

**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 04.00 PM on working days)



Shri Rajan Chaudhary
S/o Shri Ramesh Chander
R/o 1474/06, Sunder Nagri,
Abohar, District Fazilka-152116.

.....Appellant

Versus

Public Information Officer
O/o Sub-Divisional Magistrate,
Abohar, District Fazilka.

First Appellate Authority
O/o Sub-Divisional Magistrate,
Abohar, District Fazilka.

....Respondents

AC No. 5499 of 2022

Present: i) **Shri Rajan Chaudhary, appellant-in person.**
ii) **None on behalf of the PIO O/o SDM Fazilka.**

ORDER:

1. The RTI application is dated 16.06.2022 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 19.09.2022 and the second appeal was filed in the Commission on 01.11.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 23.01.2023. Accordingly, the case has been heard today. Shri Rajan Chaudhary, appellant comes present to attend the hearing in person before the Bench and states that no information has been received by him so far.

3. Neither the PIO O/o Sub Divisional Magistrate, Abohar, District Fazilka has come present in person nor through cisco webex nor he has deputed any of his representatives to attend the hearing nor any information has been supplied to the appellant. This indifferent attitude of the PIO is viewed adversely.

4. The PIO is issued show cause notice to explain his absence and as to why action should not be taken against him and also as to why penalty should not be imposed in the instant case for failing to appear for the hearing and not supplying 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 information to the appellant before the next hearing as also ensure to come present in person before the Bench on the next hearing.

7. With the aforesaid directions, the matter is adjourned. **To come up for hearing on 22.02.2023 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
23.01.2023**

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

Copy to(By Regd.Post):

Public Information Office/Sub Divisional Magistrate, Fazilka.