

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



Jarnail Singh,
S/o Sh. Thakur Singh,
R/o 23/14, Anand Ngar B,
Tripri, Patiala-147001

Versus

Public Information Officer,
o/o Tehsildar, Patiala.

Public Information Officer,
o/o Deputy Commissioner,
Patiala

First Appellate Authority
Deputy Commissioner,
Patiala.

Appeal Case No. 2419 of 2022 (Video Conference Proceedings)

PRESENT:

Jarnail Singh (Appellant) 93560-41329
Mohan Lal, Kanungo (for the Respondent) 98158-24980

ORDER:

(To be read in continuity with earlier orders on 5.7.2022, 3.11.2022, and 14.12.2022)

1. The RTI application is dated **17.6.2021** vide which the appellant has sought information **regarding an application vide Diary No. 1038738 dated 4.12.2020**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.10.2021** and Second Appeal was filed in the Commission on **13.5.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **14.12.2022**.

2. Both parties are present. At the last hearing on 14.12.2022, the respondent PIO, represented by Sh. Sukhwinder Singh, Kanungo and Sh. Rajesh Kumar, Kanungo, stated that they have spoken to the appellant in detail and were now aware of the exact nature of the information requested in this RTI application. The respondent PIO sought some more time to provide the information. He was accordingly directed to provide a suitable reply to the RTI application along with attested copies of the requested information as available in his office, before today's Hearing. The respondent PIO has submitted a copy of a reply sent to the appellant vide Letter No. 248 Dated 1.2.2023, along with some information. The appellant is however not satisfied and states that this is not as per the information sought in his RTI application.

3. The Commission deems it fit to issue the PIO-cum-Tehsildar, Patiala with this Show Cause Notice.

4. The respondent **PIO-cum-Tehsildar, 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 17.6.2021.

Contd....2

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“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. The PIO-cum-Tehsildar, Patiala, is further directed to carefully re-examine the RTI application and bring the original record pertaining to said application alongwith duly attested copies of the same to the Commission at the next hearing. Tehsildar, Patiala, is to be present in person at the next hearing. Failure to comply, will compel the Commission to ensure his presence through Bailable Warrant.

6. **Next hearing on 2.3.2023 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
2.2.2023

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