



Sh Kulbir Singh, Sarpanch,
Village Suresh Wala,
Tehsil & Distt Fazilka.

... Appellant

Versus

Public Information Officer,
O/o District Food & Civil Supplies Deptt,
Fazilka.

First Appellate Authority,
O/o District Food & Civil Supplies Deptt,
Fazilka.

...Respondent

Appeal Case No. 3076 of 2021

PRESENT: None for the the Appellant
Sh. Lakhvir Singh Inspector, for the Respondent

ORDER:

The appellant, through an RTI application dated 25.01.2021 has sought information regarding a copy of the order/report based on which ration cards were issued and discontinued relating to village Suresh Wala – details of ration cards issued and closed during 2019-20 and other information as enumerated in the RTI application concerning the office of District Food Supply department, Fazilka. The appellant was not provided with the information after which, the appellant filed a first appeal before the First Appellate Authority on 02.03.2021 which took no decision on the appeal.

The case first came up for hearing on 05.01.2022 through video conferencing at DAC Fazilka. The respondent present pleaded that the information has been provided to the appellant vide letter dated 09.12.2021. The respondent further pleaded that since the information was to be verified from the concerned BDPO, which they received from the BDPO only on 04.12.2020, and sent to the appellant on 09.12.2021.

There was nothing on the record that showed that the RTI application was attended to within the time prescribed under the RTI Act since the RTI application was filed on 25.01.2021 whereas the reply was sent only on 09.12.2021 with a delay of more than eleven months. The PIO was issued a **show-cause notice under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time and directed to file a reply on an affidavit.**

The case came up for hearing again on 09.03.2022 through video conferencing at DAC Fazilka. The appellant was absent.

The respondent was also absent nor has filed a reply to the show-cause notice. The PIO was given one last opportunity to file a reply to the show-cause notice and appear personally on the next date of hearing.

On the date of last hearing on 03.08.2022, the respondent pleaded that the reply to the show cause notice has been filed by the District Food Civil Supplies & Consumer Affairs, Fazilka vide letter dated 09.03.2022.

Having gone through the reply to the show cause notice tendered by the District Food Civil Supplies & Consumer Affairs, Fazilka, the Commission observed that the PIO is taking the Commission's order casually and the reply is not satisfactory. There has been a delay of about 18 months in supplying the information to the appellant, and the PIO has failed to give any satisfactory reply for the delay in providing the information.

Appeal Case No. 3076 of 2021

In these circumstances, Shri R.P.Singh Chahal, District Food Supplies & Consumer Affairs, Fazilka was held guilty and a penalty to the tune of **Rs. 10,000/-** (Rupees Ten thousand only) was imposed upon him with the direction to deposit the same in the govt treasury and submit a copy of challan as a proof of having deposited the penalty.

Further, in exercise of the powers conferred by Section 19(8)(b) of the RTI Act, 2005, a **compensation of Rs.5000/-** (Rupees five thousand only) was awarded to the appellant, to be paid by the Public Authority i.e. through Bank Draft, within 30 days and confirmation to this effect will be furnished to the Commission.

The case was marked to the Secretary, Food Civil Supplies & Consumer Affairs, Pb, Chandigarh, to look into the matter for suitable action so that information seekers under RTI 2005 may not suffer at the hands of the concerned official/officer.

Hearing dated 06.12.2022:

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present informed that the penalty has been deposited in the Govt treasury on 30.08.2022 and compensation has been paid to the appellant vide demand draft dated 31.08.2022. The respondent has also sent a copy of the challan and a copy of the demand draft as proof of having complied with the order of the Commission which has been taken on record.

The appellant is absent.

Since the penalty has been deposited and the compensation has been paid, no further course of action is required. The case is **disposed of and closed**.

Chandigarh
Dated: 06.12.2022

Sd/-
(Khushwant Singh)
State Information Commission

Copy to :

1. **Shri R. P. Singh Chahal,**
Public Information Officer –cum-
District Food Supplies & Consumer Affairs,
Fazilka.
2. **The Secretary,**
Food Civil Supplies & Consumer Affairs,Pb
Sector 39, Chandigarh.