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Raghubir Singh,

S/o Sh. Hira Singh, # 13/469, Street No. 3, Sardar Nagar, District Moga-142001

Versus

Public Information Officer,

o/o Senior Superintendent of Police, G.T. Road, District Moga.

Complaint Case No. 535 of 2020 (Video Conference Proceedings)

PRESENT:

Raghubir Singh (Complainant) 98725-95804 SI, Balwinder Singh (for the Respondent) 97800-04040 ASI Surinderpal Singh, (for the respondent) 80541-24600

ORDER:

(To be read in continuity with earlier orders on 24.9.2020)

1. The complainant, Raghubir Singh, filed this RTI application dated **29.6.2020** and sought information <u>CCTV Cameras installed in Thana Sadar, Moga</u>, from the PIO o/o Moga. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **14.8.2020**. The case was last heard on **24.9.2020**.

2. Both the parties are present through Video Conference in the DC office at Moga. The respondent PIO, represented by SI Balwinder Singh, additional SHO Police Station Sadar and ASI Surinderpal Singh of the RTI branch, office of SSP Moga, as directed at the last hearing, have submitted a copy of the reply sent to the Complainant on 9.9.2020. In this, exemption from disclosure is sought under Section 8(1)(h) of the RTI Act. As per their contention, the matter is pertaining to the RTI application is under investigation.

3. The respondent now states that the investigation is over and has been filed in the Court. However, pertaining to the request for CCTV footage in the RTI application, the respondent states that all the CCTV Cameras footage is automatically deleted after 18 days and therefore, not available any more. The Complainant contested this stating that he had specifically requested the SSP Moga to preserve the CCTV footage cited in his RTI application.

4. Under the circumstances, this Commission directs the respondent PIO-cum-SSP, Moga, to submit a duly Notarized Affidavit responding to each of the 5 points in this RTI application. The affidavit must also clearly give the status of the CCTV footage including the contention made at today's hearing that all CCTV footage gets automatically deleted after 18 days. This is to be submitted within the next 15 days. The original Affidavit is to be handed over to the Complainant either by hand or by Registered Post. A copy of the same is to be emailed to this Commission along with the Complainant's receiving/copy of postal receipts and dispatch register.

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Complaint Case No. 535 of 2020 (Video Conference Proceedings)

5. **IMPORTANT!** All information/documents supplied must be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority date

6. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office</u> of Deputy Commissioner, Moga.

Sd/-(ASIT JOLLY) State Information Commissioner

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Kadambini,

4125, Abohar Road, Muktsar-152026

Versus

Public Information Officer, o/o President, The Muktsar Club, Muktsar. First Appellate Authority, o/o Deputy Commissioner, Muktsar.

Appeal Case No. 1233 of 2020 (Video Conference Proceedings)

PRESENT:

Ms. Kadambini (Appellant) 9814206385. Rakesh Kumar,GM (for the respondent)-8847270034.

ORDER:

(To be read in continuity with earlier orders on 23.7.2020 and 24.9.2020)

1. The RTI application is dated **7.11.19** vide which the appellant has sought <u>information regarding</u> <u>Muktsar Club, Muktsar</u>, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **12.12.2019**, and second appeal was filed in the Commission on **20.4.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **24.9.2020**.

2. Both the parties are present through Video Conference in the office DC,Muktsar Sahib. The respondent PIO, represented by Rakesh Kumar, Manager Muktsar Club, has handed over the information pertaining to point 1, 2 and 4 of the RTI application. He has stated that the information requested at point 3, 5 and 6 is not available in his office. The respondent PIO is directed to submit an Affidavit responding to each of the 6 points of this RTI application clearly stating what information has been supplied and giving reasons why some information cannot be supplied. The original Affidavit is to be handed over to the appellant and copy of the same is to be emailed to this Commission by 15.1.2020.

3. **IMPORTANT!** All information/documents supplied must be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority date

4. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office of Deputy</u> <u>Commissioner, Muktsar Sahib.</u>

Sd/-(ASIT JOLLY) State Information Commissioner Chandigarh 12.11.2020

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Sunil Kumar,

S/o Lekh Raj, # 1350/9, Gali Gujran Wali, Chowk Baba Sahib, Amritsar.

