

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

Davinder Pal Singh,
S/o Sh. Gurdip Singh,
H. No.94, Hargur Niwas,
New Officers Colony, Patiala.

Versus

Public Information Officer,
o/o Medical Officer, Health Branch,
Municipal Corporation, Patiala.
Public Information Officer,
o/o Superintendent Main Office,
Municipal Corporation, Patiala.
Public Information Officer,
o/o Municipal Corporation,
Patiala.
First Appellate Authority,
o/o Municipal Corporation,
Patiala Range, Patiala.

Appeal Case No. 3019 of 2022 (Video Conference Proceedings)

PRESENT:

Davinder Pal Singh (Appellant) 93164-33434
Vishal Siyal, Superintendent (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 13.9.2022)

1. The RTI application is dated **7.4.2022** vide which the appellant has sought information **regarding resolutions passed by MC with regard to garbage collection charges etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **11.5.2022** and Second Appeal was filed in the Commission on **27.6.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **13.9.2022**.

2. At the last hearing on 13.9.2022, Show Cause Notice was issued to the PIO-cum-Superintendent, Main office, MC, Patiala, who has submitted a detailed pointwise reply vide Letter No. 4046 Dated 14.11.2022. The Commission has examined said reply wherein it has been contended that the information pertaining to point no. 1 and 2 of the RTI application, which is still pending, concerns the Health Branch and suitable reply has to be supplied by said branch.

3. It is notable that at the last hearing, the PIO-cum-Medical officer, Dr. Jasvir Kaur had stated that point no. 1 and 2 of the RTI application pertains to the O&M Cell, MC, Patiala and that she has intimated to the PIO, Main office regarding same.

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4. The reply filed by the PIO-cum-Superintendent, Main office, clearly shows that the PIO, Health Branch Smt. Jasvir Kaur had made aforesaid statement without consulting anyone and was thereby responsible for further delaying this RTI application which was submitted on 7.4.2022. The Commission deems it fit to serve this Show Cause Notice to the PIO-cum-Medical Officer, Health Branch, Dr. Jasvir Kaur.

5. The respondent **PIO-cum-Medical Officer, Health Branch, Dr. Jasvir 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 **7.4.2022**.

“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. The PIO is further directed to submit a detailed written pointwise reply to the RTI application of point 1 and 2 alongwith duly attested copies of the requested information. This must be done within 10 days of receipt of this order.

6. The PIO-cum-Medical Officer, Health Branch, further directed to attend the next hearing of this Appeal Case in person at the Commission in Chandigarh. The appellant shall have the option of attending the next hearing in person or via Video Conference from Patiala.

7. Next hearing on 31.1.2023 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
18.11.2022

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