

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

Balbir Aggarwal,
#1525/1, Street 33,
Preet Nagar, Shimlapuri,
Ludhiana.

Versus

Public Information Officer,
o/o ATP, Building Branch, Zone-C
Municipal Corporation,
Ludhiana.

Public Information Officer,
o/o Zonal Commissioner,
Municipal Corporation, Zone C,
Ludhiana.

First Appellate Authority,
o/o Zonal Commissioner,
Municipal Corporation, Zone C,
Ludhiana.

Appeal Case No. 2721 of 2022 (Video Conference Proceedings)

PRESENT:

Balbir Aggarwal (Appellant) 94636-66155
Kashish Garg, Building Inspector (for the Respondent)

ORDER:

1. The RTI application is dated **7.3.2022** vide which the appellant has sought information **regarding shop no. 106 in front of panu pakore wala**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **12.4.2022** and Second Appeal was filed in the Commission on **7.6.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **12.10.2022**.

2. Both parties are present. The respondent PIO has submitted a copy of the reply sent to the appellant vide Letter No. 184 Dated 5.10.2022 along with the requested information. The respondent PIO also states that the RTI application Dated 7.3.2022 was not received in the Building Branch, Zone-C and was only received along with the Commission's Notice of Hearing on 13.7.2022. Thereafter, action was initiated against the building cited in the RTI application and a reply was sent to the appellant.

3. The appellant however, contends that he had personally handed his RTI application to the office of the Zonal Commissioner, Zone-C, vide Diary No.903/ZC/C, Dated 7.3.2022. He subsequently also submitted First Appeal on 12.4.2022 which was also received and was given a Diary Number.

4. In view of the above, the respondent PIO's claim that the RTI application was not received in his office, appears dubious. The Commission deems it fit to serve the respondent PIO-cum-ATP, Building Branch, Zone-C, Sh.Rajesh Kumar, with this Show Cause Notice

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5. The respondent **PIO-cum-ATP, Building Branch, Zone-C, Sh. Rajesh Kumar**, 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 **7.3.2022**.

“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.

6. The PIO-cum-ATP, Zone-C, is directed to make a written submission explaining the delay in addressing this RTI application within 20 days of receipt of this Order.

7. **Next hearing on 7.12.2022 at 11.30 am at Punjab State Information Commission, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.**

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

Chandigarh
12.10.2022

Cc: Commissioner, MC, Ludhiana, for information and further necessary action.