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Sector 16, Chandigarh.  
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Helpline No. 0172-2864100



The Principal,  
Apeejay School,  
Mahavir Marg,  
New Jawahar Nagar,  
Jalandhar (Punjab)

....Appellant

V/s

First Appellate Authority,  
O/o The Deputy District Education Officer(Elem.),  
Jalandhar(Punjab)

...Respondent

Sh. Karam Singh,  
H. No. 100,  
Uday Nagar Wala – 59,  
Block - 37, Jalandhar

....Other (Party)

### **Appeal Case No. 5144 of 2021**

#### **ORDER**

This case was last heard on 21.11.2022 and the judgment was reserved.

2. Brief facts of the case are that Shri Karam Singh filed an RTI application on 22.07.2021 before the PIO o/o DEO (EE) Jalandhar seeking some information regarding Apeejay School, Jalandhar. The First Appellate Authority vide orders dated 28.10.2021 directed the Principal, Apeejay School, Jalandhar to provide the complete information as sought by the Appellant through his RTI Application, except the Balance Sheet. The said FAA had further written in the aforesaid order that if any of the party has any objection in respect of this order then he/she can file Appeal in PSIC.

3. In view of above, Apeejay School, Mahavir Marg, Jalandhar had approached the Commission in Appeal against the orders of the First Appellate Authority i.e. DEO(EE) Jalandhar.

4. This case was allocated to the Bench of Hon'ble former SIC Sh. Sanjiv Garg and on 03.08.2022 following orders was passed by the said Bench:-

*“As the information demanded through RTI request is regarding building safety and fire certificates etc. of a school, which carries ‘Larger Public Interest’ as it relates with lives of Officers/ Officials /students/ of the School, accordingly, Sh. Karam Singh should have been the appellant and Deputy District Education Officer (elem.) , Jalandhar should have*



## **Appeal Case No. 5144 of 2021**

*been as respondent PIO (respondent party – 01) and Deputy District Education Officer (Elem.) , Jalandhar should have been respondent party – 02 as an First Appellate Authority and further Apeejay School, Mahavir Marg, New Jawahar Nagar, Jalandhar should have been impleaded as necessary party in the instant appeal-case.*

*Accordingly , Sh. Karam Singh be taken as appellant and PIO office of Deputy District Education Officer (Elem.) , Jalandhar and ii) Apeejay School, Mahavir Marg, New Jawahar Nagar, Jalandhar must be respondent parties and First Appellate Authority be Deputy District Education Officer (Elem.) , Jalandhar”.*

5. Since, SIC Sh. Sanjiv Garg had demitted office in September 2021, this case file was re-allocated to the bench of the undersigned. Through order dated 19.10.2022 the concerned parties were directed to be present on the next date of hearing i.e. 21.11.2022. The counsel for the Appellant, Apeejay School, Jalandhar filed written submission on. 21.11.2022 which is as under:-

*“7. That it is submitted that the appeal is filed by Apeejay School, Jalandhar , being aggrieved by the communication dated 28.10.2021 issued by the Respondent no. 1. In the appeal filed by Apeejay School, Jalandhar Sh. Karam Singh cannot be taken as appellant and Apeejay School, Mahavir Marg , New Jawahar Nagar, Jalandhar cannot be made a Respondent. If Shri Karam Singh is aggrieved of any order, he must take steps in accordance with law.*

6. In view of the aforementioned circumstances, the objection raised by the original appellant –Apeejay School against its transposition as respondent is well founded for the following reasons:-

i) The said order transposing the appellant- Apeejay School as the respondent is not backed by any principle recognized by law, and any plausible object proposed to be achieved by this exercise is also not discernable from the order.

ii) Sh. Karam Singh who is fully satisfied with the order dated 28.10.2021 cannot be compelled to be an appellant.

