

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
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Sh.Vikarm Vaid,  
H No-1527, Gali No-2,  
Bagh Rama Nand,  
Amritsar.

... Appellant

Versus

**Public Information Officer,**  
O/o Director of Local Govt,Pb  
Sector-35-A, Chandigarh.

**First Appellate Authority,**  
O/o Addl, Director,  
Deptt of Local Govt, Pb  
Sector-35-A, Chandigarh.

...Respondent

**Appeal Case No. 1336 of 2020**

**PRESENT: None for the Appellant**  
**Smt.Tarsem Kaur, Suptd-cum-PIO (E-branch) and Sh.Lakhwinder Kumar-PIO A/c Branch O/o Local Govt., and Sh.Des Raj-EO-NC Adampur(earlier EO-Nagar Panchayat Mehatpur) for the Respondent**

**ORDER:** This order should be read in continuation to the previous order.

The case has already been heard on 07.10.2020, 09.03.2021, 18.05.2021, 31.08.2021, 29.03.2022, 09.05.2022 ,14.09.2022 & 01.11.2022.

On the date of the hearing on **31.08.2021**, **due to** absence of PIO and for non-compliance of order of the Commission to provide the information, a **show cause notice was issued to the PIO and directed to file a reply on an affidavit**. The PIO was again directed to sort out the discrepancies and provide complete information to the appellant within 10 days of the receipt of the order.

On the date of the hearing on **29.03.2022**, the respondent present from the office of Nagar Panchayat Mehatpur pleaded that available information has already been provided to the appellant on 08.03.2021. As per the appellant, the information was not supplied to him by the PIO.

The PIO was absent nor had filed a reply to the show cause notice as well not complied the order of the Commission to provide complete information.

As per respondent, Sh.Des Raj was the EO-cum-PIO, Nagar Panchayat Mehatpur when the RTI application was filed till 17.10.2021 (now transferred and posted as EO-NC, Adampur), Sh.Des Raj, EO-NC Adampur (earlier PIO-Nagar Panchayat Mehatpur) was held guilty of not providing the information on time, and a penalty of **Rs.10,000/-** was imposed on him with the direction to produce a copy of the challan as evidence of depositing the penalty in the Govt Treasury. The PIO- Nagar Panchayat Mehatpur was also directed to pay an amount of **Rs.2500/-** via demand draft 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 and submit proof of having compensated the appellant.

## Appeal Case No. 1336 of 2020

On the date of hearing on **09.05.2022**, Sh.Des Raj-EO-NC Adampur (earlier EO-Nagar Panchayat Mehatpur) and Sh.Santosh Lal, Accountant were present at Chandigarh and informed that the discrepancies as pointed out by the appellant relating to point-4 have been sorted out and complete information has been supplied to the appellant. Regarding penalty, Sh.Des Raj has filed a reply which was taken on record. In the reply, Sh. Desraj pleaded for review of the imposed penalty on the following grounds –

That the RTI application had been filed with Director Local Govt. Punjab Chandigarh and no RTI application, First appeal or notice of the Commission was received in their office.

That what they received was only a letter (dated 25.08.2020) from the Local Govt. Pb Chandigarh on 10.09.2020 alongwith the RTI application of the appellant. The information was sent to the appellant immediately vide letter dated 01.10.2020 through registered post.

That they attended the hearing of the Commission on 07.10.2020 and the discrepancies which were pointed out by the appellant were also sorted out vide letter dated 08.03.2021 including information relating to point-4. Further, no letter/order of the Commission for an appearance on 18.05.2021 and 31.08.2021 was received in the Nagar Panchayat Mehatpur and hence nobody could appear on the given dates.

Sh.Des Raj-EO-NC Adampur(earlier PIO Mehatpur) pleaded that before his transfer from Mehatpur to Adampur, complete information was provided to the appellant and there no delay had occurred on his part thus the decision to impose the penalty and granting compensation amount be reviewed.

The PIO-Director of Local Govt. Pb, Chandigarh was directed to appear personally on the next date of hearing alongwith explanation on the statement of Sh.Des Raj, EO-NC Adampur(earlier PIO Mehatpur) and EO-Nagar Panchayat Mehatpur. A copy of the reply of both the PIOs was sent to the PIO-Director Local Govt. Pb Chandigarh for reference.

