

PUNJAB STATE INFORMATION COMMISSION

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Smt. Satwinder Kaur (9876908602)

w/o Sh. Vishal Chopra,
H.No.546544, Street No.2,
Shivpuri, Near Radhe Sham Mandir,
Ludhiana

Appellant

Versus

Public Information Officer (By Name)

(Regd. Post) O/o SHO, Police Station Daresi
(Sunder Nagar), Ludhiana

First Appellate Authority (By Name)

(Regd. Post) O/o Police Commissioner, Ludhiana

Respondent

Appeal Case No.: 1106 of 2021

Through CISCO WEBEX

Present: Appellant: Smt. Satwinder Kaur
None on behalf of the respondent.

ORDER

1. This order may be read with reference to the previous order dated 13.10.2022.
2. After examining the case file, it is observed that on **first hearing held on 20.07.2021**, respondent PIO was directed to supply the point-wise reply/information to the appellant within ten days from that day. Matter was adjourned for further hearing on 06.10.2021.
3. **On hearing held on 06.10.2021**, respondent, ASI, Om Parksah intimated the Commission that reply was sent to the appellant yesterday (05.10.2021), which was quite obvious not received by the appellant. Matter was adjourned for further hearing on 30.03.2022.
4. **On hearing held on 30.03.2022**, respondent, ASI Om Parkash stated that no deficiency has been pointed out by the appellant till date in the supplied information.

Appellant, Ms. Satwinder Kaur stated that requisite information is still pending as per RTI application and expressed her dissatisfaction with the supplied reply.

After hearing both the parties and examining the case file, it was observed that appellant demanded information on Complaint No. 367 filed by her dated 01.07.2020. Regarding this complaint, information on the following two points are demanded:

- ਦਰਖਾਸਤ ਮਿਤੀ :-01.07.2020 ਤੇ ਕੀਤੀ ਕਾਰਵਾਈ ਦੀ ਕਾਪੀ ਦਿਤੀ ਜਾਵੇ
- ਦਰਖਾਸਤ ਮਿਤੀ:-01.07.2020 ਦਰਜ ਕੀਤੀ ਪੁਲਿਸ ਰਿਪੋਰਟ ਦੀ ਕਾਪੀ ਦਿਤੀ ਜਾਵੇ.

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Respondent PIO was directed either to supply the point-wise complete information to the appellant or file an affidavit as per queries raised by the appellant in her RTI application through registered post with a copy to the Commission, within seven days after receipt of that order. Matter was adjourned for further hearing on 24.05.2022.

5. **On hearing held on 24.05.2022**, appellant intimated that nothing was received even after the order passed by the Commission dated 30.03.2022. Respondent PIO was absent and a call was made to Sh. Om Parkash during the hearing in this regard. A copy of this order was sent to the First Appellate Authority by name for the compliance of previous order dated 30.03.2022 within ten days after receipt of this order. Matter was adjourned for further hearing on 02.08.2022.
6. **On hearing held on 02.08.2022**, respondent PIO was called in person to appear in the Commission on 08.08.2022 along with relevant record in connection with RTI application. Matter was adjourned for further hearing on 21.09.2022 and same was conveyed to the respondent, Sh. Om Parkash (ASI) after the hearing was over.
7. **On hearing held on 21.09.2022**, respondent PIO was absent and a **Show Cause notice was issued to him by the Commission**. Matter was adjourned for further hearing on 28.09.2022.
8. **On hearing held on 28.09.2022**, respondent PIO was again absent and final opportunity was awarded to him to represent this case in person at Commission's office, failing which stern action against him. Matter was adjourned for further hearing on 13.10.2022.
9. **On hearing held on 13.10.2022**, appellant intimated the Commission through telephone call that nothing has been supplied to her by the respondent PIO. A copy of order was also sent to the Police Commissioner, Ludhiana by name through registered post for the compliance of order without any further delay, so that case could be concluded on the next date of hearing positively. Matter was adjourned for further hearing on 14.12.2022 i.e. today.
10. **In today's hearing**, appellant, Smt. Satwinder Kaur intimates the Commission the nothing has been supplied to her by the respondent PIO even after the directions of the Commission time and again as per the RTI application.
11. Respondent PIO is consecutively absent third time in spite of prior intimation to the concerned department by the undersigned Bench. Respondent PIO was also absent on the previous hearing held on 28.09.2022 and 13.10.2022.

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12. From the material on record, it transpires that there has been unnecessary delay in conveying the correct State of affairs to the appellant in respect to his request for information. No explanation for delay has been given by him. Rather, his failure to even respond to the directions issued to him by the Commission reinforces the fact that he has been without any reasonable cause guilty of remissness in the discharge of his duties, therefore, deserves to be penalized.
13. In view of the defying attitude of the concerned **respondent PIO, SHO, Police Station Daresi (Sunder Nagar), Ludhiana** neither attending the court on fixed date and time and not submitting any explanation for the directions issued to him within the time schedule as prescribed under the RTI Act 2005, the court comes to a logical conclusion that it is a fit case for the imposition of penalty amounting to Rs. 10000/- (Rupees Ten thousand only) upon the concerned respondent PIO. However, taking a lenient view, **I impose a penalty of Rs. 10,000/- (Rs. Ten thousand only)** on the respondent PIO. The Drawing and Disbursing Officer of the office of Police Commissioner, Ludhiana is directed to deduct the amount of penalty of Rs. 10000/- from the salary of the concerned respondent PIO and be deposited in the State Treasury in the following Head of Account and to report its compliance to the Commission:-
- "0070-Other Administrative Services
60 other Services
800-Other Receipts
86-Fee under the RTI Act, 2005
14. Respondent PIO is directed to supply the information as per RTI application to the appellant with a copy to the Commission within ten days after receipt of this order. He is also directed to submit reply to the Show Cause which was issued to him on 21.09.2022.
15. **A copy of this order be sent to the Police Commissioner, Ludhiana by name through registered post to look into the matter and for the compliance of order.**
16. Appellant is on liberty either to attend hearing at PSIC office or through CISCO Webex (Meeting no. 1582933632)
17. To come up on **25.01.2023 at 11:00 AM for further proceedings in the Punjab State Information Commission.** Announced in the court. Copy of the order be sent to the parties.

Dated: 14.12.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab

Regd. Post

The Police Commissioner (By Name)
Ludhiana