

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

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Registered post

Sh. Tejinder Singh (Advocate)
R/o Village Bholapur, Post Office Ramgarh
Chandigarh Road, Ludhiana - 141123

Vs

Public Information Officer,
O/o Food and Drugs Administration, Kharar,
Distt Mohali

First Appellate Authority
O/o Food and Drugs Administration, Kharar,
Distt Mohali

.....Appellant

.....Respondent

AC.No. 1871 of 2019

Present : Sh. Jasbir Singh on behalf of the appellant
None is present on behalf of the respondent

ORDER

This order may be read with reference to the previous order dated 21.11.2019 and 09.10.2019 vide which neither the appellant nor the respondent was present.

2. Today again the respondent is not present.

3. Sh. Jasbir Singh is appearing on behalf of the appellant and states that no information has been given to him so far.

4. The perusal of the file shows that the respondent is absent fifth consecutive hearing. During the hearing dated 02.09.2019, a show cause was issued to the respondent-PIO but till today neither he/she has replied nor did he/she attend any hearing in the Commission. This shows that the respondent has no regard for the RTI Act. This amounts to complete neglect of their duty under the RTI regime. The RTI Act 2005 was enacted with a view to promote transparency and accountability in the working of public authorities so that the corruption in the working of government is contained and the government and its instrumentalities are held accountable to the people.



AC.No. 1871 of 2019

5. In view of the above mentioned circumstances, Smt. Jasbir Kaur, Supdt.-cum-PIO is responsible for the delay in providing the information and harassment suffered by the Appellant.

6. The Commission is constrained to observe that a large number of officers have failed to appreciate the spirit of the Act for promotion of openness in their functioning. Respondent may note that the RTI Act 2005 is meant for promoting transparency in governmental functioning by bringing to light governmental actions done behind closed doors so that the common man is kept well informed of the goings on in the public authorities with a view to strengthening democracy. The RTI Act 2005 is not to be used as a substitute for availing of services available under various statutes for matters not involving the bringing to light the mannerism of / flaws in the working of public authority.

7. In the backdrop of the aforementioned factual position, initiation of action under Section 20(1) Right to Information Act, 2005, against the respondent-PIO called for. I am, therefore, left with no other option but to decide the question of imposition of penalty upon Smt. Jasbir Kaur, Supdt.-cum, o/o Food Drugs Administration, Drugs, Mohali of Rs. 5000/- (Rs. Five thousand only). The amount of penalty i.e. Rs. 5000/- should be deducted from the salary of Smt. Jasbir Kaur, Supdt.-cum-PIO and be deposited in the Government treasury under head 0070-Other Administrative Services-60-Other Services-800-Other Receipts-86-Fees under the Right to Information Act. **Director Health and Family Welfare, Punjab shall ensure that this amount of penalty is deducted from the salary of the above said PIO and deposited in the Treasury under the relevant head.**

8. To come up on **02.03.2020 at 11.00 AM** for further proceedings. Copy of the order be sent to the parties through registered post.

Sd/-

Chandigarh
Dated: 30.01.2020

(Preety Chawla)
State Information Commissioner

Through registered post

CC: Smt Jasbir Kaur, Supdt.-cum-PIO, O/o Food and Drugs Administration, Kharar, Distt Mohali

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

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Gurnam Singh, S/o Shri Bachtar Singh
R/o House No. 10, Mohalla Mahitia Wala,
Banaur, Distt. Mohali

..... Appellant

Vs

Registered post:- Public Information Officer,
o/o Naib Tehsildar, Sub Tehsildar Mullanpur Dakha
Distt. Ludhiana

Registered post First Appellate Authority
o/o SDM, Ludhiana

.....Respondent

Appeal Case No. 3211 of 2018

Present : (i) None is present on behalf of the appellant
(ii) for the respondent : Sh. Gurpiar Singh, Naib Tehsildar, Sh. Sandeep, Clerk
and Sh. Kashmir Singh, Computer operator

ORDER

This order may be read with reference to the previous order dated 21.11.2019 vide which an amount of Rs. 2500/- as compensation was handed over to the Counsel of the appellant.

2. Today the appellant is absent. He has not informed the Commission about his absence.

3. Respondent states that the information has been sent to the appellant. He has shown acknowledgment given by the appellant in token of having received the information.

4. After hearing the respondent, it is found that the information has been given to the appellant by the respondent. During the last hearing, Deputy Commissioner, Ludhiana was directed to send the compliance report, but till today no compliance report has been received by the Commission. Hence, Deputy Commissioner, Ludhiana is again directed to send compliance report to the Commission.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Appeal Case No. 3211 of 2018

4. With these directions, the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 30.01.2020

(Preety Chawla)
State Information Commissioner