iii) Transposing Apeejay School-originally appellant in the appeal before Hon'ble SIC as respondent, and Sh. Karam Singh-originally respondent in the appeal before Hon'ble SIC as the appellant may lead to anomalous results such as:-

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## **Appeal Case No. 5144 of 2021**

- *After transposition Sh. Karam Singh, became an appellant and in that capacity he would be entitled to withdraw the appeal in order to practically take away the statutory rights of the Apeejay School conferred U/s 11 & 19 (2) of the RTI Act.*
- *An appellant is not entitled to travel beyond the grounds of challenge pleaded in the appeal. Therefore after his transposition Sh. Karam Singh being the appellant would have to subscribe to the grounds taken by his adversary-Apeejay School in the appeal.*

It is basic principal of the administration of justice that an act of the court/adjudicating authority should not cause prejudice any party, and every court/authority has inherent powers to correct any mistake by recalling the order.

7. Therefore, in the interest of justice the anomalous situation created by the order dated 03.08.2022, passed by former SIC Sh. Sanjiv Garg need to be rectified by recalling the said order and is ordered accordingly. Parties originally arrayed at the time of registration of this appeal case are restored.

8. A copy of this order be sent through registered post to above-said parties to represent this case in person or through their representative on the next date fixed alongwith their written-submissions as well.

9. To come up on **18.01.2023 at 12:00 P. M. for hearing in the Commission.** Copies of the orders be sent to the parties.

Date :26<sup>th</sup> December, 2022

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

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Sh Sunil Kumar Joshi, (M-98888447)  
#404, GHS 43, Sector-20,  
Panchkula

.....Appellant

..Vs

**Public Information Officer,**  
O/o The Assistant Inspector General of Police,  
(Admin –II)  
Punjab Police Headquater,  
Sector-9, Chandigarh

**First Appellate Authority**  
O/o The Director,  
Bureau of Investigation, Pb  
Punjab Police Headquarters,  
Sector-9, Chandigarh

.....Respondent

**AC No. 5022 of 2022**

Present: (i) Sh Sunil Kumar Joshi, Appellant.  
(ii) for the Respondent: Sh Ram Parshad, Sr Asstt. (98554-64748)

**ORDER**

This order may be read with reference to the previous order dated 30.11.2022.

2. The Respondent states that they have provided their reply today. Copy of the same is handed over to the Appellant. The Appellant has gone through the same and states that he is not satisfied with the reply of the Respondent.
3. After hearing both the parties and perusing the case file, it is ascertained that the Respondent has filed their reply today. The Appellant is not satisfied with the same. Hence, the Respondent is again directed to file their reply, in accordance with the RTI of the Appellant, on the next date of hearing.
4. To come up on **23.01.2023 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Sd/-

Dated :26.12.2022

(Amrit Partap Singh Sekhon)  
State Information Commissioner  
Punjab

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Pal Singh S/o Sh. Nasib Singh,  
Village – Paintpur(166),  
Tehsil – Kharar,  
Distt. – S. A. S. Nagar(Mohali) - 140901(Punjab)  
(M.- 9915570001)

....Appellant

V/s

Public Information Officer,  
O/o The Deputy Commissioner  
S. A. S. Nagar(Mohali) (Punjab)

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

...Respondents

**Appeal Case No. 5103 of 2022**

Present : Sh. Sumer Aulakh on behalf of the appellant.  
Sh. Amandeep Singh, Reader O/o Sub Tehsil, Majri (M.-9878152466), on behalf  
of the respondent.

**ORDER**

Heard in the Commission.

