

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. 368 OF 2018

Sh. Manmohan Lal,
S/o Sh. Bhagwant Kishor,
R/o Nilo Kalan, Tehsil: Samrala,
Distt: Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Block Development & Panchayat Officer,
Block Machiwara, Distt: Ludhiana.

First Appellate Authority
O/o District Development & Panchayat Officer,
Ludhiana.

...Respondents

PRESENT: Sh. Manmohan Lal, Appellant.
None is present on behalf of the Respondents.

ORDER:

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

15.11.2018.

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

3. The Respondent has sent a letter in the Commission vide diary no. 24562, dated: 05.12.2018 mentioning therein that due to duty in Panchayat elections, she is unable to attend today's hearing in the Commission.

4. After examining the case file, it is revealed that the Respondent – PIO has not mentioned any reason for the delay in supplying the information. During the hearing dated 25.04.2018, a show cause notice was issued to the PIO but she has not mentioned any reason for the delay till today.

5. In view of the above, and 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 complete 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.

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APPEAL CASE No. 368 of 2018

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 O/o Block Development & Panchayat Officer, Block Machiwara, Distt: Ludhiana, 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) be paid to the appellant for the detriments suffered by him.

8. This amount shall be payable from the funds of PIO O/o Block Development & Panchayat Officer, Block Machiwara, Distt: Ludhiana, by way of crossed Cheque/Demand Draft in the name of Sh. Manmohan Lal within one month.

9. One more opportunity is given to the PIO to file a proper affidavit in response to the show cause notice, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

10. The matter to come up for further hearing now on **13.02.2019 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh
20.12.2018**

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

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APPEAL CASE NO. 2103 OF 2018

Sh. Balwinder Singh,
Press Secretary,
PB RTI and Human Right Worker Club,
R/o Near Udhag Palace, Jalalabad (West).

...Appellant

Versus

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

First Appellate Authority
O/o Civil Surgeon,
Fazilka.

...Respondents

PRESENT: None for the Parties.

ORDER:

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

16.10.2018.

Both the parties are absent and requests for an adjournment.

On the request of both the parties, the case is adjourned for

12.02.2018 at 11:30 AM.

Copies of the order be sent to the parties.

Chandigarh
20.12.2018

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

C.C.

Sh. Ekant Priya Singla,
Drug Inspector
O/o Civil Surgeon, Fazilka.

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APPEAL CASE NO. 2164 OF 2018

Ms. Shinderpal Kaur,
Village Buttar Patti, Dhillon Takhanwadh Road,
Near Gurudwara Ravidas Bhagat,
Tehsil & District Moga.

...Appellant

Versus

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

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

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Jaspal Singh, Dy. DEO (EE) & Ms. Balbir Kaur, Sr. Assistant
For the PIO.

ORDER:

This order may be read with reference to the previous order dated:
16.10.2018.

The appellant is absent for today's hearing in the Commission.

Sh. Jaspal Singh, Dy. DEO (EE) appears and files reply mentioning
therein that:-

"1. That the above said case is pending in the Honorable
Commission on dated: 20.12.18.

2. That the undersigned is working as Deputy District Education
Officer (EE), Moga.

3. That Superintendent O/o District Education Officer (EE), Moga
has deputed as the PIO by the Govt. of Punjab, Department of Education vide its
letter No. 23/729/2018-4EDU6, dated Chandigarh 02.11.2018 (Copy R-1). It is
requestfully submitted that the undersigned will work as PIO in the absence of
Superintendent District Education Officer (EE), Moga. It is pertinent to mention
here that Superintendent of the office previously worked as PIO.

That it is request fully submitted that there is no delay on the part
undersigned for submission of information to the appellant so it is humbly
requested the undersigned may be waived as per facts."

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APPEAL CASE No. 2164 of 2018

Ms. Balbir Kaur, Sr. Assistant O/o DEO (EE), Moga appears and states that the requisite information has already been supplied to the appellant after that no observation has been received from her. She further files her written reply.

