

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,
94, Hargur Niwas,
New Officers Colony,
Patiala.

Versus

Public Information Officer,
Superintendent Engineer,
Municipal Corporation,
Patiala.

First Appellate Authority,
Commissioner,
Municipal Corporation,
Patiala.

Appeal Case No. 4256 of 2022

PRESENT:

(Appellant) Absent

Gurpreet Singh Walia, PIO-cum-SE (Respondent) 99159-00007

Jatinder Pal Singh, XEN (for the Respondent) 97800-17375

ORDER:

(To be read in continuity with earlier orders on 6.12.2022)

1. The RTI application is dated **6.6.2022** vide which the appellant has sought information **regarding expenditure born for installation of split air conditioner units in the premises of building of MC, Patiala etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **8.7.2022** and Second Appeal was filed in the Commission on **14.9.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **6.12.2022**.

2. The appellant is absent but has informed the Commission of his inability to attend the hearing. The respondent PIO-cum-Superintendent Engineer, Sh. Gurpreet Singh Walia is accompanied by APIO-cum-XEN, Sh. Jatinder Pal Singh. The PIO has made a written submission vide Letter No. 227/SE-II Dated 9.1.2023, by way of explanation to the delay for supplying the information. As per said submission, the information was provided to the appellant vide Letter No. 232XENJP Dated 5.12.2022. The same has been acknowledged by the appellant in an email of 9.1.2023.

3. However, in view of the inordinate delay in providing the requested information, the Commission directs the respondent PIO-cum-Superintendent Engineer, Sh. Gurpreet Singh Walia, to submit a list of PIOs since the filing of this RTI application on 6.6.2022. This must be communicated to the Commission forthwith. As directed, the PIO-cum-Superintendent Engineer, has communicated list of PIO's since the filing of this RTI application on 6.6.2022 to 5.12.2022 vide Letter No. 232SEII Dated 11.1.2023. The Commission notes that Sh. Sham Lal Gupta, Superintendent Engineer was the incumbent PIO from 6.6.2022 to 17.7.2022.

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4. Accordingly the Commission deems it fit to issue Sh. Sham Lal Gupta, Superintendent Engineer, who was the incumbent PIO-cum-SE, Municipal Corporation, Patiala from 6.6.2022 to 17.7.2022, this Show Cause Notice.

5. The respondent **PIO-cum-SE, Municipal Corporation, Patiala, Sh. Sham Lal Gupta**, 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 6.6.2022.

“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. **Next hearing on 23.2.2023 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
10.1.2023

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