

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

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SHri Gulshan Kumar,
854, Dayal Nagar, Ghumar Mandi,
Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o District Sports Officer,
Guru Nanak Stadium,
Ludhiana.

First Appellate Authority

O/o Director,
State Sports Council, Punjab,
Chandigarh.

....Respondents

AC No. 5054 of 2022

Present: i) **Shri Gulshan Kumar, appellant in person.**
ii) **None on behalf of the PIO/Respondent.**

ORDER:

1. The RTI application is dated 12.08.2022 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 12.09.2022 and the second appeal was filed in the Commission on 27.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 26.12.2022. Accordingly, the case has been heard today. Shri Gulshan Kumar, appellant comes present to attend the hearing in person before the Bench. He states that information was received by him on 04.11.2022 and since the same was not legible, he sent deficiencies to the PIO vide letter dated 07.11.2022. However, he has received nothing thereafter from the PIO.

3. The PIO O/o District Sports Officer, Guru Nanak Stadium, Ludhiana has not come present in person before the Bench or through cisco webex nor he has deputed any of his representatives to attend the hearing on behalf of the PIO. This indifferent attitude of the PIO is viewed adversely.

4. The PIO O/o District Sports Officer, Guru Nanak Stadium, Ludhiana is issued show cause notice show cause notice to explain his absence and as to why action should not be taken against him and

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also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and not supplying complete 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.

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 point-wise rectified legible information to the appellant after removal of deficiencies before the next hearing as also ensure to come present in person before the Bench on the next hearing.

7. With the aforesaid discussions, the matter is adjourned. **To come up for hearing on 09.02.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
26.12.2022**

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

Copy to (By Regd.Post)

Public Information Officer
O/o District Sports Officer,
Guru Nanak Stadium,
Ludhiana.