After examining the case file, it is ascertained that the Respondent has supplied the requisite information to the appellant. The Respondent - PIO has filed the 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. The Show Cause Notice is hereby, dropped.

Thus, information as per the record of the DEO (EE), Moga was duly furnished. Once information stood furnished, it required no other action by the State Information Commission. If the appellant is dissatisfied with the non-supply of information, the remedy open to her is to approach either the higher authorities or to move an appropriate judicial forum for directions to education department.

In view of the above, 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
20.12.2018**

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

Copy to Intimation & Necessary Action:-

Sh. Jaspal Singh Aulakh,
Dy. District Education Officer (EE),
O/o District Education Officer (EE),
Moga.

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APPEAL CASE NO. 2217 OF 2018

Sh. Gagandeep Goel,
S/o Sh. Shyam Lal Goel,
223, Phase-2,
S.A.S. Nagar (Mohali).

...Appellant

Versus

Public Information Officer,
O/o Department of Health,
Punjab Civil Secretariat,
Sector-9, Chandigarh.

First Appellate Authority
O/o Department of Health,
Punjab Civil Secretariat,
Sector-9, Chandigarh.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Rajinder Kumar, Sr. Assistant & Sh. Gaurav Dhiman, Clerk
O/o Director, Health & Family Welfare, Punjab.
Sh. Ramesh Singla, Pharmacist O/o Civil Surgeon, S.A.S. Nagar.

ORDER:

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

16.10.2018.

2. The appellant is absent for today's hearing.
3. Sh. Rajinder Kumar, Sr. Assistant appears on behalf of the Respondent – PIO and states that the appellant has not pointed out any deficiencies in the provided information. He further files an Affidavit, which is taken on record.
4. After examining the case file, it is revealed that the Respondent – PIO has not mentioned any reason for the delay in supplying the information. During the hearing dated 16.10.2018, a show cause notice was issued to the PIO but he has not mentioned any reason for the delay.
5. The Respondent – PIO (Sh. Ashok Kumar Sharma, Superintendent (AMLA-4)) is directed to appear personally and file a reply in response to the reason for delay in provide the information, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

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APPEAL CASE No. 2217 OF 2018

6. In view of the above, last opportunity is given to the appellant to follow up his case, failing which it shall be presumed that he is satisfied with the response of the respondent.

**Chandigarh
20.12.2018**

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

Adv Shrey Vasudev appeared on behalf of the appellant and submits the deficiencies in the provided information.

The appellant is advised to send this deficiency to the Respondent – PIO through registered post under intimation to the Commission.

The Respondent – PIO is directed to remove the same, after receiving the discrepancies from the appellant, before the next date of hearing,

The case is adjourned to **13.02.2019 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh
20.12.2018**

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

C.C.

Sh. Ashok Kumar Sharma,
PIO –cum- Superintendent (AMLA-4),
O/o Director,
Health & Family Welfare Department, Punjab,
Plot No. 5, Sector-34-A, Chandigarh-160022

The Public Information Officer,
O/o Civil Surgeon,
S.A.S. Nagar (Mohali).

The Public Information Officer,
O/o Civil Surgeon,
Patiala.

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APPEAL CASE NO. 2224 OF 2018

Col. F.S.Dehal (Retd),
491, Phase-1-B, Shivalik Avenue,
Naya Nangal, Distt: Ropar.

... Appellant

Versus

Public Information Officer,
O/o Municipal Council,
Naya Nangal, Distt: Ropar.

First Appellate authority
O/o Deputy Director,
Urban Local Bodies, Ludhiana.

... Respondents

PRESENT: None is present on behalf of the Appellant.
Adv S.S. Dhaliwal & Sh. Manjinder Singh, PIO –cum- E.O.

ORDER:

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

29.11.2018.