On the date of hearing on **14.09.2022**, the respondents were present at Chandigarh and informed that the complete information has been provided to the appellant and no further information is available in the record. As per appellant, the information was incomplete.

Hearing both the parties, the respondent was directed to provide an affidavit that the information that has been provided is true and complete and no more information relating to this RTI application exists. With the above, information part was finished and no more discussion be done on this aspect.

The PIO-O/o Local Govt sent a reply dated 08.09.2022 on the statement of Sh.Des Raj EO-NC Adampur (earlier PIO Mehatpur) and EO-Nagar Panchayat Mehatpur which was taken on record. From the reply of the PIO-Local Govt. and during the course of the hearing, a new fact had emerged. The RTI application came into operation only after the notice of the Commission. As per Sh.Des Raj, the said RTI application was never received and was only transferred after it was attached alongwith the notice of the Commission after the appellant filed an appeal for not getting the information on his RTI application. As per the appellant, the appellant had the record of receipt of his RTI application by the department of Local Govt.

To inquire further into the matter, the Commission directed the Director Local Govt. to inform whether this RTI application was received or not and file a complete status report on an affidavit at the next date of hearing.

On the date of last **hearing on 01.11.2022**, the respondent present from NC Mehatpur submitted an affidavit stating that the information has already been supplied to the appellant as per the available record which is correct.

**Appeal Case No. 1336 of 2020**

The respondent present from the office of Director Local Govt. filed a reply which was taken on record. In the reply, it was mentioned they received the RTI application on 13.11.2019 and the same was forwarded to the accounts branch on 22.11.2019. However, the concerned account branch was asked to vide letter dated 20.09.2022 to send the status of the RTI application, to which they have not replied yet. Further, the information has already been provided to the appellant by the EO-NC Mehatpur.

The PIO-Account Branch, O/o Director Local Govt. was impleaded in the case and directed to appear personally before the Commission on the next date of hearing.

**Hearing dated 20.12.2022:**

The case has come up for hearing today. Sh.Des Raj reiterated his earlier plea that they received the RTI application only on 10.09.2020 and supplied the information to the appellant on 01.10.2020.

The following are the facts of the case-

As per the respondent present from the Establishment Branch of the Local Govt, the RTI application was sent to their Accounts Branch on 22.11.2019.

The respondent present from Account Branch pleaded that as per their record, no RTI application was received in their branch since there is no entry in the diary register. Further, the diary clerk of that time has expired. The respondent has also filed a reply which has been taken on record.

From the above and sequence of events, a fact that had been caught in the rigmarole of nepotism of the instant public authority has, after a thorough probe, emerged itself up, calling for a review of the order.

commission has now emerged, thus calls for a review the RTI application was not transferred to the EO-Nagar Panchayat Mehatpur within time and it was only transferred after it was attached alongwith the notice of the Commission after the appellant filed an appeal for not getting the information on his RTI application. Hence the order dated 29.03.2022 for imposing of penalty of Rs.10000/- and providing compensation of Rs.2500/- is withdrawn.

The sequence of events indicate that the RTI application has been mishandled both at the level of PIO-Director Local Govt as well as at the level of PIO-Mehatpur and only came into operation after the notice of the Commission was sent, and the appellant deserves compensation for harassment due to delay in providing the information.

Hence the PIO-Director Local Govt. Pb Chandigarh and the PIO-EO Nagar Panchayat Mehatpur are directed to pay an amount of Rs.15000/- (Rs.7500/- by PIO-Director Local Govt. and Rs.7500/- by PIO-Nagar Panchayat, Mehatpur) by way of demand draft as compensation to the appellant for the loss and detriment suffered by him of having to file the appeal and not getting information in time and submit proof of having paid the compensation.

To come up for compliance on **22.02.2023 at 11.00 AM** at Chandigarh.

