

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



Nitin Kumar Garg
C/o Police Public Diary,
15 – A, Shastri Nagar,
Model Town, Ludhiana (Punjab)
(M. - 7814322100)

....Appellant

V/s

Public Information Officer,
O/o The Sr. Medical Officer,
Kapurthala (Punjab)

First Appellate Authority,
O/o The Civil Surgeon,
Kapurthala (Punjab)

...Respondents

Appeal Case No. 298 of 2023

Present : Sh. Nitin Kumar Garg, the appellant in person.
None on behalf of the respondent.

ORDER

Heard in the Commission.

2. This case was earlier heard on 22.09.2023 and none of the parties was present and an opportunity was given to both the parties to represent this case.
3. The appellant, Sh. Nitin Kumar Garg, who appeared in person in today's hearing, states that information at point no. (d) is still pending.
4. Examined the documents placed in the case-file, it emerges that none came appeared form office of the respondent PIO on 25.08.2023 and a show-cause notice was issued vide orders dated 25.08.2023. On the last date of hearing, held on 22.09.2023, again none came appeared form office of the respondent PIO.
6. Further, neither the respondent PIO nor any of his representative is present in today's hearing. Moreover, he (the respondent PIO) has not sent any document showing that the remaining information has been supplied to the appellant.

Contd...2/-

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Appeal Case No. 298 of 2023

-2-

7. After seeing such a casual conduct of the concerned respondent PIO, a compensation of Rs. 5000/- (Rupees Five Thousand only) is hereby awarded to the appellant, Sh. Sh. Nitin Kumar Garg. The compensation amount shall be paid from the bank account of public authority concerned and not from the individual official.

8. The respondent PIO concerned is directed to supply the remaining information to the appellant positively by the next date fixed.

9. With this, the case is **adjourned to 7th February, 2024 at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date: 11th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Amarjeet Bansal,
Saket Stone Crusher,
Mubarikpur, Tehsil – Derabassi,
Distt. - S. A. S. Nagar(Mohali) (Punjab)
(M.- 9855600073)

....Appellant

V/s

Public Information Officer,
O/o The District Mining Officer
B-65, Phase 7, Sector 119, Industrial Area,
S. A. S. Nagar(Mohali) (Punjab)

First Appellate Authority,
O/o The Chief Engineer,
Punjab Water Resources,
Madhya Marg, Sector 18, Chandigarh

...Respondents

Appeal Case No. 3321 of 2023

Present : Sh. Akarshit Sharma, Advocate(M.-9779111502) on behalf of the appellant.
Sh. Deepak Ghai, Junior Engineer(M.-9779901052), on behalf of the
respondent.

ORDER

Heard in the Commission.

2. This case was earlier heard on 29.09.2023 and the respondent was directed to supply the information at point no. 02 and also to file a written reply.
3. Sh. Deepak Ghai, Junior Engineer, who appeared on behalf of the respondent PIO in today's hearing, hands over a reply to the appellant during the hearing.
4. Sh. Akarshit Sharma, Advocate, who appeared on behalf of the appellant, Sh. Amarjeet Bansal in today's hearing, states that the reply given is not as per queries raised through RTI request.
5. As the remaining information has not been supplied to the appellant even after the directions were given vide orders dated 29.09.2023, hence, after seeing such a casual conduct of the concerned respondent PIO, a compensation of Rs. 2000/- (Rupees Two Thousand only) is hereby awarded to the appellant, Sh. Amarjeet Bansal. The compensation amount shall be paid from the bank account of public authority concerned and not from the individual official.

Contd...2/-

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Appeal Case No. 3321 of 2023

-2-

6. The respondent PIO concerned is directed to supply the remaining information at point no. 02 to the appellant positively by the next date fixed. He is also directed to appear in person to represent this case.

7. With this, the case is **adjourned to 7th February, 2024 at 12:00 P. M. for hearing.**

Copies of the orders be sent to the parties.