2. The RTI request is dated 25.07.2022. First appeal is dated 06.09.2022. Second appeal has been received in the Commission on 15.11.2022.
3. This case was last heard on 07.12.2022.
4. Sh. Sumer Aulakh appeared on behalf of the appellant today. He has submitted his authority letter.
5. After examining the documents placed on record, it is found that the respondent PIO office of Deputy Commissioner, S. A. S. Nagar transferred the RTI of the appellant to the PIO office of Tehsildar, Kharar and Naib Tehsildar, Majri under Section 6 (3) of the RTI Act.
6. Sh. Amandeep Singh, Reader office of Sub Tehsil, Majri, who appeared in today's hearing, submits a written-submission dated 26.12.2022 requesting for an adjournment
7. Nevertheless, the respondent PIO office of Sub Tehsil, Majri is directed to file a point-wise reply under his signatures in an affidavit to the queries raised through RTI request to the Commission. A copy of this order be sent to him through registered post.

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**Appeal Case No. 5103 of 2022**

8. To come up on **10<sup>th</sup> January, 2023 at 12:00 P. M. for further hearing in the Commission .**  
Copies of the orders be sent to the parties.

Date :26<sup>th</sup> December, 2022

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

(Regd. Post) ii) Public Information Officer,  
O/o The Naib Tehsildar,  
**Majri**, Distt. - S. A. S. Nagar(Mohali) (Punjab)

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Naresh Chander Gupta  
S/o Sh. Amar Nath, Flat No. 1001, Tower – 1,  
Motiaz Royal City, Ambala Road,  
S. A. S. Nagar (Mohali) – 140603 (Punjab)  
(M. – 8427555777)

....Appellant

V/s

- i) Public Information Officer,  
O/o The Deputy Commissioner,  
S. A. S. Nagar(Mohali)(Punjab)
- ii) Public Information Officer,  
O/o The Sub Divisional Magistrate,  
Derabassi (Punjab)

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

...Respondents

**Appeal Case No. 4612 of 2022**

Present : Sh. Naresh Chander Gupta, the appellant in person.  
Sh. Mahipal Sharma, Junior Assistant(M.- 9814277677), for the respondent.

**ORDER**

Heard in the Commission

2. The RTI request is dated 12.07.2022. First appeal is dated 01.10.2022. Second appeal has been received in the Commission on 03.10.2022.
3. This case was last heard on 21.11.2022 and as per version of the appellant, the information demanded relates with office of Sub Divisional Magistrate, Derabassi, hence, Public Information Officer office of Sub Divisional Magistrate, Derabassi was impleaded as necessary party in this case with the directions either to supply the certified copies of the required information or file a point-wise reply to the queries raised through RTI request to the Commission.
4. The appellant, Sh. Naresh Chander Gupta, appeared in person in today's hearing.
5. Sh. Mahipal Sharma, Junior Assistant, who appeared on behalf of the respondent PIO in today's hearing, states that the RTI request filed by the appellant is not legible and a reply has been sent to the appellant as well as to the Commission.

Contd...2/-

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**Appeal Case No. 4612 of 2022**

**-2-**

6. A copy of the RTI request is handed over to Sh. Mahipal Sharma, Junior Assistant during hearing with the directions to the respondent PIO to file a point-wise reply to the queries raised by the appellant through his RTI request by the next date of hearing.
7. To come up on 24.01.2023 at 12:00 P. M. for hearing. Copies of the orders be sent to the parties.

Date :26<sup>th</sup> December, 2022

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



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Sh Tejinder Singh, Advocate (M-9041004313)  
Civil Court, Tehsil Complex,  
Backside Sanjh Kendra, Phillaur-144410

.....Appellant

.Vs

**Public Information Officer,**  
O/o DGP, Pb  
Sector-9, PP Hqrs, Chandigarh

**First Appellate Authority**  
O/o DGP, Pb  
Sector-9, PP Hqrs, Chandigarh

.....Respondent

**AC No.3127 of 2022**

Present: (i) Sh Tejinder Singh, Appellant.  
(ii) **for the Respondent:** Sh Tarsem Singh, ASI (94632-02688) and Sh Ram Parshad, Sr Asstt. (9855464748) Sh Parshottam Kumar, ASI O/o DGP Pb

**ORDER**

This order may be read with reference to the previous order dated 02.12.2022.

2. Sh Ram Parshad, Sr Asstt is appearing on behalf of PIO O/o Bureau of Investigation, Punjab, and has sought some time to file this reply.
3. Hence, considering the request of the Respondent, some time is given to him to file their reply.
4. To come up on **10.01.2023 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Dated :26.12.2022

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

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Sh Sukhwinder Kumar, (M-9814429615)  
Village-Bhagwasi, Tehsil- Derabassi,  
Distt-SAS Nagar, Mohali

....Appellant

V/s

**Public Information Officer,**  
O/o The Deputy Commissioner,  
SAS Nagar

**First Appellate Authority,**  
O/o The Deputy Commissioner,  
SAS Nagar

**2. Public Information Officer,**  
O/o The Tehsildar, Derabassi

...Respondents

### **Appeal Case No. 4501 of 2022**

Present : (i) None for the appellant.

(ii) For the Respondent : Sh. Randhir Singh, Accountant O/o ADC (UD) Mohali  
(8360780339)

#### **ORDER**

This order may be read with reference to the previous order dated 18.11.2022.

2. The Appellant is not present today.

3. Sh Randhir Singh, Accountant is appearing on behalf of the PIO O/o ADC (Urban Development) Mohali and states that the PIO O/o DC, SAS Nagar had sent the RTI of the Appellant to their office for further necessary action. He further states that the information sought by the Appellant is not lying with them.

4. After perusing the case file, it is ascertained that the Appellant is not present today. He was not present on the previous date of hearing also. He has not even informed the Commission about his absence. The Respondent states that the information is not available in their official record. Hence, an opportunity is given to the Appellant to appear before the Commission and state his case failing which appropriate orders in his absence shall be passed.

5. To come up on **24.01.2023 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Sd/-

**(Amrit Partap Singh Sekhon)**  
State Information Commissioner  
Punjab

Date : 26.12.2022

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Sh Prem Kumar Rattan (M-8509580002)  
House No 78/8, Park Road,  
Navi Mandi, Dhuri, Distt Sangrur

....Appellant  
V/s

**Public Information Officer,**  
O/o EO, Nagar Council,  
Bhadaur, Distt Barnala

**First Appellate Authority,**  
O/o ADC (urban Development) Barnala

...Respondents

### **Appeal Case No. 3732 of 2022**

Present : None for the parties.

#### **ORDER**

This order may be read with reference to the previous order dated 30.11.2022.

2. The Appellant is not present today. However, he has sent an e-mail stating that due to his ill health he shall not be able to attend the hearing today. Copy of the same is taken on record.
3. No one has appeared on behalf of the Respondent today.
4. In view of the above, an opportunity is given to both the parties to appear before the Commission and state their case.
5. To come up on **30.01.2023 at 12:00PM** in the Commission office. Copy of the orders be sent to the parties.

Date : 26.12.2022

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

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**Lajpat Rai Garg**

S/o Sh. Harbans Lal,  
Romana Street, Jaito, Tehsil – Jaito,  
District – Faridkot (Punjab)  
(M.9814230616)

....Appellant

V/s

**Public Information Officer,**

O/o The Senior Superintendent of Police,  
(Vigilance Bureau), Bathinda (Punjab)

**First Appellate Authority,**

O/o The Director, Vigilance Bureau, Punjab,  
Sector 68, S. A. S. Nagar (Punjab)

...Respondents

**Appeal Case No. 4558 of 2022**

Present : (i) None is present on behalf of the appellant  
(ii) For the respondent : Smt. Narinderpal Kaur, ASI ( 7347218991), Sh.  
Sukhjinder Singh, Suptd-cum-FAA

**ORDER**

This order may be read with reference to the previous order dated 21.11.2022 vide which the appellant was not present.

2. Today again the appellant is not present. He has sent his submission via mail which is taken on record. He adds that no information has been given to him so far.

