

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



Vijay Kumar,
S/o Shri Som Nath,
House No. 1750/A1, Islam Ganj, Uchha Tibba,
Ludhiana.

Versus

Public Information Officer,
o/o Medical Officer, Health,
Establishment Branch, Zone D,
Municipal Corporation, Ludhiana.

Public Information Officer,
o/o XEN, O&M Cell, Zone A,
Municipal Corporation, Ludhiana.

Public Information Officer,
o/o Commissioner, Municipal Corporation,
Ludhiana.

First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 767 of 2022 (Video Conference Proceedings)

PRESENT:

Vijay Kumar (Appellant) 94635-80837
Parvinder Kumar Kalra, Superintendent (Respondent) 98140-23191

ORDER:

(To be read in continuity with earlier orders on 1.4.2022 and 2.6.2022)

1. The RTI application is dated **25.9.2021** vide which the appellant has sought information **by way of Aadhar cards of sweepers and others working in all Zones**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **27.12.2021** and Second Appeal was filed in the Commission on **10.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.6.2022**.

2. Both parties are present. At the last hearing on 2.6.2022, The PIO-cum-Superintendent, Headquarter, Sh. Parvinder Kumar Kalra, was issued a Show Cause Notice to which he has submitted a written reply wherein he states that the RTI application was transferred to the **PIO-cum-Medical Officer, Health Zone D, Dr. Gulshan Rai** and **PIO-cum-XEN, O&M Cell, Zone A, Parshotam Kajla**. The aforesaid PIOs are directed to submit a written reply to the portion of the RTI application pertaining to their respective offices, vide Para No. 4 of this Commission's Order of 1.4.2022 which reads as under:-

“The respondent PIO is herewith directed to submit to a pointwise reply to all 4 points of the RTI application along with attested copies of information pertaining to point no. 3. This must be done within 15 days of this hearing.”

Contd....2

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Appeal Case No. 767 of 2022 (Video Conference Proceedings)

This must be done before the next hearing failing which the Commission will be compelled to initiate penal action against the aforesaid PIOs.

3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

4. **Next hearing on 30.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.8.2022

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Kuldeep Singh Khaira,
S/o Sh. Ujjagar Singh Khaira,
125, Ishar Nagar,
Ludhiana-141006

Versus

Public Information officer,
o/o Assistant Town Planner, Zone B, Building Branch,
Municipal Corporation, Ludhiana.

Public Information officer,
o/o o/o Assistant Town Planner, Zone D, Building Branch,
Municipal Corporation, Ludhiana.

Public Information officer,
o/o Municipal Town Planner,
Municipal Corporation, Ludhiana.

First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 2606 of 2021 (Video Conference Proceedings)

PRESENT:

Kuldeep Singh Khaira (Appellant) 98555-44433
Gurjit Singh, Building Inspector from Zone A (for the Respondent) 94176-70434
Randhir Singh, Building Inspector from Zone-B (for the Respondent) 89990-69000
Kashish Garg, APIO-cum-Building Inspector from Zone C (for the Respondent) 96533-57060
Harjeet Singh, Draftsman from Zone D (for the Respondent) 98141-66090

ORDER:

*(To be read in continuity with earlier orders on **14.9.2021, 2.11.2021, 9.3.2022, and 1.6.2022**)*

1. The RTI application is dated **11.1.2021** vide which the appellant has sought **information regarding action taken against the colonizers/developers for developing unauthorized colonies in violation of PAPRA 1995**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **4.3.2021** and Second Appeal was filed in the Commission on **21.6.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.6.2022**.

2. Both parties are present. The respondent PIOs are represented by Gurjit Singh, Building Inspector from Zone A, Randhir Singh, Building Inspector from Zone-B, Kashish Garg, APIO-cum-Building Inspector from Zone C, and Harjeet Singh, Draftsman from Zone D. At the last hearing on 1.6.2022, Show Cause Notice was issued to the ATP-cum-PIOs representing Zone B and Zone D. Following this, the ATP-cum-PIO Zone D, representing Sh. Harjeet Singh, Draftsman, states that all the available information has already been supplied to the appellant vide Letter No. 25-26 Dated 31.5.2022. He states that no other information is available in the office record.

Contd....2

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Appeal Case No. 2606 of 2021 (Video Conference Proceedings)

3. The PIO-cum-ATP, Zone D is hereby directed to submit a notarized affidavit stating his contention regarding the procedure adopted while dealing with the complaints against illegal colonies along with a clear declaration that no further information, with regard to that requested in this RTI application, is available in the record. The PIO-cum-ATP, Zone B, represented at today's hearing by Randhir Singh, Building Inspector, states that a reply to the Show Cause Notice has sent vide email and a copy of the same along with the requested information as available in his record was supplied to the appellant on 1.8.2022. The respondent representing Zone B, also contends that no further information is available in the record. He is directed to state this clearly in a notarized affidavit. Said affidavits must be supplied in original to the appellant within One week of receipt of this Order. A copy of these affidavits are also to be submitted to this Commission by registered post.

4. The PIO-cum-ATP, Zone B, is also directed to submit his reply to the Show Cause Notice along with information supplied to the appellant, to the Commission by registered post.

5. **Next hearing on 30.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

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

Chandigarh
2.8.2022

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Rohit Sabharwal,
S/o Sh. Vijay Sabharwal,
126, Kundan Bhawan, Model Gram,
Ludhiana – 141 002

Versus

Public Information Officer,
o/o Municipal Corporation,
Headquarters, Zone-A, Near Mata Rani Chowk,
Ludhiana.

First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 4362 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Randhir Singh, Building Inspector from Zone-B (for the Respondent) 89990-69000

ORDER:

(To be read in continuity with earlier orders on 24.2.2022 and 2.6.2022)

1. The RTI application is dated **26.6.2021** vide which the appellant has sought information **regarding Navneet Khokhar, Building Inspector**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.7.2021** and Second Appeal was filed in the Commission on **24.9.21** under Section 19 of the Right to Information Act, 2005. The case was last heard on **2.6.2022**.

2. The appellant is absent. The respondent PIO, represented by Randhir Singh, Building Inspector from Zone B, states that the appellant has agreed to an inspection of the concerned record at 1.00 pm on 4.8.2022. Both parties to intimate the Commission after said inspection.

3. **Next hearing on 30.9.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh
2.8.2022

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REGISTERED

H.S Hundal,
S/o Sh. A.S. Hundal,
203, Judicial Courts,
Mohali – 160 071

Versus

Public Information officer,
o/o Tehsildar, Moga.
First Appellate Authority,
o/o Sub Divisional Magistrate,
Moga.

Appeal Case No. 1092 of 2021 (Video Conference Proceedings)

PRESENT:

H.S Hundal (Appellant) 98785-00082
Satnam Singh, Office Kanungo (for the Respondent) 98146-90464

ORDER:

*(To be read in continuity with earlier orders on **22.7.2021, 22.12.2021, 22.2.2022, and 8.6.2022**)*

1. The RTI application is dated **18.11.20** vide which the appellant has sought **information regarding Workbook for patwaris, Movement Diary, Inspection Book, Registers of survey equipments and furniture, stock register of the Tehsil Kanungo etc. pertaining to Moha Mehla Singh**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.12.20**, and Second Appeal was filed in the Commission on **1.3.21** under Section 19 of the Right to Information Act, 2005. The case was last heard on **8.6.2022**.

2. Both parties are present. The appellant is present in person. At the last hearing on 8.6.2022, the respondent PIO, represented by Ranjit Singh, Sadar Kanungo, was granted a 30 days time to submit a written, pointwise reply along with requested information after duly attesting the same. The PIO has failed to comply.

3. The respondent PIO was issued a Show Cause Notice vide this Commission's Order of 22.7.2021, which has not been withdrawn in view of the respondent PIO's continuing refusal to furnish the requested information. This Commission deems it fit to impose a penalty of Rs. 5000.00 upon the concerned PIO.

