



Shri Bawa Bhulinder Singh, S/o Shri Dalip Singh,
R/o Gali No.2, Mata Ganga Ji Nagar,
Near Gurudwara Khoo Bhai Manj Sahib.

.....Appellant

Versus

Public Information Officer

O/o MC,
Amritsar.

First Appellate Authority

O/o Commissioner,
MC, Amritsar.

....Respondents

AC No. 373 of 2023

Present: i) Shri Bawa Bhulinder Singh – through cisco-webex
ii) None for the Respondent

ORDER:

1. The RTI application is dated 28.08.2022 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 09.11.2022 and the second appeal was filed in the Commission on 05.01.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The case has been heard today. As per appellant, the PIO has not supplied the information so far.
3. The respondent is absent without intimation to the Commission. The APIO-cum-Superintendent, Property Tax(Central) O/o MC Amritsar vide letter dated 06.03.2023 received in the Commission through email has informed that since the information is 3rd party and the 3rd party has not given its consent to disclose the information, it cannot be provided and reply to this effect has been sent to the appellant vide letter dated 19.12.2022.
4. The appellant is not satisfied with the reply of the PIO and alleges that the hotel regarding which he has sought information is making a mockery of building bylaws as it is having irregularities in its construction and running of the hotel as well as evading property tax.
5. Since as per appellant, the hotel is not abiding by the building bylaws, the Bench is not in agreement with the PIO's view and hereby directs the PIO to provide information to the appellant on priority. Further since there has been an enormous delay in attending to the RTI application and the respondent is absent either in person or through cisco-webex, the PIO-MC Amritsar is hereby **show caused** as to why penalty should not be imposed on him under section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time. He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such person(s) of the show cause and direct them to appear before the Commission along with the written replies.
5. The PIO is directed to provide point-wise information to the appellant before the next date of hearing.
6. The case is adjourned. **Both the concerned parties are directed to come up for hearing on 29.05.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

Sd/-

Chandigarh
21.03.2023

(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab