

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

Tejinder Singh,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur – 144 410

Versus

Public Information Officer,
o/o Sub Divisional Magistrate,
Dharamkot, Moga.
First Appellate Authority,
Sub Divisional Magistrate,
Dharamkot, Moga.

Appeal Case No. 4605 of 2021 (Video Conference Proceedings)

PRESENT:

Tejinder Singh (Appellant) 90410-04313

Harmandeep Singh, Data Entry Operator (for the Respondent) 98552-54617

ORDER:

(To be read in continuity with earlier orders on **21.4.2022** and **5.8.2022**)

1. The RTI application is dated **27.4.2021** vide which the appellant has sought information **regarding the registrating authority**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.6.2021** and Second Appeal was filed in the Commission on **8.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.8.2022**.

2. Both parties are present. At the last hearing on 5.8.2022, the respondent PIO represented at that hearing by Sh. Harmandeep Singh, Data Entry Operator, was directed to submit a fresh reply to point no. 1 of the RTI application along with the duly attested copies of the available record. The respondent PIO, once again represented by Harmandeep Singh, Data Entry Operator, today states that a reply vide Letter No. 85 Dated 1.9.2022, was sent to the appellant. The appellant Sh. Tejinder Singh, however, says that he has not received any reply or information since the last hearing. Notably, the reply/information, purportedly sent by the respondent PIO, has also not been received in this Commission.

3. The conduct of the PIO is in violation of RTI Act, 2005 and tantamount to a denial of the requested information despite the Orders of this Commission. The Commission deems it fit to issue this Show Cause Notice to the respondent PIO-cum-Superintendent, Smt. Manjeet Kaur.

4. The respondent **PIO-cum-Superintendent, Smt. Manjeet Kaur**, 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 **27.4.2021**.

Contd....2

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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. The respondent PIO is further directed to submit a reply the Show Cause Notice within 10 days of receipt of this Order and also directed to submit a copy of the reply purportedly sent to the appellant vide Letter No. 85 Dated 1.9.2022, along with duly attested copies of the information, to the Commission. The aforesaid reply and information is also to be resent to the appellant by registered post.

6. **Next hearing on 8.12.2022 at 11.30 am via Video Conference Facility.** (The appellant will attend the hearing at DC office, Ludhiana and the respondent PIO will attend the hearing at DC Office, Moga).

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
20.10.2022

Cc: Sub Divisional Magistrate, Dharamkot, Moga, for information and further necessary action.