



Sh. Balwinder Singh,
S/o Sh. Kehar Singh,
V.P.O Ramgarh Sardaran,
Tehsil- Payal, Distt. Ludhiana.

Appellant

Versus

Public Information Officer,
O/o Secretary,
Gram Panchayat,
VPO-Ramgarh Sardaran,
Tehsil-Payal, Distt. Ludhiana.

First Appellate Authority,
O/o Block Development and Panchayat Officer,
Malaud, Distt. Ludhiana.

Respondents

Appeal Case No.2284/2018

Date of RTI application: 15.03.2017
Date of First Appeal : 21.04.2017
Date of Order of FAA or Reply: Nil
Date of 2nd Appeal/complaint: 09.07.2018

Present: Appellant- Sh. Balwinder Singh;
Respondents- None.

ORDER

The case has been heard through video conference.

The following order was passed on 25.09.2019:

06.02.2019:

“Sh. Balwinder Singh, Appellant submits that the information has been supplied to him after two years which still falls short of.

The respondents have sent a communication that they are awesomely occupied in the conduct of the panchayat elections in the State of Punjab for which the polling is taking place on 30.12.2018. They have sought an adjournment. The request is acceded.

The matter shall be reheard on 06.02.2019 at 11.30 AM through video conference at Ludhiana. Meanwhile, they are directed to make good the supply of



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information to the appellant as referred to above under intimation to the Commission.”

The case has come up today. The appellant maintains that the information provided does not completely conform to his original application. It is incumbent upon the respondents to give a clear reply/information to his requisition. The Commission makes a strong note of the absence of the respondents and their apathy towards filing a reply to the notice of the Commission. The respondents are hereby directed to ensure that information complete in all respects is provided and a written reply is submitted before the Commission. It shall also explain as to why penal action be not taken for the delay in providing the information beyond the mandated period”.

17.07.2019

“The case has come up today through video conference. The parties are present in the studio of the office of D.C. Ludhiana. The appellant has failed to pin-point any deficiency in the information already furnished to him. PIO is directed to allow him to inspect the entire record within 7 days from the date of receipt of copy of the order in the office of BDPO Maloud on a definite date & time to be intimated in writing to the appellant. The appellant will inspect and identify the information required by him and the PIO will provide him certified copies of the same.”

25.09.2019

The case has come up today. The respondents are absent. The PIO has failed to comply with the directions passed in aforesaid order. It is a long standing case. No more leniency can be shown.

The PIO is hereby 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



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on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Complainant 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”.

13.11.2019

The case has come up today. The appellant is present. Though the Commission feels that respondents have provided substantial information, however, with their absence, they are showing grave indiscipline. Another opportunity is afforded to them to comply with the instructions issued to them as mentioned above and report in order to save themselves from imposition of penalty.

The matter shall be heard on next date of hearing, which shall be intimated in due course.

13.11.2019

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