



Sh. Gurmukh Singh,
S/o Sh. Sadhu Singh,
Village-Chanarthal Khurd,
Block-Sirhind, Tehsil-Distt. Fatehgarh Sahib.

Appellant

Versus

Public Information Officer,
O/o Panchayat Seceratry,
Chanarthal Khurd, BDPO Office, Block-Sirhind,
Distt. Fatehgarh Sahib.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Fatehgarh Sahib.

Respondents

Appeal Case No.4190/2018

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
07.12.2017	Nil	05.03.2018	Nil	04.12.2018

Present: Sh. Gurmukh Singh, Appellant in person.
Sh. Iqbal Singh, Panchayat Secretary, BDPO Office, Sirhind – for Respondents.

ORDER

The following order was made by the Commission on 07.03.2019:

“The original application was filed on 07.12.2017. The same was duly forwarded to the concerned Panchayat Secretary by the BDPO under Section 6(3) of the Act. Despite a lapse of almost one year and having followed required channels the appellant has not been provided the information. The slip seemingly is grave.

The respondent is absent. Neither any reply has been filed by Sh. Iqbal Singh, PIO - cum - Panchayat Secretary. is required to show cause as he has violated the provision of Section 7(1) of the Act and has rendered liable for penal consequences.

Sh. Iqbal Singh, PIO – cum – Panchayat Secretary is issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section

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20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.

In addition to the written reply, the PIO is also 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 take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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."

"The case has come up for hearing today. None is present on behalf of the respondents. Nothing has been heard from them also. It is intriguing to find that the Panchayat Secretary is behaving in a cavalier attitude and unmindful of the consequences. He is hereby directed to come present on the next date of hearing failing which his presence shall be ensured by exercising its authority as enshrined under Section 18(3) (a) of the RTI Act.

A final opportunity is afforded to him to show cause besides providing the information to the appellant without fail."

The matter has again been taken up today. The respondent submits that he has been occupied with the serious ailment of his wife. He says that the information many times has already been supplied to the inhabitants of the village. Nonetheless he regrets the delay. The Commission takes a lenient view in view of his family circumstances and advises him to provide the information immediately to the appellant.

To come up on **23.05.2019 at 11.30 AM.**

Sd/-

09.04.2019

**(Yashvir Mahajan)
State Information Commissioner**