

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
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Sh. Dhiraj Kumar Kathuria,
3-D, Rajguru Nagar, Ludhiana – 141012

....Appellant

V/s

Public Information Officer,
O/o Food Safety Department,
O/o Civil Surgeon, Ludhiana

First Appellate Authority,
O/o District Health Officer, O/o
Civil Surgeon, Ludhiana

...Respondents

Appeal Case No. 286 of 2023

Present : (i) Sh. Dhiraj Kumar Kathuria the appellant
(ii) For the respondent : None is present on behalf of the respondent

ORDER

1. The RTI application is dated 01.09.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 03.01.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 21.02.2023 in the Commission.
3. The appellant states that no information has been given to him so far.
4. The respondent is absent today.
5. After hearing the appellant and examining the case file, it is observed that the appellant filed RTI on 01.09.2022 with the PIO, o/o Food Safety Department, Civil Surgeon, Ludhiana, but after lapse of more than five months, no information has been given to the appellant so far. This shows that the respondent has no regard for the orders issued by the Commission. This is crux of law.
6. In view of the above, **PIO- O/o Civil Surgeon, Ludhiana is directed** to show cause in writing or through affidavit under Section 20(1) of the RTI Act, as to why penalty be not imposed upon him for willful delay/ denial of the information to the RTI applicant and

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why the compensation be not awarded to the complainant under Section 19 (8)(b) of the Act for detriment suffered.

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.

7. To come up on **17.03.2023 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Date :21st February, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab