



**By Registered Post**

Ms. Yachika D/o Sh.Jodhbir Sharma  
R/o #615/15, Sharma Cottage,  
Guru Nanak Colony, Patti,  
District- Tarn Taran.

Complainant

Versus

Public Information Officer,  
O/o Station House Officer,  
Police Station- Daba,  
District Ludhiana.

Respondent

**Complaint Case No.197/2019**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
31.12.2018	Nil	Nil	Nil	20.02.2019

**Present:** Complainant- Sh. Jodhbir Sharma, Proxy.  
Respondent- None.

**ORDER:**

The following order was made by the Commission on 06.09.2019:

20.06.2019:-

*"The case has been committed to this Bench on demission of office by the Chief Information Commissioner. On the last date of hearing on 03.04.2019, the respondents had neither submitted any reply nor were present. The Commission takes very strong exception to the dismal conduct of the respondents towards ignoring the application and couple of orders of the Commission as well. Apparently, it is a willful defiant and suppression of information. The Station House Officer, Police Station, Daba, Ludhiana is hereby issued show cause notice to show cause as to why penalty be not imposed under Section 20(1) of RTI Act, 2005 on them for causing willful delay / denial of the information to the RTI applicant.*

*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.*

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06.08.2019

*As mentioned above, show cause notice was issued to the SHO, Police Station, Daba, District Ludhiana. No reply has been received. The Commission affords another opportunity to the respondent to file reply to the show cause notice, failing which the proposed action shall be taken without any further reference to the respondents.”*

The case has come up today. Sh. Jodhbir Singh is present on behalf of the complainant. None is present on behalf of the respondents. Despite having been offered couple of opportunities, the PIO has failed to file any written explanation for violation of provisions of the Act. His culpability is established.

The Commission holds the PIO guilty under Section 7(1) of the RTI Act. Exercising its authority under section 20 (1) of the RTI Act, the Commission imposes a penalty of Rs10,000/- (Rupees Ten thousand only) in lump sum on PIO, the delay being beyond 100 days ,which shall be recovered from his salary in two equal installments commencing from the month of January, 2020. His Drawing & Disbursing Officer shall ensure that the amount of penalty is deducted from his salary and deposited in the government treasury under the head given below:

- 0070-Other Administrative Services- 60

Other Services - 800 Other Receipts- 86 Fee under RTI Act, 2005

A copy of the challan shall be sent to the Commission for record immediately.

By the callous conduct of the PIO, the appellant has been put to a lot of harassment.

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A compensation to an extent of Rs. 3000/- (Rupees Three Thousand only) is awarded to the appellant for the detriment suffered by him in terms of Section 19(8) (b) of the Act. It shall be paid by the public authority from its account by way of demand draft in favor of the appellant within a month of the receipt of the order positively.

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

**26.11.2019**

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

**CC: The Commissioner of Police, District Administrative Complex, Ferozepur Road,  
Ludhiana.**