

# 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),  
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## REGISTERED SHOW CAUSE NOTICE

**Yogesh Maini,**  
H.No.678/1, Prem Nagar,  
Shiv Mandir Road, Civil Lines,  
Ludhiana.

Versus

**Public Information Officer,**  
o/o Health Branch, Zone-D,  
Municipal Corporation, Ludhiana.  
**Public Information Officer,**  
o/o Commissioner, Municipal Corporation,  
Ludhiana.  
**First Appellate Authority,**  
Commissioner, Municipal Corporation,  
Ludhiana.

### Appeal Case No. 3883 of 2022 (Video Conference Proceedings)

PRESENT:

Yogesh Maini (Appellant)  
(Respondent) Absent

ORDER:

1. The RTI application is dated **27.5.2022** vide which the appellant has sought information **regarding challans (No. 14150 to 14200) by the Health Branch Zone D with copies of said challans and receipts of fines recovered etc.,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **30.7.2022** and Second Appeal was filed in the Commission on **24.8.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **25.11.2022**.

2. The respondent PIO is absent without intimation, despite the Notice of Hearing issued to him. The respondent has not bothered to submit any reply nor copy of any reply sent to the appellant in response to the RTI application, which was submitted on 27.5.2022. As per the appellant, a reply was received from the respondent PIO vide a Letter Dated 8.9.2022, wherein, he was informed that only five of the Challans in the Challan book sought by him pertain to the appellant. Rest of the Challans/information and the receipts sought, were denied as per Section 11 of the RTI Act, 2005.

3. The respondent PIO's conduct is in violation of the RTI Act, 2005. Section 11 of the RTI Act, 2005, clearly stipulates that the stated third party/parties must to be informed regarding the RTI request within a stipulated period, whereafter they can permit or deny disclosure of the requested information. No such exercise appears to have been undertaken by the respondent PIO. The respondent PIO, Health Branch, Zone-D, MC, Ludhiana, is hereby issued this Show Cause Notice.

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4. The respondent **PIO office of Health Branch, Zone-D, MC, Ludhiana**, 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 **27.5.2022**.

“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.

5. The PIO, Health Branch, Zone-D, Ludhiana is further, directed to submit a fresh pointwise to the RTI application along with duly attested copies of all the requested information including all the challans (No. 14150 to 14200) sought in this RTI application and copies of the receipts from fines recovered. This must be done within 20 days of receipt of this Order. Failure to comply, shall invite penalties as per the RTI Act, 2005.

6. The respondent PIO, is herewith also directed to be present in person at the next hearing of this Appeal Case. Failure to comply, will compel the Commission to ensure his presence through service of a **Bailable Warrant**.

7. **Next hearing on 21.2.2023 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  
25.11.2022

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