

PUNJAB STATE INFORMATION COMMISSION
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Shri Jagdish Kumar,
Ward No.3, Street No.9,
Raman Cinema Backside
MANSA

... Appellant

Versus

Public Information Officer,
O/o The Sub-Divisional Engineer,
Punjab Water Supply & Sanitation
Division No.2, Metro Road,
Near Partap Chow, Ludhiana

First Appellate Authority
O/o The Executive Engineer,
Punjab Water Supply & Sanitation
Circle, Club Road, Near Old Courts
Ludhiana

...Respondent

Appeal Case No. 2981 of 2021

PRESENT: Sh.Jagdish Kumar for the Appellant
Sh.Sanjay Chand, Clerk for the Respondent

ORDER:

The appellant through an RTI application dated 30.09.2020 has sought information regarding number of bills and PCR signed by Sh.Prem Kumar SDE from 01.12.2019 to 31.08.2020 and quotations received alongwith copy of diary register as enumerated in the RTI application from the office of Sub Divisional Engineer, Water Supply & Sanitation Division No.2, Ludhiana. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 28.12.2020 which took no decision on the appeal.

The case has already been heard by Sh.Sanjiv Garg, State Information Commissioner on 05.10.2021, 26.10.2021, 05.01.2022 & 25.07.2022.

On the date of first hearing on 05.10.2021, the respondent present informed that the information is voluminous and is now ready with them. The respondent assured to send the same within a day. The respondent was directed to send the information to the appellant. The appellant was directed to point out the discrepancies once he receives the information.

On the date of next hearing on 26.10.2021, the advocate appeared on behalf of the appellant informed that the PIO has not supplied the information.

The respondent was absent not had complied the order of the Commission to supply the information. The PIO was issued a **show cause notice under section 20 of the RTI Act for not supplying the information within the time prescribed under the RTI Act and directed to file reply on an affidavit.**

On the date of the hearing on 05.01.2022, the respondent informed that the information has already been sent to the appellant vide letter dated 06.10.2021 & 04.01.2022. As per counsel for the appellant, the information was not received by the appellant.

The respondent was directed to send the information again to the appellant with a copy to the Commission.

On the date of the last hearing on 25.07.2022, both the parties were absent. The case was adjourned.

The case has come **up for hearing before this bench today** through video conferencing at DAC Mansa/Ludhiana. As per the respondent, the information has been sent again to the appellant vide letter dated 05.08.2022.

As per the appellant, the PIO has not supplied the information.

There has been an enormous delay in providing the information. The PIO is absent, nor has filed the reply to the show cause notice. The responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, and as per the respondent, Ramneek Singh was the PIO when the RTI application was filed, and Sh.Gagandeep Sandhu was the Xen-cum-PIO Water supply and Sanitation Division No.2, Ludhiana, at the time of the issuance of the show cause notice, who, from the facts available, has not complied with the order of the Commission to provide complete information as well as not a filed the reply to the show cause notice, therein meaning that the show caused has nothing to say on the matter.

The current PIO is directed to bring the information to the Commission on the next date of hearing.

Further, the Commission is of the view that since the complainant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

Hence PIO- O/o SDE-Water Supply and Sanitation Division No.2, Ludhiana, is directed to pay an amount of **Rs.10000/-** via demand draft through Govt. Treasury as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time. The PIO is directed to duly inform the commission of the compliance of the order and submit proof of having compensated the appellant.

The decision on show cause will be taken on the next date of the hearing.

To come up for further hearing on **28.12.2022** at 11.00 AM at Chandigarh.

Chandigarh
Dated: 10.11.2022

Sd/-
(Khushwant Singh)
State Information Commissioner