2. The appellant is absent from today's hearing in the Commission.
3. Sh. Manjinder Singh, PIO –cum- E.O. appears and files an Affidavit in response to the Show Cause Notice issued to him vide order dated: 05.10.2018 mentioning therein that the information sought by the appellant does not relate to Municipal Council but the same is required to be given by Bharat Petroleum Corporation Limited and the same was conveyed to the appellant vide letter dated: 02.05.2018. He further states that the appellant has refused to accept the compensation amount of Rs. 5000/-.
4. In view of the above, the Respondent – PIO is directed to retrieve the requisite information from the Bharat Petroleum Corporation Limited and supply the same to the appellant, before the next date of hearing and bring the cheque/demand draft of Rs. 5000/- as compensation amount, before the Commission, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
5. The case is adjourned to **13.02.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
20.12.2018

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

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APPEAL CASE NO. 2767 OF 2017

Sh. Rakesh Kumar Gupta,
8/237, Jagraon Road, Mandi Mullanpur,
Distt: Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o DFSO, Ludhiana (West),
Zone-D, M.C, Building,
Sarabha Nagar, Ludhiana.

First Appellate Authority

O/o Director,
Food Civil Supplies and Consumer Affairs,
Anaj Bhawan, Sector: 39/C, Chandigarh.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Sahil Aggarwal, Inspector on behalf of the Respondent - PIO.

ORDER:

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

13.11.2018.

2. The appellant is absent from today's hearing in the Commission.
3. The respondent states that the remaining information is third party information and third party has given in writing that their personal information should not be given to any private/individual/Entity/Group without their consent.
4. In view of the above, Sh. Rakesh Bhaskar, D.F.S.C. –cum- PIO is directed to appear personally and files the proper reply in this regard, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
5. The case is adjourned to **12.02.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
20.12.2018

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

Copy to Information & Necessary Action: -

Sh. Rakesh Bhaskar,
D.F.S.C. –cum- PIO,
O/o District Food, Supply Controller,
Ludhiana.

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 2769 OF 2017

Sh. Rakesh Kumar Gupta,
8/237, Jagraon Road, Mandi Mullanpur,
Distt: Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o DFSO, Ludhiana (West),
Zone-D, M.C, Building,
Sarabha Nagar, Ludhiana.

First Appellate Authority
O/o Director,
Food Civil Supplies and Consumer Affairs,
Anaj Bhawan, Sector: 39/C, Chandigarh.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Sahil Aggarwal, Inspector on behalf of the Respondent - PIO.

ORDER:

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

13.11.2018.

2. The appellant is absent from today's hearing in the Commission.
3. The respondent states that the remaining information is third party information and third party has given in writing that their personal information should not be given to any private/individual/Entity/Group without their consent.
4. In view of the above, Sh. Rakesh Bhaskar, D.F.S.C. –cum- PIO is directed to appear personally and files the proper reply in this regard, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
5. The case is adjourned to **12.02.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
20.12.2018

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

Copy to Information & Necessary Action: -

Sh. Rakesh Bhaskar,
D.F.S.C. –cum- PIO,
O/o District Food, Supply Controller,
Ludhiana.

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 2772 OF 2017

Sh. Rakesh Kumar Gupta,
8/237, Jagrao Road, Mandi Mullanpur,
Distt: Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o DFSO, Ludhiana (West),
Zone-D, M.C, Building,
Sarabha Nagar, Ludhiana.

First Appellate Authority
O/o Director,
Food Civil Supplies and Consumer Affairs,
Anaj Bhawan, Sector: 39/C, Chandigarh.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Sahil Aggarwal, Inspector on behalf of the Respondent - PIO.

ORDER:

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

13.11.2018.

2. The appellant is absent from today's hearing in the Commission.
3. The respondent states that the remaining information is third party information and third party has given in writing that their personal information should not be given to any private/individual/Entity/Group without their consent.
4. In view of the above, Sh. Rakesh Bhaskar, D.F.S.C. –cum- PIO is directed to appear personally and files the proper reply in this regard, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
5. The case is adjourned to **12.02.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
20.12.2018

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

Copy to Information & Necessary Action: -

Sh. Rakesh Bhaskar,
D.F.S.C. –cum- PIO,
O/o District Food, Supply Controller,
Ludhiana.

