

PUNJAB STATE INFORMATION COMMISSION

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DOUBLE BENCH

Shri Ramandeep Singh Ahluwalia, (RTI Activist) (M: 94645-00405),
Ward No. 18, Street No. 2,
Kartar Nagar, Amlah Road,
Khanna.

.....Appellant.

Vs

Public Information Officer,
O/ o S.H.O., City-2,
Khanna.

First Appellate Authority:
O/o DIG, Ludhiana Range,
Ludhiana.

.....Respondent

Appeal Case No. 3128 of 2019

Present:- Shri Ramandeep Singh Ahluwalia, appellant is present.
ASI Sarjandeep Singh, O/o S.H.O., City-2, Khanna is present.

O R D E R

The present appeal case was earlier heard by the Hon'ble State Information Commissioner, Shri Asit Jolly and vide Order dated 13.02.2020 the case was referred to the Hon'ble Chief Information Commissioner for reassignment the case to some other Bench or Double Bench.

The Hon'ble Chief Information Commissioner vide Order dated 25.02.2020, constituted a Division Bench consisting of the present Bench and Hon'ble State Information Commissioner, Shri Sanjiv Garg. Notice of hearing was issued to both the parties for today.

Today the case is heard through CISCO Webex Meetings Software.

Both the parties are present today.

We have perused the case file. Shri Ramandeep Singh Ahluwalia, appellant filed RTI application on 29.04.2019 and when no information was provided to him by the PIO, then he filed First Appeal before the First Appellate Authority and then Second Appeal before the Punjab State Information Commission. The case was registered and allocated to the Bench of the Hon'ble State Information Commissioner, Shri Asit Jolly and during the course of hearing vide Order dated 20.12.2019, Ld. Shri Asit Jolly imposed a penalty of Rs.5,000/- upon the PIO, Shri Vinod Kumar, Inspector, S.H.O. (City-2), Punjab Police, G.T. Road, Khanna and directed that the amount of penalty be deducted from his salary and be deposited in the Govt. treasury. In compliance to the Order of the Commission he has deposited the amount of penalty of Rs.5,000/- in the Govt. treasury vide Challan No. 00032461002202009964 dated 10.02.2020.

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Inspector Vinod Kumar filed a representation dated 21.01.2020, which was received in the office of the Commission on 21.01.2020, diarized vide no.1418 and he requested that the amount of penalty be waived off as he is not responsible for the delay in providing the information to the appellant.

We have gone through the case file. It is clear that the RTI application was filed on 29.04.2019 and as per the representation filed by Inspector Vinod Kumar, he took charge as PIO-cum-SHO, Police Station, City-II, Khanna on 09.08.2019 and he remained there up to 21.12.2019. It means he remained as PIO-cum-SHO, Police Station, City-II, Khanna for 130 days. Though he was not the PIO-cum-SHO at the time when the RTI application was filed, but in a continuity of responsibility when he took charge as SHO then he was responsible.

Secondly he submitted in his representation that the concerned file was marked to SI Balwant Singh, Addl. SHO, P.S. City-II, Khanna and he did not took any action. This contention of Inspector Vinod Kumar does not have any force because he was the administrative head of the concerned Police Station and it was his administrative duty to get the work done from his subordinates.

So, we are of the view that as Inspector Vinod Kumar remained PIO-cum-SHO, Police Station, City-II, Khanna for 130 days, so he has rightly been penalized by the Bench of Hon'ble State Information Commissioner, Shri Asit Jolly vide Order dated 20.12.2019. Moreover Ld. Shri Asit Jolly has already taken a lenient view and a penalty of Rs.5,000/- only was imposed upon Inspector Vinod Kumar.

Shri Ramandeep Singh Ahluwalia, appellant stated that he has received the complete sought for information and he is satisfied with the information.

As the complete sought for information has been provided to the appellant and the appellant is satisfied with the information and the amount of penalty of Rs.5,000/- has also been deposited in the Govt. treasury by the concerned PIO, hence the present appeal case is **disposed of and closed.**

(SANJIV GARG)
State Information Commissioner, Punjab

(AVTAR SINGH KALER)
State Information Commissioner, Punjab

Dated : 09.09.2020, Chandigarh.

CC: PS/Reader to SIC (SG) for your kind information.