

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

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



Shri Ashok Kumar,
S/o Sh. Roshan Lal,
F-7/250, Gali Arey Wali, Kashmir Avenue, Amritsar.
M: 94172-95387

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
MC, Amritsar.

First Appellate Authority

O/o Commissioner,
MC, Amritsar.

....Respondents

AC No. 245 of 2023

Present: i) **Shri Ashok Kumar, appellant – in person.**
ii) **None is present from the department.**

ORDER:

1. The RTI application is dated 22.09.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 31.10.2022 and the second appeal was filed in the Commission on 03.01.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The case has been heard today in the Commission's office at Chandigarh. Shri Ashok Kumar, appellant states that he has received the information in relation to point number 3 only and information in relation to point number 1, 2 and 4 of the RTI application is yet to be provided.

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, it has been observed that the information comprising of 06 pages vide endorsement number 401 dated 14.02.2023 signed by APIO –cum- Building Inspector, MC, Amritsar has been received by the Bench vide diary number 4653 dated 17.02.2023, which is seen and taken on record.

5. **The Commission takes a serious view of the casual approach of the Respondent / PIO, as incomplete information has been supplied to the appellant and nobody has appeared from the department to represent this case today.**

6. In view of the foregoing, respondent **PIO, O/o The Commissioner, MC, Amritsar 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.

Contd... 1/2

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. **The PIO concerned is directed to supply the information to the appellant 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.

9. With the aforesaid directions, the matter is adjourned. **Both the concerned parties are directed to come up for hearing on 26.04.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
23.02.2023**

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