

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

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Shri Ramandeep Singh Ahluwalia,
Ward No.18, Street No.2,
Kartar Nagar, Amloh Road,
Khanna, District Ludhiana-141401.

.....Appellant

Versus

Public Information Officer

O/o Director, Local Govt., Punjab,
Municipal Bhawan, Sector-35,
Chandigarh.

Public Information Officer

O/o Municipal Council,
Khanna, District Ludhiana.

Public Information Officer/

Superintendent, Establishment Branch,
O/o Director, Local Govt., Punjab
Municipal Bhawan, Sector-35,
Chandigarh.

First Appellate Authority

O/o Secretary,
Department of Local Govt., Punjab,
Municipal Bhawan, Sector-35,
Chandigarh.

....Respondents

AC No. 918 of 2022

Present:

- (i) **Shri Ramandeep Singh, Appellant-in person.**
- (ii) **Shri Sandeep Kumar, Senior Assistant, Establishment Branch O/o Director, Local Govt., Punjab, -in person.**

ORDER:

1. This order may be read with reference to the order dated 06.12.2022 passed by this Bench on the previous hearing.
2. The case has been heard today. The appellant Shri Ramandeep Singh Ahluwalia comes present in person before the Bench. He contends that though the RTI application has been transferred to the Municipal Council, Khanna by the PIO O/o Director, Local Govt., but the information has to be supplied by office of Director, Local Govt. and also contends the version of Shri Manish Rattan, Works Clerk, Municipal Council, Khanna that has recently joined whereas the PIO has to provide information to the appellant relating to Municipal Council, Khanna.
3. Shri Sandeep Kumar, Senior Assistant, O/o Director, Local Govt., Punjab comes present in person before the Bench and states that the RTI application of the appellant stands transferred to PIO Municipal Council, Khanna.

4. Neither the PIO O/o Executive Officer, Municipal Council, Khanna has come present in person before the Bench nor through cisco webex nor he has sent any intimation in this regard. This attitude of the PIO is viewed adversely. As such, the PIO is issued show cause notice to explain his absence and explain 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, however, directed to comply with the directions of the Bench given during the previous hearing and ensure to provide the information to the appellant before the next hearing. The PIOs concerned are also directed 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 01.02.2023 at 11.30 AM in Commission's office at Chandigarh.** Copies of the order be sent to the concerned parties.

**Chandigarh
24.01.2023**

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

Copy to (By Regd. Post:

PIO O/o Executive Officer, Municipal Council, Khanna, Distt. Ludhiana.

PS: An e.mail dated 24.11.2023 has been received from the Executive Officer, Municipal Council, Khanna after the hearing, vide which he has informed that the hearing could not be attended as the entire staff has been detailed for duty in connection with the Republic Day on 26th January, 2023 and thus, has requested for another date of hearing.