Versus

Public Information Officer, o/o Police Commissioner,

Ludhiana. First Appellate Authority, o/o Police Commissioner, Ludhiana.

Appeal Case No. 745 of 2019 (Video Conference Proceedings)

PRESENT: (Appellant) Absent. Goldy Virdi (For the Respondent) 94177-00492

ORDER:

(To be read in continuity with earlier orders on 14.2.2020 and 23.9.2020)

1. The RTI application is dated **7.8.18** vide which the appellant has sought information regarding complaint by Mrs. Pooja D/o Ashok Kumar dated 29.9.14 UID No. 600878, dated **30.9.14** and UID No. 756998 dated: 15.6.15 against her husband and others, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **13.9.18** and second appeal was filed in the Commission on **18.2.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.9.2020**.

2. The appellant is absent but he has made a detailed written submission to this Commission. The respondent PIO represented by SI Goldy Virdi from the office of the Commissioner of Police Ludhiana, has once again stated that the record pertaining to UID 600878 dated 30.9.2014 has been destroyed and so not available. The appellant has pointed out in his submission to this Commission that his RTI application has been pending since 7.8.2018 when the requisite record pertaining to this UID No. 600878 was still available.

3. This Commission finds it strange that despite the pendency of this RTI application as well as the appeal in this Commission, the respondent failed to preserve the requested record.

4. The respondent has also stated that the record pertaining to second UID 756998 dated 15.6.2015 is available with the Women Cell, Ludhiana. The respondent PIO-cum-DCP, Ludhiana is directed to retrieve all the available record pertaining to UID No.756998 dated 15.6.2015 from the Women Cell, make legible photocopies and supply this to the appellant Sunil Kumar after duly attesting each and every page.

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Appeal Case No. 745 of 2019 (Video Conference Proceedings)

5. **IMPORTANT!** All information/documents supplied must be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority date

6. The respondent PIO is to hand over the aforesaid record to the appellant in person and email a copy of the appellant's receiving to this Commission within the next 10 days.

7. The respondent PIO-cum-DCP, Ludhiana is also directed to submit a duly Notarized Affidavit stating that the record pertaining to UID No.600878 dated 30.9.2014 has in fact been destroyed. He is also to state that the norms adopted by the office for Commissioner of Police, Ludhiana for destruction of record pertaining to investigation of complaints and whether such norms were followed for the aforesaid record pertaining to UID 756998. The original Affidavit is to be handed over to the appellant and a copy of the same is to be sent to this Commission before the next hearing.

8. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.</u>

Sd/-(ASIT JOLLY) State Information Commissioner

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Krishan Lal (advocate), S/o Sh. DarshanLal, # B1/171, Mohalla Chaudhrian, Near Shiv Mandir, Tehsil Phillaur, District Jalandhar.

Versus

Public Information Officer, o/o Police Commissioner, Ludhiana. First Appellate Authority, o/o Police Commissioner, Ludhiana.

Appeal Case No. 2784 of 2019 (Video Conference Proceedings)

PRESENT : Appellant (Absent) Inspector Goldy Virdi(For the respondent)9417700492 ASI, Jawala Parshad(for the respondent .9855783289.

ORDER:

(To be read in continuity with earlier orders on **5.9.19**, **25.9.19**, **6.11.19**, **27.12.19**, **19.2.2020**, **and 23.9.2020**)

1. The RTI application is dated **8.4.19** vide which the appellant has sought information **regarding complaint against ASI Jawala Parshad** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **15.5.19**, and second appeal was filed in the Commission on **10.7.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.9.2020**.

2. The appellant is absent but has informed this Commission of his inability to attend this hearing. The respondent PIO, represented by Inspector Goldy Virdi, office of Commissioner fo Police, Ludhiana and ASI, Jawala Parshad, stated that the information has already been provided to the appellant by Registered Post. However, in light of the appellant's contention, the respondent PIO is directed to submit a pointwise written reply to the RTI application as well as the information supplied to the appellant earlier.

