

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ [www.infocommpunjab.com](http://www.infocommpunjab.com),  
Email: [psic21@punjabmail.gov.in](mailto:psic21@punjabmail.gov.in)



## **REGISTERED** **SHOW CAUSE NOTICE**

**Varun Malhotra,**  
# 3601/2, Sirhandi Bazar,  
Patiala.

Versus

**Public Information Officer,**  
o/o ATP, Municipal Corporation,  
Patiala.

**First Appellate Authority,**  
Commissioner, Municipal Corporation,  
Patiala.

### **Appeal Case No. 3227 of 2022**

PRESENT:

Varun Malhotra (Appellant) 98142-46368  
(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on 9.11.2022 and 16.12.2022)*

1. The RTI application is dated **16.12.2021** vide which the appellant has sought information **regarding action on the Letter Dated 28.10.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **22.5.2022** and Second Appeal was filed in the Commission on **8.7.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **16.12.2022**.

2. The respondent PIO is absent, but has informed the Commission vide Letter No. 226/BLD Dated 12.1.2022, that the Commission's Order Dated 16.12.2022 was received by him only today i.e. 12.1.2023. The respondent PIO's contention is dubious, since copy of the Order posted on the same date was received by the appellant approximately ten days ago. The Commission deems it fit to issue Show Cause Notice to the respondent PIO-cum-ATP, MC, Patiala.

3. The respondent **PIO-cum-ATP, MC, Patiala**, 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 **16.12.2021**.

"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.

Contd....2

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4. The PIO-cum-ATP, MC, Patiala is further directed to strictly comply with para no. 3 of this Commission's Order of 16.12.2022 and bring all the original record pertaining to this RTI application, to the Commission, in person.

5. **Next hearing on 24.1.2023 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  
12.1.2023

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