

PUNJAB, STATE INFORMATION COMMISSION

Sector-16, Madhya Marg, Near Rose Garden, Chandigarh
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Sh. Karnail Singh
S/o Shri Chhanga Singh
#378. New Azad Nagar, Ferozepur City Complainant

Versus

Public Information Officer,
O/o Tehsildar, Ferozepur
First Appellate Authority
o/o SDM, Ferozepur ..Respondent

CC No.993 of 2018

Present: (i) None for the Appellant.
(ii) For the respondent : Sh Manohar Lal, Clerk.

ORDER

1. The RTI application is dated 03.04.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 17.09.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 12.11.2018 in the Commission

3. The Complainant is absent today. However, an e-mail has been received from the Complainant stating that he shall not be able to attend the hearing today.

4. The Respondent states that the information is ready but the has not deposited the documentation fee. Hence, the information could not be provided.

5. After perusal of the file, it is ascertained that the Complainant was asked to pay the documentation fee within the stipulated time, but he has failed to deposit the same. Moreover, the information is ready. Hence, the Complainant is directed to deposit the documentation fee and obtain the information from the office of the Respondent.

6. In view of the foregoing, no further cause of action is left. Hence, the Complaint case filed by the Complainant is disposed off and closed. Copy of the orders be sent to the parties.

Chandigarh
Dated: 12.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Satish Kumar Bhiri, Advocate
Near Nehru Park, Jaito,
Distt Faridkot - 151202

.... Appellant

Versus

Public Information Officer,
O/o Assistant Food Civil Supply Officer
Rampura Phul
First Appellate Authority
O/o District Food Supply Controller,
Bathinda

..Respondent

AC No. 3099 of 2018

Present: (i) None for the parties.

ORDER

1. The RTI application is dated 11.06.2018 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 16.07.2018 and second appeal was filed in the Commission on 12.09.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 12.11.2018 in the Commission.
3. The Appellant is not present today. However, the Appellant has informed on phone that he shall not be able to attend the hearing today.
4. None is present on behalf of the Respondent. However, an e-mail has been received from the office of the Respondent stating that they shall not be able to attend the hearing today.

AC No. 3099 of 2018

5. To come up on **05.12.2018 at 11:00 AM**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 12.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh.Jasbir Singh,Village Bholapur

Post Office Ramgarh, District Ludhiana

..... Appellant.

Versus

Public Information Officer,

O/o Food Safety Officer

Fazilka-152123

First Appellate Authority,

O/o Civil Surgeon, Fazilka-152123

Regd. Post:- Public Information Officer

o/o Civil Surgeon, Fazilka-152123

.....Respondent

Appeal Case No. 2492 of 2018

Present: (i) Sh Jasbir Singh, Appellant
(ii) For the respondent: Smt Gagandeep Kaur, Food safety Officer, Fazilka

ORDER

This order may be read with reference to the previous order dated 26.09.2018 vide which PIO O/o Civil Surgeon, Fazilka was impleaded as Respondent no.2

2. Today Smt Gagandeep Kaur, Food Safety Officer, is appearing on behalf of Respondent no.2. She states that the complete information has already been provided to the Appellant. However, she also hands over another copy of the same to the Appellant. She also files her reply which is as under:-