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APPEAL CASE NO. 2993 OF 2018

Colonel. F.S Dehal (Retd),
H.No.491, Phase-1/B,
Shivalik Avenue, Naya Nangal,
Ropar.

...Appellant

Versus

Public Information Officer,
O/o E.O,
M.C.Nangal, Distt: Roopnagar.

Public Information Officer,
O/o Deputy Director,
Urban Local Govt., Ludhiana.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Adv S.S. Dhaliwal & Sh. Manjinder Singh, PIO –cum- E.O.

ORDER:

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

13.11.2018.

2. The appellant has sent a letter in the Commission vide diary no. 25052, dated: 14.12.2018 mentioning therein that he is unable to attend today's hearing due to unavoidable circumstances.

3. Sh. Manjinder Singh, PIO –cum- E.O. appears and files a reply mentioning therein that the information sought by the appellant is voluminous record and he can inspect the record on any working day.

4. In view of the above, the Respondent – PIO is again directed to bring the original record relating to the RTI application of the appellant, on the next date of hearing in the Commission, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

5. The case is adjourned to **13.02.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
20.12.2018

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

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APPEAL CASE NO. 3210 OF 2017

Sh. Raj Ahuja S/o Sh. Bhagwan Chand,
Village Gram Panchayat Neola,
Tehsil & District Fazilka.

...Appellant

Versus

Public Information Officer,
O/o District Social Security Officer,
Fazilka.

First Appellate Authority,
O/o District Social Security Officer,
Fazilka.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Smt. Geeta Rani, C.D.P.O. Abohar-2 & Fazilka-1 is present on
behalf of the Respondent – PIO.

ORDER:

This case may be read with reference to the previous order dated
16.10.2018.

2. The appellant is absent for today's hearing in the Commission.

3. Smt. Geeta Rani, C.D.P.O. Abohar-2 & Fazilka-1 appears and files
an Affidavit mentioning therein that she has recently joined this office and found
some information which is sought by the appellant and has sought some more
time to trace the remaining information.

4. In view of the above, the Respondent – PIO (Smt. Geeta Rani,
C.D.P.O. Abohar-2 & Fazilka-1) is directed to appear personally and provide the
remaining information to the appellant, if there is no information then file an
Affidavit in this regard alongwith compensation amount of Rs. 2000/-, on the next
date of hearing, failing which action would be initiated against her as per
provisions of the Right to Information Act, 2005.

5. The case is adjourned to **12.02.2019 at 11.30AM**. Copies of the
order be sent to the parties.

Chandigarh
20.12.2018

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

Copy to Intimation & Necessary Action: -

Smt. Geeta Rani,
Child Development & Project Officer,
Abohar -2 & Fazilka-1.
District Fazilka.

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 3427 OF 2018

Sh. Ajmer Singh,
H. No. 2193, Jalvayu Vihar,
Sector-67, S.A.S. Nagar (Mohali).

...Appellant

Versus

Public Information Officer,
O/o Senior Medical Officer,
Civil Hospital,
Khanna, District Ludhiana.

First Appellate Authority
O/o Senior Medical Officer,
Civil Hospital,
Khanna, District Ludhiana.

...Respondents

PRESENT: Sh. Ajmer Singh, Appellant.
Dr. Rajinder Gulati, S.M.O. & Dr. Harbinder Singh, M.O.
O/o Civil Hospital, Khanna for the Respondents.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 19.02.2018. First appeal was filed with the First Appellate Authority on dated: 01.03.2018 and second appeal was filed in the Commission on dated: 08.10.2018.

2. The appellant states that he has received the information and convinced with the reply of the Respondents and wants to close the case.

3. Dr. Rajinder Gulati, S.M.O. O/o Civil Hospital, Khanna appears and states that the information which was provided by the First Appellate Authority has been provided to the appellant.

4. After examining the case file, it is revealed that the Respondent – PIO has supplied the information to the appellant and he has received the same and expressed his willingness in writing that he is satisfied with the provided information and wants to close the case. Therefore, no further action is required, hence the Appeal Case is **closed and disposed off**. Copies of the order be sent to the parties.

Chandigarh
20.12.2018

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

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 3428 OF 2018

Sh. Raj Kumar,
S/o Sh. Amar Nath,
Kothi No. 144, Sun City,
Amloh Road, Khanna, District Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Chairman,
Punjab Pollution Control Board,
Patiala.

First Appellate Authority
O/o Member Secretary,
Punjab Pollution Control Board,
Patiala.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Er. Jitin Joshi, AEE O/o PPCB, Patiala for the Respondents.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 27.07.2016. First appeal was filed with the First Appellate Authority on dated: 30.08.2016 and second appeal was filed in the Commission on dated: 08.10.2018.

2. The appellant has sent an Email in the Commission mentioning therein that due to some unavoidable circumstances, he is unable to attend today's hearing in the Commission.

3. Er. Jitin Joshi, AEE O/o PPCB, Patiala appears on behalf of the Respondent – PIO and states that the requisite information has already been supplied to the appellant vide letter no. ਸੀ:ਵਾ:ਈ:(ਰੈ:ਕੂ:)/40870, ਮਿਤੀ: 24-08-2016.

4. In view of the above, the Respondent - PIO is directed to provide the available information to the appellant, if there is no information then file an Affidavit in this regard, on the next date of hearing, failing which action would be initiated against him as per provisions of the Right to Information Act, 2005.

5. Last opportunity is given to the appellant to follow up his case in the Commission, failing which it will be presumed that he is satisfied with the provided information and decision shall be taken on merits

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE No. 3428 Of 2018

6. The case is adjourned to **12.02.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
20.12.2018**

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

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APPEAL CASE NO. 3434 OF 2018

Sh. Sukhwinder Singh (Pardhan),
Anti Corruption Trust (Regd.),
Machhiwara, District Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Punjab Pollution Control Board,
Patiala.

First Appellate Authority
O/o Punjab Pollution Control Board,
Patiala.

...Respondents

PRESENT: Sh. Sukhwinder Singh, Appellant.
Sh. Bachan Pal Singh, AEE O/o PPCB, Patiala for the
Respondents.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 30.04.2018. First appeal was filed with the First Appellate Authority on dated: 29.06.2018 and second appeal was filed in the Commission on dated: 08.10.2018.

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

3. Sh. Bachan Pal Singh, AEE O/o PPCB, Patiala appears on behalf of the Respondent – PIO and states that the information has already been supplied to the appellant vide letter no. 2996-97, dated: 30.07.2018. Copy of the same is taken on record.

4. The perusal of the case reveals that there is three months delay in supplying the requisite information to the appellant by the Respondent - PIO.

5. In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to the PIO O/o Punjab Pollution Control Board, Patiala, as to why penalty should not be imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the appellant under the provisions of the RTI Act, 2005.

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6. The Respondent - PIO is directed to file an affidavit in response to the Show Cause Notice and appear personally on the next date fixed, otherwise it will be presumed that he has nothing to say and the Commission shall initiate ex-parte proceeding.

7. 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.

8. 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 the O/o Punjab Pollution Control Board, Patiala, is thus, responsible for the inadequate handling of the RTI requests and in the instant case as well.

9. I, therefore, order that compensation of Rs. 3000/- (Rupees Three Thousand Only) be paid to the appellant for the detriments suffered by him.

10. This amount shall be payable from the funds of PIO O/o Punjab Pollution Control Board, Patiala, by way of crossed Cheque/Demand Draft in the name of Sh. Sukhwinder Singh within one month.

11. The case is adjourned to **12.02.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
20.12.2018**

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

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APPEAL CASE NO. 3439 OF 2018

Sh. Mehar Singh,
S/o Sh. Chottu Singh,
Vishavkarma Colony,
Sangrur Road, Nabha, District Patiala.

...Appellant

Versus

Public Information Officer,
O/o Director,
Ayurveda Department, Punjab,
Chandigarh.

First Appellate Authority
O/o Director,
Ayurveda Department, Punjab,
Chandigarh.

