

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Madhya Marg, Sector 16, Chandigarh.

Ph: 0172-2864111, Visit us @ www.infocommpunjab.com,

Email: psic21@punjabmail.gov.in



Gagnish Singh Khurana,

S/o Mohinder Singh Khurana,

180/B-XXIII, Tej Nagar, Bagh Suffian,

District Ludhiana – 141 003

Versus

Public Information Officer,

o/o Divisional Forest Officer,

H-J, 693, New Professor Colony,

Opposite West End Mall, Ferozepur Road,

District Ludhiana-141012

First Appellate Authority,

o/o Conservator of Forests,

South Circle, Opposite District Jail,

District Patiala-147001

Appeal Case No. 3946 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Paramjit Kaur, Senior Assistant (for the Respondent) 81463-16300

ORDER:

(To be read in continuity with earlier orders on 5.3.2021)

1. The RTI application is dated **23.7.2020** vide which the appellant has sought information **regarding the action plan for 'Clean Air Ludhiana'**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **2.9.2020**, and second appeal was filed in the Commission on **8.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.3.2021**.

2. The appellant is absent without intimation. The respondent PIO, represented by Paramjit Kaur, Senior Assistant through Video Conference Facility from Ludhiana has, as directed by this Commission at the last hearing, sent a point-wise reply along with several pages by way of information. On examining the same, it was found that none of the pages supplied have been attested as directed by this Commission.

3. The respondent PIO is directed to make a fresh set of the information given and attest in the format given in this Commission's order of 5.3.2021 and send it to the appellant by Registered Post with a copy to this Commission.

4. **Next hearing on 3.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.7.2021

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Surjit Singh,

S/o Kulvir Singh,

2990/76, Street No. 4,

Guru Gobind Singh Nagar, Near Mair Di Chakkit,

Post Office Daba, District Ludhiana – 141 003

Versus

Ashok Garg,

Public Information Officer (Headquarters),

o/o Commissioner,

Municipal Corporation,

Ludhiana.

First Appellate Authority,

o/o Commissioner,

Municipal Corporation,

Ludhiana.

Appeal Case No. 3706 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Ajay Kumar, Building Inspector, Zone-A (for the Respondent) 98762-99511

Harjeet Singh, Draftsman, Zone-D (for the Respondent) 98762-99511

Dola Ram, Clerk (for the Respondent) 98141-66090

ORDER:

(To be read in continuity with earlier orders on 5.3.2021)

1. The RTI application is dated **28.8.2020** vide which the appellant has sought information **regarding vehicle dealerships in Zone-A,B,C and D**, as enumerated in his RTI application.

First appeal was filed with the First Appellate Authority (FAA) on **28.9.2020**, and second appeal was filed in the Commission on **24.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.3.2021**.

2. The appellant is absent. The respondent PIO, represented by Ajay Kumar, Building Inspector from Zone-A, Harjeet Singh, Draftsman from Zone-D, Dola Ram, Clerk, are present through Video Conference Facility from Ludhiana, have stated that as directed by this Commission, the requested information pertaining to all 4 Zones have been sent to the PIO (Headquarters). **Ashok Garg**, PIO (Headquarters) is given one more opportunity to combine the information received from all 4 Zones and send it after attesting all pages along with a covering letter under his signatures, to the appellant with a copy to this Commission.

3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily 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. 3706 of 2020 (Video Conference Proceedings)

4. Next hearing on 3.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.7.2021

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Rohit Sabharwal,
S/o Vijay Sabharwal,
126, Model Gram,
District Ludhiana – 141 002

Versus

Public Information Officer (Headquarters),

o/o Municipal Corporation,
Ludhiana.

First Appellate Authority,

o/o Municipal Corporation,
District Ludhiana.

Appeal Case No. 3809 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Harwinder Singh, SDO from Zone-A (for the Respondent) 97800-39445

Kulwinder Singh, SDO, Zone-C (for the Respondent) 98888-97201

Ankush Sharma, Junior Engineer from Zone-D (for the Respondent) 79866-05351

ORDER:

(To be read in continuity with earlier orders on 5.3.2021)

1. The RTI application is dated **8.8.2020** vide which the appellant has sought information **regarding roads in Ludhiana**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **17.9.2020**, and second appeal was filed in the Commission on **4.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.3.2021**.

2. The appellant is absent. The respondent PIO, represented by Harwinnder Singh, SDO from Zone-A, Kulwinder Singh, SDO from Zone-D, and Ankush Sharma, Junior Engineer from Zone-D, are present through Video Conference Facility from Ludhiana have stated that as directed by this Commission, the requested information pertaining to all 4 Zones have been sent to the PIO (Headquarters). Ashok Garg, PIO (Headquarters) is given one more opportunity to combine the information received from all 4 Zones and send it after attesting all pages along with covering letter under his signatures, to the appellant with a copy to this Commission.

3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily 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. 3809 of 2020 (Video Conference Proceedings)

4. **Next hearing on 3.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.7.2021

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Rohit Sabharwal,
S/o Vijay Sabharwal,
126, Model Gram,
District Ludhiana – 141 002

Versus

Public Information Officer (Headquarters),

o/o Municipal Corporation,
Ludhiana.

