

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

Gurmej Lal,
St.No.5, #1331-5, Vishwakarma Bhawan,
Down Canal Road, Shimlapuri,
Ludhiana.

Versus

Public Information Officer,
o/o Assistant Town Planner, Zone-B,
Municipal Corporation, Ludhiana.
First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 2880 of 2022 (Video Conference Proceedings)

PRESENT:

Gurmej Lal (Appellant) 97816-72776
Ravinder Walia, DM (for the Respondent) 98551-99191

ORDER:

1. The RTI application is dated **24.3.2022** vide which the appellant has sought information **regarding Letter No. 41/STP/R Dated 18.11.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **27.4.2022** and Second Appeal was filed in the Commission on **20.6.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **24.11.2022**.

2. Both parties are present. The respondent PIO-cum-ATP, Building Branch, Zone-B, Sh. Sunil Kumar is represented by Sh. Ravinder Walia, DM who states that a reply has been handed over to the appellant at this hearing. The Commission takes a very serious view of the respondent PIO-cum-ATP, Sh. Sunil Kumar's conduct. This RTI application was submitted on 24.3.2022, since when there had been no reply from the respondent PIO. The Commission deems it fit to issue Show Cause Notice to the PIO-cum-ATP, Zone, B, Sh. Sunil Kumar.

3. The respondent **PIO-cum-ATP, Zone, B, Sh. Sunil 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 **24.3.2022**.

"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.

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4. The PIO-cum-ATP Sh. Sunil Kumar is further directed to be present in person at the next hearing of this Appeal Case in the Commission at Chandigarh. Failure to comply, will compel the Commission to ensure his presence through service of a **Bailable Warrant**. The PIO-cum-ATP, is further directed to bring a fresh, pointwise reply to the RTI application along with all the requested information after due attestation. For any information where the PIO wants to claim exemption from disclosure, he must cite specific provisions of the RTI Act, 2005. Both parties to attend the next hearing in person at the Commission

5. **Next hearing on 17.2.2023 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
24.11.2022

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