Public Information Officer,
O/o Registrar,
Ayurvedic Unani System Board,
Medical Education Board Building,
Sector -66, S.A.S. Nagar (Mohali).

...Respondents

PRESENT: Sh. Mehar Singh, Appellant.
Sh. Vivek Sabharwal, Sr. Asstt. O/o Director, Ayurveda Punjab,
is present on behalf of the PIO.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 16.01.2018. First appeal was filed with the First Appellate Authority on dated: 26.03.2018 and second appeal was filed in the Commission on dated: 08.10.2018.

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

3. Sh. Vivek Sabharwal, Sr. Assistant O/o Director, Ayurveda Punjab appears and states that the RTI application of the appellant has been received in this office vide letter dated: 29.01.2018 and the available information has been supplied to him vide letter dated: 20.03.2018 and remaining information sought by the appellant is lying with the O/o Registrar, Ayurvedic Unani System Board, S.A.S. Nagar (Mohali).

4. Therefore, he has transferred the RTI application of the appellant to the Registrar, Ayurvedic Unani System Board, S.A.S. Nagar (Mohali) vide letter dated: 13.06.2018, with a copy to the appellant.

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APPEAL CASE NO. 3439 OF 2018

5. The perusal of the case reveals that there is considerable delay in transferring the RTI application to concerned department by the respondent O/o Director, Ayurveda Department, Punjab, Chandigarh.

6. In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to the PIO O/o Director, Ayurveda Department, Punjab, Chandigarh, as to why penalty should not be imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the appellant under the provisions of the RTI Act, 2005.

7. The Respondent - PIO is directed to file an affidavit in response to the Show Cause Notice and should appear personally on the next date fixed, otherwise it will be presumed that he has nothing to say and the Commission shall initiate ex-parte proceeding.

8. Since, the information is to be provided by the PIO O/o Registrar, Ayurvedic Unani System Board, S.A.S. Nagar (Mohali). I, therefore, order that PIO O/o Registrar, Ayurvedic Unani System Board, Medical Education Board Building, Sector -66, S.A.S. Nagar (Mohali) be impleaded as Respondent No. 2. I further direct that PIO O/o Registrar, Ayurvedic Unani System Board, S.A.S. Nagar, (Mohali) should personally appear and supply the complete information to the appellant, on the next date of hearing.

9. The Respondent – PIO O/o Director, Ayurveda Department, Punjab, Chandigarh is also directed to retrieve the remaining information from the O/o Registrar, Ayurvedic Unani System Board, S.A.S. Nagar (Mohali) and provide the same to the Appellant, before the next date of hearing.

10. The case is adjourned to **12.02.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
20.12.2018**

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

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APPEAL CASE NO. 3468 OF 2018

Sh. Jagdish Singh,
R/o Plot No. 2, Allied Society,
Anant Nagar, Nagpur (Maharashtra).

...Appellant

Versus

Public Information Officer,
O/o Municipal Council,
Naya Nangal, District Roopnagar.

First Appellate Authority

O/o Deputy Director,
Urban Local Bodies,
Ludhiana.

...Respondents

PRESENT: Sh. Jagdish Singh, Appellant.
Adv S.S. Dhaliwal & Sh. Manjinder Singh, PIO –cum- E.O.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 10.01.2018. First appeal was filed with the First Appellate Authority on dated: 29.05.2018 and second appeal was filed in the Commission on dated: 09.10.2018.

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

3. Sh. Manjinder Singh, PIO –cum- Executive Officer appears and files written submission mentioning therein that the same information has already been supplied to the appellant in Appeal Case No. 2254 of 2017, which was disposed off on 06.11.2017. Now he has again demanded the same information which has already been supplied to him again vide letter no. 778, dated: 12.03.2018.

4. The Respondent – PIO is directed to bring the original record relating to the RTI application of the appellant, on the next date of hearing in the Commission, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

5. The case is adjourned to **13.02.2019 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
20.12.2018

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

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APPEAL CASE NO. 3514 OF 2018

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

...Appellant

Versus

Public Information Officer,
O/o Director,
Health & Family Welfare Department,
Punjab, Chandigarh.

