

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

Sant Singh,

s/o Gobind Singh,

Village Nabha, PO Daipura, Near Zirakpur,

District Mohali – 140 601

Versus

Public Information Officer,

o/o Tehsildar, Zirakpur,

District Mohali.

Complaint Case No. 998 of 2019

ORDER:

(To be read in continuity with earlier orders on **5.2.2020, 11.6.2020, 19.8.2020, 26.11.2020, and 28.1.2021**)

1. The complainant, **Sant Singh**, filed this RTI application dated **27.9.19** and sought information **by way of the complete jamabandis and complete girdawaris from 1960 to date, for Khasra No. 316 min situated in Khatauni No. 276, hadbast No. 290, village Nabha in Tehsil Zirakpur**, 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 **20.11.2019**. The case was last heard on **28.1.2021**.

2. The respondent PIO-cum-Tehsildar, Zirakpur has remained absent at four successive hearings. This is despite the Show Cause Notice issued to him on 26.11.2020, and directions from the office of the Deputy Commissioner, SAS Nagar to present himself / herself at this hearing. In view of the respondent PIO's conduct in continuously ignoring this Commission's Orders and also not supplying the information requested in this RTI application, which is dated **27.9.2019**.

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 mala fide 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

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Complaint Case No. 998 of 2019 (Video Conference Proceedings)

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;

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 Puneet Bansal, Naib Tehsildar, Zirakpur, District Mohali**, 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 Puneet Bansal, Naib Tehsildar, Zirakpur, District Mohali**, 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 Puneet Bansal, Naib Tehsildar, Zirakpur, District Mohali**, 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 appeal case. Copies of this order be sent to the parties through registered post.

4. Next hearing on 4.8.2021 at 11.00 am through Video Conference Facility at Deputy Commissioner's Office at Mohali.

Sd/-
(ASIT JOLLY)
State Information Commissioner

Chandigarh
16.6.2021

Cc: Deputy Commissioner,
District Mohali, for information and further necessary action.