

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
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Registered post

Sh. Major Singh, S/o Sh. Karnail Singh
R/o Village Longowal, Patti Gahu,
Tehsil & District Sangrur– 148106

.....Appellant

Vs

Public Information Officer,
o/o EO, MC, Longowal, Distt. Sangrur

.....Respondent

Complaint Case No. 494 of 2020
Through CISCO Webex

Present : (i) Sh. Major Singh the complainant
(ii) None is present on behalf of the respondent

ORDER

This order may be read with reference to the previous order dated 19.11.2020 vide which the respondent was not present and a show cause notice was issued to the respondent-PIO.

2. Today, again the respondent is not present.
3. The complainant states that no information has been given to him so far.
4. After going through the case file, it is observed that this is the complaint case and there is a decision of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP© No. 32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act 2005, the commissioners have no jurisdiction to pass an order providing for an access to the information.
5. Since, the complainant has approached the Commission under the provisions of Section 18 of the RTI Act 2005, no directions for providing further information can be given by the Commission. The commission has to see the attitude of the respondent-PIO while dealing with the RTI application to an extent whether he is unable to supply the sought information under compelling circumstances or he is intentionally not supplying the information. In this case, it is derived that the respondent-PIO is intentionally delaying the

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supply of information and he has no respect for the orders of the Commission to be present, either himself or through his representative in the court.

6. In view of the defying attitude of the respondent-PIO neither attending the court nor submitting any explanation for the delay in supplying the information within the time schedule as prescribed under the RTI Act 2005, the court comes to a logical conclusion that it is a fit case for the imposition of penalty amounting to Rs. 25000/- (Rupees Twenty five thousand only) on the PIO. Therefore, taking a lenient view, I impose a penalty of **Rs. 10,000/- (Rs. Ten thousand only) on Respondent-PIO**. The Director Local Bodies, Patiala is directed to deduct the amount of penalty of Rs. 10,000/- from the salary of respondent-PIO and deposited in the State Treasury in the following Head of Account and to report its compliance to the Commission:-

"0070-Other Administrative Services

60 other Services

800-Other Receipts

86-Fee under the RTI Act, 2005"

7. To come up on **19.04.2021 at 11.00 AM** in the Commission office. Copy of the order be sent to the parties.

Sd/-

Dated : 21.01.2021

(Preety Chawla)
State Information Commissioner
Punjab

Registered post

CC: 1. Director Local Bodies, Patiala

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Sh. Gurpreet Singh, S/o Shri Gurjant Singh (9711612053)
VPO Bahadurgarh, Tehsil and Distt. Sangrur – 148001

.....Appellant

Vs

Public Information Officer
o/o Tehsildar, Sunam, Distt. Sangrur

First Appellate Authority
o/o SDM, Sunam, Distt. Sangrur

.....Respondent

AC No. 2336 of 2020
Through CISCO Webex

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Kuldeep Singh, Tehsildar, Sunam

ORDER

This order may be read with reference to the previous order dated 19.11.2020.

2. The appellant is absent today.
3. Respondent states that the information, as available in the office record has been provided to the appellant. He further states that the appellant has also inspected the record in his office and obtain the information.
4. The appellant is absent today. He was not even present on the last date of hearing. The perusal of the file shows that the last orders sent to the appellant has been received back in the Commission office vide no. 18217 dated 10.12.2020. Hence one last opportunity is given to the appellant to appear before the Commission and state his case.
5. To come up on **19.04.2021 at 11.00 AM** in the Commission office. Copy of the order be sent to the parties.

Sd/-

Dated : 21.01.2021

(Preety Chawla)
State Information Commissioner
Punjab