

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,

Email: psic21@punjabmail.gov.in



REGISTERED

Trilochan Singh,

s/o Gurbachan Singh,

848-A, MIG, Punjab Housing Board Colony,

Jamalpur, Ludhiana – 141 010.

Versus

Public Information Officer,

o/o Station House Officer,

Police Station Moti Nagar,

District Ludhiana.

Complaint Case No. 799 of 2019

ORDER:

(To be read in continuity with earlier orders on **7.11.19, 8.1.2020, and 5.2.2020**)

1. The complainant, **Trilochan Singh**, filed this RTI application dated **23.7.19** and sought **information regarding complaint UID 1608869 dated 13.7.19**, as enumerated in his RTI application. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **3.9.19**. The case was last heard on **5.2.2020**.

2. The respondent PIO-cum-SHO, Police Station, Moti Nagar Ludhiana has remained absent for three successive hearings. This is despite the Show Cause Notice issued to him on 8.1.2020. The Commission takes a highly serious view of this officer's evidently cavalier conduct.

Order: Keeping all the facts of the case in mind, this is a fit case to invoke Section 20 of RTI Act and impose a penalty on the respondent PIO Section 20(1), which reads as under:

“Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub Section (1) of Section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of 250/- Rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed Twenty Five Thousand Rupees;

Provided that the Central Public Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him;

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Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Information Officer, as the case may be."

The onus and responsibility lie on the PIO to ensure the transmission of the complete information to the complainant. The **PIO–Cum-SHO, Varanjeet Singh, Police Station, Moti Nagar, Ludhiana**, is hereby held guilty for not providing the information on time as prescribed under Section 7, which is within 30 days of the receipt of the request and for repeated and willful defiance of the Punjab State Information Commission's orders.

3. A penalty of Rupees Five Thousand (Rs. 5000/-) is hereby imposed upon the **PIO–Cum-SHO, Varanjeet Singh, Police Station, Moti Nagar, Ludhiana**, which be deducted from his salary and deposited in the Punjab Government Treasury under head **"0070-Other Administrative Services-60-other Services-800-Other Receipts-86-Fees Under the Right to Information Act."** The **PIO–Cum-SHO, Varanjeet Singh, Police Station, Moti Nagar, Ludhiana** is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan at the next hearing of this complaint case. Copies of this order be sent to the parties through registered post.

4. **Next hearing on 6.8.2021 at 11.00 am through Video Conference Facility at Deputy Commissioner's Office at Mohali.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

16.6.2021

Cc: Commissioner of Police,
District Ludhiana, for information and further necessary action.