

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
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Smt Satwinder Kaur,
1-B, Ajit Enclave, Dhakoli,
Zirakpur, Mohali

... Complainant

Versus

Public Information Officer,
O/o XEN, PSPCL,
Zirakpur Circle, Zirakpur.

...Respondent

Complaint Case No. 1133 of 2018

PRESENT: Smt.Satwinder Kaur as the Appellant
Sh.Shaminder Singh, SDO- PCPCL, Zirakpur for the Respondent

Order:

The case was first heard on **04.02.2019**. Both the parties were absent. The case was adjourned.

The case was again heard on **24.04.2019**. The respondent present pleaded that the information has been provided to the complainant vide letter dated 21.05.2018. The complainant was not satisfied and claimed that the information has not been provided as per the RTI application.

Having gone through the RTI application and the reply of the PIO, the Commission observed that the point-1 has been suitably replied and points 2 & 4 did not qualify as information under the RTI Act. Regarding points 3 & 5, the PIO was directed to relook at the RTI application and provide the information on these points. The PIO was also directed to provide supporting documents pertaining to this information.

The case was again heard on **12.06.2019**. The respondent present pleaded that the information regarding points 3 & 5 has been provided to the appellant vide letter dated 08.05.2019. The appellant was absent nor any communication was received regarding the discrepancies, and the case was closed. However, the appellant appeared late and pleaded that the PIO has provided misleading information. The case was reopened and the PIO was directed to comply with the earlier order and send comprehensive reply on points 3 & 5.

The case was last heard on **08.07.2019**. The appellant claimed that despite order of the Commission, the PIO has not provided the information. The respondent was absent without intimation to the Commission. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on** an affidavit.

The PIO was again directed to send a comprehensive reply on points-3&5 to the appellant within 10 days. A copy of the order was sent to the Superintending Engineer, PSPCL, Zirakpur Circle with a direction to resolve the matter.

Hearing dated 16.10.2019:

The respondent present pleaded that the remaining information has been provided to the appellant and a copy of the same is submitted to the Commission. The appellant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated:16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :Superintending Engineer,PSPCL Circle Zirakpur



Regd Post

Sh.Yadwinder Singh, S/o ShSimranjit Singh,
Distt Jail, Roopnagar.

... Appellant

Versus

Public Information Officer,
O/o commissioner of Plice ,
Ludhiana.

First Appellate Authority,
O/o commissioner of Plice ,
Ludhiana.

...Respondent

Appeal Case No. 156 of 2019

PRESENT: Sh.Yadvinder Singh, as the Appellant
Sh.Pawandev Singh, SI and Sh.Baldev Singh, ASI for the Respondent

Order:

The appellant through RTI application dated 13.08.2018 sought copies of certain documents regarding case No.125/2014 registered at Police Station, Jamalpur. On receiving no information, the appellant filed first appeal before the First Appellate Authority on 12.11.2018 and subsequently approached the Commission vide second appeal on 03.01.2019.

The case was first heard on 26.02.2019 by Sh.S.S.Channy, Chief Information Commissioner. The respondent denied the information stating that the matter is under investigation and challan has been filed in the court which was handed over to the appellant. The respondent also handed over a copy of judgement of the court in their defense to the appellant. The appellant handed over copies of four judgements in his support to the representative of the respondent. Both the parties were directed to furnish their reply to each other with a copy to the Commission.

The case was again heard by Sh.S.S.Channy, Chief Information Commissioner on 02.04.2019. The appellant submitted a letter which was taken on the record and a copy was handed over to the respondent. The respondent however failed to submit their reply on the judgements handed over to him by the appellant on 26.02.2019. The respondent was directed to file appropriate reply on the judgement and the letter submitted by the appellant.

The case was further heard on 08.07.2019. The respondent pleaded that the accused is in the judicial custody via order of Sh.Arunveer Vashist, Addl. Session Judge, Ludhiana in a double murder case of killing two persons. The respondent further informed that the appellant was working as a reader with Sh.Manjinder Singh, SHO in Police Station Machhiwara. Sh.Yadwinder Singh alongwith two other accused Sh.Manjinder Singh and Sh.Sukhvir Singh went on a raid in a case under the police station Jamalpur where due to heated arguments between both the parties, these accused killed two persons. Sh.Manjinder Singh and Sh.Sukhvir Singh have been declared P.O by the Court of Sh.Arunveer Vashist, Addl. Session Judge, Ludhiana. The statement of the respondent was taken on the file.

The appellant was absent and vide email has sought exemption being in judicial custody. The case was adjourned.

Appeal Case No. 156 of 2019

The case was again heard on **29.07.2019**. The Commission observed that the appellant is a young under trial in a double murder case at Ludhiana, and is at present under custody at District Jail Rupnagar in FIR No. 125 dated 27.09.2014 u/s 302,148,149, 201 IPC PS Jamalpur, Ludhiana. The appellant sought to obtain copies of *Rojnamncha* and all the *Ziminies* of the Police file in the said FIR for his defense in the court. AS per facts, the challan in the present case has already been filled and thus the Investigations have been completed.

The Commission further observed that the respondent has not pleaded or has substantiated in any manner as to how by supplying the entire *zimini* file to the accused the prosecution shall get hampered. They have taken a blanket plea of an absolute bar, which is not available to them under the Law. The Judgments cited by the Appellant are very much applicable to the facts and circumstances of the present case, and the judgment cited by the Respondent pertain to section 24 of the RTI which is a special provision under which only those organizations fall which have been notified so, and admittedly Punjab Police does not enjoy the protection of Section 24 of the RTI Act.

That the "second" part of Section 8 (1) (h) of the Act is subjective and depends upon the facts and circumstances of each case.

Hence, given the circumstances of this particular case, the Commission was of the view that the disclosure of information rather than hampering prosecution may help the appellant to defend himself and in proving his innocence. The PIO was directed to provide all ziminius and all other information as sought in the RTI application within 10 days of receipt of this order.

The case was again heard on **13.08.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent and vide email has sought adjournment stating that all the staff is on duty for maintaining security and peace on the eve of independence day. The case was adjourned. The PIO was directed to provide the information to the appellant as per earlier order.

The case was last heard on **28.08.2019**. The respondent brought the information and handed over to the appellant. The appellant raised objection that the copies of the ziminius that were provided by the PIO, do not carry the signature of JMIC, Ludhiana. The appellant submitted a document where the Judge had made an observation that file of the investigation of this case has been perused and ziminius are also signed. The PIO was directed to provide photostat copies of those ziminius that have the signature of JMIC.

Hearing dated 16.10.2019:

The respondent present pleaded that in compliance with the order of the Commission, the information has been provided to the appellant. The appellant has raised objection that the PIO has not provided the copies of rojnamcha from 27.09.2014 to 30.10.2014. The PIO is directed to remove the anomaly and provide the remaining information within 10 days.

To come up for further hearing on **11.11.2019 at 11.00 AM.**

Chandigarh
Dated:16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Boota Singh, S/I ShSher Singh,
VPO Malak, Tehsil Jagraon,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Additional Deputy Commissioner, (Development),
Ludhiana

First Appellate Authority,
O/o District Social Welfare Officer,
Ludhiana.

...Respondent

Appeal Case No. 253 of 2019

PRESENT: None for the Appellant
Mrs.Inderpreet Kaur, Distt.Social Security Officer for the Respondent

Order: The case was first heard on **26.02.2019** by Sh.S.S.Channy, Chief Information Commissioner. The counsel for the appellant informed that no information has been provided to the appellant. The respondent was absent. The Commission received a letter from ADC Ludhiana vide which it was informed that in this case District Social Welfare Officer, Ludhiana is the PIO and Director Social Welfare and Women & Child Development Punjab, Chandigarh is the First Appellate Authority and the RTI application had been transferred to them. The PIO-District Welfare Officer, Ludhiana was impleaded in the case and directed to supply the information as per the RTI application.

The case was again heard by Sh.S.S.Channy, Chief Information Commissioner on 02.04.2019. Both the parties were absent. The PIO was given one last opportunity to supply the information and be present on the next date of hearing.

The case was last heard on 08.07.2019. The representative appeared on behalf of the appellant informed that the PIO has not provided the information to the appellant.

Mrs. Inderpreet Kaur O/o District Social Welfare Ludhiana appeared late and brought the information. She was informed that the case has been adjourned. The respondent was directed to send the information to the appellant through registered post within 10 days and a compliance report be sent to the Commission.

Hearing dated 16.10.2019

The respondent present pleaded that the information has been provided to the appellant and the appellant has acknowledged having received the information. A copy of the acknowledgement is submitted to the Commission.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh
Dated:16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :1. PIO- District Welfare Officer, Ludhiana
2. Director Social Welfare and Women & Child Development
Punjab, Chandigarh

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Sh. Harpal Singh, S/o Sh Arjan Singh,
Village Zahadpur, P.O Jaito Sarja,
Tehsil Batala, Distt Gurdaspur.

... Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Gurdaspur.

First Appellate Authority,
O/o Deputy Commissioner,
Gurdaspur

...Respondent

Appeal Case No. 254 of 2019

PRESENT: None for the Appellant
Sh.Amanpal Singh, DRO Gurdaspur for the Respondent

ORDER: The case was first heard on **01.05.2019**. The appellant informed that the PIO has not provided the information. The respondent was absent. The Commission received a letter diary No.8332 on 23.04.2019 from the PIO-DRO, O/o DC Gurdaspur stating that the RTI application has been transferred to BDPO Gurdaspur under section 6(3) of the RTI Act vide letter dated 30.10.2018.

The PIO-BDPO was absent. The PIO-BDPO Gurdaspur was directed to provide the information as per RTI application which was transferred by the PIO-DRO on 30.10.2018 within 10 days. The PIO-BDPO was also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

The case was last heard on 01.07.2019. The respondent present pleaded that the office of Deputy Commissioner has wrongly transferred the RTI application to the DDPO/BDPO since the appellant has sought information regarding action taken on his complaint against the BDPO and the action has to be taken by the DC office. The PIO-DC Gurdaspur was impleaded in the case and directed to provide the information on action taken report.

Hearing dated 16.10.2019:

The respondent present pleaded that since the information relates to the BDPO and Panchayat Secretary, Gurdaspur, the RTI application was transferred to them under section 6(3) of the RTI Act. After receipt of report from the BDPO, the information has been sent to the appellant vide letter dated 09.10.2019. The respondent informed that the further information if any, has to be provided by the concerned DDPO/BDPO.

Hence, the PIO-BDPO is directed to provide the order of the DC, if any, on the complaint of the appellant. Rest of the information has been provided.

With the above order, the case is **disposed off and closed**.

Chandigarh
Dated 16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Jasbir Singh,
Village Bolapur, Jhabewal, P.O Ramgarh,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Civil Surgeon,
Fazilka.

First Appellate Authority,
Civil Surgeon,
Fazilka.

...Respondent

Appeal Case No. 790 of 2019

PRESENT: None for the Appellant
Sh.Karan, Food Clerk O/o Asstt.Food Commissioner, Fazilka for the Respondent

ORDER:

The case was last heard on 25.06.2019. The appellant claimed that the PIO has not provided the information even after a period of seven months. The respondent was absent and vide email sought adjournment.

The case was adjourned. The PIO was directed to provide the information to the appellant within 15 days and be present on the next date of hearing alongwith the explanation for not attending to the RTI application within the time prescribed under the RTI Act.

The Commission also directed the First Appellate Authority to appear on the next date of hearing and explain the reasons for not taking decision on the appeal of the appellant under section 19(6) of the RTI Act.

Hearing dated 16.10.2019:

The respondent present pleaded that the information sought by the appellant is available on the website of the department and the appellant has been sent reply vide letter dated 27.12.2018.

Since the information is available on the website of the department and the appellant has been informed by the PIO, no further course of action is required.

The case is **disposed off and closed.**

Chandigarh
Dated 16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Jasbir Singh,
Village Bolapur, Jhabewal, P.O Ramgarh,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o Civil Surgeon,
Moga.

First Appellate Authority,
Civil Surgeon,
Moga.

...Respondent

Appeal Case No. 791 of 2019

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The case was last heard on 25.06.2019. The appellant claimed that the PIO has not provided the information even after a period of seven months. The respondent was absent and vide email has sought adjournment.

The case was adjourned. The PIO was directed to provide the information to the appellant within 15 days and be present on the next date of hearing alongwith the explanation for not attending to the RTI application within the time prescribed under the RTI Act.

The Commission also directed the First Appellate Authority to appear on the next date of hearing and explain the reasons for not taking decision on the appeal of the appellant under section 19(6) of the RTI Act.

Hearing dated 16.10.2019:

Both the parties are absent. The Commission has received a letter diary No.18916 on 30.09.2019 from the PIO stating that the information has been provided to the appellant on 14.09.2019. The PIO has also attached an acknowledgement of the appellant having received the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

To come up for further hearing on **16.10.2019 at 11.00 AM.**

Chandigarh
Dated 16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Goldi Kumar, S/o Sh Jagdish Rai Grover,
R/o Street NO-10-11, Choti Pauri, Abohar,
Tehsil Fazilka.

... Appellant

Versus

Public Information Officer,
O/o EO, MC,
Abohar.

First Appellate Authority,
O/o Joint Deputy Director, Local Govt,
Ferozepur.

... Respondent

Appeal Case No. 1014 of 2019

PRESENT: None for the appellant
None for the Respondent

ORDER:

The case was last heard on 25.06.2019. The representative appeared on behalf of the appellant did not know about the information and was without authority letter. The RTI application was also not legible. The appellant was directed to provide legible copy of the RTI application.

The respondent was also absent. The PIO was directed to look at the RTI application and provide the information to the appellant as per the RTI Act.

Hearing dated 16.10.2019:

Both the parties are absent. The appellant has not submitted legible copy of the RTI application. The Commission has received an email from the PIO which is a copy of reply sent to the appellant. In the reply, the PIO has denied the information on the ground that the information sought is in question form.

The case is adjourned. To come up for further hearing on **10.12.2019 at 11.00 AM.**

Chandigarh
Dated 16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Balwinder Singh, S/o Sh Karm Singh,
VPO Nurpur, Tehsil Raikot,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SDO, PSPCL,
Sub Division Sudhar,
Distt Ludhiana

First Appellate Authority,
O/o Addl, SE, Operational Division,
PSPCL, Dakha, Distt Ludhiana.

...Respondent

Appeal Case No. 1039 of 2019

PRESENT: Sh.Balwinder Singh as the Appellant
Sh.Jasbir Singh, SDO-cum-APIO, PSPCL Sudhar for the Respondent

ORDER: The case was last heard on 25.06.2019. The respondent present pleaded that the information has been provided to the appellant. The respondent further informed that the fee of Rs.1370/- for 1370 pages was taken as cash and no separate memo was issued for the fee but it was mentioned on letter No.1883 dated 12.10.2018, and hence there is no other memo in their record. The appellant stated that the PIO had asked to deposit the requisite fee verbally and no formal letter was issued.

It seemed to be a case of an outside arrangement where the respondent had asked for a fee without complying the provisions of the RTI Act to raise fee and the appellant agreed to pay that fee since the fee raised by the respondent was Rs.1370/- for 1370 pages (actually as per the RTI Act, the fee to be charged is Rs.2/- per page).

Given the circumstances, the Commission directed the appellant to give in writing on an affidavit that why he deposited a sum of Rs.1370/- raised by the respondent without formal letter. The PIO was also directed to explain why the amount was not raised appropriately as per the RTI act which caused a loss of Rs.1370/- to the exchequer.

Hearing dated 16.10.2019:

In compliance with the order of the Commission, the appellant has submitted an affidavit which is taken on the file of the Commission. The respondent has submitted a letter of the PIO dated 14.10.2019 through which the PIO has raised additional amount of Rs.1370/- from the appellant.

The Commission observes that the department has been following ambiguous procedure for raising fee for supply of information under the RTI Act. The Commission has taken a serious view of this dereliction and directs the Chief Engineer, Central Zone, PSPCL to enquire into the matter and prepare a report and hold the concerned PIO accountable. The Chief Engineer is also directed to conduct an enquiry into the matter for all the PIOs under his jurisdiction and submit an enquiry report to the Commission within 30 days of the issue of this order.

With the above observation, the case is **disposed off and closed.**

Chandigarh
Dated 16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh. Jasbir Singh,
Village Bolapur, Jhabewal, P.O Ramgarh,
Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SDM, Malout,
Distt Sri Mukatsar Sahib.

First Appellate Authority,
O/o SDM, Malout,
Distt Sri Mukatsar Sahib.

...Respondent

Appeal Case No. 1049 of 2019

PRESENT: None for the Appellant
Mrs Adarshpal Kaur, PIO for the Respondent

ORDER:

The case was last heard on 27.06.2019. The respondent present pleaded that the appellant was asked vide letter dated 28.01.2019 to inspect the record and get the information but he did not turn up. The First Appellate Authority also summoned the appellant vide letter dated 07.03.2019 to come present before him and inspect the record but the appellant did not appear. It was presumed by the First Appellate Authority that the appellant has received the information and does not want to pursue his case as he did not bother to come present and the appeal was disposed off.

Having gone through the RTI application, the Commission observed that the appellant had tried to seek information on the steps taken towards implementation of Section 4 of the RTI Act, 2005 and its sub-sections. The respondent was directed to provide the information to the appellant within 15 days and send a compliance report to the Commission.

Hearing dated 16.10.2019:

The respondent present pleaded that the information has been supplied to the appellant vide letter dated 08.07.2019. The appellant vide email has informed that he has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated 16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Gurmukh Singh, S/o Sh.Natha Singh,
VPO Hohsiarpur, Tehsil Kharar,
Distt. Mohali.

... Appellant

Versus

Public Information Officer,
O/o Land Acquisition Collector,
GMADA, Mohali

First Appellate Authority,
O/o EO, GMADA,
Mohali

...Respondent

Appeal Case No. 1085 of 2019

PRESENT: Sh.Gurmukh Singh as the Appellant
Sh.Gurvinder Singh, APIO, GMADA and Sh.Jai Singh, Forest department
for the Respondent

ORDER:

The case was last heard on 27.06.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant claimed that the information is incorrect since the PIO has not provided the assessment report of the trees standing on particular khasra numbers for which he had sought the information.

Having gone through the record, the Commission instructed the department of Forest, Punjab and the department of Horticulture to complete the assessment within 45 days and once the assessment is completed and sent to the Land acquisition department, the information be provided to the appellant.

Hearing dated 16.10.2019:

The respondent present from the office of GMADA informed that they have already written to the department of Forests for supply of information but the information has not been provided. The respondent present from Forest Department pleaded that since the information sought by the appellant relates to the assessment of fruit trees, the same has to be conducted by the Horticulture department and the information has to be provided by them.

The PIO-Department of Horticulture, Punjab, is again directed to look at the RTI application and provide the information. The PIO-Department of Forest is exempted.

The case is adjourned. To come up for further hearing on **09.12.2019 at 11.00 AM.**

Chandigarh
Dated 16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: 1. PIO-Department of Forests, Punjab, Mohali

2. PIO-Directorate of Horticulture, Punjab,
Kheti Bhawan, 3rd Floor, Near Dara Studio,
Sector 56-A, Mohali.

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Sh.Gurbax Ram, S/o Sh Ram Dya,
R/o Village Nadha, P.O NayaGaon,
Tehsil Kharar, Distt Mohali.

... Appellant

Versus

Public Information Officer,
O/o Addl, XEN, Distribution,
Sub Division, PSPCL, MullanpurGaribDass,
Kharar.

First Appellate Authority,
O/oSE, PSPCL, Phase-1,
Industrial Area, Pb, Mohali.

...Respondent

Appeal Case No. 1102 of 2019

PRESENT: Sh.Gurbax Ram as the Appellant
None for the Respondent

ORDER:

The case was last heard on 27.06.2019. The Commission observed that the information has been denied by the PIO vide letter dated 28.09.2018 stating that the information is 3rd party. The First Appellate Authority disposed off the appeal and informed the appellant vide letter dated 25.01.2019 that at the time of installation of poles, there was no public way and no-one had raised objection. Further, if anybody has objection and wants to shift the poles, they can apply as per procedure alongwith the processing fee.

The Commission observed that it appeared to be a dispute about an electric pole which as per appellant has been installed wrongly while providing an electric connection. The appellant said that it was marked as Rasta in the record. The appellant was directed to submit proof that this was marked a Rasta and the electricity department has wrongly installed the poles.

Hearing dated 16.10.2019:

The appellant has submitted a copy of map as a proof of Rasta marked in the record which is taken on the file of the Commission. The respondent is absent. The PIO is directed to provide the information before the next date of hearing.

The case is adjourned. To come up for further hearing on **10.12.2019 at 11.00 AM.**

Chandigarh
Dated 16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh. Tejinder Singh,
R/o Village Bholapur, P.O Ramgarh,
Chandigarh Road, Ludhiana.