First Appellate Authority,

o/o Municipal Corporation,
Ludhiana.

Appeal Case No. 3811 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Harwinder Singh, SDO from Zone-A (for the Respondent) 97800-39445

Harjeet Singh, SDO from Zone-B (for the Respondent) 97800-39453

Kulwinder Singh, SDO, Zone-C (for the Respondent) 98888-97201

Ankush Sharma, Junior Engineer from Zone-D (for the Respondent) 79866-05351

ORDER:

(To be read in continuity with earlier orders on 5.3.2021)

1. The RTI application is dated **16.7.2020** vide which the appellant has sought information **regarding Speed Breakers in Ludhiana**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **24.8.2020**, and second appeal was filed in the Commission on **4.12.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.3.2021**.

2. The appellant is absent without intimation. The respondent PIO, represented by Harwinder Sindh, SDO from Zone-A, Harjeet Singh, SDO from Zone-B, Kulwinder Singh, SDO from Zone-C, and Ankush Sharma, Junior Engineer from Zone-d, present through Video Conference Facility from Ludhiana, stated that the information has been received by the appellant's lawyer Sukhjinder Kaur and she has signed her receiving.

3. The respondents are directed to email a scanned copy of the receiving by the appellant's lawyer, to this Commission at the earliest.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily 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. 3811 of 2020 (Video Conference Proceedings)

5. Next hearing on 3.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.7.2021

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REGISTERED SHOW CAUSE NOTICE

Mohit Garu

S/o Dalip Kumar,

B-2/698/6-E,

Chhawani Mohalla,

District Ludhiana-141008

Versus

Public Information Officer,

o/o Commissioner,

Municipal Corporation,

Ludhiana.

First Appellate Authority,

o/o Commissioner, Municipal Corporation,

Ludhiana.

Appeal Case No. 3599 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 5.3.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant, who is a student, has sought information **regarding temporary workers etc. in Zone-B wards between 2017 and 2020 in five points.** as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and Second Appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.3.2021**.

2. The respondent PIO is absent without intimation. He is also failed to comply with this Commission's directions to submit point-wise reply to each of the point of this RTI application. Under the circumstances, this Commission deems it fit to serve him with this Show Cause Notice.

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 willful delay/denial of the information requested by the appellant as far back as on **29.7.2020**.

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision 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*." Copies of this order be sent to the parties through registered post.

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Appeal Case No. 3599 of 2020 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily 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 3.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.7.2021

Cc: Commissioner,
Municipal Corporation, Ludhiana, for information and further necessary action.

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REGISTERED SHOW CAUSE NOTICE

Mohit Garu

S/o Dalip Kumar,

B-2/698/6-E,

Chhawani Mohalla,

District Ludhiana – 141 008

Versus

Public Information Officer,

o/o Commissioner,

Municipal Corporation,

Ludhiana.

First Appellate Authority,

o/o Commissioner,

Municipal Corporation,

Ludhiana.

Appeal Case No. 3600 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 5.3.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant, who is a student, has sought information regarding workers etc in Zone-A wards, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and second appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.3.2021**.

2. The respondent PIO is absent without intimation. He is also failed to comply with this Commission's directions to submit point-wise reply to each of the point of this RTI application. Under the circumstances, this Commission deems it fit to serve him with this Show Cause Notice.

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 willful delay/denial of the information requested by the appellant as far back as on **29.7.2020**.

Contd. ...2

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Appeal Case No. 3600 of 2020 (Video Conference Proceedings)

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision 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*.” Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily 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 3.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.7.2021

Cc: Commissioner,
Municipal Corporation, Ludhiana, for information and further necessary action.

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Mohit Garu, S/o Dalip Kumar,
B-2/698/6-E,
Chhawani Mohalla,
District Ludhiana – 141 008

Versus

Public Information Officer,
Municipal Commissioner,
District Ludhiana.

Public Information Officer,
o/o Commissioner,
Municipal Corporation,
District Ludhiana.

First Appellate Authority,
o/o Commissioner, Municipal Corporation,
District Ludhiana.

Appeal Case No. 3602 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717

Balwinder Singh, PIO-cum-SDO, Zone-B (for the Respondent) 96460-57981

ORDER:

(To be read in continuity with earlier orders on 5.3.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant has sought information **regarding the staff in the O&M Branch of Zone-D**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and second appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.3.2021**.

