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COMPLAINT CASE NO. 94 OF 2018

Sh. Gurmeet Singh, S/o Sh. Boota Singh, R/o Village Dhabwala Kalan, Tehsil & Distt: Fazilka.

...Complainant

Versus

Public Information Officer, O/o Block Development & Panchayat Officer, Block Arniwala, Sheikh Subhan, District Fazilka.

...Respondent

PRESENT: None is present on behalf of the Complainant. Ms. Davinderjit Kaur, B.D.P.O. Arniwala for the Respondent – PIO.

ORDER:

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

15.10.2018

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

3. Ms. Davinderjit Kaur, B.D.P.O. O/o B.D.P.O. Block Arniwala Sheikh Shubhan, District Fazilka appears in person and states that requisite information has already been supplied to the appellant by hand on 04.07.2018. She further states that due to the shortage of the supporting staff, she has neither received the Show Cause Notice nor has filed the proper reply within stipulated period and now submits the receipt of Penalty amount of Rs. 10,000/- which has already been deposited in the Punjab Treasury. Original Receipt is taken on record.

5. After examining the case file, it is ascertained that the information has already been provided to the complainant and today she has complied the order dated: 15.10.2018 and deposited the penalty amount of Rs. 10,000/- in the Punjab Treasury, which was imposed upon her. 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 11.12.2018

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

Copy to Intimation and Necessary Action:

The District Development and Panchayat Officer, Fazilka.

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APPEAL CASE NO. 434 OF 2018

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

Versus

...Appellant

Public Information Officer, O/o COC, Civil Judge (Sr. Division), Barnala.

First Appellate Authority O/o District & Session Judge, Barnala.

...Respondent

PRESENT: None is present on behalf of the Appellant. Sh. Harwinder Singh, COC on behalf of the Respondent – PIO.

ORDER:

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

15.10.2018.

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. Harwinder Singh, COC appears on behalf of the Respondent – PIO and states that the required information cannot be provided to the appellant because Suit No. 09 of 31.01.2012 titled as Thakur Dawara Andarala Vs. Rameshwar Dass pending in the Court of Sh. Arun Gupta, Additional District & Session Judge (Sr. Division), Barnala. He further states that the information will be supplied after the final decision of the Court.

4. The case is adjourned **sine die** with liberty to the parties to apply for fixing the matter for hearing after the decision in Suit No. 09 of 31.01.2012 titled as Thakur Dawara Andarala Vs. Rameshwar Dass pending in the Court of Sh. Arun Gupta, Additional District & Session Judge (Sr. Division), Barnala

5. Copies of the order be sent to the parties.

Chandigarh 11.12.2018

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COMPLAINT CASE NO. 929 OF 2018

Sh. Harjinder Kumar, S/o Sh. Sukhdev Ram, H.No.178/7, Mohalla Muktpura, Banga, Distt: SBS Nagar.

...Complainant

Versus

Public Information Officer,

O/o Nagar Council, Banga, Distt: SBS Nagar.

...Respondent

PRESENT: None is present on behalf of the Complainant. Sh. Yashpal Singh, S.I. –cum APIO on behalf of the PIO.

ORDER:

This order may be read with reference to the previous order dated 15.10.2018.

2. The complainant is absent from today's hearing in the Commission.

3. Sh. Yashpal Singh, S.I. –cum- APIO appears on behalf of the Respondent – PIO and states that the information sought by the complainant has already been supplied to him by hand and he has acknowledged in writing that he is satisfied with the provided information and wants to close the case. Copy of the same is taken on record.

4. After examining the case file, it is revealed that the Respondent – PIO has not filed the reply in response to the Show Cause Notice issued to him vide order dated: 15.10.2018.

5. In view of the above, **Sh. Rajiv Oberoi**, *Executive Engineer –cum-PIO O/o Nagar Council, Banga* is again directed to appear personally and file his reply in response to the Show Cause Notice, on the next date of hearing, failing which penalty provision u/s 20 will be initiated against him as per provisions of RTI Act, 2005.