3. This RTI application has been pending since 8.4.2019 and the respondent PIO is advised that this is his final opportunity to address this information request to the satisfaction of this Commission and appellant. Failing this, penal action will be initiated as per the RTI Act, 2005.

4. IMPORTANT! All information/documents supplied must be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority date

contd. ...2

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Appeal Case No. 2784 of 2019 (Video Conference Proceedings)

5. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.</u>

Sd/-(ASIT JOLLY) State Information Commissioner

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Rohit Sabharwal, President,

S/o Vijay Sabharwal, Kundan Bhawan, 126, Model Gram, Ludhiana.

Versus

Public Information Officer,

Greater Ludhiana Area Development Authority, Ferozepur Road, Ludhiana – 141 001. **First Appellate Authority**, O/o Additional Chief Administrator, PUDA Complex, Near Rajguru Nagar, Ferozpur Road, Ludhiana – 141 001.

Appeal Case No. 983 of 2020 (Video Conference Proceedings)

PRESENT: (Appellant) Absent. Gagandeep Singh (Respondent) 84278-87544

ORDER: (To be read in continuity with earlier orders on **23.9.2020**)

1. The RTI application is dated **23.10.2019** vide which the appellant has sought information **regarding showing the name of the Transparency Officer designated by public authority**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **29.11.2019** and second appeal was filed in the Commission on **3.3.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.9.2020**.

2. The appellant is absent but has made a written submission to this Commission through his Advocate Surinder Kaur vide her email dated 11.11.2020.

3. The respondent PIO-cum-ATP, Gagandeep Singh stated that he has recently joined as PIO and so requested some time to submit a proper reply in this appeal case. The respondent PIO is directed to file a written, pointwise reply along with the information sought in this RTI application dated 23.10.2019. The reply/information must be sent to the appellant with a copy to this Commission before the next hearing.

4. IMPORTANT! All information/documents supplied must be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority date

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Appeal Case No. 983 of 2020 (Video Conference Proceedings)

5. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office</u> of Deputy Commissioner, Ludhiana.

Sd/-(ASIT JOLLY) State Information Commissioner

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Amarjit Singh Dhamotia,

Whistle Blower Social Worker, District President, # 60-35-P-330, Street No. 8, Maha Singh Nagar, Post Office Dhandari Kalan, Ludhiana – 141 014

Versus

Public Information Officer,

o/o Chief Administrator, Greater Ludhiana Area Development Authority (GLADA), Ludhiana. **First Appellant Authority,** o/o Chief Administrator, Greater Ludhiana Area Development Authority (GLADA), Ludhiana.

Appeal Case No. 1176 of 2020 (Video Conference Proceedings)

PRESENT: Amarjit Singh Dhamotia(Appellant) 9888490031. Gurmeet Singh Brar (Respondent)

ORDER:

(To be read in continuity with earlier orders on 23.9.2020)

1. The RTI application is dated **7.12.2019**, vide which the appellant has sought information **regarding Illegal Colonies on Rania Road**, Ludhiana etc. as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **8.1.2019** and second appeal was filed in the Commission on **19.3.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.9.2020**.

2. Both the parties are present through video conference in the DC office at Ludhiana. The respondent PIO, represented by Gurmeet Singh Brar, APIO-cum-ATP, stated that the requested information was sent to the appellant first on 6.2.2020 and second reply was sent on 16.8.2020, whereby the appellant was invited to inspect the record in the office. The appellant, however, stated that even though he visited the office of GLADA a number of times, he was not given adequate excess to the requested record. He also stated that he has not received the reply/information stated to have been sent by the respondent on 6.2.2020.

3. The respondent PIO is directed to hand over a duly attested copy of the reply sent to the appellant on 6.2.2020. He is also directed to send copies of his reply of 6.2.2020 and 10.7.2020 to this Commission before the next hearing.

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Appeal Case No. 1176 of 2020 (Video Conference Proceedings)

4. **IMPORTANT!** All information/documents supplied must be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority date

5. Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.

