicial record. The copy of same is taken on record.

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APPEAL CASE No. 2085 of 2018

5. The respondent is directed to send the copy of this reply to the appellant during two days by registered post under intimation to the Commission. The appellant has not attended the last hearings in the Commission and has also attended the hearings before the FAA i.e Civil Judge, Sr. Division, SBS Nagar on 17.05.2018 and 07.07.2018, which shows that he is just harassing and wasting the time of the department as well as the Commission. The appellant is at liberty to apply for certified copies and documents with copying agency as per rules.

6. 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
30.01.2019**

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

Copy to Intimation & Necessary Action: -

Sh. Naresh Kumar,
Clerk of Courts –cum- PIO
O/o Court of Civil Judge (Sr. Division),
Shaheed Bhagat Singh Nagar.

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APPEAL CASE NO. 2087 OF 2018

Sh. Pawan Kumar,
S/o Sh. Birbal,
Tilak Nagar, Street No. 8,
Sri Mukatsar Sahib.

...Appellant

Versus

Public Information Officer,
O/o District Education Officer (EE),
Ferozepur.

First Appellate Authority
O/o District Education Officer (EE),
Ferozepur.

...Respondents

PRESENT: Sh. Pawan Kumar, Appellant.
Sh. Harmesh Lal, B.P.E.O. Guruharsahai-I, Sh. Madan Mohan,
B.P.E.O., Guruharsahai-II & Sh. Harmandeep Singh, Clerk
O/o BPEO, GHS-1, on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated:

11.12.2018.

2. The appellant appears and states that no information has been provided to him by the Respondent – PIO.

3. Sh. Harmesh Lal, B.P.E.O. Guruharsahai-I appears and files an Affidavit mentioning therein that the information sought by the appellant is third party information and cannot be provided to the appellant. He further states that he has written a letter to the third parties for their information but they did not given their consent to provide the personal information, which is taken on record.

4. Sh. Madan Mohan, B.P.E.O., Guruharsahai-II appears and files an Affidavit mentioning the same facts as given above.

5. Without commenting anything on the merits of the case, this case file is returned to the Deputy Registrar to place it before the Hon'ble Chief Information Commissioner to constitute the larger bench, where-after fresh notice of hearing be issued to the parties.

Cont...P-2

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APPEAL CASE No. 2087 of 2018

**The case file in original be sent to the Registry Branch along
with a copy of this order. Copies of the order be sent to the parties.**

**Chandigarh
30.01.2019**

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

Copy to Intimation & Necessary Action: -

**The Deputy Registrar/PSIC,
Chandigarh.**

**Sh. Harmesh Lal,
Block Primary Education Officer,
Block-1, Guruharsahai, District Ferozepur.**

**Sh. Madan Mohan,
Block Primary Education Officer,
Block-2, Guruharsahai, District Ferozepur.**

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APPEAL CASE NO. 2817 OF 2018

Sh. Prince Garg,
H.No.228, Ward No. 16,
Adarsh Mohalla, Nabha Gate,
Sangrur.

...Appellant

Versus

Public Information Officer

O/o Senior Medical Officer,
Incharge Civil Hospital,
Sangrur.

First Appellate Authority

O/o Chief Medical Officer,
Sangrur.

...Respondents

PRESENT: Sh. Prince Garg, Appellant.

Sh. Vipin Arora, Jr. Assistant is present on behalf of the PIO.

ORDER:

This order may be read with reference to the previous order dated:

11.12.2018.

2. The appellant states that incomplete information has been provided to him by the Respondent - PIO.

3. Sh. Vipin Arora, Jr. Assistant appears on behalf of the Respondent – PIO with the attested copy of the attendance register for the appellant and is handed over to the appellant, during the hearing.

4. The perusal of the record reveals that in this case, the Respondent has supplied the information to the appellant, today in the Commission and nothing is left to be supplied as per official record. He has also filed the Affidavit on the last date of hearing in this regard. Therefore, no further action is required in this Appeal Case, hence this case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
30.01.2019

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

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 2867 OF 2018

Sh. Gobind Singh,
H.No.P-11/06,Old A.P.S,
Colony, Near Water Tank,
Delhi Cantt-110010.

