



By Registered Post

Sh. Sawinder Singh,
S/o Shri Bal Singh,
PO Shutrana, Tehsil Patran,
Distt Patiala. 147105.

Complainant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Patran, Distt Patiala.

Respondent

Complaint Case Nos.1086, 1089 & 1092 of 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 Complaint
03.07.2018	Nil	Nil	Nil	15.09.2018

Present: Complainant- Sh. Sawinder Singh.
Respondent- Sh. Balwan.

ORDER

The Commission has made following orders on 16.05.2019 and 09.07.2019:

29.01.2019:-

“Sh.Jarnail Singh, Panchayat Secretary appearing on behalf of the respondent submits that he has already transmitted the information to him in thousands of pages which cost him about six-seven thousand of rupees. The complainant denies its receipt and says that it does not serve his purpose. The Commission takes it with a grain of salt. Nonetheless, another opportunity is afforded to him to inspect the record in the office of the BDPO, Patran on 15.02.2019 at 11.00 AM. The respondent shall provide him the certified copies of the documents but no beyond one hundred pages on payment of fee.”

16.05.2019:-

Despite the express directions of Commission in the same and the issue mentioned in the order, the respondents have failed to either provide information to the complainant or file a written reply before the Commission. The Commission feels that the

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respondents are willfully withholding the information in spite of the directions of the Commission.

The BDPO Patran, Sh.Sanjeev Kumar 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 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.”

09.07.2019:-

None is present. The matter shall be heard on 13.08.2019.

Meanwhile, the respondents are advised to file written reply to the show cause notice issued to them. It is underlined that no further opportunity shall be afforded.

The case has finally come up today. Sh. Balwan is present. He has submitted

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a copy of letter issued to the complainant, where along the information sought reportedly, has been supplied to him. Its perusal says that the report submitted is sketchy and does not meet the complete requirement.

The BDPO despite having been issued a show cause notice by name seemingly has failed to file a reply. The complainant also seems to be motivated by personal rivalry. Regardless of it, the respondents have acted negligently and have failed to respond timely to his applications in the stipulated period.

Considering the totality of the circumstances, the Commission imposes a penalty of Rs. 10,000/- (Rupees Ten Thousand only) in all on the BDPO, Patran, under section 20 (1) of the RTI Act, which shall be recovered by his Drawing & Disbursing Officer from his salary in two equal installments commencing from the month of October, 2019 and deposited in the government treasury under the head given below:

- 0070-Other Administrative Services- 60 Other Services
- 800 Other Receipts- 86 Fee under RTI Act, 2005

With these observations, the complaint is **disposed**.

13.08.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: The Director, Department of Rural Development and Panchayat, Sector-62, Mohali.