

PUNJAB STATE INFORMATION COMMISSION
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Sh. Kamal Kishore(9988901476)
H.No.500, Sector-20-A,
Chandigarh

Appellant

Versus

(Regd. Post) Public Information Officer (By Name)
O/o Deptt. Of Technical Education
&Indl. Training Pb., Chandigarh.

Encl. Letter dated 06.04.2022 of the appellant.

First Appellate Authority
O/o Deptt. Of Technical Education
&Indl. Training Pb., Chandigarh.

Respondent

Appeal Case No.: 4661 of 2019
Hearing through CISCO Webex

Present: Appellant: Sh. Kamal Kishore
Respondent: Sh. Sanjiv Kumar, SA (9855188396)

ORDER

1. The above mentioned case was earlier heard by the Bench of Ld. SIC, Sh. Sanjiv Garg on 18.05.2022 and matter was adjourned for further hearing on 27.10.2022.
2. The above mentioned case was allocated to the undersigned Bench on 08.07.2022 and notice of hearing dated 27.10.2022 was issued to the parties by the undersigned Bench, which was postponed and fixed for today i.e. 08.12.2022.
3. After examining the case file, it is observed that on hearing held on 18.11.2021, appellant is satisfied with the supplied information in connection with point no. 1 and 3.

Respondent PIO was directed to supply the requisite information (i.e. point number 02 as per RTI) to the Appellant by registered post or email positively (along with a copy to the Commission) and if the information is not available with them then the PIO is directed to file a proper reply in writing in the form of an affidavit explaining the reason about action taken report in relating to point number 02 of the RTI, why the information could not be supplied to the Appellant till date, failing which an action would be taken against the concerned PIO.

The PIO was also directed to submit the copy of the postal receipts to the Commission vide which information would have been supplied to the Appellant, by the next date of hearing. Also, the Appellant, Sh. Kamal Kishore was directed to go through the supplied information (after receiving the same from the department) and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which it would be presumed that he has nothing to say and the case would be decided on merits. Matter was adjourned for further hearing on 09.02.2022.

4. On hearing held on 09.02.2022, Senior Assistant, Sh. Sanjeev Kumar stated that he got a reply from the concerned department today vide letter number 342 dated 08.02.2022 and will send the copy of the same to the Commission through email as well as to the Appellant through post. He further stated that as per the reply no action has been taken.

The concerned PIO was directed to send the copy of reply to the Appellant through registered post by today itself and he is also directed to submit the copy of the postal receipts to the Commission vide which information would have been supplied to the Appellant, by the next date of hearing. Also, the Appellant, Sh. Kamal Kishore was directed to go through the supplied information (after receiving the same from the department) and point out deficiencies in written, if any, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which it would be presumed that he has nothing to say and the case would be decided on merits. Matter was adjourned for further hearing on 18.05.2022.

5. On hearing held on 18.05.2022 vide which both the parties were absent. It was found that the respondent PIO through a reply vide letter no. 39 dated 09.02.2022, which has been received in the Commission through an e-mail, has intimated the Commission that the information of four pages has been given to the appellant vide letter no. 38 dated 09.02.2022. It, along with a copy of supplied information, is taken on record.

An opportunity was also given to the appellant to confirm whether he has received the information or not.

Both the parties' i. e. the appellant and the respondent PIO were directed to represent this case in person or through their representative on the next date fixed. Matter was fixed for 27.10.2022

6. The above mentioned case was allocated to the undersigned Bench on 08.07.2022 and notice of hearing dated 27.10.2022 was issued to the parties by the undersigned Bench, which was postponed and fixed for today i.e. 08.12.2022.
7. In today's hearing both the parties are present.
8. Respondent, Sh. Sanjiv Kumar states that information in connection with point no. 2 was sent to the appellant on 09.02.2022 as per the directions of the Commission.
9. The appellant, Sh. Kamal Kishore states that he has pointed out discrepancy in the supplied information on 09.02.2022 vide letter dated 06.04.2022 with a copy to the Commission (which is received vide diary no. 7283 dated 07.04.2022), which are still to be removed.

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10. After hearing both the parties, respondent PIO is directed to go through the discrepancy letter dated 06.04.2022 of the appellant and point no. 2 of the RTI application once again, file a reply accordingly. In case information could not be supplied, supply an affidavit in original to the appellant with a copy to the Commission within ten days after receipt of this order. A copy of discrepancy letter dated 06.04.2022 be sent to the respondent PIO along with this order for his ready reference.
11. Both the parties are advised to represent this case in person on the next date of hearing, failing to which, appropriate order in their absence shall be passed.
12. To come up on **24.01.2023 at 11:00 A.M. through CISCO-Webex** (Video Conferencing application). Copy of the order be sent to the parties.

Steps to use CISCO WEBEX: Install CISCO Webex->Click on Join Meeting->Enter Meeting Number 1582933632.

Dated: 8.12.2022

(Anumit Singh Sodhi)
State Information Commissioner
Punjab