Order: Keeping all the facts of the case in mind, this is a fit case to invoke Section 20 of RTI Act and impose a penalty on the respondent PIO Section 20(1), which reads as under:

Contd....2

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Appeal Case No. 1092 of 2021 (Video Conference Proceedings)

“Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub Section (1) of Section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or

destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of 250/- Rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed Twenty Five Thousand Rupees;

Provided that the Central Public Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him;

Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Information Officer, as the case may be.”

The onus and responsibility lie on the PIO to ensure the transmission of the complete information to the appellant. The **PIO-cum-Tehsildar, Moga**, is hereby held guilty for not providing the information on time as prescribed under Section 7, which is within 30 days of the receipt of the request and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of Rupees Five Thousand (Rs. 5000.00) is hereby imposed upon the **PIO, concerned PIO**, which be deducted from his salary and deposited in the Punjab Government Treasury under head “**0070-Other Administrative Services-60-other Services-800-Other Receipts-86-Fees Under the Right to Information Act.**” The **PIO-cum-Tehsildar, Moga**, is directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan at the next hearing of this Appeal Case. Copies of this order be sent to the parties through registered post.

4. The Commission further directs the respondent PIO to furnish certified copies of all the information requested in this RTI application within 1 week of receipt of this Order. Failing this, the Commission shall be compelled to impose further penalty.

5. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh
2.8.2022

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

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H.S Hundal,
S/o Sh. A.S. Hundal,
203, Judicial Courts,
Mohali-160071

Versus

Public Information officer,
o/o Tehsildar, Moga.
First Appellate Authority,
o/o Sub Divisional Magistrate,
Moga.

Appeal Case No. 1094 of 2021 (Video Conference Proceedings)

PRESENT:

H.S Hundal (Appellant) 98785-00082
Satnam Singh, Office Kanungo (for the Respondent) 98146-90464

ORDER:

*(To be read in continuity with earlier orders on **22.7.2021, 22.12.2021, 22.2.2022, and 8.6.2022**)*

1. The RTI application is dated **18.11.20** vide which the appellant has sought **information regarding the patwarkhana of Moga Mehala Singh in ten points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.12.20**, and Second Appeal was filed in the Commission on **1.3.21** under Section 19 of the Right to Information Act, 2005. The case was last heard on **8.6.2022**.

2. Both parties are present. The respondent PIO represented by Satnam Singh, Office Kanungo, states that a reply has been sent to the appellant vide Letter No. 142 Dated 2.8.2022, wherein the appellant has been informed that the patwarkhana of Moga Mehala Singh cited in the RTI application falls within the Red Line (lal lakeer) and hence there is no record is available for the same.

3. It is notable here that at the last hearing on 8.6.2022, the respondent PIO was granted 30 days to send a written pointwise reply to this RTI application. The PIO failed to comply with said direction and has only sent the reply today i.e. on 2.8.2022, which is still to be received by both the appellant and this Commission. The appellant is requested to examine the aforesaid reply when he receives it and communicate deficiencies/objections to the respondent PIO and the Commission.

4. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh
2.8.2022

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H.S Hundal,
S/o Sh. A.S. Hundal,
203, Judicial Courts,
Mohali-160071

Versus

Public Information officer,
o/o Tehsildar, Moga.
First Appellate Authority,
o/o Sub Divisional Magistrate,
Moga.

Appeal Case No. 1095 of 2021 (Video Conference Proceedings)

PRESENT:

H.S Hundal (Appellant) 98785-00082
Satnam Singh, Office Kanungo (for the Respondent) 98146-90464

ORDER:

*(To be read in continuity with earlier orders on **22.7.2021, 22.12.2021, 22.2.2022, and 8.6.2022**)*

1. The RTI application is dated **18.11.20** vide which the appellant has sought **information regarding the working of the Patwari and Sadar Kanungo of Moga Mahela Singh in 13 points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.12.20**, and Second Appeal was filed in the Commission on **1.3.21** under Section 19 of the Right to Information Act, 2005. The case was last heard on **8.6.2022**.
2. Both parties are present. The respondent PIO, represented by Satnam Singh, office Kanungo, states that a reply has been sent vide Letter No. 146 Dated 2.8.2022. He further admits that certified copies requested in RTI application have not been furnished.
3. The respondent PIO is granted 1 week from the date of receiving of this Order to supply duly certified copies of all the requested information. Failing this, Commission will be compelled to initiate penal action.
4. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh
2.8.2022

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Madan Mohan,
S/o Surender Nath, Guru Glass,
Moga – 142 001.

