PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864113, Helpline No. 0172-2864100
Email: - psic22@punjabmail.gov.in
Visit us: - www.infocommpunjab.com

Sh. Lajpat Rai (9814230616) Appellant
s/o Sh. Harbans Lal,
H.No.B-3/287, Romana Street,
Jaito, Distt. Farikdot

Versus

Public Information Officer
O/o ADGP (Crime), Pb., Chandigarh

First Appellate Authority
O/o ADGP (Crime), Pb., Chandigarh Respondent

Appeal Case No. 318 of 2021
Hearing through CISCO Webex

Present: Appellant: Sh. Lajpat Rai at PSIC Office.
Respondent: Absent

ORDER

1. This order may be read with reference to the previous order dated 24.8.2022.

2. In today's hearing, appellant states that nothing has been supplied to him by the respondent PIO even after the directions of the Hon'ble Commission time and again.

3. Neither the respondent PIO is present nor did he file reply in this regard, which shows his casual attitude towards to the notices/orders issued to him by the Commission, which is indeed a serious matter.

4. After having a detailed discussion with the appellant and examining the documents placed on record, it is observed that **on first hearing held on 10.03.2021**, respondent, Sh. Ram Parshad stated that matter is under investigation and both the parties were given another opportunity to represent this case on the next date of hearing and matter was adjourned to 12.05.2021.

5. **On hearing held on 12.05.2021**, respondent, Sh. Ram Parshad was directed either to supply the complete information or file an affidavit as per queries raised by the appellant in his RTI application by the next date of hearing. Both the parties were advised to represent this case in person on the next date of hearing to clear the facts of this case, failing to which case will be decided on merit basis. Matter was adjourned for further hearing on 20.07.2021.

6. **On hearing held on 20.07.2021** appellant, Sh. Lajpat Rai Garg stated that nothing has been supplied by the respondent PIO after the previous hearing held on 12.05.2021.

   Respondent, Sh. Ram Parshad stated that he has brought the affidavit in connection with point no. 1 of the RTI application. He added that date is not mentioned in the point no. 2,3,4,5 and 6 of the RTI application.

   After going through the affidavit brought by the respondent and examining the case file, brought affidavit was returned to the respondent, Sh. Ram Parshad during the hearing. **The Commission directed the PIO to file a fresh affidavit as per queries raised by the appellant in his RTI application within two days.**

   Both the parties are advised to represent this case in person on the next date of hearing positively, failing to which case will be decided on merits. Matter was adjourned for further hearing on 05.08.2021.

7. **On hearing held on 05.08.2021**, respondent, Sh. Naresh Kumar requested for an adjournment in this case, which was granted; one more opportunity was given to the respondent PIO to comply with the previous orders of the Commission dated 20.07.2021 by the next date of hearing positively. Matter was adjourned for further hearing on 15.10.2021, which was preponed due to a Gazetted Holiday on account of 'Dusshera' and fixed for 14.10.2021.

8. **On hearing held on 14.10.2021,** respondent, Sh. Ram Parshad stated that demanded information was received from the concerned office and had already been sent to the appellant on 08.10.2021. Appellant was advised to point out deficiency, in writing to the respondent PIO with a copy to the Commission, within ten days. Matter was adjourned for further hearing on 27.04.2022.

9. **On hearing held on 27.04.2022**, matter was not heard due to technical issue/problem and adjourned to 06.07.2022, which was postponed to 24.08.2022.

10. **On hearing held on 24.08.2022**, respondent, Sh. Bhoora Ali stated that information will be supplied to the appellant soon. It is ascertained that a show-cause notice was issued to the Respondent-PIO on the previous date of hearing. Further, he was also directed to be present personally on the next date of hearing, ie. today. However, today neither the PIO is present nor has he filed his reply to the show-cause notice.

    Appellant filed RTI application on 07.08.2020 but after the ample time has elapsed; neither information nor affidavit as per the directions of the Commission is supplied to him, which means respondent PIO making mockery of the RTI Act, 2005.

11. In view of the defying attitude of the respondent-PIO neither attending the court nor submitting any explanation for the delay in supplying the information within the time schedule as prescribed under the RTI Act 2005, the court comes to a logical conclusion that it is a fit case for the imposition of penalty amounting to Rs. 25000/- (Rupees Twenty five thousand only) on the PIO. Therefore, taking a lenient view, **I impose a penalty of Rs. 5,000/- (Rs. Ten Five thousands only).** The Drawing and Disbursing Officer of the office of The DGP (Crime), Punjab, Chandigarh is directed to deduct the amount of penalty of Rs. 5,000/- from the salary of concerned respondent PIO and be deposited 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
    800-Other Receipts
    86-Fee under the RTI Act, 2005"

12. Further, the respondent PIO, is again directed to be present personally on the next date of hearing and file his complete point-wise specific reply, pertaining to the RTI of the Appellant, failing which the Commission shall consider an enhancement in the amount of penalty.

13. To come up on **07.12.2022 at 11:00 AM in the Commission office**. Copy of the orders be sent to the parties.

(Anumit Singh Sodhi)
Dated: 20.10.2022 **State Information Commissioner**
Punjab

Note: After the hearing was over, Ms. Gurpreet Kaur appeared at 01:00 PM and she was apprised with the proceedings of today's hearing.

(Anumit Singh Sodhi)
Dated: 20.10.2022 **State Information Commissioner**
Punjab