First Appellate Authority
O/o Director,
Health & Family Welfare Department,
Punjab, Chandigarh.

Public Information Officer,
O/o Commissionerate,
Food & Drugs Administration, Punjab,
Near Civil Hospital, Kharar (S.A.S. Nagar).

...Respondents

PRESENT: None is present on behalf of the Appellant.
Sh. Rajinder Kumar, Sr. Assistant is present on behalf of the PIO.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 31.07.2018. First appeal was filed with the First Appellate Authority on dated: 31.08.2018 and second appeal was filed in the Commission on dated: 15.10.2018.

2. The appellant has sent a letter in the Commission vide diary no. 25141, dated: 18.12.2018 mentioning therein that no information has been provided to him by the Respondent – PIO. He further requests that due to some personal reason he is unable to attend today's hearing.

3. Sh. Rajinder Kumar, Sr. Assistant appears on behalf of the Respondent – PIO and states that the information sought by the appellant is related with the O/o Food & Drug Administration, Punjab and the same has been transferred u/s 6 (3) of the RTI Act, 2005 vide letter no. R.T.I.-1-P/2018/1830, dated: 20.08.2018.

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4. Since, the information is to be provided by the PIO O/o Commissionerate, Food & Drugs Administration, Punjab, Near Civil Hospital, Kharar (S.A.S. Nagar). I, therefore, order that PIO O/o Commissionerate, Food & Drugs Administration, Punjab, Near Civil Hospital, Kharar (S.A.S. Nagar) be impleaded as Respondent No. 2. I further direct that PIO O/o Commissionerate, Food & Drugs Administration, Punjab, Near Civil Hospital, Kharar (S.A.S. Nagar) should personally appear and supply the complete information to the appellant, before the next date of hearing, failing which action will be initiated against him as per provision under Section 20 of the RTI Act, 2005.

5. The Respondent – PIO O/o Director, Health & Family Welfare Department, Punjab is also directed to retrieve the remaining information from the O/o Commissionerate, Food & Drugs Administration, Punjab and provide the same to the Appellant, before the next date of hearing, failing which action will be taken against him as per the provisions of the RTI Act, 2005.

6. After examining the case file, it is revealed that, there is considerable delay in transferring the RTI application to concerned department by the respondent O/o Director, Health & Family Welfare Department, Punjab, therefore PIO (O/o Director, Health & Family Welfare Department, Punjab) is directed to appear in person and file a reply regarding the delay in transferring the RTI application, on the next date of hearing.

7. The case is adjourned to **13.02.2019 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
20.12.2018**

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

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APPEAL CASE NO. 3515 OF 2018

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

...Appellant

Versus

Public Information Officer,
O/o Sub Divisional Magistrate,
Roopnagar.

First Appellate Authority
O/o Deputy Commissioner,
Roopnagar.

...Respondents

PRESENT: None is present on behalf of the Appellant.
Ms. Jaswinder Kaur & Randeep Singh, Clerk for the PIO.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 02.07.2018. First appeal was filed with the First Appellate Authority on dated: 23.08.2018 and second appeal was filed in the Commission on dated: 15.10.2018.

2. The appellant has sent a letter in the Commission vide diary no. 25142, dated: 18.12.2018 mentioning therein that incomplete and misleading information has been provided to him by the Respondent – PIO. He further requests that due to some personal reason, he is unable to attend today's hearing.

3. The Respondent states that the available information has already been supplied to the appellant and nothing is left to be supplied.

4. In view of the above, the Respondent – PIO (Smt. Mohan Kaur, Superintendent) is directed to appear personally and file a point wise reply in response to the Order of the Commission, on the next date of hearing, failing which action would be initiated against her as per provisions of the RTI Act, 2005.

5. The case is adjourned to **13.02.2019 at 11:30 AM**. Copies of the order be sent to the parties.

Chandigarh
20.12.2018

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