

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline No. 0172-2864100



Sh J.S Randhawa, House No 48,
Sector 28A, Chandigarh.

Vs

.....Complainant

Public Information Officer,
O/o Secretary to GOP,
Department of Mining and Geology Department,
Sector 18, Chandigarh

.....Respondent

CC.No. 283 of 2020

Present: (i) Sh. Nitin Kaushal, Counsel for the complainant (*in the Commission office*)
(ii) None for the parties.

ORDER

This order may be read with reference to the previous orders dated 04.08.2021 and 05.08.2021 vide which the respondent was directed to bring copy of all the documents that have already been provided to the Complainant in accordance with the letter dated 30.06.2021.

2. The respondent is absent today.

3. The perusal of the file shows that during the hearing dated 10.06.2021, a show cause notice was issued to Respondent-PIO, o/o Secretary to GOP, Department of Mining and Geology Department. But, till today he has failed to file his reply in response to the show cause notice, which shows that he has no respect for the orders of the Commission to be present, either himself or through his representative in the court. He has even failed to supply the documents that have already been supplied to the Complainant in accordance with the letter dated 30.06.2021

4. Before dealing with controversy in this case, let us consider the object and purpose of the Act and the evolving mosaic of jurisprudential thinking which virtually led to its enactment in 2005. As its preamble shows the Act was enacted to promote transparency and accountability in the working of every public authority



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in order to strengthen the core constitutional values of a democratic republic. It is clear that the Parliament enacted the said Act keeping in mind the rights of an informed citizenry in which transparency of information is vital in curbing corruption and making the Government and its instrumentalities accountable. The Act is meant to harmonise the conflicting interests of Government to preserve the confidentiality of sensitive information with the right of citizens to know the functioning of the governmental process in such a way as to preserve the paramourcy of the democratic ideal.

5. In view of the defying attitude of Respondent-PIO, neither attending the court nor submitting any explanation for the show cause notice issued to him 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. 10,000/- (Rs. Ten thousand only) on Respondent-PIO**. The Drawing and Disbursing Officer of the office of Secretary to GOP, Department of Mining and Geology Department, Sector 18, Chandigarh is directed to deduct the amount of penalty of Rs. 10,000/- from the salary of **Respondent-PIO** and 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"

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6. Since, my term is expiring on 07.09.2021, the next date of hearing in this case cannot be fixed. Therefore, this case file is sent to Registry for further necessary action and re-allocation to some other bench.

SD/-

Dated :06.08.2021

**(Preety Chawla)
State Information Commissioner
Punjab**

CC: DR (alongwith original case file)