

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
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Shri Lajpat Rai
S/o Shri Harbans Lal,
House No.B-3/287,
Romana Street, Jaito,
District Faridkot.

.....Appellant

Versus

Public Information Officer

O/o Chief Director,
Vigilance Bureau, Punjab, Mohali.

First Appellate Authority

O/o Chief Director,
Vigilance Bureau, Punjab, Mohali.

....Respondents

AC No.4173 of 2019

Present:

- (i) Shri Lajpat Rai, Appellant in person before the Bench.
- (ii) Ms. Amandeep Kaur, Inspector, O/o Chief Director, Vigilance Bureau, Punjab, Mohali and Shri Anil Rattan, Constable, in person, on behalf the PIO/Respondent.

ORDER:

1. This order may be read with reference to the order dated 20.07.2021 passed by the Bench on the previous hearing.
2. Shri Lajpat Rai, appellant comes present to attend the hearing in person Before the Bench in Commission's office.
3. Ms. Amandeep Kaur, Inspector, O/o Chief Director, Vigilance Bureau, Punjab, Mohali comes present along with Shri Anil Rattan, Constable to attend the hearing in person before the Bench. She informs that she has recently joined in place of Shri Sukhminder Singh and further states that in spite of the directions of the Hon'ble Bench during the previous hearing to get the enquiry report finalised and approved, the enquiry report could not be got approved owing to some vital commitments of the officers concerned and as such, there has been delay in its finalisation. The representative of the PIO also produces letter dated 04.10.2021 from the PIO seeking another opportunity assuring to comply with the order of the Hon'ble Bench in its true spirit. The said letter is taken on record.

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4. The Bench observes that during the previous hearing, the PIO had requested for grant of only two weeks' time to submit enquiry report before the Bench but the Bench had granted the PIO two months time to comply with the directions of the Bench. It implies that the PIO has failed to honour his commitment made before the Bench in spite of the liberal attitude of the Bench in granting sufficient time to comply with the directions of Bench. The Bench further observes that the request letter of the respondent presented before the Bench today is not timely. Same intimation could have been given to the Bench in advance telephonically. The hearing could have been delayed. By not doing so, the appellant has been caused undue harassment as he has travelled a long distance to attend the hearing before the Bench. The Bench expresses its displeasure on the functioning of a public authority as it is incumbent upon the officers of a public authority to ensure that the general public is not put to any inconvenience. It also shows lack of respect or priority towards the orders of the Commission.

5. The PIO O/o Chief Director, Vigilance Bureau, Punjab, Mohali is issued show cause notice to explain as to why action should not be taken against him and also as to why compensation should not be awarded in the instant case for not honouring its commitment made before the Bench to finalise the enquiry report and make available the enquiry report to the appellant. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him for coming for the hearing only to be told that the enquiry has not been finalised and the case has been adjourned to another date.

6. In addition to the written reply, PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the award of such a compensation, on the next date of hearing. He may take note that in case he does not file the written reply 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 proceeding against him ex-parte.



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AC No.4173/2019

6. Post deliberations, the Bench again directs the PIO to get the enquiry and report thereof completed and to come present in person before the Bench and bring along all the relevant official records along with the enquiry report and produce the same before the Bench on the next hearing.

7. In view of the above, the matter is adjourned. **To come up for hearing on 27.12.2021 at 02.00 PM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab

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

Chandigarh
05.10.2021

Copy to (By Regd.Post)

Public Information Officer
O/o Chief Director,
Vigilance Bureau, Punjab,
Mohali.

