

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

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(Helpline No.0172-2864100(From 10.00 AM to 04.00PM on working days))



Shri Suresh Kumar Sharma (9855890233),
R/o New Sharma Furniture House,
Pratao Bazaar, Cheratta, Amritsar.

.....Appellant

Versus

Public Information Officer

O/o Municipal Corporation,
Amritsar.

First Appellate Authority

(Regd. Post) O/o Commissioner, Municipal Corporation,
Amritsar.

....Respondents

AC No. 4844 of 2022

Present:

(i) **Shri Suresh Kumar Sharma, appellant through cisco webex**
(ii) **Respondent: Absent.**

ORDER

1. The RTI application is dated 03.10.2022 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 12.10.2022 and the second appeal was filed in the Commission on 02.11.2022 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 Suresh Kumar Sharma, appellant states that no information has been supplied to him.

3. Neither the PIO has come present to attend the hearing in person before the Bench nor through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO. A phone call has been received from the department's office i.e. Ms. Kulwinder Kaur, Building Inspector to the bench of undersigned vide which the concerned person was requesting for an adjournment in this present case due to certain death in her family.

4. Commission takes a serious view of the casual approach of the Respondent / PIO, as no information stands supplied and nobody appears from the department to represent this case in today's hearing.

5. In view of the foregoing, respondent **PIO, O/o MC, Amritsar is directed to Show Cause in writing or through affidavit under Section 20(1) of the RTI Act,** as to why penalty be not imposed upon him for wilful delay/ denial of the information to the RTI applicant and why the compensation be not awarded to the appellant under Section 19 (8)(b) of the Act for detriment suffered.

6 In addition to his submission, the PIO is also hereby given an opportunity under Section 20(1) proviso, thereto, for a personal hearing before the imposition of such penalty on the next date of hearing. He may note that in case he does not file his submission 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. A copy of RTI application be sent to the PIO along with this order through registered post.

7. A copy of this order be also sent to the First Appellate Authority i.e. Commissioner, MC, Amritsar

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through registered post for the compliance of this order and to look into the matter as RTI Act, 2005 came into existence to promote transparency and accountability in the working of every public authority, not for the harassment of the public.

8. The Bench directs the PIO to supply point wise attested copies of information to Shri Suresh Kumar Sharma, appellant through registered post and submit a copy of same to the undersigned Bench by the next hearing.

9. The PIO concerned is directed to appear in person along with official records, on the next date of hearing at the Commission.

10. With the aforesaid directions, the matter is adjourned. **Both the concerned parties are directed to come up for hearing on 02.02.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
22.12.2022**

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

Show Cause:

(Regd. Post) Public Information Officer,
O/o Municipal Corporation,
Amritsar.

{ Encl. RTI application }