

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

Suresh Sood,
S/o Sh. Dev Dutt Sood,
H. No. 329-330, Street Sood,
Mohalla Sodha, Moga.

Versus

Public Information Officer,
o/o Municipal Engineer,
Municipal Corporation, Jalandhar.
Public Information Officer,
o/o ATP Building Branch,
Municipal Corporation, Moga.
Public Information Officer,
o/o B&R Branch
Municipal Corporation, Moga.
Public Information Officer,
o/o Commissioner, Municipal Corporation,
Moga.
First Appellate Authority,
Commissioner, Municipal Corporation,
Moga.

Appeal Case No. 1598 of 2022

PRESENT:

(Appellant) Absent

Simarjeet Singh, SDO (for the Respondent) 75082-43093

Akshay Jindal, Building Inspector (for the Respondent) 81465-25235

ORDER:

*(To be read in continuity with earlier orders on **21.9.2022 and 10.11.2022**)*

1. The RTI application is dated **31.12.2021** vide which the appellant has sought information **regarding Civil Branch, MC, Moga**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **1.2.2022** and Second Appeal was filed in the Commission on **1.4.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **10.11.2022**.

2. The appellant is absent. The PIO, Building Branch has submitted a copy of reply sent to the appellant vide Letter No. 69 Dated 28.2.2022, with a reply to point no. 1 and 2 of the RTI application. The PIO-cum-Municipal Engineer, Civil Branch, has submitted copy of reply sent to the appellant vide Letter No. 436/C Dated 27.10.2022, with a pointwise reply to point no. 3 and 4 along with some of the requested information. Remaining information has been withheld since as per the PIOs reply it is voluminous. Instead the appellant has been invited to inspect the concerned record in the office of Municipal Engineer on 3.11.2022, whereon as per the PIO, the appellant did not come for inspection. The appellant has already stated before this Commission in an earlier Appeal Case that he will not visit the Corporation Office for any inspection.

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3. The Commission notes that while the PIO Building Branch, MC, Moga, did furnish a suitable reply to the RTI application with a minor delay which is attributable due to the then ongoing State Assembly Elections, the PIO-cum-Municipal Engineer, Civil Branch, did not bother to address this RTI application Dated 31.12.2021. The incumbent PIO-cum-Municipal Engineer, Sh. Ekjot Singh, provided a reply along with some information only after this Commission's Order of 21.9.2022. In said Order, the Commission had also directed the incumbent PIO-cum-Municipal Engineer, Sh. Ekjot Singh, to provide the name of the PIO-cum-Municipal Engineer, Civil, who was incumbent at the time of receipt of RTI application on 31.12.2022. As per the letter received from Sh. Ekjot Singh, vide Letter No. 457/C Dated 10.11.2022, the PIO-cum-Municipal Engineer Civil, incumbent on 31.12.2022 was Sh. Sukhwinder Singh, now posted as Municipal Engineer at MC Jalandhar.

4. The **Municipal Engineer, MC, Jalandhar, Sh. Sukhwinder Singh**, 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 **31.12.2021**.

“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.

5. **Next hearing on 11.1.2023 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
12.12.2022

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