ਰਾਂ ਗਗਕਚੀਓ ਕੋਰ, ਫੂਡ ਸੇਫਟੀ ਅਫਸਰ, ਨਿਸ਼ਾ ਫਾਗੋਕਰਾ ਦਿਖੇ
ਕੰਮ ਕਰ ਰਹੀ ਜਾਂ। ਮੰਗ ਨਿਛੋ ਦਿਛੋ ਫੂਡ ਸੇਫਟੀ ਦਾ ਕੋਰ 2013
ਦਿਛੋ ਸੁਰੁ ਜੋਇਆ ਹੈ। ਇਕ ਕਈ ਮੈਰੇ ਦਫਤਰ ਦਿਛੋ ਜੋ
ਰਿਕਾਰਡ ਸੀ ਉਹ ਮੈ ਪੰਜਾਬ ਸਟੇਟ ਇਕਫਰਮੇਕਲ ਕਮਿਸ਼ਨ
ਦੈ ਪੈਕ ਕਰ ਦਿਛੋ ਜੋ ਮੈ ਦਿਛੋ ਰਿਕਾਰਡ ਮੈ ਇਕ ਤੋ ਪਹਿਲਾਂ
ਈ Sh Jasbir Singh ਕੋ ਸੁਰੁਕੀਆ ਕਰਦਾ ਉਕੀ ਜਾਂ। ਇਕ
ਤੋ ਬਿਕਾਂ ਮੈਰੇ ਦਫਤਰ ਦਿਛੋ ਇਕੋ 811 ਕਾਲ ਸੁਰੁਪਿਤ ਕੀਰਾ
ਰਿਕਾਰਡ ਸੁਰੁਕੀਆ ਕਰਦਾ ਦਿਛੋ ਹੈ। ਇਕ ਤੋ ਬਿਕਾਂ ਮੈਰੇ ਦਫਤਰ
ਦਿਛੋ ਕਈ ਰਿਕਾਰਡ ਕਰੀ ਹੈ।

3. Since the information has been provided hence, no further cause of action is left. Therefore, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 12.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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

..... Appellant.

Versus

Public Information Officer,
O/o Block Primary Education Officer
Mukatsar-I
First Appellate Authority,
O/o DEO(E), Sri Mukatsar Sahib

.....Respondent

Appeal Case No. 2529 of 2018

Present: (i) None for the Appellant.
(ii) For the Respondent: Sh Darshan Singh Mehal, BPEO

ORDER

This order may be read with reference to the previous order dated 26.09.2018.

2. The Appellant is absent today. However, an e-mail has been received from the Appellant stating that he shall not be able to attend the hearing today.

3. The Respondent states that the information cannot be provided as the information sought by the Appellant is third-party information. He has brought the consent of the third-party, which is taken on record.

4. The Appellant is absent today. Hence, one opportunity is given to the Appellant to appear before the Commission and state his case.

5. To come up on **28.11.2018 at 11:00 AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 12.11.2018

(Preety Chawla)
State Information Commissioner

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Sh.Jasbir Singh,Village Bholapur
Post Office Ramgarh, District Ludhiana

..... Appellant.

Versus

Public Information Officer,
O/o Food Safety Officer
Nawanshahr-152001
First Appellate Authority,
O/o Civil Surgeon, Nawanshahr-152001

.....Respondent

Appeal Case No. 2493 of 2018

Present : (i) Sh.Jasbir Singh the appellant
(ii) For the respondent : Sh.Harjodh Singh, Clerk

ORDER

This order may be read with reference to the previous order dated 26.09.2018 vide which the appellant was directed to deposit the documentation fee.

2. Today the appellant Sh. Jasbir Singh states that he has deposited the fee but no information has been given to him by the respondents.

3. Sh. Harjodh Singh is appearing on behalf of the respondent and states that the information has been sent to the appellant through registered post on 10.11.2018.

4. After hearing both the parties, it is ascertained that the respondents have sent information to the appellant on 10.11.2018, which is too late. It is observed that the respondents are being represented by very low level officials who are not in a position to satisfy the Commission and the appellant. From the next date of hearing, no person below the PIO or APIO will be allowed to appear in the Commission. Appearance of low level officials will amount to disrespect to the RTI Act besides invoking the provisions of imposition of penalty and also recommendation of disciplinary action against the PIO under Section 20 of RTI Act, 2005.

Appeal Case No. 2493 of 2018

5. **Dr. Balwinder Singh, Assistant Civil Surgeon-cum-PIO is directed to come present on the next date of hearing**, failing which action under Section 20 (1) of the RTI Act 2005 will be initiated.
6. To come up on **05.12.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 12.11.2018

(Preety Chawla)
State Information Commissioner

Through registered post

CC: Dr. Balwinder Singh, Assistant Civil Surgeon , o/o Civil Surgeon, Nawanshahr

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Sector-16, Madhya Marg, Near Rose Garden, Chandigarh
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Prof. Kirtypal Singh
House No. 29,
VPO Rajpur Bhajan
Distt. Hoshiarpur

..... Appellant.

