

PUNJAB STATE INFORMATION COMMISSION

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

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



REGISTERED SHOW CAUSE NOTICE

Daljit Singh,
S/o Sh. Satnam Singh,
23/7, Friends Colony (Opposite DAV College),
Jalandhar.

Versus

Public Information Officer,
o/o Assistant Town Planner,
Municipal Corporation,
Jalandhar
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Jalandhar.

Appeal Case No. 1588 of 2021

PRESENT:

(Appellant) Absent

Shushma Dugal, PIO-cum-ATP (Respondent) 99153-06121

ORDER:

(To be read in continuity with earlier orders on 13.7.2021, 2.9.2021, 19.10.2021, 17.11.2021, 2.12.2021, 14.12.2021, 21.12.2021, 18.2.2022, 19.5.2022, 18.8.2022, and 16.12.2022)

1. The RTI application is dated **4.11.2020** vide which the appellant has sought information **regarding House No. 144, Banda Bahadur Nagar, Near Tagore Hospital, Jalandhar,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **8.1.2021** and Second Appeal was filed in the Commission on **30.3.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **16.12.2022**.

2. At the last hearing on 16.12.2022, a Show Cause Notice, was issued to the PIO-cum-ATP for Sector 13, 14, and 16, MC, Jalandhar. Smt. Shushma Dugal, for failing to comply with this Commission's direction vide its Order of 18.8.2022. Smt. Shushma Dugal is present in person and submitted a reply to the Show Cause Notice wherein she states that the house cited in the RTI application is situated in Sector 17, MC, Jalandhar, which is not within her jurisdiction. Smt. Shushma Dugal states that Sector 17, MC, Jalandhar is under Smt. Sukhpreet Kaur, PIO-cum-Assistant Architect, MC, Jalandhar. Accordingly, Show Cause Notice issued to Smt. Shushma Dugal is hereby withdrawn and a fresh notice be issued to Smt. Sukhpreet Kaur, PIO-cum-Assistant Architect, Sector 17, MC, Jalandhar.

3. The respondent **PIO-cum-Assistant Architect, Sector 17, MC, Jalandhar, Smt. Sukhpreet Kaur,** 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 **4.11.2020**.

“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

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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.

4. Smt. Sukhpreet Kaur, PIO-cum-Assistant Architect, Sector 17, MC, Jalandhar, is further directed to comply with the directions issued by this Commission vide para no. 3 of its Order of 18.8.2022. In case the original affidavit is not available, Smt. Sukhpreet Kaur is to re-examine the RTI application with respect to point no. 1 and 2 and is to submit a fresh affidavit with respect to said points. Also the information with respect to point no. 3 to 7 is also to be resubmitted to the Commission after due attestation. This must be submitted to the Commission in person at the next hearing.

5. Next hearing on 24.1.2023 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

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

Chandigarh
12.1.2023

Cc: Commissioner, MC, Jalandhar, for information and further necessary action.