

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

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Shri Rajeev Kumar, (M: 98760-74736)
R/o 126, Jawahar Nagar, Near Bright Way School,
Batala Road, Amritsar.

.....Appellant

Versus

(Regd. Post) Public Information Officer
O/o The Municipal Town Planner,
Municipal Corporation, Ranjit Avenue, Amritsar.

First Appellate Authority
O/o The Commissioner,
MC, Amritsar.

....Respondents

AC No. 4563 of 2022

Present: (i) Appellant: Absent.
(ii) Respondent / PIO: None.

ORDER

1. The RTI application is dated 28.05.2022 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 06.07.2022 and the second appeal was filed in the Commission on 30.09.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The case has been heard today in the Commission's office at Chandigarh. Shri Rajeev Kumar, appellant is absent but an email has been received in the Bench vide which a letter dated 14.11.2022 is attached in which the Appellant has requested for an adjournment due to his personal reasons.
3. Nobody appears from the department relating to this case and no letter / email has been received from the Respondent / PIO for today's adjournment.
4. The Bench observes that the PIO is absent today without any intimation to the bench of undersigned. **The PIO office of MTP, Municipal Corporation, 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.
5. 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.



6. The PIO is directed to supply the point wise reply / information to the Appellant before the next hearing.

7. With the aforesaid directions, the matter is adjourned. Both the concerned parties are directed to attend the hearing on 12.12.2022 at 11.30 am before the Bench at Punjab State Information Commission, Madhya Marg, Sector 16, Chandigarh. Copies of the order be sent to the concerned parties.

Chandigarh
17.11.2022

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