> The case is adjourned to **24.01.2019 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 11.12.2018 Sd/-(Prof. Viney Kapoor Mehra) State Information Commissioner

Copy to Intimation and Necessary Action. Sh. Rajiv Oberoi, Executive Engineer –cum-PIO O/o Nagar Council, Banga (District SBS Nagar).

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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: None is present on behalf Complainant. Sh. Harpreet Singh, Inspector on behalf of the respondent.

ORDER:

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

- 15.10.2018.
- 2. The Complainant is absent for today's hearing in the Commission.
- 3. Sh. Harpreet Singh, Inspector appears on behalf of the Respondent

and requests that some more time be given to him to file an Affidavit.

4. Last opportunity is given to the Respondent – PIO (O/o A.F.S.O, Rajpura) to appear personally and file an Affidavit, on the next date of hearing, failing which action would be initiated against him as per provisions of Section 20 of the RTI Act, 2005.

5. The case is adjourned to **30.01.2019 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 11.12.2018

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

Sh. Baljinder Singh, Complainant appeared after the hearing was over. He was briefed about the proceedings of the case.

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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. Ms. Sonia Sharma, Statistical Clerk for the Respondent - PIO.

<u>ORDER</u>:

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

15.10.2018.

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. Ms. Sonia Sharma, Statistical Clerk appears on behalf of the Respondent – PIO and states that the appellant was not present for the inspection of the Record.

4. The perusal of the case reveals that the required information has not been supplied to the appellant after the lapse of the 12 months period.

5. In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to Sh. Naresh Kumar, Clerk of Courts –cum- PIO O/o Court of Civil Judge (Sr. Division), Shaheed Bhagat Singh Nagar, 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.

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.

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APPEAL CASE NO. 2085 OF 2018

7. A copy of this order be sent to Sh. Naresh Kumar, Clerk of Courts –

cum- PIO O/o Court of Civil Judge (Sr. Division), Shaheed Bhagat Singh Nagar,

by registered post.

8. The case is adjourned to **30.01.2019 at 11:30 AM.** Copies of the

order be sent to the parties.

Chandigarh 11.12.2018 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: None is present on behalf of the 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:

15.10.2018.

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

3. The Respondent states that the information sought by the appellant is third party information and cannot be provided to the appellant.

4. In view of the above, **Sh. Harmesh Lal, B.P.E.O-Block-1 and Sh. Madan Mohan, B.P.E.O, Block-2, both are directed** to file an Affidavit in response to the Show Cause Notice issued to them vide order dated: 15.10.2018 and bring the original record relating to the RTI application of the appellant, on the next date of hearing, failing which action would be initiated against them as per provisions of the RTI Act, 2005.

5. 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.

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APPEAL CASE NO. 2087 OF 2018

6. The case is adjourned to **30.01.2019 at 11:30 AM.** Copies of the

order be sent to the parties.

Chandigarh 11.12.2018 Sd/-(Prof. Viney Kapoor Mehra) State Information Commissioner

Copy to Intimation & Necessary Action: -

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

ORDER:

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

15.10.2018.

2. The appellant states that he has received incomplete information (Attendance Register without attestation) from the Respondent - PIO.

3. Sh. Vipan Arora, Jr. Assistant appears on behalf of the Respondent – PIO and files an Affidavit mentioning therein that the complete information has been provided to the appellant and nothing is left to be supplied as per official record.

4. After examining the case file, it is revealed that the Respondent – PIO has not supplied the attested copies of the attendance register. Therefore, the Respondent – PIO is directed to provide the attendance register duly attested, before 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 **30.01.2019 at 11:30 AM.** Copies of the order be sent to the parties.

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

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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. Sh. Rajinder Singh & Sh. Rajinder Kumar, Sr. Assistants on behalf of the Respondent - PIO.

ORDER:

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

15.10.2018.

