

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

SHri Balbir Aggarwal,
1525/1, Street NO.33, Preet Nagar,
Shimlapuri, Ludhiana.

.....Appellant

Versus

Public Information Officer
O/o Chief Sanitary Officer,
MC, Zone-C, Ludhiana.

First Appellate Authority
O/o Chief Sanitary Officer,
MC, Zone-C, Ludhiana.

....Respondents

AC No.534 of 2023

Present: i) Appellant - Absent
 ii) **None for the Respondent**

ORDER:

1. This order may be read with reference to the order dated 29.05.2023 passed by this Bench on the previous hearing.
2. The case has been heard today. Both the parties are absent. The appellant vide letter received in the Commission on 09.06.2023 has informed that he has not been provided any information so far.
3. The PIO is absent for the third consecutive hearing nor is represented and has also not filed reply to the show cause notice issued during the hearing on 28.03.2023. To secure an erring PIO's presence before the Bench, a bailable warrant under section 18(3) of the RTI Act was issued for his presence before the Bench on 19.07.2023 which as per report of office of Joint Commissioner Police, Ludhiana stands received by the PIO. However, the PIO has not bothered to adhere to the provisions of the RTI Act. It is clear that the PIO- O/o Chief Sanitary Officer, Zone-C, MC-Ludhiana is flouting the spirit of the RTI Act repeatedly. The PIO has not only shown utter disregard for the Commission's repeated orders to provide the information but has shown willful stubbornness in not appearing before the Bench despite various orders of the Bench.
4. Since the responsibility to ensure the timely provision of the information to the appellant lies on the PIO, the PIO O/o Chief Sanitary Officer, Zone-C, MC Ludhiana is hereby held guilty for not providing the information in time as prescribed under section 7, which is within 30 days of the receipt of the request. The PIO is also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.
5. Hence, given the above facts a penalty of **Rs.10,000/-** is imposed on the PIO O/o Chief Sanitary Officer, Zone-C, MC Ludhiana which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

6. The PIO is directed to send point-wise information/reply to the appellant before the next date of hearing. The PIO is further directed to come present in person before the Bench to attend the next hearing.

7. With the aforesaid directions, the **matter is adjourned**. Since I am demitting the office on 4th August 2023 and I am left with little time to hear the case further, this case file is sent to the Deputy Registrar to place this case file before the Hon'ble Chief Information Commissioner for re-allocation of the instant appeal case.

Chandigarh
19.07.2023

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