

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Ms. Sukhdeep Kaur, D/o Sh Lakhwinder Singh,
C/o Chamber No-164, District Courts,
Tehsil & Distt Faridkot.

... Appellant

Versus

Public Information Officer,
O/o MC,
Faridkot.

First Appellate authority,
O/o MC,
Faridkot.

...Respondent

Appeal Case No. 708 of 2022

PRESENT: Ms.Sukhdeep Kaur as the Appellant
Sh.Vikas Dhawan, Inspector for the Respondent

ORDER:

The appellant through an RTI application dated 26.10.2021 has sought the certified copies of all concerned documents submitted by ATC Telecom Infrastructure Ltd (ATCTIPL) for the grant of permission under the Punjab Govt. Telecom Guidelines 2020 for the Installation of Mobile Towers vide file No.2105504744 dated 08.05.2021 (Punjab Portal) from the office of EO, MC, Faridkot. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 06.12.2021 which took no decision on the appeal.

The case last came up for hearing on 24.08.2022 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not supplied the information.

As per the respondent, since the concerned file was not traceable, the information could not be provided and the reply was sent to the appellant vide letter dated 22.02.2022.

Having gone through the record, the Commission observed that there has been an enormous delay of more than ten months in attending to the RTI application. 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 reply on an affidavit.**

Hearing dated 06.12.2022:

The case has come up for hearing today through video conferencing at DAC Faridkot. As per the respondent, available information has already been provided to the appellant vide letter dated 12.08.2022. The PIO has also sent a reply to the show cause notice which has been taken on record.

The appellant claims that the PIO has not supplied the copy of the lease deed and the license to install the towers. Moreover the information provided is unattested.

Having gone through the RTI application and the reply of the PIO, the Commission observes that the RTI application was filed on 26.10.2021 whereas only partial information has been provided on 12.08.2022 i.e after a delay of 10 months.

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Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO and as per the respondent, Sh.Amrit Lal was the EO-cum-PIO at the time of filing of RTI application, Sh.Amrit Lal, EO-cum-PIO, MC Faridkot is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. The PIO is also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information.

Hence, given the above facts a penalty of **Rs.10,000/-** is imposed on the Sh.Amrit Lal, EO-cum-PIO, MC Faridkot which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

The case is adjourned. To come up for further hearing on **01.03.2023** at 11.00 AM through video conference facility available in the office of Deputy Commissioner, Faridkot.

Chandigarh
Dated: 06.12.2022

Sd/-
(Khushwant Singh)
State Information Commission