

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

Pawan Kalia,
S/o Late Sh. Braham Kalia,
18, Adarash Nagar,
Kapurthala.

Versus

Public Information Officer,
o/o Divisional Forest Officer,
Nawanshahr at Garhshankar.
First Appellate Authority,
Conservator of Forests,
Sector-68, Mohali.

Appeal Case No. 4191 of 2022

PRESENT:

Pawan Kalia (Appellant)
Rajesh Kumar, PIO-cum-EO (Respondent)
Narinder Singh, Block Forest Officer (for the Respondent) 98781-75417
Satnam Singh, Clerk (for the Respondent)

ORDER:

1. The RTI application is dated **5.3.2022** vide which the appellant has sought information **regarding uprooting and planting the khajoor plants under FT-23 scheme**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.4.2022** and Second Appeal was filed in the Commission on **8.9.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **9.12.2022**.

2. Both parties are present. The Respondent PIO-cum-EO, Rajesh Kumar, Sh. Narinder Singh, Block Officer, and Sh. Satnam Singh, Clerk, have submitted a reply vide Letter No. 6048 Dated 30.11.2022, which however, doesn't address the two queries in the RTI application. The Respondent PIO's reply is hereby rejected and he is directed to submit a fresh reply to the RTI application addressing both the points along with the requested information as available in his records. This must be done before 16.12.2022.

3. The Commission further notes that this RTI application was submitted on 5.3.2022 and the Respondent PIO made no attempt to address the requested information till 30.11.2022. In view of this, the Commission deems it fit to issue the PIO-cum-DFO, this show cause notice.

4. The respondent **PIO-cum-Divisional Forest Officer, Nawanshahr at Garhshankar**, 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 **5.3.2022**.

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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. Both parties are directed to attend the next hearing in person at Chandigarh. **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
9.12.2022

Cc: Conservator of Forests, Mohali, for information and further necessary action.