Versus

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

Appeal Case No. 5729 of 2021 (Video Conference Proceedings)

PRESENT:

Madan Mohan (Appellant) 98552-91041
Gurjit Singh, Senior Assistant (for the Respondent) 98788-61408

ORDER:

(To be read in continuity with earlier orders on 8.6.2022)

1. The RTI application is dated **7.9.2021** vide which the appellant has sought information **regarding application Dated 6.6.2017 and 20.6.2017**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **6.10.2021** and Second Appeal was filed in the Commission on **10.12.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **8.6.2021**.

2. Both parties are present. The respondent PIO, represented by Gurjit Singh, Senior Assistant, states that a reply was sent to the appellant, however, the appended information was not supplied, since there was some confusion because of the dates cited by the appellant in his RTI application. The respondent states that he is carrying both the concerned files to this hearing.

3. The respondent PIO is directed to allow the appellant to inspect the both files subsequent to which he is to provide duly attested copies of the documents requested by the appellant from the said file. Both parties are to intimate the Commission after requested information is handed over.

4. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

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

Chandigarh
2.8.2022

PUNJAB STATE INFORMATION COMMISSION

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REGISTERED SHOW CAUSE NOTICE

Rupinder Singh,
S/o Shri Amar Singh,
New Apex Colony, Dosanjh Road,
Moga.

Versus

Public Information Officer,
o/o Commissioner, Municipal Corporation,
Moga.
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Moga.

Appeal Case No. 781 of 2022 (Video Conference Proceedings)

PRESENT:

Suresh Sood (for the Appellant) 99880-39081
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 8.6.2022)

1. The RTI application is dated **12.11.2021** vide which the appellant has sought information **regarding current works by the Civil Branch etc. in Six points**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **13.12.2021** and Second Appeal was filed in the Commission on **10.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **8.6.2021**.

2. At the last hearing on 8.6.2022, the respondent PIO was directed to submit a fresh pointwise reply to the RTI application with the attested copies of the information. The PIO has failed to comply and is also absent at today's hearing despite being notified vide this Commission's Order of 8.6.2022. In view of the above, the Commission deems it fit to issue the respondent PIO with this Show Cause Notice.

3. The respondent **PIO-cum-Commissioner, Municipal Corporation, Moga**, 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 **12.11.2021**.

“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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Appeal Case No. 781 of 2022 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.8.2022

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

PUNJAB STATE INFORMATION COMMISSION

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REGISTERED SHOW CAUSE NOTICE

Rupinder Singh,
S/o Shri Amar Singh,
New Apex Colony, Dosanjh Road,
Moga.

Versus

Public Information Officer,
o/o Commissioner, Municipal Corporation,
Moga.

First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Moga.

Appeal Case No. 851 of 2022 (Video Conference Proceedings)

PRESENT:

Suresh Sood (for the Appellant) 99880-39081
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 8.6.2022)

1. The RTI application is dated **8.11.2021** vide which the appellant has sought information **regarding Work by Civil Branch, MC., Moga**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **13.12.2021** and Second Appeal was filed in the Commission on **5.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **8.6.2021**.

2. At the last hearing on 8.6.2022, the respondent PIO was directed to submit a fresh pointwise reply to the RTI application with the attested copies of the information. The PIO has failed to comply and is also absent at today's hearing despite being notified vide this Commission's Order of 8.6.2022. In view of the above, the Commission deems it fit to issue the respondent PIO with this Show Cause Notice.

3. The respondent **PIO-cum-Commissioner, Municipal Corporation, Moga**, 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 **8.11.2021**.

