

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

Ph: 0172-2864110, Helpline 0172-2864100

Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189



Sh. Ashwani Kumar
s/o Sh. Parshotam Kumar
House No. 83, Near Grain Market,
Bhucho Mandi Bathinda
7589605837

.. appellant

Vs

Sh. Ashwani Kumar Bhalla,
Public Information Officer –cum-
Assistant Director,
o/o DPI (Colleges)
Mohali

Sh. Amarpal Singh, IAS,
DPI (Colleges)-cum-
First Appellate Authority
Mohali

..Respondents

Appeal Case No. 5491 of 2022
(Video Conference Proceedings)

Present:- Sh. Ashwani Kumar, appellant
None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 6.2.2023.

2. The appellant submits that the directions may be issued to the respondent-Public Information Officer to supply the complete information.
3. The notice of hearing as well as the order of the Commission is being sent to the respondent-Public Information Officer through registered post. Even then none is present on behalf of the respondent and also no response has been received from him. It is also a fact that the appellant filed the first appeal before the First Appellate Authority but no order has been passed by the First Appellate Authority. Viewing the attitude in dealing with the RTI application by the respondent in a casual manner, Sh. Ashwani Kumar Bhalla, Assistant Director-cum-Public Information Officer, is, thus, issued a show cause notice to explain in a self-attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to a maximum of Rs.25000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI

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Act, 2005 on them for causing willful delay/denial of the information to the RTI applicant and to show cause why a compensation under section 19(8) of the RTI Act, 2005, may not be paid to the appellant for causing willful delay/denial of the information for detriment suffered by him.

In addition to the written reply, the Public Information Officer is also 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 take a note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the next date, it will be presumed that he has nothing to say and the Commission will proceed ex-parte.

4. Also, the appellant filed the first appeal before the First Appellate Authority and also two reminders were sent by him. But no decision has been passed by the First Appellate Authority. Therefore, Sh. Amarpal Singh, IAS, Director, Public Instructions-cum-First Appellate Authority is also directed to file the submissions, if any, that why not a disciplinary action may be recommended to the competent authority for not complying with the provisions of the RTI Act, 2005 in letter and spirit.

5. To come up on 5.4.2023 at 12.30 PM to be heard through video conference facility available in the office of the Deputy Commissioner, Bathinda for the appellant and in person at Chandigarh for the respondents.

Dated: 9.3.2023

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.