



Sh Raman Kumar S/o Sh Girdhari Lal,
R/o H No-1021, Aggarwal Street,
Ward NO-12, Jalalabad, Distt Fazilka.

... Complainant

Versus

Public Information Officer,
O/o District Food Supply Controller,
Room, No-407-A, Block-A, 3rd Floor,
Fazilka.

...Respondent

Complaint Case No. 917 of 2021

PRESENT: None for the Appellant
Sh. Mahinder Pal, Inspector, O/o DFSC, Fazilka Respondent

ORDER:

The complainant through an RTI application dated 05.05.2021 has sought information regarding the posting of inspector Rajinder Pal and Hira Lal from April 2020 to Sept.2020 during the distribution of wheat under PMKGY-1 and Oct 2020 to March 2021 during PMKGY-2 – details of wheat and gram received per member and other information as enumerated in the RTI application concerning the office of District Food Supply Controller, Fazilka. The complainant was not provided with the information, after which the complainant filed a complaint in the Commission on 13.07.2021.

The case first came up for hearing on 05.01.2022 through video conferencing at DAC Fazilka. The respondent present pleaded that the available information has been provided to the complainant vide letter dated 03.01.2022 and the information relating to point-2 is available on their website and that no specific information relating to point-5 is available.

The complainant claimed that the PIO has supplied information with a delay of more than six months.

The Commission observed that the RTI application was filed on 05.05.2021 whereas the information was provided only on 03.01.2022. Prima facie there has been an enormous delay 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 an affidavit in this regard.**

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

The respondent was also absent nor had 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 otherwise it will be presumed that the PIO has nothing to say on the matter and the Commission will take penal action against the PIO as per provisions of section 20 of the RTI Act.

On the date of last hearing on **03.08.2022**, the appellant was absent.

The respondent present pleaded that reply to show cause notice has been submitted vide letter dated 779 dated 10.03.2022.

Having gone through the reply filed on 10.03.2022, the plea of the PIO was rejected as there is no provision in the RTI act to contact the information seeker personally to know the reason why he has filed the instant RTI application. The Commission had taken very seriously that the respondent instead of providing the information to the complainant had contacted him personally to know the reasons for seeking the information.

Since there has been a delay of about 14 months in supplying the information to the appellant, and the PIO, without any reasonable cause, had refused to furnish the information to the appellant and malafidily denied the same as well as the PIO failed to file satisfactory reply, Shri Harpreet Singh Chahal, the then District Food Supplies & Consumer Affairs, Fazilka (now posted at Barnala) was held guilty of default on the above score.

Hence, in exercise of the powers conferred by Section 20(1) of the RTI Act, 2005, a penalty to the tune of **Rs. 10,000/-** (Rupees Ten thousand only) was imposed upon Shri Harpreet Singh Chahal, the then District Food Supplies & Consumer Affairs, Fazilka now posted at Barnala with the direction to deposit the same in the Govt treasury and send a copy of challan as a proof of having deposited the same.

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 a copy of challan sent to the commission. The Commission has received a copy of the challan which has been taken on record.

Since the information has been provided and the penalty has been deposited, 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 :

Shri Hapreet Singh Chahal,
Public Information Officer –cum–
District Food Supplies & Consumer Affairs,
Barnala.