“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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Appeal Case No. 851 of 2022 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.8.2022

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

PUNJAB STATE INFORMATION COMMISSION

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REGISTERED SHOW CAUSE NOTICE

Suresh Sood,
S/o Shri Dev Dutt,
329-220, Street Soodan,
Mohalla Sodhian, Moga.

Versus

Public Information Officer,
o/o Commissioner, Municipal Corporation,
Moga.
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Moga.

Appeal Case No. 854 of 2022 (Video Conference Proceedings)

PRESENT:

Suresh Sood (Appellant) 94171-27482
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 8.6.2022)

1. The RTI application is dated **24.11.2021** vide which the appellant has sought information **regarding Civil Branch of MC, Moga**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.12.2021** and Second Appeal was filed in the Commission on **15.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **8.6.2021**.

2. At the last hearing on 8.6.2022, the respondent PIO was directed to submit a fresh pointwise reply to the RTI application with the attested copies of the information. The PIO has failed to comply and is also absent at today's hearing despite being notified vide this Commission's Order of 8.6.2022. In view of the above, the Commission deems it fit to issue the respondent PIO with this Show Cause Notice.

3. The respondent **PIO-cum-Commissioner, Municipal Corporation, Moga**, 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 **24.11.2021**.

“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.

Contd.....2

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Appeal Case No. 854 of 2022 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.8.2022

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

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

Suresh Sood,
S/o Shri Dev Dutt,
329-220, Street Soodan,
Mohalla Sodhian, Moga.

Versus

Public Information Officer,
o/o Commissioner, Municipal Corporation,
Moga.
First Appellate Authority,
o/o Commissioner, Municipal Corporation,
Moga.

Appeal Case No. 855 of 2022 (Video Conference Proceedings)

PRESENT:

Suresh Sood (Appellant) 94171-27482
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 8.6.2022)

1. The RTI application is dated **1.12.2021** vide which the appellant has sought information **regarding Civil Branch of MC, Moga**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.12.2021** and Second Appeal was filed in the Commission on **15.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **8.6.2021**.

2. At the last hearing on 8.6.2022, the respondent PIO was directed to submit a fresh pointwise reply to the RTI application with the attested copies of the information. The PIO has failed to comply and is also absent at today's hearing despite being notified vide this Commission's Order of 8.6.2022. In view of the above, the Commission deems it fit to issue the respondent PIO with this Show Cause Notice.

3. The respondent **PIO-cum-Commissioner, Municipal Corporation, Moga**, 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 **1.12.2021**.

“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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Appeal Case No. 855 of 2022 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.8.2022

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

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REGISTERED SHOW CAUSE NOTICE

Suresh Sood,
S/o Shri Dev Dutt,
329-220, Street Soodan,
Mohalla Sodhian, Moga.

Versus

Public Information Officer,
o/o Commissioner, Municipal Corporation,
Moga.
First Appellate Authority,
o/o Commissioner, Municipal Corporation, Moga.

Appeal Case No. 856 of 2022 (Video Conference Proceedings)

PRESENT:

Suresh Sood (Appellant) 94171-27482
(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 8.6.2022)

1. The RTI application is dated **6.12.2021** vide which the appellant has sought information **regarding Civil Branch of MC, Moga**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.12.2021** and Second Appeal was filed in the Commission on **15.2.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **8.6.2021**.

2. At the last hearing on 8.6.2022, the respondent PIO was directed to submit a fresh pointwise reply to the RTI application with the attested copies of the information. The PIO has failed to comply and is also absent at today's hearing despite being notified vide this Commission's Order of 8.6.2022. In view of the above, the Commission deems it fit to issue the respondent PIO with this Show Cause Notice.

3. The respondent **PIO-cum-Commissioner, Municipal Corporation, Moga**, 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 **6.12.2021**.

“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.

Contd.....2

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Appeal Case No. 856 of 2022 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005

Signature of the PIO

Name of the PIO

Name of the Public Authority

Date

5. **Next hearing on 6.10.2022 at 11.30 am via Video Conference Facility at DC Office, Moga.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.8.2022

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