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

3. Sh. Rajinder Kumar Sr. Assistant appears on behalf of the Respondent – PIO and states that the RTI application dated: 12.03.2018 of the appellant is addressed to the Chief Secretary/PIO and they transferred to the O/o Director, Health and Family Welfare Department, Govt. of Punjab, Chandigarh vide letter Memo no. 22/15/2018-4HB5/1200508, dated, Chandigarh: 02.04.2018. He further states that after receiving the RTI application of the appellant, the same has sent to the concerned branch vide letter dated: 13.04.2018. The reply of the RTI application has been sent to the appellant vide letter dated: 15.06.2018.

4. The perusal of the case reveals that there is considerable delay in transferring the RTI application to concerned department by the Chief Secretary/PIO O/o Health and Family Welfare Department, Govt. of Punjab, Chandigarh.

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APPEAL CASE NO. 2867 OF 2018

5. In view of the above, a show cause notice under Section 20(1) of the RTI Act is issued to the Chief Secretary/PIO O/o Health and Family Welfare Department, Govt. of Punjab, Chandigarh and Sh. Narinder Mohan, Superintendent –cum- PIO O/o Director, Health & Family Welfare Department, Punjab, Chandigarh, as to why penalty should not be imposed upon them 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.

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 they have nothing to say and the Commission shall initiate ex-parte proceeding.

7. A copy of this order be sent to the Chief Secretary/PIO O/o Health and Family Welfare Department, Govt. of Punjab, Chandigarh and Sh. Narinder Mohan, Superintendent –cum- PIO O/o Director, Health & Family Welfare Department, Punjab, Chandigarh, **by registered post.**

8. Last 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.

9. The case is adjourned to **30.01.2019 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 11.12.2018

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.

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APPEAL CASE NO. 2868 OF 2018

Sh. Ashok Kumar, (Rt. Jr. Assistant Pb Edu Deptt), S/o Sh. Bishan Dass, H.No.160, Model Town, Pathankot.

Versus

...Appellant

Public Information Officer,

O/o Block Primary Education Officer, Pathankot: 3.

First Appellate Authority

O/o District Education Officer (EE), Pathankot.

...Respondents

PRESENT: Ms. Priya Mahajan is present on behalf of the Appellant. Smt. Paramjit Kaur, B.P.E.O. for the Respondents.

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

15.10.2018.

ORDER:

2. A letter has been received from the appellant in the Commission vide diary no. 22516, dated: 06.11.2018 mentioning therein that he has already specified the exact information to the Respondent and has sent the cheque no. 014957 of Rs. 200/- for the documentation fee to the Respondent.

3. Smt. Paramjit Kaur, B.P.E.O. appears and states that the remaining information has been supplied to the appellant vide letter dated: 07.12.2018 through registered post. The appellant states that till today, complete information has not been supplied to him by the respondent. She further returned back the cheque no. 014957 of Rs. 200/- to representative of the appellant.

4. Ms. Priya Mahajan appears on behalf of the appellant and states that the appellant is satisfied with the provided information.

5. 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 through his representative 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.

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

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APPEAL CASE NO. 2869 OF 2018

Sh. Ashok Kumar, (Rt. Jr. Assistant Pb Edu Deptt), S/o Sh. Bishan Dass, H.No.160, Model Town, Pathankot.

...Appellant

Versus

Public Information Officer,

O/o Block Primary Education Officer, Pathankot: 3.

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

...Respondents

PRESENT: Ms. Priya Mahajan is present on behalf of the Appellant. Smt. Paramjit Kaur, BPEO , the respondent.

ORDER:

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

15.10.2018.

2. Ms. Priya Mahajan is appears on behalf of the appellant and states that the appellant is not satisfied with the provided information.

3. Smt. Paramjit Kaur, B.P.E.O. appears and files an Affidavit mentioning therein that the information as per office record has been supplied to the appellant and nothing is pending.

4. After perusal of the case file, it reveals that the requisite information has already been supplied to the appellant and today the PIO has filed an Affidavit in this regard. The original Affidavit is handed over to the representative of the appellant, during the hearing. Thus, no further cause of action is left in the instant Appeal Case, which is hereby, **Closed and Disposed Off**. Copies of the order be sent to the parties.

