

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 Rakesh Kumar Gupta,
Advocate,
8 / 237, Jagraon Road, Mandi Mullanpur,
District Ludhiana.

.....Appellant

Versus

(Regd. Post) **Public Information Officer**
O/o The Principal Secretary,
Local Govt. Punjab, Municipal Bhawan,
Sector 35, Chandigarh.

(Regd. Post) **First Appellate Authority**
O/o The Principal Secretary,
Local Govt. Punjab, Municipal Bhawan, Sector 35,
Chandigarh.

....Respondents

AC No. 685 of 2021

Present: (i) **Appellant: Shri Rakesh Kumar Gupta, in person.**
(ii) **Respondent / PIO: None.**

ORDER

1. This case may be read with the reference of the previous order dated 01.11.2022.
2. The case has been heard today in the Commission's office at Chandigarh. Shri Rakesh Kumar Gupta, appellant states that nothing has been received after the last hearing of this case and further mentions that he received a call from the department as well relating to today's hearing but they themselves failed to appear before the Bench.
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.
4. **Commission takes a serious view of the casual approach of the Respondent / PIO, as information is still pending and today nobody appears from the department to represent this case.**
5. In view of the foregoing, respondent **PIO, O/o Principal Secretary, Local Govt. Punjab, Municipal Bhawan, Sector 35, Chandigarh is directed to Show Cause in writing or through affidavit under Section 20(1) of the RTI Act,** as to why penalty should not be imposed upon him for wilful delay / denial of the information to the RTI applicant and why compensation should not be 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.

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7. A copy of this order be also sent to the First Appellate Authority i.e. **Principal Secretary, Local Govt. Punjab, Municipal Bhawan, Sector 35, Chandigarh** 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 concerned to go through the previous order of the Bench dated 01.11.2022. The PIO is also directed to call the appellant on phone and discuss about the information so that the requisite information could be supplied by them in time and PIO concerned is further directed to appear in person along with requisite information and reply to the show cause notice, on the next date of hearing before the bench.

9. With the aforesaid directions, the matter is adjourned. **Both the concerned parties are directed to come up for hearing on 13.12.2022 at 11.30 AM before the Bench in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.11.2022**

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