

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**

Jaswinder Kaur,
S/o Sh. Balwinder Singh,
No.37,Phase-2,Urban Estate,
Patiala.

Versus

Public Information Officer,
o/o SHO, Urban Estate, Patiala.
Public Information Officer,
Senior Superintendent of Police,
Patiala.

First Appellate Authority,
Inspector General of Police,
Patiala Range, Patiala.

Appeal Case No. 4447 of 2022

PRESENT:

Balwinder Singh (Appellant) 98148-10023
ASI Hakam Singh (for the Respondent) 62399-82833

ORDER:

(To be read in continuity with earlier orders on 15.11.2022)

1. The RTI application is dated **18.5.2022** vide which the appellant has sought information **regarding the 5D Register**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **15.7.2022** and Second Appeal was filed in the Commission on **22.9.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **15.11.2022**.
2. Both parties are present. As directed at the last hearing on 15.11.2022, the respondent PIO has submitted a pointwise reply to the RTI application vide Letter No. 2713 Dated 10.12.2022. However, no information has been provided as was sought in the RTI application.
3. The Commission notes that the PIO-cum-SHO, Urban Estate, Patiala has already been issued a Show Cause Notice and directed to present the original record by way of the 5D register at today's hearing in Appeal Case No. 3101/2022 and 3108/2022. He has however, failed to submit any written reply to those Show Cause Notices and nor has he deemed it appropriate to appear at this hearing.
4. In the present Appeal Case also, the respondent PIO has not submitted copies of the 5D register as requested in the RTI application. The Commission deems it fit to issue the respondent PIO-cum-SHO, Urban Estate, Patiala, with this Show Cause Notice.

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5. The respondent **PIO-cum-SHO, Urban Estate, Patiala**, 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 **18.5.2022**.

“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 Commission once again directs the respondent PIO to be present in person at the next hearing of this Appeal Case. Failure to comply, shall compel the Commission to ensure the PIO's presence through service of **Bailable Warrant**.

7. **Next hearing on 2.3.2023 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
31.1.2023

Cc: Senior Superintended of Police, Patiala, for information and further necessary action.