Sd/-(ASIT JOLLY) State Information Commissioner

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Amarjit Singh Dhamotia,

Whistle Blower Social Worker, District President, # 60-35-P-330, Street No. 8, Maha Singh Nagar, Post Office Dhandari Kalan, Ludhiana – 141 014

Versus

Public Information Officer,

o/o Chief Administrator, Greater Ludhiana Area Development Authority (GLADA), Ludhiana. **First Appellant Authority,** o/o Chief Administrator, Greater Ludhiana Area Development Authority (GLADA), Ludhiana.

Appeal Case No. 1177 of 2020 (Video Conference Proceedings)

PRESENT:

Amarjeet Singh Dhamotia(Appellant) 9888490031. Gurmeet Singh Brar, APIO-Cum-ATP (for the Respondent) 81465-00303

ORDER:

(To be read in continuity with earlier orders on 23.9.2020)

1. The RTI application is dated **7.12.2019**, vide which the appellant has sought information **regarding Illegal Colonies in Village Sangowal**, Ludhiana etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **8.1.2019** and second appeal was filed in the Commission on **19.3.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.9.2020**.

2. Both the parties are present through Video conference in the DC office at Ludhiana. The respondent PIO, represented by Gurmeet Singh Brar, APIO-Cum-ATP, stated that he is missing copies of both this appeal case as well as the RTI filed by the appellant. This Commission is to send him copies of both the second appeal, first appeal to the FAA and original RTI application via email with the direction that he must submit a detailed pointwise reply to the RTI application along with the requested information before the next date of hearing.

3. IMPORTANT! All information/documents supplied must be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority date

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Appeal Case No. 1177 of 2020 (Video Conference Proceedings)

4. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.</u>

Sd/-(ASIT JOLLY) State Information Commissioner

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Jasbir Singh,

S/o Gurbaksh Singh, Village Bholapur, Jhabewal, Post Office Ramgarh, District Ludhiana.

Versus

Public Information Officer,

o/o Chief Administrator, Greater Ludhiana Area Development Authority (GLADA, District Ludhiana. **First Appellant Authority,** o/o Chief Administrator, Greater Ludhiana Area Development Authority (GLADA), District Ludhiana.

Appeal Case No. 1849 of 2020 (Video Conference Proceedings)

PRESENT: Jasbir Singh (Appellant) 9888296107. Gurmeet Singh Brar, APIO-Cum-ATP (for the Respondent) 81465-00303

ORDER:

1. The RTI application is dated **11.11.19** vide which the appellant has sought <u>information</u> <u>regarding a complaint submitted on **11.9.19**</u>, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **27.1.2020**, and second appeal was filed in the Commission on **13.7.2020** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **12.11.2020**.

2. Both the parties are present through Video conference facility in the DC office at Ludhiana. The respondent PIO, represented by Gurmeet Singh, APIO-Cum-ATP, said that he was not in possession of either this Commission's notice or the original RTI application. The appellant Jasbir Singh is requested to hand over copy of his appeal to this Commission as well as RTI application to the respondent.

3. The respondent PIO is directed to file a written, pointwise reply of the RTI application along with the requested information before the next hearing.

4. IMPORTANT! All information/documents supplied must be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority date

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Appeal Case No. 1849 of 2020 (Video Conference Proceedings)

5. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office</u> of Deputy Commissioner, Ludhiana.

Sd/-(ASIT JOLLY) State Information Commissioner

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Jasbir Singh,

S/o Gurbaksh Singh, Village Bholapur, Jhabewal, Post Office Ramgarh, District Ludhiana.

Versus

Public Information Officer,

o/o Chief Administrator, Greater Ludhiana Area Development Authority (GLADA, District Ludhiana. **First Appellant Authority,** o/o Chief Administrator, Greater Ludhiana Area Development Authority (GLADA, District Ludhiana.

Appeal Case No. 1873 of 2020 (Video Conference Proceedings)

PRESENT: Jasbir Singh (Appellant) 9888296107. Gurmeet Singh Brar, APIO-Cum-ATP (for the Respondent) 81465-00303

ORDER:

1. The RTI application is dated **18.11.19** vide which the appellant has sought <u>information</u> <u>regarding a complaint submitted on 30.9.2019</u>, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **27.1.2020**, and second appeal was filed in the Commission on **14.7.2020** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **12.11.2020**.

2. Both the parties are present through Video conference in the DC office at Ludhiana. The respondent PIO, represented by Gurmeet Singh, APIO-Cum-ATP, said that he was not in possession of either this Commission's notice nor the original RTI application. The appellant Jasbir Singh was requested to hand over copies of his appeal to this Commission as well as the RTI application, to the respondent.

3. The respondent PIO is directed to file a written, pointwise reply of the RTI application along with the requested information before the next hearing.

4. **IMPORTANT!** All information/documents supplied must be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority date

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Appeal Case No. 1873 of 2020 (Video Conference Proceedings)

5. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office</u> of Deputy Commissioner, Ludhiana.

Sd/-(ASIT JOLLY) State Information Commissioner

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REGISTERED

Kamaljeet Singh,

S/o Gurcharan Singh, VPO Kalakh, Tehsil & District Ludhiana

Versus

Public Information Officer,

o/o Sub Divisional Officer, Punjab State Power Corporation Limited (PSPCL), Narangwal, District Ludhiana. **First Appellant Authority,** o/o Chief Engineer, Punjab State Power Corporation Limited (PSPCL), Ludhiana.

Appeal Case No. 1019 of 2020 (Video Conference Proceedings)

PRESENT: (Appellant) Absent (Respondent) Absent.

ORDER: (To be read in continuity with earlier orders on **23.9.2020**)

1. The RTI application is dated **21.11.2019** vide which the appellant has sought information regarding permission granted to Assistant Lineman Sital Singh for purchase of house, motorcycle etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **27.12..2019** and second appeal was filed in the Commission on **5.3.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.9.2020**.

2. Both parties are absent. The respondent PIO is however, absent for the second time without any intimation and has neither bothered to reply to this RTI application or this Commission's Notice of 22.1.2020

3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on **21.11.2019**.

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provisio there to, for a personal hearing before the imposition of such penalty on the next

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Appeal Case No. 1019 of 2020 (Video Conference Proceedings)

date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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.*"

4. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.</u>

Sd/-(ASIT JOLLY) State Information Commissioner

Chandigarh 12.11.2020

<u>Cc</u>: Chief Engineer, Punjab State Power Corporation Limited (PSPCL), Ludhiana, for information and further necessary action.

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REGISTERED

Jaipal Singh, S/o Nihal Chand, # 22, Inder Vihar Colony, Near Bala Ji Mandir, Noorwala Road, Ludhiana.

Versus

Public Information Officer,

o/o Chief Engineer, Punjab State Power Corporation Limited (PSPCL), East Division, Ferozepur Road, Ludhiana. **First Appellant Authority,** o/o Chief Engineer, Punjab State Power Corporation Limited (PSPCL), East Division, Ferozepur Road, Ludhiana.

Appeal Case No. 1040 of 2020 (Video Conference Proceedings)

PRESENT: Deepti Saluja, Advocate (for the Appellant) 98820-3328 (Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 23.9.2020)

1. The RTI application is dated **16.9.2019**, vide which the appellant has sought information **regarding the PSPCL**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **31.10.19** and second appeal was filed in the Commission on **6.3.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **23.9.2020**.

2. The respondent PIO is absent for the second time without intimation to this Commission. He has neither bothered to submit any reply to the RTI application dated 16.9.2019 and nor has filed any reply to this Commission's Notice of 22.6.2020.

3. The respondent PIO (give designation and name if available) is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing wilful delay/denial of the information requested by the appellant as far back as on **16.9.2019**.

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provisio there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the 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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Appeal Case No. 1040 of 2020 (Video Conference Proceedings)

4. <u>Next hearing on 15.1.2021 at 12.00 pm through Video Conference Facility in the office of Deputy Commissioner, Ludhiana.</u>

Sd/-(ASIT JOLLY) State Information Commissioner

Chandigarh 12.11.2020

<u>Cc</u>: Chief Engineer, Punjab State Power Corporation Limited (PSPCL), East Division, Ferozepur Road, Ludhiana, for information and further necessary action.