

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
Helpline No. 0172-2864100



Deepak
C/o Sh. Ashwini Kumar Goyal,
H. No. 807, Sector 16 – D,
Chandigarh
(M. – 9915746258)

.... **Complainant**

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council,
Kharar (Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
S .A. S. Nagar(Mohali)(Punjab)

...Respondents

Complaint Case No.487 of 2022
Converted in Appeal-case

Present : Sh. Deepak , the **complainant** in person.
None on behalf of the respondent.

ORDER

The abovementioned case was remanded back to the First Appellate Authority vide orders dated 29.08.2022, with directions to treat the same as First Appellate Authority and decide the matter in accordance with the provisions of the RTI Act. Further, the Complainant was also given a liberty to file a second Appeal if he is not satisfied with the decision of the First Appellate Authority. Hence, the complainant filed an application vide Commission diary no. 23746 dated 18.10.2022 under Second Appeal, Stating that the respondent has provided him incomplete information. Considering the same, notice of hearing was issued to the parties in CC: 487 of 2022 converted to Appeal case – 487 of 2022 for 19.12.2022 i.e. today.

2. Today, neither the respondent PIO nor any of his representative is present in today's hearing.

3. After examining the documents placed on record, it is found that the notice of hearing issued by the Commission vide letter no. 272368 dated 16.11.2022 in the name of

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the Public Information Officer office of Executive Officer, Nagar Council, Kharar has been received back in the office of the Commission as 'undelivered' through Diary No. 26792 dated 21.11.2022. It is taken on record.

4. After examining the documents placed in the case-file, it is found that the respondent PIO through a reply vide letter no. 99 dated 16.06.2022, has intimated the Commission that the information sought through the RTI request is 'third party' information.

5. The complainant, Sh. Deepak , who appeared in person in today's hearing, states that no information has been given to him till date. Moreover, the information demanded by him is not third party as he himself is residing in 'Sunny Enclave' and one of the house owner .

6. In view of the foregoing, **a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer office of Executive Officer, Nagar Council, Kharar, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.**

7. 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 in the office of State Information Commission, Punjab, Chandigarh, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post.

8. **Adjourned to 16th January, 2023 at 12:00 P. M. for further hearing in the Commission.**
Copies of the orders be sent to the parties.

Date :19th December, 2022

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