

PUNJAB STATE INFORMATION COMMISSION
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Navtej Kumar, (M.-9876609455)
S.C.O. No. 52 – B,
New Defence Colony,
Behind Lucky Dhaba,
Zirakpur (Punjab)

....Appellant

V/s

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

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

...Respondents

Appeal Case No. 4536 of 2022

Present : (i) Sh Navtej Kumar, Appellant

(ii) **For the Respondent** : Sh Lakhvir Singh, Buiding Inspector (991418000) and
Sh Gulshan Mehta, Counsel for the Respondent (9876468637)

ORDER

1. The RTI application is dated 15.03.2022 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 29.09.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 18.11.2022 in the Commission.
3. Sh Gulshan Mehta - Counsel for the Respondent states that the information sought by the Appellant is not available in their official record and that they have sent their reply regarding the same to the Appellant.



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4. The Appellant states that he Respondent-PIO has not sent any information /reply to him within the time period, as prescribed under the RTI Act. Further, he also states that the First Appellate Authority (FAA) O/o ADC (UD) SAS Nagar, Mohali has also mentioned in their orders dated 02.08.2022 that the information has been sent to him vide letter no. 655 dated 10.06.2022 by the Respondent. He demands that the copy of letter no. 655 dated 10.06.2022 be provided to him.

5. After hearing both the parties and perusing the case file, it is ascertained that the Respondent-PIO states that the information is not available in their official record. Hence, the Respondent-PIO is directed to file their reply stating the same, on affidavit on the next date of hearing. *Further, the FAA O/o ADC (UD) is directed to provide copy of letter no. 655 dated 10.06.2022 as mentioned in their orders dated 02.08.2022.*

6. Regarding delay in providing the information, it is observed that there is glaring systemic deficiencies in the office of MC, Zirakpur. Appropriate mechanism has not been provided to keep the record properly by the public authority due to which the information / request under RTI Act, 2005 are not being served properly. *However, the Respondent is warned to be careful in future while dealing with the RTI applications.*

7. To come up on **19.12.2022 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Sd/-

Date : 18.11.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab