

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**

Kuldeep Kumar,
3261, Rattan Singh Chowk,
F. G.C. Road, Amritsar.

Versus

Public Information Officer,
Executive Engineer,
Bari Doab Drainage Division,
Opp. Guru Harikrishan Public School,
Model Town, G.T. Road,
Amritsar.

First Appellate Authority,
Chief Engineer, Vigilance &
Quality Control and Monitoring,
Irrigation Department, Sector-18 B,
Chandigarh.

Appeal Case No. 3921 of 2022 (Video Conference Proceedings)

PRESENT:

Kuldeep Kumar (Appellant) 78143-48489
(Respondent) Absent

ORDER:

1. The RTI application is dated **26.4.2022** vide which the appellant has sought information **regarding sewerage entry into tung dhab storm water drain**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.6.2022** and Second Appeal was filed in the Commission on **26.8.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **2.12.2022**.

2. The respondent PIO is absent without intimation. This RTI application was submitted on 26.4.2022, whereafter the respondent PIO sent a reply to the appellant vide Letter No. 1206 Dated 7.6.2022, informing him that the requested information does not pertain to his office. Subsequently, on receiving the Notice of Hearing of this Commission, the respondent PIO has made a submission vide Letter No. 2461-63 Dated 31.10.2022, wherein he has once again contended that the requested information does not pertain to his office.

3. The Commission notes with distress that the PIO to whom this RTI application was addressed, has made no attempt to try to assist the appellant by directing him or providing details regarding the concerned PIO / public authority. The Commission also notes that the initial reply sent to the appellant was not within the stipulated period of 30 days.

4. In view of the above, the Commission deems it fit to issue the Show Cause Notice to the PIO-cum-XEN, Bari Doab Drainage Division, Amritsar.

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5. The respondent **PIO-cum-XEN, Bari Doab Drainage Division, Amritsar**, 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 **26.4.2022**.

“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.

6. The respondent **PIO is hereby directed to be present in person** in the Commission at the next hearing of this Appeal Case.

7. **Next hearing on 23.2.2023 at 11.30 am via Video Conference Facility at DC Office, Amritsar.**

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

Chandigarh
2.12.2022

Cc: Superintended Engineer, Bari Doab Drainage Division, Amritsar, for information and further necessary action.