Versus

Registered post- **Public Information Officer,**
O/o DC cum-District Election Officer
Distt. Admin complex
Hoshiarpur – Punjab – 146001

First Appellate Authority,
O/o DC cum-District Election Officer
Distt. Admin complex
Hoshiarpur – Punjab - 146001

Registered post:- **Public Information Officer**
O/o ADC (G), Mini Sectt,
Administration Complex, Hoshiarpur

...Respondent

Appeal Case No. 3044 of 2018

Present: (i) None is present on behalf of the appellant
 (ii) For the respondent : Sh. Sukhwinder Singh,APIO

ORDER

This order may be read with reference to the previous order dated 25.10.2018 vide which PIO,o/o ADC(G) was impleaded as respondent no.2.

2. Today the appellant is absent. He has sent a letter.

3. Sh. Sukhwinder Singh is appearing on behalf of the respondent and states that he has brought the information today in the Commission.

4. Copy of the information is taken on record. Respondent is directed to send the same to the appellant through registered post. Respondent has also given in writing that there is no other information which is pending in the office record of the respondent and there is nothing left to be furnished to him.

5. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
Dated: 12.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh. Krishan Gopal Singla,
S/o Shri Brij Lal, Ward No. 16, B/190,
Sangrur Road, Dhuri, Sangrur

.... Appellant

Versus

Public Information Officer,

O/o District controller
Food Civil Supplies and Consumer Affairs
Sangrur

First Appellate Authority

O/o Director Food Civil Supplies and consumer Affairs
Annaj Mandi, Sector 39C, Chandigarh

..Respondent

AC No. 3092 of 2018

Present: (i) None is present on behalf of the appellant
(ii) For the respondent :Sh.Padam Mittal, Inspetor, Sh.Pawan Kumar
Sharma,Senior Auditor and Sh. Manpreet Singh, Inspector

ORDER

1. The RTI application is dated 11.04.2018 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 23.07.2018 and second appeal was filed in the Commission on 12.09.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 12.11.2018 in the Commission.
3. The appellant has sent a letter in which he has authorized Sh.Prem Kumar Rattan to appear on his behalf. Sh.Prem Kumar Rattan (representative of the appellant) is absent today. He has sent a letter.
4. Respondent states that the information demanded by the appellant is very voluminous. He further states that they have sent letters to different inspectors in the same district to collect the information. The information was very voluminous, therefore documentation fees was called for within stipulated period by the inspectors, but the

appellant has failed to deposit the same. The appellant is advised to deposit the fees and obtain the information. Since, this is the first hearing, and the appellant is absent, therefore one more opportunity is given to him to appear before the Commission and state his case.

5. To come up on **28.11.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 12.11.2018

(Preety Chawla)
State Information Commissioner

PUNJAB, STATE INFORMATION COMMISSION

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Sh. Krishan Gopal Singla,
S/o Shri Brij Lal, Ward No. 16, B/190,
Sangrur Road, Dhuri, Sangrur

.... Appellant

Versus

Public Information Officer,
O/o District controller
Food Civil Supplies and Consumer Affairs
Sangrur

First Appellate Authority
O/o Director Food Civil Supplies and consumer Affairs
Annaj Mandi, Sector 39C, Chandigarh

..Respondent

AC No. 3091 of 2018

Present: (i) None is present on behalf of the appellant
(ii) For the respondent :Sh.Padam Mittal, Inspetor, Sh.Pawan Kumar
Sharma,Senior Auditor and Sh. Manpreet Singh, Inspector

ORDER

The RTI application is dated 19.04.2018 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 23.07.2018 and second appeal was filed in the Commission on 12.09.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 12.11.2018 in the Commission
3. The appellant has sent a letter in which he has authorized Sh.Prem Kumar Rattan to appear on his behalf. Sh.Prem Kumar Rattan (representative of the appellant) is also absent today. He has sent a letter.
4. Respondent states that the information demanded by the appellant is very voluminous. He further states that they have sent letters to different inspectors in the same district to collect the information. The information was very voluminous, therefore documentation fees was called for within stipulated period by the inspectors, but the

appellant has failed to deposit the same. The appellant is advised to deposit the fees and obtain the information. Since, this is the first hearing, and the appellant is absent, therefore one more opportunity is given to him to appear before the Commission and state his case.

