

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

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Shri Ajay Nand/Ajay Kumar Mehta,
S/o Late Shri Nand Kishore,
C-118, East Mohan Nagar,
Chamrang Road,
Amritsar.

.....Appellant

Versus

Public Information Officer

O/o Principal Secretary,
Energy Deptt., Punjab,
Chandigarh.

Public Information Officer

O/o Addl. S.E., Operation,
Industrial/Commercial Division,
PSPCL, Amritsar

First Appellate Authority

O/o Chief Minister,
Punjab, Chandigarh.

....Respondents

AC No. 4404 of 2022

Present: (i) Appellant- absent.
(ii) None on behalf of PIO/Respondent.

ORDER:

1. This order may be read with reference to the order dated 16.11.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Ajay Nand/Ajay Kumar Mehta, appellant has not come present to attend the hearing in person before the Bench or through cisco webex. He has, however, sent an e.mail stating that he is unable to attend the hearing and has sought adjournment to enable him to file objections to the information supplied.
3. Neither the PIO O/o Addl.S.E., Operation, Industrial/Commercial Division, PSPCL, Amritsar has come present to attend the hearing in person neither before the Bench nor through cisco webex. However, a letter dated 15.11.2022 received from the Addl.S.E./Operation, Industrial/Commercial Division, PSPCL, Amritsar is available in the case file whereby information on Point No.1 has been supplied to the appellant and on Point No.2, the information has been denied stating that it does not come within their jurisdiction.

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4. The Bench observes that during the previous hearing, the respondent had attended the hearing through cisco webex though was directed to come present in person. Today, the PIO has failed to come present in person before the Bench nor he has given any intimation in this regard. The Bench views the casual approach of the PIO towards the directions of the Bench adversely.

5. The PIO O/o Addl. S.E., Operation, Industrial/Commercial Division, PSPCL, Amritsar is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing. He is also directed to file a written reply to the show cause notice as to why the appellant should not be compensated for the mental harassment suffered by him in getting the information.

6. In addition to the written reply, the PIO is hereby given an opportunity u/s 20(1) proviso thereto for personal hearing before the imposition of such a penalty, on the next date of hearing. He may take note that in case he does not file the written reply and does not avail himself of the opportunity of personal hearing on the next 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.

7. The appellant is advised to submit objections, if any, to the information supplied. The PIO is directed to address the objections raised by the appellant, if any, before the next hearing. Both the appellant and the PIO are directed to come present in person before the Bench on the next hearing.

8. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 05.01.2023 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
12.12.2022**

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

Copy to (By Regd.Post)

**PIO O/o Addl.S.E., Operation, Industrial/Commercial Division,
PSPCL, Amritsar**