2. Both the parties are present through Video Conference Facility from Ludhiana. The respondent PIO-cum-SDO from Zone-B, Balwinder Singh, stated that the information has been supplied to the appellant. The appellant is however, not satisfied and continues to claim deficiencies. The information requested in this RTI application pertains to regular and irregular employees of Municipal Corporation, Ludhiana. The information regarding employees, their designation, salaries, etc is part of mandatory proactive disclosure of all public authorities as per Section 4 of the RTI Act 2005, which reads as under:

4. Obligations of public authorities.—

(1) Every public authority shall—

(a) maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated;

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Appeal Case No. 3602 of 2020 (Video Conference Proceedings)

(b) publish within one hundred and twenty days from the enactment of this Act,—

(i) the particulars of its organisation, functions and duties;

(ii) the powers and duties of its officers and employees;

(iii) the procedure followed in the decision making process, including channels of supervision and accountability;

(iv) the norms set by it for the discharge of its functions;

(v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;

(vi) a statement of the categories of documents that are held by it or under its control;

(vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;

(viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;

(ix) a directory of its officers and employees;

(x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;

(xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;

(xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

(xiii) particulars of recipients of concessions, permits or authorisations granted by it;

(xiv) details in respect of the information, available to or held by it, reduced in an electronic form;

(xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;

(xvi) the names, designations and other particulars of the Public Information Officers;

(xvii) such other information as may be prescribed, and thereafter update these publications every year;

(c) publish all relevant facts while formulating important policies or announcing the decisions which affect public;

(d) provide reasons for its administrative or quasi judicial decisions to affected persons.

(2) It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information suo motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.

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Appeal Case No. 3602 of 2020 (Video Conference Proceedings)

(3) For the purpose of sub-section (1), every information shall be disseminated widely and in such form and manner which is easily accessible to the public.

(4) All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible, to the extent possible in electronic format with the Central Public Information Officer or State Public Information Officer, as the case may be, available free or at such cost of the medium or the print cost price as may be prescribed. Explanation.—For the purposes of sub-sections (3) and (4), “disseminated” means making known or communicated the information to the public through notice boards, newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority.

3. This Commission impleads the Commissioner, Municipal Corporation Ludhiana and directs him to upload a complete Directory of all Officers and regular and irregular employees of the Municipal Corporation along with details of their remuneration, system of compensation etc. (excluding any details that qualify as personal information), on the official website of the Municipal Corporation Ludhiana. This is to enforce compliance with Section 4 of the RTI Act, 2005. The above must be completed within the 3 months of receiving this order. Details of employees and other disclosures under Section 4 must also be updated biannually. The Commissioner, Municipal Corporation, Ludhiana is directed to convey compliance of this order to this Commission, no more than 3 months from the date of receiving this order.

5. **Next hearing on 3.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
2.7.2021

Cc: Commissioner, Municipal Corporation Ludhiana for compliance.

PUNJAB STATE INFORMATION COMMISSION

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Madhya Marg, Sector 16, Chandigarh.

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Email: psic21@punjabmail.gov.in



REGISTERED SHOW CAUSE NOTICE

Mohit Garu, S/o Dalip Kumar,
B-2/698/6-E,
Chhawani Mohalla,
District Ludhiana – 141 008

Versus

Public Information Officer,
o/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority,
o/o Commissioner,
Municipal Corporation,
Ludhiana.

Appeal Case No. 3603 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 5.3.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant has sought information **regarding sweepers working ward-wise in Zone-D, in five points**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and second appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.3.2021**.

2. The respondent PIO is absent without intimation. He is also failed to comply with this Commission's directions to submit point-wise reply to each of the point of this RTI application. Under the circumstances, this Commission deems it fit to serve him with this **Show Cause Notice**.

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 willful delay/denial of the information requested by the appellant as far back as on **29.7.2020**.

Contd....2

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Appeal Case No. 3603 of 2020 (Video Conference Proceedings)

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision 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*.” Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily 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 3.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.7.2021

Cc: Commissioner,
Municipal Corporation,
District Ludhiana, for information and further necessary action.

PUNJAB STATE INFORMATION COMMISSION

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Madhya Marg, Sector 16, Chandigarh.

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REGISTERED SHOW CAUSE NOTICE

Mohit Garu, S/o Dalip Kumar,
B-2/698/6-E,
Chhawani Mohalla,
District Ludhiana – 141 008

Versus

Public Information Officer,
o/o Commissioner,
Municipal Corporation,
Ludhiana.

First Appellate Authority,
o/o Commissioner,
Municipal Corporation,
Ludhiana.

Appeal Case No. 3604 of 2020 (Video Conference Proceedings)

PRESENT:

Mohit Garu (Appellant) 97791-11717

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 5.3.2021)

1. The RTI application is dated **29.7.2020** vide which the appellant has sought information **regarding sweepers working ward-wise in Zone-C, in five points**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **9.9.2020**, and second appeal was filed in the Commission on **19.11.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.3.2021**.

2. The respondent PIO is absent without intimation. He is also failed to comply with this Commission's directions to submit point-wise reply to each of the point of this RTI application. Under the circumstances, this Commission deems it fit to serve him with this **Show Cause Notice**.

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 willful delay/denial of the information requested by the appellant as far back as on **29.7.2020**.

Contd....2

PUNJAB STATE INFORMATION COMMISSION

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Appeal Case No. 3604 of 2020 (Video Conference Proceedings)

“In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision 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*.” Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily 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 3.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Ludhiana.**

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

2.7.2021

Cc: Commissioner,
Municipal Corporation,
District Ludhiana, for information and further necessary action.