Chandigarh  
Dated: 20.12.2022

Sd/-  
(Khushwant Singh)  
State Information Commissioner

CC to: 1. Sh.Des Raj, EO-Nagar Council,  
Adampur, District Jalandhar

2. EO-cum-PIO-Nagar Panchayat,  
Mehatpur, District Jalandhar.



Sh. Jaspal Singh S/o Sh Surjit Singh,  
H No-157, Street NO-8-A,  
Manjit Nagar, Bhadson Road,  
Patiala.

... Appellant

Versus

**Public Information Officer,**  
O/o DC,  
Patiala.

**First Appellate Authority,**  
O/o DC,  
Patiala.

...Respondent

**Appeal Case No. 3447 of 2020**

**PRESENT: None for the Appellant**

**Dr.Harinder Kaur, DEO and Sh.Tara Singh, PIO for the Respondent**

**ORDER:**

The appellant, through an RTI application dated 27.07.2020, has sought information regarding forms A, B, C, and D deposited by unaided schools u/s 3(2) of Punjab Regulation of fee of unaided educational Institutions Act 2016 and other information as enumerated in the RTI application concerning the office of DC Patiala. The appellant was not satisfied with the reply of PIO dated 24.08.2020, after which the appellant filed the first appeal before the First Appellate Authority on 31.08.2020, which took no decision on the appeal.

On the date of first hearing on 28.07.2021, the appellant claimed that the PIO has not supplied the information.

The respondent was absent without intimation. Having gone through the RTI application, the PIO was directed to provide whatever information is available in the record relating to points-2 point-6. The decision on point 1 will be taken on the next date of the hearing.

On the date of the hearing on **28.09.2021**, due to a technical fault in the VC, the hearing could not take place. The case was adjourned. On the date of the hearing on **04.01.2022**, due to the non-presence of the staff in the DC Office Patiala because of the farmers' protest, the hearing could not take place. The case was adjourned.

On the date of the hearing on **19.04.2022**, the appellant claimed that the PIO has not supplied the information.

The respondent was absent. Due to delay of more than one and half years in providing the information, the PIO was issued a **show cause notice under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file reply on an affidavit**. The PIO was again directed to provide information to the appellant within 15 days of the receipt of the order.

On the date of last hearing on **12.09.2022**, the appellant pleaded that despite the order of the Commission, the PIO has not supplied the information.

The respondent was absent on the 3<sup>rd</sup> consecutive hearing. The Commission received a reply from the PIO O/o District Education Officer (S.E) Patiala on 26.08.2022, mentioning therein that the appellant had filed an RTI application with the office of DC Patiala, which was transferred to their office under section 6(3) by the office of DC on 03.08.2020, and the reply was sent to the appellant vide letter dated 24.08.2020. Further, the information on points 2 to 6 was sent to the appellant on 16.09.2021. The PIO further mentioned in the reply that due to his busy schedule in making arrangements for the inspection of Govt Aided Privately managed schools of District Patiala scheduled in April 2022 as well as meetings organized by the DC Patiala regarding implementation of Fee Act 2016, the PIO could not attend the hearing on 19.04.2022.

The reply of the PIO dated 24.08.2020 (that there is no record available with them) and reply dated 16.09.2021, as well as the reply to show cause notice, the Commission found that the reply is flimsy and mere hogwash as three consecutive absences cannot be condoned. Moreover, this appeal is against the information provided, and only the presence of the PIO could have helped untangle the difference in the information that has been provided and the stand of the applicant that the provided information is not accurate and has been denied malafidely

However, the arguments of both the parties could not be heard due to the continued absence of the PIO or any representative. The explanation extended for the continued absence of the PIO or any representative at the hearings was feeble and held no merit. Hence, the PIO's reply to the show cause was rejected. It was clear that the RTI application wasn't handled with the due diligence it requires, nor did the PIO use the opportunity of the court hearings to clarify the department's position.

Given the above, the PIO O/o District Education Officer (S.E.) Patiala was held guilty for not providing correct and complete information when the RTI was filed, as well not providing complete information after the orders of the commission and a penalty of **Rs.25,000/-** was imposed on the PIO O/o District Education Officer (S.E.) and directed to submit a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

The PIO O/o District Education Officer (S.E.) Patiala was also directed to pay an amount of **Rs.5000/-** via demand draft as compensation to the appellant and submit proof of having compensated the appellant.