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

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APPEAL CASE NO. 3336 OF 2018

Sh. Vikram Vaid, (RTI Activist & Whistle Blower), # 1527, Gali No.2, Bagh Rama Nand, Amritsar.

...Appellant

Versus

Public Information Officer,

O/o Civil Surgeon, Amritsar.

First Appellate Authority O/o Civil Surgeon, Amritsar.

...Respondents

PRESENT: Sh. Vikram Vaid, Appellant. None is present on behalf of the Respondents.

ORDER:

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

27.11.2018.

2. The appellant states that incomplete information has been provided to him by the Respondent – PIO. He further states that he has furnished the deficiencies to the Respondent – PIO with a copy to the Commission.

3. Neither the PIO nor his representative is present for today's hearing. The PIO has not bothered to inform the Commission about his absence.

4. In view of the above, the Respondent – PIO is directed to remove the deficiencies, before 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 **08.01.2019 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 11.12.2018

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APPEAL CASE NO. 3529 OF 2018

Sh. Angrej Singh, S/o Late Sh. Manjit Singh Pannu, Village Haripur, P.O. & Tehsil Amloh, District Fatehgarh Sahib.

...Appellant

Versus

Public Information Officer,

O/o Medical Superintendent, Rajindra Hospital, Patiala.

First Appellate Authority O/o Civil Surgeon, Patiala.

...Respondents

PRESENT: Sh. Angrej Singh & Sh. A S Hundal is present on behalf of the Appellant. Dr. Rajinder Singh, PIO, Sh. Yogesh Malhotra, APIO.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 03.04.2018. First appeal was filed with the First Appellate Authority on dated: 30.04.2018 and second appeal was filed in the Commission on dated: 08.10.2018.

2. Notice of hearing has been issued to the parties for 11.12.2018 to appear before the Commission.

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

4. Dr. Rajinder Singh, Respondent PIO appears and files written submission mentioning therein that information sought by the appellant is third party information and cannot be provided to him under section 8(i)(j) of the RTI Act, 2005 and the same has been conveyed to the appellant vide letter no. R.T.I./2018/50, dated: 12.04.2018. He further states that O/o Civil Surgeon, Patiala is neither First Appellate Authority of the Respondent – PIO nor has transferred the RTI application of the appellant under section 6(3) of the RTI Act, 2005.

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APPEAL CASE NO. 3529 OF 2018

5. In view of the above, the Respondent – PIO is directed to bring the original record relating to the RTI application of the appellant, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

6. The case is adjourned to **24.01.2019 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 11.12.2018

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APPEAL CASE NO. 3531 OF 2018

Sh. Vikram Vaid, (RTI Activist & Whistle Blower), # 1527, Gali No.2, Bagh Rama Nand, Amritsar.

...Appellant

Versus

Public Information Officer,

O/o Senior Medical Officer, Civil Hospital, Fatehgarh Churian, District Gurdaspur.

First Appellate Authority O/o Civil Surgeon, Gurdaspur.

...Respondents

PRESENT: Sh. Vikram Vaid, Appellant. Dr. Rimrat Bir Singh Bajwa, is present on behalf of the PIO.

ORDER:

The appellant has sought information as enumerated in his RTI application dated: 23.05.2018. First appeal was filed with the First Appellate Authority on dated: 09.07.2018 and second appeal was filed in the Commission on dated: 16.10.2018.

2. Notice of hearing has been issued to the parties for 11.12.2018 to appear before the Commission.

3. The appellant states that incomplete information has been provided to him by the Respondent – PIO. He further states that he has furnished the deficiencies to the Respondent – PIO with a copy to the Commission.

4. Dr. Rimrat Bir Singh Bajwa appears on behalf of the Respondent – PIO and states that the information has already been supplied to the appellant.

5. In view of the above, the Respondent – PIO is directed to remove the same, before the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.

6. The case is adjourned to **08.01.2019 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 11.12.2018