

**PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Building, Near Rose Garden,**

**Sector 16, Chandigarh.**

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**Sh. Sanjeev Goyal (9814197689)**

s/o Sh. Ashok Kumar,

# 148, Model Town,

Bathinda – 151001

Appellant

Versus

**Show Cause**

**Public Information Officer**

**(Regd. Post)**

O/o Additional Deputy Commissioner (Development),  
Bathinda

Encl. RTI application

**First Appellate Authority**

O/o Additional Deputy Commissioner (Development),  
Bathinda

Respondent

**Appeal Case No.: 2855 of 2021**

**Present:**

(i) Sh. Sanjeev Goyal, the appellant at PSIC office

(ii) Respondent: Sh. Jagdish Rai (Panchayat Secretary, O/o BDPO, Sangat) (9417762660) at PSIC office.

**ORDER**

1. This order may be read with reference to the previous order dated 17.11.2022 vide which the above mentioned case file was sent to the Deputy Registrar to be placed before the Hon'ble CIC to be allocated to a Double Bench/Larger Bench. Accordingly, the same appeal case was reallocated to the Divisional Bench comprising of Sh. Anumit Singh Sodhi, SIC and Sh. Amrit Partap Singh Sekhon, SIC vide office order dated 25.11.2022 passed by the Chief Information Commissioner, Punjab. Hence, the aforementioned appeal case was fixed for 15.03.2023 i.e. today.
2. In today's hearing, both the parties are present.
3. Respondent, Sh. Jagdish Rai, Panchayat Secretary states that he is assigned duty to appear in the Commission today and submits documents comprising RTI application and supporting documents, which are taken on record.
4. After discussing with the respondent, it is observed that Sh. Jagdish Rai does not aware about the facts of this case and respondent PIO expresses his irresponsible behavior towards the Notice issued to him by the Commission for today's hearing, which affects the disposal of the case.
5. Perusal of the file shows that APIO sent a reply vide letter no. 331 on 24.02.2021 against the RTI application dated 17.02.2021 to the appellant stating therein that requisite information comprising 1300 pages and appellant was asked to deposit the documentation fee amounting Rs. 2,600/-. Another reply vide letter no.186 dated 09.09.2022 addressed to the Commission stating therein that third party information cannot be supply to the applicant without the prior consent of the candidates. Both replies are contradictory in nature.

6. In view of the foregoing, respondent PIO, O/o Additional Deputy Commissioner (Development), Bathinda is directed to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.

7. Accordingly respondent PIO is directed to appear in person on the next date of hearing along with relevant record and with reply to clarify the facts in connection with contradictory replies mentioned in para 5 of this order, so that case could be concluded on the next date of hearing. A copy of this order be sent to him through registered post for his ready reference.
8. Matter is adjourned for further hearing on **19.04.2023 at 11:30 AM at Punjab State Information Commission**. Copies of the orders be sent to the parties.

**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

**(Anumit Singh Sodhi)**  
**State Information Commissioner**  
**Punjab**

**Dated: 15.03.2023 (12:00 Noon)**

**Note:** After the hearing was over, a call was made to Sh. R.P. Singh (O/o ADC-(D), Bathinda) on his mobile number 8968322477 and he was apprised with today's proceedings. He intimates the Commission that PIO, Ms. Neeru Garg has been transferred.

**(Amrit Partap Singh Sekhon)**  
**State Information Commissioner**  
**Punjab**

**(Anumit Singh Sodhi)**  
**State Information Commissioner**  
**Punjab**