Date :11th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Harjit Singh,(M.- 9814266009)
S/o Sh. Bhajan Singh,
Village – Miapur, Shamaspur,
Tehsil – Amlah,
Distt. – Fatehgarh Sahib(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Block Development
and Panchayat Officer,
Amlah, Distt. – Fatehgarh Sahib (Punjab)

First Appellate Authority,
O/o The District Development
and Panchayat Officer,
Fatehgarh Sahib (Punjab)

...Respondents

Appeal Case No. 4111 of 2023

Present : (i) Sh Harjit Singh, Appellant.
(ii) None for the Respondent.

ORDER

This order may be read with reference to the previous order dated 04.10.2023 vide which a show-cause notice was issued to the Respondent-PIO.

2. The Appellant states that no information has been given to him till date.
3. No one has appeared on behalf of the respondent today.
4. The perusal of the case file shows that no one has appeared on behalf of the Respondent today. They have not even bothered to inform the Commission about their absence. They have not even filed any reply to the show-cause notice issued on the last date of hearing. The appellant Sh Harjit Singh has filed RTI with the department on 17.09.2022, after lapse of more than ten months complete information has not been provided to him so far. Even, the respondent has not bothered to attend previous two consecutive hearings in the Commission.
5. It is, thus apparent from the response of the PIO that there has been delay in providing the information. Appellant had also suffered financial loss in getting the information. There are systemic deficiencies in the manner of receiving and disposing of applications. The

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Appeal Case No. 4111 of 2023

department still does not appear to be properly tuned to the performance of its obligations enshrined under the RTI Act. The departmental officials are not properly sensitized and trained to discharge their functions under the RTI Act 2005.

6. I am, therefore, of the view that the Appellant deserves to be awarded compensation under Section 19(8)(b) of RTI Act 2005 for the loss and detriment suffered by him on account of delayed supply of information.

7. I am of the view that ends of justice would be met by awarding a sum of Rs. **3000/- (Rupees three Thousand only)** by way of compensation to the Appellant. Further, the respondent-PIO is directed to be present personally on the next date of hearing along with the complete information and specific reply, pertaining to the RTI of the appellant.

8. To come up on **09.02.2024 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Date: 11.12.2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

THROUGH REGISTERED POST

CC: DDPO, Fatehgarh Sahib (*for necessary compliance*)

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Sh. Yogeshwar , S/o Sh. Som Nath
R/o New Vishwakarma Nagar, Ward No. 6,
Lamini, Pathankot – 145001
(M-8437986201)

.....Appellant

Vs

Public Information Officer,
O/o Civil Hospital, Pathankot

First Appellate Authority,
O/o Civil Hospital, Pathankot

.....Respondent

AC No. 4171 of 2023

Present : None for the parties.

ORDER

This order may be read with reference to the previous order dated 04.10.2023, vide which the respondent was not present and a show cause notice was issued to the respondent –PIO.

2. Today, neither the appellant nor the respondent is present.
3. The perusal of the file shows that the respondent is absent for third consecutive hearing without any intimation. However, before taking any penal proceedings against the Respondent PIO, I wish to give one last opportunity to him to appear before the Commission on the next date of hearing.
4. To come up on **10.01.2024 at 12.00 PM** for further proceedings in the Commission. Copies of the order be sent to the parties.

Date : 11th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Ajay Kumar Singh, (70115 32074)
S/o Sh. Ram Avadh Singh,
R/o C 24, Sector 61,
Tehsil and Distt Gautam Buddha Nagar – 201301

.....Appellant

Vs

Public Information Officer,
O/o GLADA, Ludhiana

First Appellate Authority,
O/o GLADA, Ludhiana

.....Respondent

AC No. 4849 of 2023

Present : None for the parties.

ORDER

The RTI application is dated 25.04.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 28.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 11.12.2023 in the Commission.

