

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.

Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in

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(Helpline No.0172-2864100(From 10.00 AM to 04.00PM on working days))



Shri Manish Kumar,
H. No. 02, Ganesh Vihar,
Dhakoli, Zirakpur, District Mohali.

.....Appellant

Versus

(Regd. Post) Public Information Officer
O/o Executive Engineer,
PSPCL, Patiala.

{Encl. RTI application}

(Regd. Post) First Appellate Authority
O/o Chief Engineer, South Zone,
PSPCL, Patiala.

....Respondents

AC No. 1385 of 2022

Present: (i) Shri Manish Kumar, appellant, in person.
(ii) Respondent / PIO: None is present.

ORDER

1. This order may be read with the reference to the previous order dated 03.10.2022 and on the last hearing, Shri Hemant Kumar, AEE Commercial Sub Division PSPCL Zirakpur, District Mohali and Shri Manish Kumar, appellant were present.

2. The case has been heard today in the Commission's office at Chandigarh. Shri Manish Kumar (appellant) states that different replies have been given to him by the concerned PIO from time to time.

3. Neither the PIO has come present to attend the hearing in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO.

4. After going through the case file (reply dated 07.12.2021) and the reply (dated 28.10.2022) shown by the appellant during the hearing, the bench observes that the reply given by the PIO concerned is different each time, even the case number mentioned on the reply dated 28.10.2022 shown by the appellant is different.

5. **The Commission takes a serious view of the casual approach of the Respondent / PIO, as information has been supplied to the appellant without checking the details and nobody has appeared from the department to represent this case today.**

6. In view of the foregoing, respondent **PIO, O/o Executive Engineer, PSPCL, Patiala is directed to Show Cause in writing or through affidavit under Section 20(1) of the RTI Act**, as to why penalty should not be imposed upon him for wilful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the appellant under Section 19 (8)(b) of the Act for detriment suffered.

7. In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1)



proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next 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.

8 A copy of this order be also sent to the First Appellate Authority i.e. Chief Engineer, South Zone, PSPCL, Patiala through registered post for the compliance of this order and to look into the matter as RTI Act, 2005 came into existence to promote transparency and accountability in the working of every public authority, not for the harassment of the public.

9. **As the replies have been received from the office of PSPCL, Zirakpur. So, a copy of this order be also sent to Er. H. S. Oberoi, Additional SE / Division, PSPCL, Zirakpur, District Mohali for compliance of the directions of the Bench.**

10. **The PIO concerned is directed to supply the information to the appellant with holding the personal details as per RTI Act, 2005.** The concerned PIO is further directed to appear in person along with requisite information and related documents, on the next date of hearing before the bench.

11. With the aforesaid directions, the matter is adjourned. **Both the concerned parties are directed to come up for hearing on 30.11.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Chandigarh
03.11.2022

Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab

CC:

(Regd. Post)	Public Information Officer O/o Executive Engineer, PSPCL, Patiala. <u>{Encl RTI application}</u>
(Regd. Post)	Er. H.S. Oberoi, Additional SE / Division, PSPCL, Zirakpur. District Mohali.