

PUNJAB STATE INFORMATION COMMISSION
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Sh. Sanjeev Goyal (9814197689)
s/o Sh. Ashok Kumar,
148, Model Town,
Bathinda – 151001.

Appellant

Versus

(Regd. Post) Public Information Officer (By Name)
O/o Improvement Trust, Bathinda

(Regd. Post) First Appellate Authority (By Name)
O/o Improvement Trust, Bathinda

Respondent

Appeal Case No.: 2858 of 2021
Through CISCO WEBEX

Present: (i) Sh. Sanjeev Goyal on behalf of the appellant
(ii) Nobody on behalf of the respondent PIO.

ORDER

1. This order may be read with reference to the previous order dated 07.09.2022
2. In today's hearing, appellant states that information is still pending from the respondent PIO.
3. Respondent PIO is continuously absent third time in spite of registered post notice and orders issued to him by the Commission time and again. Respondent PIO was absent on the previous hearings held on 04.05.2022, 07.09.2022 and today itself.
4. The perusal of the file shows that, no one has appeared on behalf of the respondent today. They have neither informed the Commission about their absence nor they have filed their reply to the show-cause notice issued on the previous date of hearing. 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 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.

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5. 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.
6. In view of the defying attitude of the concerned respondent PIO, Improvement Trust, Bathinda neither attending the court nor 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 Improvement Trust, Bathinda 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

7. Respondent PIO is directed to furnish the requisite information to the appellant within fifteen days from the date of receipt of this order and consider this is a final opportunity.
8. A copy of this order be also sent to the First Appellate Authority by name through registered post for the compliance of this order.
9. To come up on **02.02.2023 at 11:00 AM for further proceedings in the Commission.** Copy of the order be sent to the parties.

Dated: 17.11.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab