



Shri Tejinder Singh, Advocate (90410-04313),
R/o Village Bholapur,
P.O Ramgarh, Chandigarh Road,
Ludhaina-141123.

...Appellant

Versus

Public Information Officer
O/O Secretary, Regional Transport Authority,
Jalandhar.

First Appellate Authority,
O/O State Transport Commissioner, Punjab,
Sector-17, Chandigarh.

..... Respondents

APPEAL CASE NO. 797 of 2018

Present : Shri Tejinder Singh, appellant, in person.
None on behalf of respondents.

ORDER:

The appellant states in the court that the respondents have not supplied the information till date. He further states that the compensation of Rs. 3,000/- awarded to him vide order dated 15-01-2019 has also not been paid by the respondents as yet.

2. A perusal of case file reveals that the appellant filed his RTI application with the PIO on 13-11-2017 and after getting no response from the PIO as well as the first appellate authority, he filed a second appeal with the Commission on 27-02-2018. Accordingly the first notice of hearing was issued to the parties for 25-04-2018.

3. Since 25-04-2018, seven hearings have been held in the case and the respondents attended only one hearing on 15-01-2019. Keeping in view the attitude of respondent-PIO, a show cause notice under Section 20(1) of the RTI Act, 2005 was issued to the PIO vide order dated 13-09-2018 to explain the reasons as to why a penalty be not imposed upon him for not supplying the information to the appellant.

4. The PIO neither attend the court nor depute his representative on his behalf to appear in the court on 05-12-2018. On the request of the appellant to compensate him for the detriment and loss suffered by him during the long period of 14 months, a compensation amounting to Rs. 3,000/- was awarded to him to be paid by the public authority. It was also made clear that the show cause notice issued to the PIO still stands and he was directed to be present in the court on the next date of hearing along with his written explanation.

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5. However, on 15-01-2019, the PIO did not appear in person in the court, and he deputed one official to attend the court and did not supply any information. On 06-02-2019, none was present on behalf of respondents. Today, i.e. 13-03-2019, none is present on behalf of respondents.

6. The facts narrated above clearly reveal that there is a delay of about 14 months for not supplying the information to the appellant, which is definitely on a high side and cannot be given a go by. Besides, the respondent Secretary, RTA seems totally unmindful and indifferent to the orders issued by the Commission on a number of occasions. Though he was given a number of opportunities to explain his position, in person, in connection with the Show Cause Notice issued to him under Section 20(1) of the Act, but he did not do the same. In these circumstances, Shri Kanwaljeet Singh, Secretary, RTA, Jalandhar is held guilty of default on the above score. Hence, in exercise of the powers conferred by Section 20(1) of the RTI Act, 2005, a penalty to the tune of Rs. 10,000/- (Rupees Ten thousand only) is imposed upon Shri Kanwaljit Singh, Secretary, RTA, Jalandhar to be deducted from his salary which is to be deposited in the State Treasury under the relevant head. An attested copy of the receipted challan is also directed to be presented before the Commission on the next date of hearing.

7. A copy each of the order is forwarded to the State Transport Commissioner, Punjab to ensure the compliance of the orders.

8. Adjourned to **15-04-2019 at 12.30 PM.**

9. Copies of order be sent to the parties.

Place : Chandigarh.

Dated: 13-03-2019.

Sd/-
(Hem Inder Singh)
State Information Commissioner

CC: State Transport Commissioner, Punjab
SCO No. 177-78, Sector 17C, Chandigarh.

Registered

