

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



Pawan Kalia,
S/o Late Sh. Braham Kalia,
18, Adarsh 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:

(Appellant) Absent

Karnail Singh, Superintendent (for the Respondent) 78884-02062

ORDER:

(To be read in continuity with earlier orders on 9.12.2022)

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. The case was last heard on **9.12.2022**.

2. The appellant is absent but has informed the Commission of his inability to attend this hearing. At the last hearing on 9.12.2022, Show Cause Notice was issued to the PIO-cum-DFO Nawanshahr at Garhshankar, to which he has failed to make any written submission or avail of the opportunity to be heard in person. The DFO's representative Sh. Karnail Singh, Superintendent, states that the requested information is in the custody of Forest Department at Jalandhar and that the appellant was duly informed about this. As per the RTI Act, 2005, it was incumbent upon the PIO-cum-DFO, Nawanshahr at Garhshankar, to transfer this RTI application to the concerned office/PIO under Section 6(3) of the RTI Act, 2005, within 5 days of its receipt. The PIO-cum-DFO, failed to do so and has therefore violated the provisions of the RTI Act, 2005.

3. The PIO-cum-DFO, Nawanshahr at Garshankar, Sh. Satinder Singh, is given one final opportunity:-

i] To submit a reply to the Show Cause Notice issued to him vide this Commission's Order of 9.12.2022.

ii] To retrieve the information, requested in the RTI application, from the concerned office and bring it, by way of duly attested copies, to the next hearing.

iii] The PIO-cum-DFO, Sh. Satinder Singh, is directed to attend the next hearing in person. Failure to comply, will compel the Commission to ensure his presence through service of a **Bailable Warrant**.

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4. Next hearing on 28.2.2023 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
11.1.2023