

PUNJAB STATE INFORMATION COMMISSION

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Sh. Manjinder Singh(9872015069)

2469, Sunny Enclave,
Sector 125, Kharar,
Distt. Mohali 140301.

Appellant

Versus

Show-Cause

Public Information Officer

(Regd. Post) O/o Secy., Regional Transport Authority,
Faridkot

Encl. RTI application

First Appellate Authority

O/o Secy., Regional Transport Authority,
Faridkot

Respondent

Appeal Case No.: 3538 of 2022

Hearing through CISCO Webex

Present: Appellant: Sh. Manjinder Singh
Respondent: Absent

ORDER:

1. This case may be read with the reference of the previous order dated 04.01.2023.
2. In today's hearing, the appellant states that no information has been supplied to him.
3. Respondent PIO is continuously absent third time without any intimation to the Commission. He was also absent on the previous hearings held on 03.11.2022 and 04.01.2023. It is also observed that no communication is received even after issuing notice and orders through registered post to the respondent PIO, which means he has causal approach towards the directions of the Commission, which is not acceptable. Penalty amounting Rs. 10,000/- is announced in the presence of the appellant, Sh. Manjinder Singh but as per the case file, show cause notice has not been issued to the respondent PIO yet. Therefore, penalty cannot be imposed on respondent PIO, as per RTI Act, 2005. Accordingly, penalty amounting Rs. 10,000/- which is imposed on the respondent PIO today, is withdrawn.
4. In view of the foregoing, **respondent PIO, O/o Secretary, RTA, Faridkot is directed to show cause** in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

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5. It is also observed that respondent PIO O/o RTA, Faridkot is very lenient in other cases fixed before the Commission/undersigned Bench, due to which matters are still waiting for disposal. PIO is advised to deal cases on priority without further delay.
6. A copy of this order be sent to the First Appellate authority to look into the matter and for the compliance of this order immediately.
7. Both the parties are directed to come up on **27.06.2023 at 11:00 AM for further proceedings in the Commission**. Copy of the order be sent to the parties.

Dated: 20.04.2023

(Anumit Singh Sodhi)
State Information Commissioner
Punjab