

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

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Shri Lajpat Rai Garg
S/o Shri Harbans Lal
R/o Romana Street, Jaito,
Tehsil Jaito, Distt. Faridkot.

....Appellant

Versus

Public Information Officer

O/o Director, Local Govt., Punjab,
Chandigarh.

Public Information Officer

Superintendent, Establishment Branch
O/o Director, Local Govt., Punjab,
Sector-35, Chandigarh.

First Appellate Authority

O/o Director, Local Govt., Punjab,
Chandigarh.

....Respondents

AC No.2719 of 2022

Present:

- (i) **Shri Lajpat Rai Garg, Appellant- in person.**
- (ii) **Shri Jasbir Singh, Local Govt.-3 Branch, O/o Addl. Chief Secretary, Local Govt., Punjab, Chandigarh- in person.**
- (iii) **Shri Rajiv Saggar, Superintendent, and Shri Navdeep Sharma, Vigilance Officer, Vigilance Cell O/o Director, Local Govt. Punjab, Chandigarh – in person.**

ORDER:

1. This order may be read with reference to the order dated 19.10.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Lajpat Rai Garg, appellant comes present in person before the Bench. He states that he had visited the office of PIO, Local Govt.-3 Branch and concerned Branches of Director, Local Govt., but he has not been allowed inspection of records.
3. Shri Jasbir Singh, Superintendent, Local Govt.-3 Branch, O/o Principal Secretary, Local Government, Punjab, Chandigarh comes present to attend the hearing in person before the Bench. He states that the appellant has sought action taken report on a complaint dated 17.09.2021 made by him and the matter relates to the PIO/Superintendent, Establishment Branch and Chief Vigilance Officer O/o Director, Local Government, Punjab.
4. During the previous hearing, the PIO/Superintendent, Establishment O/o Director, Local Government, Punjab was impleaded as respondent No.2 and directed to call the appellant to office and allow him access to the relevant official records and supply information to the appellant as is identified by him after inspection of records. However, the PIO Establishment Branch has failed to come present in person before the Bench as also to comply with the directions of the Bench.

5. The PIO/ Superintendent, Establishment Branch O/o Director, Local Government, Punjab is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and for not supplying information to the appellant. The PIO is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next 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.

7. Shri Rajiv Sagar, Superintendent, Vigilance Cell also comes present in person before the Bench and states that some points of RTI application relate to Vigilance Cell as stated during the hearing on 13.09.2022. However, the RTI application has not been made available due to which the information could not be supplied. He states that he has also requested for making available a copy of the RTI application to the PIO/Superintendent, Local Government-3 vide letter dated 14.10.2022.. As such, he is directed to provide a copy of the RTI application to Vigilance Cell of the office of Director, Local Govt., Punjab and on receipt of the same, the PIO Vigilance Cell will ensure to provide information to the appellant on points relating to Vigilance Cell.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 07.12.2022 at 11.30 AM in Commission's office at Chandigarh.** Copy of the order be sent to the parties.

Chandigarh
09.11.2022

Sd/-
(Lt Gen Ajae Kumar Sharma(Retd))
State Information Commissioner, Punjab

Copy to (By Regd. Post)

1. **Public Information Officer/Superintendent, Establishment Branch,
O/o Directorate of Local Government, Punjab, Chandigarh.**
2. **PIO, Vigilance Cell O/o Director, Local Govt., Punjab, Chandigarh.**