

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



## **REGISTERED** **SHOW CAUSE NOTICE**

**Harinder Pal Singh,**  
S/o Sh. Dalbir Singh,  
# 278, Near Old Talab, Hira Mahal Colony,  
Nabha, District Patiala.

Versus

**Public Information Officer,**  
o/o Deputy Commissioner,  
Patiala.

**Public Information Officer,**  
o/o Executive Officer,  
Municipal Council, Nabha,  
District Patiala.

**First Appellate Authority,**  
o/o Deputy Commissioner, Patiala.

### **Appeal Case No. 1509 of 2022 (Video Conference Proceedings)**

PRESENT:

Harinder Pal Singh (Appellant) 98153-44250

Kuljinder Singh, Junior Engineer (for the Respondent) 80540-50032

ORDER:

*(To be read in continuity with earlier orders on 24.6.2022)*

1. The RTI application dated **27.10.2021** vide which the appellant has sought information **regarding grants for the installation of five gates**, as enumerated in his RTI applications. First Appeals were filed with the First Appellate Authority (FAA) on **1.12.2021** and Second Appeal was filed in the Commission on **17.1.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **24.6.2022**.

2. Both parties are present. At the last Hearing on 24.6.2022, the respondent PIO-cum-EO Municipal Council Nabha was directed to submit a notarized affidavit by way of reply to the RTI application. The PIO has failed to comply. Sh. Kuljinder Singh who is present on the behalf of respondent PIO-cum-EO, MC Nabha, states that the post of the EO-cum-PIO, has been vacant, which is why the affidavit could not be submitted.

3. The appellant has once again pointed out that the matter cited in the RTI application actually pertains to the office of Deputy Commissioner Patiala, through which office the disbursal of grant for construction of the five gates cited in the RTI application, should / would have been done. The appellant requests that the office of DC, Patiala be made a party and directed to provide the requested information.

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4. It is also notable here that the appellant had first filed this RTI application dated 27.10.2021 to the PIO, office of Deputy Commissioner Patiala, who in his own wisdom, transferred it to the PIO-cum-EO, Municipal Council Nabha. The Commission deems it fit to implead the PIO, office of Deputy Commissioner, Patiala as the **deemed PIO** in this appeal case and directs him to submit a pointwise reply to the RTI application along with certified copies of the requested information within 30 days of receipt of this Order.

5. The Commission also concurs with the appellant that this RTI application was incorrectly transferred to the PIO-cum-EO, MC, Nabha and should have, in fact, been dealt with by the PIO, office of Deputy Commissioner Patiala. In view of this, the Commission deems it fit to issue the PIO, office of Deputy Commissioner Patiala with this Show Cause Notice.

6. The respondent **PIO, office of Deputy Commissioner Patiala**, is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **27.10.2021**.

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, 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*.” Copies of this order be sent to the parties through registered post.

7. **Next hearing on 14.12.2022 at 11.30 am via Video Conference Facility at DC Office, Patiala.**

**Sd/-**  
**(ASIT JOLLY)**  
State Information Commissioner, Punjab.

Chandigarh  
3.11.2022

**Cc:** Deputy Commissioner, Patiala, for information and further necessary action.