3. The respondent states that point wise reply has already been sent to the appellant.

4. Since, the appellant is absent , one last opportunity is given to him to appear before the Commission and state his case.

5. To come up on **16.01.2023 at 12.00 PM** for further proceedings in the Commission.

Copy of the order be sent to the parties.

Date :26<sup>th</sup> December, 2022

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

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**Lajpat Rai Garg**

S/o Sh. Harbans Lal,  
Romana Street,  
Jaito, Tehsil – Jaito,  
District – Faridkot (Punjab)  
(M.9814230616)

....Appellant

V/s

**Public Information Officer,**

O/o The Senior Superintendent of Police,  
(Vigilance Bureau),  
Bathinda (Punjab)

**First Appellate Authority,**

O/o The Director,  
Vigilance Bureau, Punjab,  
Sector 68, S. A. S. Nagar (Punjab)

...Respondents

**Appeal Case No. 4559 of 2022**

Present : (i) None is present on behalf of the appellant  
(ii) For the respondent : Smt. Narinderpal Kaur, ASI ( 7347218991), Sh.  
Sukhjinder Singh, Suptd-cum-FAA

**ORDER**

This order may be read with reference to the previous order dated 21.11.2022 vide which the appellant was not present.

2. Today again the appellant is not present. He has sent his submission via mail which is taken on record. He adds that no information has been given to him so far.

3. The respondent states that point wise reply has already been sent to the appellant.

4. Since, the appellant is absent , one last opportunity is given to him to appear before the Commission and state his case.

5. To come up on **16.01.2023 at 12.00 PM** for further proceedings in the Commission.

Copy of the order be sent to the parties.

Date :26<sup>th</sup> December, 2022

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

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Gurcharan Singh  
S/o Sh. Darshan Singh,  
V.P.O. – Bhudan,  
Teh. & Distt. - Malerkotla(Punjab)  
(M.-98140-40348)

....Appellant

V/s

- i) Public Information Officer,  
O/o The Addl. Director General of Police, Pb.,  
(NRI Wing),Phase 7 (RTI Branch)  
Distt. S.A.S. Nagar (Mohali) (Punjab)
- ii) The Director,  
Bureau of Investigation, Pb.,  
Punjab Police Head Quarter,  
Sector 9, Chandigarh

First Appellate Authority,  
O/o The Inspector General of Police, Pb.,  
Patiala Range,  
Patiala (Punjab)

...Respondents

**Appeal Case No. 4194 of 2021**

Present : Sh. Gurcharan Singh , the appellant in person.  
(ii) For the respondent : Sh. Jagseer Singh, Steno Typist ( 9780358102) and  
Sh. Baldir Singh, HC ( 8146633555)

**ORDER**

This order may be read with reference to the previous order dated 21.011.2022 vide which a show cause notice issued to the respondent-PIO.

2. Today the appellant states that the information on point no. 4 is still pending.
  3. The respondent is directed to file reply on point no. 4 alongwith reply of show cause issued on the next date of hearing.
  4. To come up on **17.01.2023 at 12.00 PM** for further proceedings in the Commission.
- Copy of the order be sent to the parties.

Date :26<sup>th</sup> December, 2022

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

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Helpline No. 0172-2864100



Sh. Prem Kumar Rattan,  
House No. 78/8, Park Road, Navi Mandi  
Dhuri, Distt. Sangrur ( 8509580002)

.....Appellant

..Vs

**Public Information Officer,**  
O/o Addl. Chief Secretary ,  
Home Affairs and Justice Punjab  
Punjab Civil Sectt. Sector 1, Chandigarh

**First Appellate Authority**  
O/o Addl. Chief Secretary ,  
Home Affairs and Justice Punjab  
Punjab Civil Sectt. Sector 1, Chandigarh

**Public Information Officer**  
o/o Vigilance Bureau,  
Vigilance Bhawan, Sector 68, Mohali

.....Respondent

**AC No. 2971 of 2022**

Present : (i) None is present on behalf of the appellant  
(ii) For the respondent : Sh. Sukhjinder Singh, Suptd-cum-APIO  
( 9872083688)

**ORDER**

This order may be read with reference to the previous order dated 02.12.2022, passed by the Commission.

