

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

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Visit us: - www.infocommpunjab.com, [Cisco Webex Code:15857-23975](https://www.punjab.gov.in/cisco-webex)
(Helpline No.0172-2864100(From 10.00 AM to 04.00PM on working days))



Shri Kuldip Kumar,
H. No. 3261, Rattan Singh Chawk,
Fatehgarh Churian Road, Amritsar.

.....Appellant

Versus

Public Information Office

O/o Punjab Pollution Control Board,
Zonal Office, Plot number 164,
Focal Point Mehta Road, Amritsar.

First Appellate Authority

O/o Punjab Pollution Control Board,
Zonal Office, Plot number 164,
Focal Point Mehta Road, Amritsar.

....Respondents

AC No. 4617 of 2022

Present: (i) Shri Kuldip Kumar, Appellant through cisco webex.
(ii) None on behalf of the Respondent / PIO.

ORDER

1. This order may be read with reference to the order dated 17.11.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. Shri Kuldip Kumar, appellant comes present to attend the hearing through cisco webex and states that no information has been supplied to him.
3. Neither the PIO, Punjab Pollution Control Board, Amritsar has come present to attend the hearing in person before the Bench or through cisco webex nor he has deputed any of his representative to attend the hearing nor intimation has been received from the Respondent / PIO in this regard.
4. After going through the case file, it is observed that during the previous hearing, the notice of hearing was received back undelivered. On enquiring about the correctness of postal address of the respondent from the appellant, he confirms that the address has been correctly mentioned on the notice. The Bench had also sent a copy of the RTI application along with the order of previous hearing. In spite of that, the PIO has failed to attend the second consecutive hearing. This indifferent attitude of the PIO is viewed adversely.
5. The PIO O/o Punjab Pollution Control Board, 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 and not supplying information to the appellant. 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.

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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. **In view of the absence of the PIO for the third consecutive hearing, the PIO O/o Punjab Pollution Control Board, Amritsar is issued BAILABLE WARRANT to ensure his presence before the Bench on the next hearing.**

8. The PIO is again directed to supply point-wise information to the appellant before the next hearing as also ensure to come present in person before the Bench on the next hearing.

9. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 24.01.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
19.12.2022**

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

Copy to(By Regd.Post):

**Public Information Office,
O/o Punjab Pollution Control Board,
Zonal Office, Plot number 164,
Focal Point Mehta Road, Amritsar.**