On the date of last hearing on **01.11.2022**, the appellant claimed that the PIO has neither provided the complete information nor has paid compensation.

The order of the Commission was not complied with by the PIO-DEO(SE) Patiala. The PIO was given one last opportunity to comply with the order of the Commission and submit proof of having deposited the amount of penalty in the Govt Treasury and compensation to the appellant. Complete information be provided as per record.

**Hearing dated 20.12.2022:**

Dr.Harinder Kaur, DEO and Sh.Tara Singh-PIO are present. The PIO has filed a reply which has been taken on record. Dr.Harinder Kaur, DEO pleaded that the compensation amount has been paid to the appellant vide demand draft dated 19.09.2022 and a copy of the same submitted to the Commission. Dr.Harinder Kaur has also submitted a reply of Smt.Sukhmeet Kaur who was the PIO and has been penalised for Rs.25000/- which has been taken on record.

It has been mentioned in the reply that her husband has expired, and her son is under treatment in the DMC Ludhiana as well as due to the heavy work load in the office, she could not attend the hearings. Further, she is going to retire in April,2023. The PIO has pleaded for a review of order of penalty on humanitarian grounds.

The appellant is absent nor represented.

To come up for further hearing on **27.03.2023 at 11.00 AM at Chandigarh.**

**Chandigarh**  
**Dated: 20.12.2022**

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

**CC to: Public Information Officer,**  
**O/o District Education Officer(S.E),**  
**Patiala.**



Sh Milan,  
R/o 132, Milan Niwas, New Dana Mandi,  
Salem Tabri, Ludhiana.

... Appellant

Versus

Public Information Officer,  
O/o Civil Surgeon,  
Ludhiana.

First Appellate Authority,  
O/o Civil Surgeon,  
Ludhiana.

...Respondent

**AppealCase No. 783 of 2022**

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

The appellant through RTI application dated 18.10.2021 has sought information 18 points regarding the food safety license issued to Sanju Chicken Shop – documents submitted by Sanju Chicken Shop for getting license – copy of NOC submitted by the owner of Sanju Chicken Shop for getting a license – list of items allowed to sell by Sanju Chicken Shop – list of items allowed to prepare and other information as enumerated in the RTI application from the office of Civil Surgeon, Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 21.12.2021 which took no decision on the appeal.

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

The case is adjourned. To come up for further hearing on **27.03.2023** at 11.00 AM through video conference facility available in the office of Deputy Commissioner Ludhiana.

**Chandigarh**  
**Dated: 20.12.2022**

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

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Sh Kamalpreet Singh,  
# 134, Basant City,  
Pakhawal Road, Ludhiana.

... Appellant

Versus

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

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

...Respondent

**Appeal Case No. 2830 of 2022**

**PRESENT: Sh.Kamalpreete Singh as for the Appellant  
Dr.Sukhwinder Singh- O/o Kharar and Ms.Manjeet Kaur-PIO O/o Pr.  
Secretary Health & Family Welfare for the Respondent**

The appellant through RTI application dated 13.12.2021 has sought information 04 points regarding copy of documents verifying the official diary receipt number of emails dated 27.05.2021, 08.10.2021 & 13.10.2021 having received in office of SMO and Director Health & Family welfare – copy of documents having attached in the attachment of those emails – copy of entire proceedings, notings and final enquiry report – copy of statement of Dr.Rajneet Randhawa and other information as enumerated in the RTI application from the office of SMO- Civil Hospital, Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 02.03.2022 which took no decision on the appeal.

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

The appellant is not satisfied with the provided information.

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

Point-1	As per the respondent, the emails were received but not entered in the diary register	The PIO is to provide copies of the email or give in writing that the sought emails are not available
Point-2	As per respondent, the information has been provided and copy sent to the Commission	Provided
Point-3	As per respondent present from the office of Pr.Secretary, the information relates to the Director of Health and Family welfare	The PIO-Director Health and Family Welfare provide the information
Point-4	As per the appellant, it was sent through registered post which was refused and then sent through emails.	The PIO to provide information

Since the respondent present from the office of SMO Kharar does not appear to be well versed in handling RTI applications, the PIO- Principal Secretary Health & Family Welfare, Punjab is directed to coordinate with SMO-Kharar and procure the information and send to the appellant.

I am also marking this to the Director, of Health and Family Welfare, Pb Chandigarh with the direction to provide the information concerning them as per the RTI application, a copy of which is being sent alongwith the order.

To come up for further hearing on **27.03.2023** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

**Chandigarh**  
**Dated: 20.12.2022**

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



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Sh. Rimple Kumar, S/o Sh Piara Singh,  
R/o H NO-453, Street nO-3, Vishnu Nagar,  
Basti Jodhewal, Raho Road, Ludhiana.

... Appellant

Versus

Public Information Officer,  
O/o Registrar,  
Firms & Societies, Sector-17-D,  
Chandigarh.

First Appellate Authority,  
O/o Registrar,  
Firms & Societies, Sector-17-D,  
Chandigarh.

...Respondent

**Appeal Case No. 3262 of 2022**

**PRESENT: Sh.Rimple Kumar as the Appellant  
Sh.Satnam Singh, Sr.Assistant for the Respondent**

The appellant through RTI application dated 05.03.2022 has sought information regarding copies of documents deposited by Sahibzada Ajit Singh Educational Trust(1607) Jalandhar for registration – statement of trust members being in blood relation – a resolution passed by the members for and other information as enumerated in the RTI application from the office of Registrar Firms and Societies, Pb Chandigarh. The appellant was not provided with the information, after which the appellant filed the first appeal before the first appellate authority on 18.04.2022, which did not decide on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the information has been provided to the appellant vide letter dated 18.10.2022 with a copy to the Commission. The Commission has received a copy of the information which has been taken on record.

The appellant claims that the information received from the PIO is not legible as well as the information has been provided with a delay of more than seven months.

A copy of the information received from the PIO is being sent to the appellant alongwith the order.

However, 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. Hence the PIO- O/o Registrar, Firms and Societies, Pb Chandigarh is directed to pay an amount of **Rs.5000/-** 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.

To come up for compliance on **27.03.2023** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear at Chandigarh.

**Chandigarh  
Dated: 20.12.2022**

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

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Sh Parmjit Singh,  
# 1711/15, Street NO-3,  
Shimlapuri, Ludhiana.

... Appellant

Versus

Public Information Officer,  
O/o SMO,  
Civil Hospital, Phagwara,  
Distt.Kapurthala.

First Appellate Authority,  
O/o SMO,  
Civil Hospital, Phagwara.  
Distt.Kapurthala.

...Respondent

**Appeal Case No. 3078 of 2022**

**PRESENT: Sh.Paramjit Singh as the Appellant  
Dr.Paramjit Kaur for the Respondent**

The appellant, through RTI application dated 05.04.2022, has sought information on 10 points regarding MLR No.124/KK/Phagwara/445/19 Admission No.9224 Admission dated 21.10.2019 name of doctor attended the patient – time after which the patient was shifted to private room alongwith stay in private room and name of doctors attended the patient – the name of the doctor who given a statement to police time at which the police came after communicating the police other information as enumerated in the RTI application from the office of SMO-Civil Hospital Phagwara. The appellant was not provided with the information, after which the appellant filed the first appeal before the first appellate authority on 10.05.2022, which did not decide on the appeal.

The case has come up for hearing today through video conferencing at DAC Ludhiana. The respondent present pleaded that the information relating to them has been provided to the appellant vide letter dated 19.09.2022 with a copy to the Commission. As per the respondent, the information relating to points 6 to 10 relates to the police station, City Phagwara.

The appellant has received the information relating to point-1 to 5.

The SSP- Kapurthala, the PIO of the Police Station City, Phagwara District Kapurthala is impleaded in the case for information related to City police station, Phagwara and directed to provide information from point-6 to point-10 as per the RTI application, a copy of which is being sent alongwith the order.

To come up for further hearing on **27.03.2023** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Ludhiana. The PIO to appear though VC at DAC Kapurthala.

**Chandigarh  
Dated: 20.12.2022**

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

**CC to:1. PIO-SSP Kapurthala**

**2. PIO-Police Station City,  
Phagwara.**