...Appellant.

Versus

Public Information Officer,
SDM, Licensing Authority & Registering,
Malerkotla.

First Appellate Authority,
DC,
Sangrur

...Respondent

Appeal Case No. 1328 of 2018

Present: None for the Appellant
Sh.Karanbir Singh, PIO-RTA for the Respondent

ORDER:

The case was first heard on **25.06.2018**. The appellant was directed to visit the office of PIO and inspect the record and get the information he wants. The PIO was directed to provide information relating to point No.9 concerning their department i.e. only graph with name relating to point No.9 in CD and charge requisite cost or send through email.

The case was again heard on **01.08.2018**. The respondent pleaded that it is not possible for them to provide information in CD form as the information is of voluminous nature and it includes personal information of the applicants. After long discussions, the appellant asked that he does not need a CD and he can be provided a list of the successful applicants with application number. The PIO was directed to provide the same.

The case came up again for hearing on **05.09.2018**. The appellant was absent. The respondent present pleaded that he has brought the information regarding point No.9. The respondent was directed to send the same to the appellant through registered post. The PIO, O/o SDM was exempted for appearance on next hearing.

For the information regarding point No. 3,4 5 & 6, the RTI application was transferred to DTO Sangrur. The PIO, DTO Sangrur was directed to be present on the next date of hearing. The appellant was also directed to be present on the next date of hearing.

The case was again heard on **09.10.2018**. The appellant was absent and vide email informed that he has not received the remaining information. The PIO was also absent. The PIO-DTO Sangrur was granted one last opportunity to provide the information regarding points 3,4,5& 6 and be present personally on the next date of hearing with solid reasons for not complying the orders of the Commission.

The case again came for hearing on **21.11.2018**. Since the PIO-RTO Sangrur despite granting opportunities on 05.09.2018 and again on 09.10.2018, did not comply with the order of the Commission but preferred to be absent, the PIO-RTO Sangrur was issued a **show cause notice under Section 20 of the RTI Act 2005 and was directed** to appear before the Commission along with the written replies.

Appeal Case No. 1328 of 2018

The case was again heard on **15.01.2019**. The appellant informed that the PIO-RTA Sangrur has not provided the information. The PIO-RTA was absent nor sent any reply to the show cause. The PIO-RTA Sangrur was given last opportunity to be present personally or through a representative on the next date of hearing alongwith reply to the show cause notice on an affidavit. The PIO was also directed to provide the information to the appellant within 10 days and send a compliance report to the Commission.

On the next date of hearing which was held on **11.03.2019**, the PIO-RTA Sangrur was again absent nor provided the information to the appellant who was present on the date of hearing. The PIO was given one last opportunity to appear before the Commission on the next date of hearing alongwith reply to the show cause notice.

On the next date of hearing which was held on **01.05.2019**, both the parties were absent. The case was adjourned.

The case was last heard on **01.07.2019**. The appellant pleaded that through he has received the information but with a delay of one year and four months. The appellant claimed that he has been harassed a lot for not providing the information by the PIO in time and hence the PIO be penalized and he be compensated.

This was the 6th consecutive hearing that the PIO-RTA was absent despite many orders of the Commission, nor sent any reply to the show cause. Showing utter disregard for the Commission's repeated orders to provide the information as well as not replying to the show cause and not appearing before the Commission, a penalty of Rs.25000/- was imposed upon the PIO-RTA Sangrur which was to be deposited in the Govt Treasury.

The PIO-RTA Sangrur was also directed to pay an amount of Rs.2500/- via demand draft as compensation to the appellant for for the loss and detriment suffered by him of having to file the appeals and not getting the information in time. The PIO was directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

Further the PIO was also rendered liable under section 20(2) of the RTI Act and it was recommended to the Disciplinary Authority to issue a charge sheet to the PIO-RTA Sangrur for violation of the provisions of the RTI Act and send a copy to the Commission.

Hearing dated 16.10.2019:

The PIO-RTA is present. The respondent pleaded that the delay in providing the information has occurred at the level of the clerk who did not put up the files on time.

The PIO is directed to file an affidavit in this regard on the next date of hearing.

To come up on **10.12.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 16.10.2019

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to PIO- RTA Sangrur

2. PIO-STC, Punjab, Chandigarh