...Appellant

Versus

Public Information Officer,
O/o Director,
Health and Family Welfare Department,
Govt. of Punjab, Chandigarh.

First Appellate Authority
O/o Director,
Health and Family Welfare Department,
Govt. of Punjab, Chandigarh.

...Respondents

PRESENT : None is present on behalf of the appellant.

Smt. Sunita Sharma, Superintendent –cum- PIO Health-V Branch,
O/o Additional Chief Secretary Health & Family Welfare, Punjab,
Sh. Narinder Mohan, Superintendent –cum- PIO, O/o Director,
Health & Family Welfare Department, Punjab, Sh. Rajinder Singh &
Sh. Jagtar Singh, Sr. Assistants on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated:

11.12.2018.

2. The appellant is absent for today's hearing in the Commission and he was also absent on the last hearings dated: 15.10.2018 and 11.12.2018.

3. Smt. Sunita Sharma, Superintendent –cum- PIO Health-V Branch, O/o Additional Chief Secretary Health & Family Welfare, Punjab appears and states that the RTI application of the appellant was received in the office vide dated: 28.03.2018, and the same has been transferred vide Memo no. 22/15/2018-4Hb5/1200508/1, dated: 02.04.2018 to Director, Health & Family Welfare, Punjab, Chandigarh u/s 6(3) (ii) of the Right to Information Act, 2005 as the same was not related with the Branch.

4. Sh. Narinder Mohan, Superintendent –cum- PIO, O/o Director, Health & Family Welfare Department, Punjab appears in person and states that the information sought by the appellant is not available in the official record and reply of the same has been sent to the appellant vide letter dated: 15.06.2018.

Cont...P-2

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APPEAL CASE NO. 2867 OF 2018

5. 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 appellant within stipulated period. 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 Commission in the Second Appeal. He has suffered unnecessary detriments/harassment in getting the information at the hands of the PIO.

6. 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 O/o PIO Health-V Branch, O/o Additional Chief Secretary Health & Family Welfare, Punjab, Chandigarh and the PIO O/o Director, Health and Family Welfare Department, Govt. of Punjab, Chandigarh, is thus, responsible for the inadequate handling of the RTI requests and in the instant case as well.

7. I, therefore, order that compensation of Rs. 2000/- (Rupees Two Thousand Only) from each department be paid to the appellant for the detriments suffered by him.

8. This amount shall be payable from the funds of O/o PIO Health-V Branch, O/o Additional Chief Secretary Health & Family Welfare, Punjab, Chandigarh and the PIO O/o Director, Health and Family Welfare Department, Govt. of Punjab, Chandigarh, by way of crossed Cheque/Demand Draft in the name of Sh. Parvinderpal Singh Bawa within one month.

9. The Respondent - PIO O/o Health-V Branch, O/o Additional Chief Secretary Health & Family Welfare, Punjab, Chandigarh and O/o Director, Health and Family Welfare Department, Govt. of Punjab, Chandigarh are also directed to send a copy of Cheque/Demand Draft to the Commission to establish the fact that order of the Commission has been complied with.

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APPEAL CASE NO. 2867 OF 2018

10. The Respondent - PIOs [O/o PIO Health-V Branch, O/o Additional Chief Secretary Health & Family Welfare, Punjab, Chandigarh and the PIO O/o Director, Health and Family Welfare Department, Govt. of Punjab, Chandigarh] are directed to file an affidavit in response to the Show Cause Notice and appear personally on the next date of hearing, failing which penalty provision will be initiated against them as per provisions of Section 20 of the RTI Ac, 2005.

11. One more opportunity is given to the appellant to follow up his case in the Commission, failing which decision shall be taken on merits of the case.

12. The case is adjourned to **07.03.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
30.01.2019**

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

Copy to Intimation and Necessary Action: -

The Chief Secretary/PIO
O/o Health and Family Welfare Department,
Govt. of Punjab, Chandigarh

Sh. Narinder Mohan,
Superintendent –cum- PIO,
O/o Director,
Health & Family Welfare Department,
Punjab, Chandigarh.