

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

Yogesh Maini,
S/o Late Kapil Bhushan Maini,
H.No.678/1, Prem Nagar,
Shiv Mandir Road, Civil Lines,
Ludhiana.

Versus

Public Information officer,
o/o Regional Transport Authority,
Ludhiana.

Public Information officer,
o/o Municipal Corporation, Zone-A,
Ludhiana.

Public Information officer,
o/o XEN (Zone-D) B & R,
Municipal Corporation, Ludhiana.

First Appellate Authority,
Commissioner, Municipal Corporation,
Ludhiana.

Appeal Case No. 4817 of 2021 (Video Conference Proceedings)

PRESENT:

Yogesh Maini (Appellant) 99887-58800
(Respondent) Absent

ORDER:

*(To be read in continuity with earlier orders on **22.4.2022**)*

1. The RTI application is dated **16.7.2021** vide which the appellant has sought **regarding Indu Raj Thapar, Councillor Ward No.83, MC,Ludhiana**, information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.8.2021** and Second Appeal was filed in the Commission on **22.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **22.4.2022**.

2. As per the appellant although various PIOs have provided partial information to his RTI application, but no information has yet been received regarding point no. 1 of the said RTI application. Point no. 1 of the RTI application reads as under:-

“Provide the Copy of the Nomination Papers Along with the Documents filed Before the Competent Authority By Smt Indu Raju Thapar Councilor Ward No. 83 Municipal Corporation Ludhiana which Were Filed At the Time of Election Held in the Year of 2018 of the Councillors, if this information is not available on the record of the Municipal Corporation Ludhiana then please transfer my Application Under Section 6(3) of The RTI Act 2005 to the Concerned Authority That is Holding this Information.”

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3. As per a communication to the appellant from the office of the Deputy Commissioner, the RTA, Ludhiana was the Returning Officer for the Ludhiana Municipal Corporation Elections held in 2018. In view of this, the Commission had sent a copy of its Order Dated 22.4.2022 to the the PIO, Office of Secretary, Regional Transport Authority. There is, however, been no reply from the aforesaid PIO.

4. Under these circumstances, the Commission deems it fit to issue Show Cause Notice to the PIO, Office of Regional Transport Authority, Ludhiana. The RTA, Ludhiana, who was the Returning Officer for the Ludhiana Municipal Corporation Election in the year 2018 is also directed to provide a written reply to point no. 1 of RTI application, which has already been referred to him by the Deputy Commissioner, Ludhiana vide Letter No. 9879/81 Dated 21.3.2022.

5. The respondent **PIO, Office of Regional Transport Authority, 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 **16.7.2021**.

“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.

6. Further, as per the appellant, the PIO-cum-XEN (Zone-D) B&R, has provided only partial & unattested information with regard to point no. 8 of RTI application. The PIO-cum-XEN (B&R), Zone-D is directed to supply the deficient information requested at point no. 8 of this RTI application, to the appellant within 20 days of receipt of this Order.

7. **Next hearing on 15.12.2022 at 11.30 am via Video Conference Facility at DC Office, Ludhiana.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
4.11.2022

Cc: Sector Regional Transport Authority, Ludhiana, for information and further necessary action.