

**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 Suresh Kumar Sharma,
R/o New Sharma Furniture House,
Pratap Bazaar, Chhehratta,
Amritsar.

.....Appellant

Versus

Public Information Officer

O/o Improvement Trust,
Amritsar.

First Appellate Authority

O/o ADC (Urban Development),
Amritsar.

.....Respondents

AC No. 268 of 2023

Present: i) **Shri Suresh Kumar Sharma, appellant- in person.**
ii) **None on behalf of the PIO O/o Improvement Trust, Amritsar.**

ORDER:

1. The RTI application is dated 26.10.2021 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 13.12.2021 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 notice of hearing was issued to the parties for 28.02.2023. Accordingly, the case has been heard today. Shri Suresh Kumar, appellant comes present to attend the hearing in person before the Bench. He states that no information has been supplied to him.

3. Neither the PIO O/o Improvement Trust, Amritsar has come present to attend the hearing either in person before the Bench or through cisco webex nor any representative has been authorised to attend the hearing on behalf of the PIO. The PIO has also not supplied information to the appellant. This indifferent attitude and casual approach of the PIO is viewed adversely.

4. The PIO O/o Improvement Trust, Amritsar is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and not supplying information to the appellant. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

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5. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply 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.

6. The PIO is directed to call the appellant to his office and allow him access to the relevant official records. The appellant, after perusal of the records, will identify the information. The PIO is directed to supply point-wise information to the appellant as is identified by him after perusal of the records, before the next hearing as also ensure to come present in person before the Bench on the next hearing, failing which the Bench will be constrained to issue BAILABLE WARRANT to the PIO to ensure his presence before the Bench.

7. In view of the above, the matter is adjourned. **To come up for hearing on 04.05.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
28.02.2023**

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

Copy to (By Regd.Post)

Public Information Officer O/o Improvement Trust, Amritsar.