3. Today neither the appellant nor the respondent is present. This is the first date of hearing and both the parties are not present, hence one more opportunity is given to them to appear before the Commission and state their case. It is made clear that in case both the parties do not appear on the next date of hearing, appropriate order in their absence shall be passed.

4. To come up on **05.02.2024 at 12.00 PM** for further proceedings in the Commission. Copies of the order be sent to the parties.

Date : 11th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Viney Pushkarna, (73552 12966)
S/o Sh. Som Nath Pushkarna,
Pushkarna Niwas
B2ND 32 College Road, Qadian,
Tehsil Batala, Distt. Gurdaspur – 143516

.....Appellant

Vs

Public Information Officer,

O/o Director Health and Family Welfare Punjab
Parivar Kalyan Bhawan, Sector 34A,
Chandigarh

First Appellate Authority,

O/o Director Health and Family Welfare Punjab
Parivar Kalyan Bhawan, Sector 34A, Chandigarh

.....Respondent

AC No. 4850 of 2023

Present : None for the parties.

ORDER

The RTI application is dated 02.06.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 27.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 11.12.2023 in the Commission.

3. Today neither the appellant nor the respondent is present. This is the first date of hearing and both the parties are not present, hence one more opportunity is given to them to appear before the Commission and state their case. It is made clear that in case both the parties do not appear on the next date of hearing, appropriate order in their absence shall be passed.

4. To come up on **05.02.2024 at 12.00 PM** for further proceedings in the Commission. Copies of the order be sent to the parties.

Sd/-

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Date : 11th December, 2023

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Milan

S/o Sh. Arneet,

'Milan Niwas',

New Dana Mandi, Salem Tabri,

Ludhiana - 141008(Punjab)

(M. 981444018)

....Appellant

V/s

- i) Public Information Officer,
O/o The Punjab State Human Rights Commission,
S.C.O. 220-221, Sector 34 – A, Chandigarh

- (Regd.) ii) Public Information Officer,
O/o The Joint Commissioner of Police,
(Encl:RTI) Ludhiana (Punjab)

First Appellate Authority,
O/o The Punjab State Human Rights Commission,
S.C.O. 220-221, Sector 34 – A, Chandigarh

...Respondents

Appeal Case No. 4860 of 2023

Present : None on behalf of the appellant.

- i) Sh. S. D. Sharma, Superintendent-cum-PIO(M.-9876262734) ;
ii) Ms. Shivani Kapoor, Senior Assistant (M.-9256077991), for respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 02.07.2023. First appeal is dated 13.07.2023. Second appeal has been received in the Commission on 18.07.2023.

3. The appellant, Sh. Milan , through an e-mail dated 10.12.2023 has intimated that he is unable to attend today's hearing and also intimated that the information demanded relates with office of Police, Ludhiana.

4. Sh. S. D. Sharma, Superintendent-cum-PIO, who appeared with Ms. Shivani Kapoor, Senior Assistant, in today's hearing, states that the information demanded relates with office of Joint Commissioner of Police, Ludhiana and a reply has also been sent to the Commission vide letter dated 05.12.2023. It, alongwith annexure, is taken on record.

Contd...2/-

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5. As the information demanded by the appellant through RTI request relates with office of Joint Commissioner of Police, Ludhiana, hence, Public Information Officer office of Joint Commissioner of Police, Ludhiana be impleaded as necessary party in this case. A copy of this order be sent to him alongwith RTI request through registered post with the directions to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request. He (PIO) is also directed to represent this case in person or through his representative on the next date of hearing fixed .

6. The PIO office of Punjab State Human Rights Commission , Chandigarh is exempted from personal appearance in further hearing of this case.

7. With this, the case is adjourned to 7th February, 2024 at 12:00 P. M. for hearing.

Copies of the orders be sent to the parties.

Date :11th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

(Encl:RTI)

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SECTOR 16, CHANDIGARH.

