

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



Shri Devinder Sharma (Bittu), (94171 36539)

S/o Shri Sham Lal Sharma,

R/o # 874, St. No. 6,

Janakpuri, Ludhiana.

...Appellant

Versus

Public Information Officer,

O/o Commissioner of Police,

Ludhiana.

First Appellate Authority

O/o Commissioner of Police,

Ludhiana.

...Respondents

APPEAL CASE NO. 2730 OF 2022

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Appeal/Complaint filed in the Commission
31-12-2021	-	21-02-2022	-	07-06-2022

Present: Appellant: Absent

Respondent: Sh. Somnath (ASI), 9417363080

ORDER (THIRD HEARING):

1. This order may be read with the reference of previous order of the Commission dated 20.09.2022 vide which the PIO was directed to appear in person in the Commission on next date of hearing i.e. today but he failed to do so.
2. The Commission observed that despite notice and order of hearing issued to the respondent PIO, the representative of respondent PIO Sh. Somnath appeared clueless in respect of the nuances of the RTI Act and appeared without proper explanation for not furnishing the of the requisite information to the appellant after a long delay. He requested the court for an adjournment.
3. A strict warning is issued to the O/o Commissioner Police Ldh. for not providing any reply to the appellant within the timeline prescribed under the Act. The PIOs are warned to be careful with the timeline and refrain from delaying replies. The information sought by the appellant is specific and should be replied to categorically. The PIO is directed to provide a revised point wise reply, as discussed above to the Appellant within 10 days from the date of receipt of this order. A compliance report to this effect shall be sent to the Commission by thePIO.

Thus, the Commission draws the inference that the PIO, without any reasonable cause, has malafidly delayed the information and thus, has rendered himself liable for punishment as provided under the RTI Act, 2005. He was given a number of opportunities to provide the information to the Appellant but he is delaying the matter on one pretext or the other.

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In these circumstances, the PIO O/o commissioner of police, Ludhiana is held guilty of default on the above score.

6. The facts of this case also prove beyond any doubt that the respondent PIO concerned does not deserve any kind of leniency. 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)** is imposed upon him to be deducted from his salary, which is to be deposited in the State Treasury under the relevant head.

7. The Drawing and Disbursing Officer PIO O/o commissioner of police, Ludhiana is directed to deduct the amount of penalty of Rs. 10000/- from the salary of the PIO O/o commissioner of police, Ludhiana and deposit the same in the State Treasury in the following Head of Account and to report its compliance to the Commission: -

- 0070 – Other Administrative Services
- 60 – Other Services
- 0800 – Other Receipts
- 86 – Fee under the RTI Act, 2005

4. To come up on **13.03.2023** through **personal hearing** at PSIC Chandigarh timing **11:30 am**.

Chandigarh
Dated: 23.11.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.