



Sh Madan Lal. S/o Sh Om Prakash,  
Jain Niwas, MCB Zone-2, H No-10803,  
Street no-18, Parinda Road-18,  
Guru Teg Bahadur Nagar, Bathinda.

... Appellant

Versus

**Public Information Officer,**  
O/o EO, Nagar Council,  
**Jaito, Distt. Faridkot.**

**First Appellate Authority,**  
O/o Deputy Director,  
Local Bodies, Ferozpur.

...Respondent

**Appeal Case No. 1638 of 2020**

**PRESENT: Sh.Lajpat Rai for the Appellant**  
**Sh.Gurdas Singh PIO for the Respondent**

**ORDER:**

The appellant through RTI application dated 28.12.2019 has sought information regarding a copy of correspondent done relating to promotion of Ramesh Kumar, Prem Kumar, Kewal Sharma from 07.04.2017 till date – case file of case no.21/2011 against Kewal Sharma copy of audit report of Finance department, Central Audit department from 04/2005 to 03/2007, 11.08.2010 to 07.10.2010 & 04/2007 to 03.2010 - action taken report against an employee for missing record relating to book No.120 – computerized CD for deposit of property tax – case file of FIR No.29/18 & 80/30/5/19 against Davinder Kumar clerk and other information concerning the office of EO, NC Jaito. The appellant was not provided with the information after which the appellant filed first appeal before the first appellate authority on 20.02.2020 which took no decision on the appeal.

The case first came up for hearing on 02.11.2020 through video conferencing at DAC Faridkot. The appellant claimed that the PIO has not provided the information. The respondent was absent.

Having gone through the RTI application, the Commission observed that the information that had been asked for by the appellant appeared to be the service record of employees Sh. Ramesh Kumar, Sh.Prem Kumar and Sh.Kewal Sharma as well as very voluminous information. The Commission advised the appellant to revise his RTI application and seek that information, which is not personal, not voluminous and does not divert the resources of the public authority.

During the course of the hearing, it came to the notice that two appellants Sh.Madan Lal and Sh. Chander Shekhar, had filed similar appeal cases (No.1638/2020 & 1697/2020) for seeking exactly the same information. The Commission did not allow the appellants to pursue such malpractices especially if said matter comes to the notice that the RTI applications are being fixed amongst various applicants, as during the hearing, it came to notice that both appellants are closely associated with each other.

The same matter was brought to the notice of the appellant who then requested that the cases be clubbed. In the interest of justice, both the cases were clubbed and the EO, NC Jaito was directed to provide only one set of information to Sh. Madan Lal by raising requisite fee as per provisions of RTI Act. Since the appellant had also been advised to submit a revised RTI application, the fee is raised once the appellant submits the revised RTI application and information be provided after a deposit of the requisite fee.

**Appeal Case No. 1638 of 2020**

The Commission also warned both the appellants not to repeat this practice of fixing RTI applications; otherwise, the Commission will be constrained to reject such applications in the future.

On the date of the hearing on **04.01.2021**, as per the earlier order of the Commission, the appellant had revised the RTI application. However, due to a network problem the hearing could not be completed.

On the date of hearing on **16.08.2021**, the respondent present pleaded that since the information as sought by the appellant is personal information, it cannot be provided and the appellant has already been sent a reply again on 19.03.2021.

The appellant pleaded that he has already sent a revised RTI application but the PIO has not supplied the information.

Having gone through the RTI application, the PIO was directed to provide:-

- Point-1 To only provide a certified copy of rules in connection with promotion of peons  
The rest of the information sought in point 1 is personal information and not to be provided.
- Point-2 To provide the audit report
- Point-3 To provide the information as available on record. Otherwise, reply appropriately
- Point-4 Not to be provided
- Point-5 To provide if available on record. Otherwise, reply appropriately.

On the date of the last hearing on **24.01.2022**, the appellant informed that the PIO has not supplied the information.

The respondent was absent nor had complied with the order of the Commission to provide the information. There has been an enormous delay of more than two years in providing the information. 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 provide information to the appellant within ten days of the receipt of the order.

**Hearing dated 31.05.2022:**

The case has come up for hearing today through video conferencing at DAC Bathinda/Faridkot. As per the representative of the appellant, the PIO has not supplied the information.

The PIO has also not filed a reply to the show cause notice.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, Sh.Gurdas Singh, PIO-NC Jaito is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. The PIO is also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.

Hence, given the above facts a penalty of **Rs.5,000/-** is imposed on the Sh.Gurdas Singh, PIO-NC Jaito which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

The PIO is also directed to provide information to the appellant as decided at the hearing on 16.08.2021.

To come up for further hearing on **30.06.2022 at 11.00 AM at Chandigarh.**

Sd/-

(KhushwantSingh)

State Information Commissioner

Chandigarh  
Dated 31.05.2022