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Shri Amit Kakkar, (97818 20202)
S/o Shri Sunil Kumar
Chamber No. 24, Civil Courts,
Complex Jalalabad West, Distt. Fazilka – 152024

.....Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner,
Ferozepur

Public Information Officer
O/o District Education Officer
(Secondary/Primary), Ferozepur

First Appellate Authority,
O/o Deputy Commissioner,
Ferozepur.

...Respondents

APPEAL CASE No. 4863 OF 2023

PRESENT: None for the parties.

ORDER

The RTI application is dated 21.04.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 28.07.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 11.12.2023 in the Commission.
3. Today neither the appellant nor the respondent is present. The perusal of the file shows that the respondent has transferred the RTI to District Education Officer (secondary/Primary), Ferozepur under Section 6(3) of the RTI Act 2005.
4. Since, the information is to be provided by the PIO, O/o District Education Officer (secondary/Primary), Ferozepur. I, therefore, order that PIO, O/o District Education Officer (secondary/Primary), Ferozepur be impleaded as Respondent No.2. I further direct that PIO, O/o District Education Officer (secondary/Primary), Ferozepur should supply the information to the Appellant before the next date of hearing.
5. To come up on **09.02.2024 at 12.00 PM** for further proceedings in the Commission. Copies of the order be sent to the parties.

Sd/-

(Amrit Partap Singh Sekhon)

State Information Commissioner Punjab

Dated: 11th December, 2023

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SECTOR 16, CHANDIGARH.

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Sh Harjinder Singh, (m-988809833)
Village Saddo Majra, Navi Abadi,
Block Khera, PO Saidpura,
Distt Fatehgarh Sahib

... Appellant

Versus

Public Information Officer,
O/o DDPO, Fatehgarh Sahib

First Appellate Authority
O/o DC, Fatehgarh Sahib

...Respondent

Appeal Case No. 5008 of 2023

Present :- (i) Sh Harjinder Singh, appellant.
(ii) None for the respondent

ORDER

The RTI application is dated 27.07.2022 whereby the information-seeker has sought information as mentioned in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 02.08.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 11.12.2023 in the Commission
3. The appellant states that no information has been provided to him so far.
4. No one has appeared on behalf of the respondent today.
5. The perusal of the case file shows that no one has appeared on behalf of the respondent today. The respondent-PIO has neither bothered to inform the Commission about his absence nor filed any reply to the notice issued. Hence, an opportunity is given to the respondent-PIO to appear before the Commission along with the complete information and specific point wise reply, pertaining to the RTI of the appellant failing which, action u/s 20(1) of the RTI act will be initiated. To come up on **08.01.2024 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Dated: 08.12.2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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Sh. Kuldip Kumar, (78143 48489)
3261, Rattan Singh Chowk,
F.G.C. Road, Amritsar -143001

.....Appellant

Vs

Public Information Officer,
O/o Director,
Health & Family Welfare, Punjab
Parivar Kalyan Bhawan, Sector 34A, Chandigarh.

First Appellate Authority,
O/o Director,
Health & Family Welfare, Punjab
Parivar Kalyan Bhawan, Sector 34A, Chandigarh.

...Respondents

APPEL CASE No. 5009 OF 2023

Present : (i) Sh. Kuldip Kumar the appellant (*telephonically*)
(ii) For the respondent : None is present on behalf of the respondent

ORDER

The RTI application is dated 10.04.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 02.08.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 11.12.2023 in the Commission.

3. Today neither the appellant nor the respondent is present. The appellant has sent his submissions via mail which is taken on record. However, he is contacted on telephone. He states that no information has been given to him so far.

4. This is the first date of hearing, hence one more opportunity is given to the respondent to appear before the Commission and state his case, failing which action under Section 20 (1) of the RTI Act 2005 will be initiated.

5. To come up on **05.02.2024 at 12.00 PM** for further proceedings in the Commission. Copies of the order be sent to the parties.

