



Sh Satish Kumar, Advocate,
Ward No-10, Near Nehru Park,
Jaitho, Distt Faridkot.

... Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council,
Jaitho, Distt Faridkot.

First Appellate authority,
O/o ADC, (Urban Development),
Faridkot.

...Respondent

Appeal Case No. 917 of 2022

PRESENT: Sh.Satish Kumar as the Appellant
Sh.Naib Singh Inspector for the Respondent

ORDER:

The appellant through an RTI application dated 26.11.2021 has sought details of govt.grants received from April 2021 – details of expenditure on repair, purchase etc. – copies of resolution passed for expenditure – copies of quotations received for repair and misc. expenditure through advertisements in newspapers etc and other information as enumerated in the RTI application from the office of the EO, NC, Faridkot. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 27.12.2021 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.

The respondent present pleaded that the information was not specific and the reply was sent to the appellant vide letter dated 23.08.2022. The respondent also brought the information and handed over to the appellant during the hearing.

Having gone through the record, the Commission observed that the information was earlier denied with a malafide intention and has now been provided. Further the information was supplied after a period of nine months. The Commission having taken a serious view of this, issued a **show cause notice to the PIO 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, the information has been supplied. The respondent further informed that the EO-cum-PIO is on medical leave from 07.11.2022 to 06.12.2022 and cannot attend the hearing.

As per the appellant, the PIO has not supplied the information, and after a passage of nine months informed that the information cannot be provided on the grounds that the RTI application wasn't specific in nature.

Having gone through the RTI application, the Commission observes that the sought information is well specified in the RTI application and the PIO has denied the information without correct application of mind, and that too with a delay of nine months.

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The PIO was sent a show cause notice but has preferred not to file a reply, which means the PIO has nothing to say on the matter, for which, the show cause notice was issued.

As per the information, Sh.Chander Mohan Bhatia is the PIO and was the PIO when the RTI application was filed. Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, Sh.Chander Mohan Bhatia, EO-cum-PIO, Nagar Panchayat Jaito, 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.

Hence, given the above facts a penalty of **Rs.10,000/-** is imposed on the Sh.Chander Mohan Bhatia, EO-cum-PIO-Nagar Jaito 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 PIO is again directed to provide information to the appellant before the next date of hearing.

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