2. Today, the appellant is not present.
3. During the last hearing i.e. 02.12.2022, the appellant was directed to justify what public interest is involved in the information asked for. But today the appellant is not present. Hence, one last opportunity is given to the appellant to appear before the commission and state their case.

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**AC No. 2971 of 2022**

4. To come up on **23.01.2023 at 12.00 PM** for further proceedings in the Commission.  
Copy of the order be sent to the parties.

Sd/-

**(Amrit Partap Singh Sekhon)**  
State Information Commissioner  
Punjab

Date :26<sup>th</sup> December, 2022



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Helpline No. 0172-2864100



**Sh. Jaghsir Singh, S/o Late Sh. Gian Singh**  
#9/20, Mandi Mullanpur, Ludhiana

....Appellant

V/s

**Public Information Officer,**  
O/o Director General of Police  
Punjab Police Headquarter, Sector 9, Chandigarh

**First Appellate Authority,**  
O/o Director General of Police  
Punjab Police Headquarter, Sector 9, Chandigarh

...Respondents

**Appeal Case No. 5247 of 2022**

Present : (i) Sh. Jaghsir Singh the appellant  
(ii) For the respondent : Sh. Ram Parshad , Sr. Assistant (9855464743)

**ORDER**

This order may be read with reference to the previous order dated 05.12.2022 ,  
passed by the Commission.

2. The respondent states that he has brought original record today in the Commission.  
The appellant Sh. Jaghsir Singh has gone through the same and is not satisfied with the  
same. Hence, the respondent has sought some time.

3. Request of the appellant is acceded to and the appeal is fixed for hearing on  
**25.01.2023 at 12.00 PM** for further proceedings in the Commission. Copy of the order be  
sent to the parties.

Date :26<sup>th</sup> December, 2022

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

**PUNJAB STATE INFORMATION COMMISSION**  
Red Cross Building, Near Rose Garden,  
Sector 16, Chandigarh.  
Ph: 0172-2864115, Email: - [psic25@punjabmail.gov.in](mailto:psic25@punjabmail.gov.in)  
Visit us: - [www.infocommpunjab.com](http://www.infocommpunjab.com)  
Helpline No. 0172-2864100



Sh. Rajnish Bharara  
# Preet Colony, Zirakpur,  
Distt. Mohali

...Appellant

V/s

Public Information Officer,  
O/o Naib Tehsildar, Zirakpur

First Appellate Authority,  
O/o SDM, Derabassi, Distt. Mohali

...Respondents

**Appeal Case No. 3177 of 2022**

Present : (i) Sh. Rajnish Bharara the appellant  
(ii) None is present on behalf of the respondent

**ORDER**

This order may be read with reference to the previous order dated 30.11.2022.

2. The appellant states that he has pointed out deficiencies to the respondent, but no information has been given to him so far.

3. The respondent is absent today.

4. The perusal of the file shows that the appellant filed RTI with the PIO, o/o Naib Tehsildar, but he incomplete information has been given to him so far by the respondent. This shows that the respondent PIO has no regard for the orders issued by the Commission.

5. After hearing both the parties and perusing the record available on file it emerges that PIO has delayed/ denied in providing the information to the appellant. In view of the above, ***PIO- o/o Naib Tehsildar, Zirakpur 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 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

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**Appeal Case No. 3177 of 2022**

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.

6. To come up on **18.01.2023 at 12.00 PM** for further proceedings in the Commission. Copy of the order be sent to the parties.

Date :26<sup>th</sup> December, 2022

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