Sd/-

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Date: 11th December, 2023

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Shri Rajinder Singh Kamboj,
S/o Shri Baldev Singh Nagpal,
4, Green Enclave, Ferozpur City
Tehsil and Distt. Ferozpur – 152002

.....Appellant

Vs

Public Information Officer,
O/o Deputy Commissioner
Ferozpur.

Public Information Officer
O/o Cantonment Board,
Ferozpur Cantt.

First Appellate Authority,
O/o Deputy Commissioner
Ferozpur.

...Respondents

APPEAL CASE No. 5040 OF 2023

PRESENT: None for the parties.

ORDER

The RTI application is dated 10.06.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 02.08.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 11.12.2023 in the Commission.

3. Today neither the appellant nor the respondent is present. The perusal of the file shows that the respondent has transferred the RTI to PIO, Cantonment Board, Ferozpur Cantt. under Section 6(3) of the RTI Act 2005.

4. Since, the information is to be provided by PIO, Cantonment Board, Ferozpur Cantt. I, therefore, order that PIO, Cantonment Board, Ferozpur Cantt be impleaded as Respondent No.2. I further direct that PIO, Cantonment Board, Ferozpur Cantt should supply the information to the Appellant before the next date of hearing.

5. To come up on **05.02.2024 at 12.00 PM** for further proceedings in the Commission. Copies of the order be sent to the parties.

Sd/-

(Amrit Partap Singh Sekhon)

State Information Commissioner Punjab

Date: 11th December, 2023

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Kapil Bansal
S/o Sh. Baldev Krishan Bansal,
H. No. 1095/1, Railway Road,
Jagraon, Distt. – Ludhiana(Punjab)
(M.- 9780708709)

....Appellant

V/s

Public Information Officer,
O/o The District Food Supply Officer, Punjab,
Ludhiana (Punjab)

First Appellate Authority,
O/o The District Food Supplies & Controller,
Ludhiana (Punjab)

...Respondents

Appeal Case No. 5051 of 2023

Present : None on behalf of the appellant.
Sh. Beant Singh, A.F.S.O.-cum-APIO(M.-9417100032) for the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 13.02.2023. First appeal is dated 29.03.2023. Second appeal has been received in the Commission on 03.08.2023.
3. The appellant, Sh. Kapil Bansal , through an e-mail dated 11.12.2023 has sought an adjournment in this case. It is taken on record.
4. Sh. Beant Singh, A.F.S.O.-cum-APIO, who appeared on behalf of the respondent PIO in today's hearing, submits a reply to the Commission.
5. As the reply is not found satisfactory, hence hereby returned with the directions to th PIO to file a proper point-wise reply to the RTI request on the next date fixed.
6. With this, the case is **adjourned to 7th February, 2024 at 12:00 P. M. for hearing.**
Copies of the orders be sent to the parties.

Date :11th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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Sh. Sunil Sapra, (98887 37379)
S/o Sh.Jagdish Rai
R/o # 2156, Sector 79,
Tehsil and Distt. SAS Nagar

.....Appellant

Vs

Public Information Officer,
O/o Senior Superintendent of Police,
S.A.S Nagar (Mohali).

First Appellate Authority,
O/o Inspector General of Police,
Roopnagar Range, Roopnagar.

...Respondents

APPEAL CASE No. 5112 OF 2023

PRESENT : None for the parties.

ORDER

The RTI application is dated 27.05.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 07.08.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 11.12.2023 in the Commission.
3. Today neither the appellant nor the respondent is present . The respondent has sent reply to the Commission.
4. This is the first date of hearing and both the parties are not present hence one more opportunity is given to them to appear before the Commission and state their case. It is made clear that in case both the parties do not appear on the next date of hearing , appropriate order in their absence shall be passed. ***Copy of the reply, as sent by the respondent be sent to the appellant alongwith the orders.***
5. To come up on **07.02.2024 at 12.00 PM** for further proceedings in the Commission. Copies of the order be sent to the parties.

Date: 11th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab