

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

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APPEAL CASE NO. 1997 OF 2018

Sh. Madan Lal, (9872367068)
S/o Sh. Om Parkash Jain,
MCB Zone-2, H. No. 10803,
Parinda Road 18, Guru Teg Bahadur Nagar,
Bathinda-151001

...Appellant

Versus

Public Information Officer,
O/o Sub Divisional Magistrate,
Jaitu, District Faridkot.

Public Information Officer,
O/o Executive Officer,
Nagar Council,
Jaitu, District Faridkot.

First Appellate Authority,
O/o Sub Divisional Magistrate,
Jaitu, District Faridkot.

...Respondents

PRESENT: Sh. Madan Lal, Appellant.
None on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 22.01.2020.

2. The Appellant states that incomplete information has been provided to him by the Respondent – PIO.

3. The Respondent – PIO (Sh. Gurdas Singh, E.O.) has E-mailed in the Commission mentioning therein that the requisite information has already been supplied to the Appellant vide letter no. 396, dated 27.01.2020 through registered post and further requests for exemption from personal appearance of today's hearing in the Commission.

4. Sh. Ashok Kumar, then PIO O/o M.C. Jaitu, District Faridkot has sent a reply in response to the Show Cause Notice vide order dated 22.01.2020, in the Commission vide diary no. 3789, dated 26.02.2020 and further requests for exemption from personal appearance of today's hearing in the Commission. I have considered the reply of the Respondent in response to the Show Cause Notice. However, the decision in this regard shall be taken later on.

5. Keeping in view of the above, the Respondent – PIO is again directed to supply the remaining available information to the Appellant, before the next date of hearing. If there is no other information then file an affidavit stating therein that the information as available in their office record has been provided to the Appellant which is complete, correct and duly authenticated, failing which **Show Cause Notice** will be issued to him under the provisions of the RTI Act, 2005.

Cont...P-2

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6. The perusal of the record reveals that in this case, the Appellant has tried his best to get the information from the PIO who failed to provide the requisite information to the Appellant within stipulated period. He has been made to run from pillar to post for getting the information, which he could not get even after the notice was issued by the Commission in the Second Appeal. He has suffered unnecessary detriments/harassment in getting the information at the hands of the PIO.

7. I have also looked into all the facts and circumstances of the case. In my view this is a fit case, where award of compensation under Section 19 (8) (b) is also called for. I have no doubt in my mind that this state of affairs has also come about on account of the absence of adequate machinery for handling the RTI work in O/o PIO –cum – Executive Officer, Municipal Council, Jaitu, District Faridkot, is thus, responsible for the inadequate handling of the RTI requests and in the instant case as well.

8. I, therefore, order that compensation of Rs. 4000/- (Rupees Four Thousand Only) be paid to the Appellant for the detriments suffered by him.

9. This amount shall be payable from the funds of PIO O/o PIO –cum – Executive Officer, Municipal Council, Jaitu, District Faridkot, by way of crossed Cheque/Demand Draft in the name of Sh. Madan Lal within one month.

10. The Respondent - PIO –cum – Executive Officer, Municipal Council, Jaitu, District Faridkot is also directed to send a copy of Cheque/Demand Draft to the Commission to establish the fact that order of the Commission has been complied with.

11. The Respondent - PIOs (Sh. Sukhdev Singh, Superintendent O/o S.D.M. Jaitu & Sh. Ashok Kumar, Executive Officer, Nagar Panchayat, Ghagga) are directed to appear personally on the next date of hearing, failing which penalty provisions will be initiated against them, as per provisions of the RTI Act, 2005.

12. The case is adjourned to **18.03.2020 at 11:30 AM**. Copies of the order be sent to the parties.

**Chandigarh
27.02.2020**

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy to intimation & further necessary action:- **(Regd. Post)**

- 1) **Shri Ashok Kumar**
Executive Officer,
Nagar Panchayat,
Ghagga, District Patiala.
- 2) **Shri Sukhdev Singh,**
Superintendent –cum – PIO,
Sub Divisional Magistrate,
Jaitu, District Faridkot.