

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 Mohinder Pal Goyal, (98557 00543)

S/o Shri Sant Ram Goyal,

R/o Village Jatiwal, Post Office Bhadson,

Tehsil Nabha, District Patiala.

....Appellant

Versus

Public Information Officer,

O/o Block Development & Panchayat Officer,

Block Nabha, District Patiala.

First Appellate Authority,

O/o District Development & Panchayat Officer,

Patiala.

....Respondents

APPEAL CASE NO. 5539 OF 2021

(Cisco Webex Proceedings)

Date of RTI Application	Date of Reply, if any of PIO	Date of First Appeal made, if any	Date of Order, if any of FAA	Date of Appeal/ Complaint Filed in Commission
17.08.2021	--	01.10.2021	--	10.12.2021

PRESENT: Shri Mohinder Pal Goyal, Appellant.

None on behalf of the PIO

ORDER (SECOND HEARING):

This appeal case was earlier allocated to Hon'ble SIC Shri Sanjeev Garg and the same has been reallocated vide office order no. PSIC/Legal/2022/385, dated 12.07.2022 to the Bench of Hon'ble SIC Shri Maninder Singh Patti. This order may be read with reference to the order dated 24.05.2022 passed by the Bench of Hon'ble SIC Shri Sanjeev Garg. The Notice for hearing through Cisco Webex was issued to the parties for 01.11.2022. Accordingly, the case has been heard today.

2. The Appellant has highlighted that till date, no information has been provided to him. It clearly shows that there is **a delay of about 14 months** and the information has not been supplied to the Appellant, which is definitely on a higher side and cannot be given a go by.

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3. The PIO is absent for today's hearing and he was also absent on the last date of hearing i.e. 24.05.2022 and a Show Cause Notice was issued to him. Besides, the PIO O/o Block Development and Panchayat Officer, Nabha, District Patiala seems to be totally unmindful and indifferent to the orders issued by the Commission on a number of occasions and he has clearly defied the same.

4. 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. In these circumstances, **the PIO O/o Block Development and Panchayat Officer, Nabha, District Patiala** is held guilty of default on the above score.

5. 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.

6. The Drawing and Disbursing Officer O/o DDPO, Patiala is directed to deduct the amount of penalty of Rs. 10000/- from the salary of the PIO O/o Block Development and Panchayat Officer, Nabha, District Patiala and deposit the same in the State Treasury in the following Head of Account and to report its compliance to the Commission: -

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APPEAL CASE NO. 5539 OF 2021

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

7. The matter is adjourned. To come up for hearing on **11.01.2023 at 11:30 AM** in the Commission. Both the parties are directed to present their case personally.

Chandigarh
01.11.2022

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

Copy is forwarded to the following for intimation and compliance of the order:
(Regd. Post)

- 1) **The Additional Deputy Commissioner, (By Name)**
Urban Development,
Patiala.
- 2) **District Development and Panchayat Officer,**
Patiala.
- 3) **The Drawing & Disbursing Officer,**
O/o District Development and Panchayat Officer,
Patiala.
- 4) **The PIO – cum – Block Development & Panchayat Officer,**
O/o Block Development and Panchayat Officer,
Nabha, District Patiala.