5. To come up on **28.11.2018 at 11.00 AM**. Copy of the order be sent to the parties.

Chandigarh
Dated: 12.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Registered post

Sh.Jasbir Singh,Village- Bholapur
Post Office Ramgarh, District Ludhiana

..... Appellant .

Versus

Public Information Officer,
O/o Food Safety Officer
Ferozepur
First Appellate Authority,
O/o Civil Surgeon, Ferozepur

.....Respondent

Appeal Case No. 2491 of 2018

Present: (i) S.Jasbir 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 26.09.2018 vide which the respondent was absent.

2. The perusal of the file shows that the appellant filed RTI on 31.03.2018 but no information has been given to him after lapse of more than seven months. Respondent is absent today. He was not present even on the last date of hearing, which shows that the respondent has no regard for the orders issued by the Commission.

3. After hearing the appellant and perusing the record available on file it emerges that PIO has delayed/ denied in providing the information to the appellant. In view of the above, **PIO- o/o Food Safety Officer, Ferozepur** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his

Appeal Case No. 2491 of 2018

submission and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

4. To come up on **05.12.2018 at 11.00 AM**. Copy of the order be sent to the parties **through registered post**.

Chandigarh
Dated: 12.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh.Jasbir Singh,Village Bholapur
Post Office Ramgarh, District Ludhiana

..... Appellant.

Versus

Public Information Officer,
O/o Food Safety Officer
Jalandhar144001

First Appellate Authority,
O/o Civil Surgeon, Jalandhar144001

Regd. Post:- Public Information Officer
O/o Civil Surgeon, Jalandhar144001

.....Respondent

Appeal Case No. 2494 of 2018

Present: (i) Sh.Jasbir Singh the appellant
(ii) For the respondent : Dr. Kawal Kishore, SMO, Sh.Mandeep Singh, Junior
Assistant

ORDER

This order may be read with reference to the previous order dated 26.09.2018.

2. The respondent states that the appellant has not deposited documentation fee i.e. Rs. 420/-, therefore information cannot be provided to him.

3. The perusal of the file shows that the appellant filed RTI on 05.04.2018 which was received by the respondent on 09.04.2018 and the respondents have demanded fees on 18.04.2018 within stipulated period.

4. Therefore, the appellant is advised to deposit the fee and the respondents are directed to provide the information to the appellant on receipt of documentation fee. Respondents have promised that complete information will be provided to the appellant on receipt of fee.

5. In view of the above, no cause of action is left. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
Dated: 12.11.2018

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh.Jasbir Singh,Village Bholapur
Post Office Ramgarh, District Ludhiana

..... Appellant.

Versus

Public Information Officer,
O/o Food Safety Officer
Pathankot-145001

First Appellate Authority,
O/o Civil Surgeon, Pathankot-145001

Registered post- Public Information Officer
O/o Civil Surgeon, Pathankot-145001

.....Respondent

Appeal Case No. 2490 of 2018

Present: (i) Sh.Jasbir Singh the appellant
(ii) For the respondent : Smt. Simrit Kaur, Food Safety Officer

ORDER

This order may be read with reference to the previous order dated 26.09.2018 vide which PIO,o/o Civil Surgeon,Pathankot was impleaded as respondent no. 2.

2. Respondent states that she has brought the information today in the Commission, which is handed over to the appellant.

3. The appellant states that the information has not been given to him within stipulated time as prescribed under the RTI Act 2005.

4. Therefore, the Respondent PIO is warned to be more careful in future while dealing with the matters pertaining to the RTI Act, 2005 and act swiftly.

5. Since the information has been provided to the appellant, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed. Copy** of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 12.11.2018

(Preety Chawla)
State Information Commissioner