

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,
Email: psic21@punjabmail.gov.in



REGISTERED SHOW CAUSE NOTICE

Ashok Kumar,
S/o Late Sh. Sham Lal,
R/o Bank Street, New Basti Nabha,
Distt. Patiala.

Versus

Public Information Officer,
o/o PUNGRAIN,
Anaj Bhawan, Sector 39-C,
Chandigarh.
First Appellate Authority,
o/o PUNGRAIN,
Anaj Bhawan, Sector 39-C,
Chandigarh.

Appeal Case No. 4730 of 2022

PRESENT:

Shivam Goyal (Son of the Appellant) 97801-50888
(Respondent) Absent

ORDER:

1. The RTI application is dated **23.6.2022** vide which the appellant has sought information **regarding Memo No. 11h-2012/344 Dated 20.1.2012 and Memo No. 1468 Dated 30.3.2022,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **26.7.2022** and Second Appeal was filed in the Commission on **10.10.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **19.1.2023**.
2. The respondent PIO is absent without intimation. This RTI application was submitted on 23.6.2022, there has since been no reply or information provided by the respondent PIO. This is despite First Appellate Authority's Order Dated 5.9.2022, directing the PIO to provide the requested information as per the RTI Act, 2005. Notably, the PIO has also not bothered to respond to this Commission's Notice of Hearing Dated 4.9.2022.
3. In view of the above, the Commission deems it fit to issue the Show Cause Notice to the respondent PIO.
4. The respondent **PIO-cum-PUNGRAIN, Punjab, Chandigarh,** 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 **23.6.2022**.

Contd....2

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“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 is further directed to attend the next hearing in person at Chandigarh, along with a pointwise reply to the RTI application and the requested information by way of duly attested copies. For information where he seeks exemption from disclosure, the PIO must cite specific provisions of the RTI Act, 2005.

6. **Next hearing on 1.3.2023 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
19.1.2023

Cc: Director, PUNGRAIN, Anaj Bhawan, Sector 39-C, Chandigarh, for information and further necessary action.