

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

Jaspal Singh Maan,
S/o Sh. Sukhdev Singh,
152, Vill. Sehna Khera,
Tehsil Malout,
Distt. Sri Mukatsar Sahib.

Versus

Public Information Officer,
o/o District Revenue Officer,
Tarn Taran.
First Appellate Authority,
Deputy Commissioner, Tarn Taran.

Appeal Case No. 4489 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Hardarshan Singh, APIO-cum-Superintendent (for the Respondent) 97797-12110

ORDER:

1. The RTI application is dated **3.7.2022** vide which the appellant has sought information **regarding embezzlement in 2018-19 with regard to N.H.A. 54**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.8.2022** and Second Appeal was filed in the Commission on **27.9.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **17.1.2023**.

2. The appellant is absent but has informed the Commission via email Dated 17.1.2022, that he has not received any reply to his RTI application Dated 3.7.2022. The respondent PIO represented by Sh. Hardarshan Singh, APIO-cum-Superintendent, states that the enquiry cited in the RTI application is still on the way and therefore exempt from disclosure as per Section 8(1)(h) of the RTI Act, 2005.

3. While the Commission concurs with the respondent's contention, there is no explanation what it has taken more than seven months to provide a reply to this RTI application. The Commission deems it fit to issue this Show Cause Notice to the PIO-cum-DRO, Tarn Taran, Sh. Aditya Gupta.

4. The respondent **PIO-cum-DRO, Tarn Taran, Sh. Aditya 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 **3.7.2022**.

"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.

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5. The Commission further directs the PIO-cum-DRO, to send a suitable reply to the RTI application forthwith. A copy of the same is to be submitted to the Commission.

6. **Next hearing on 21.2.2023 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
17.1.2023

Cc: Deputy Commissioner, for information and further necessary action.