



**By Registered Post**

Sh. Jatin Kumar Gupta,  
Room No. 3, New Bar Complex,  
Punjab and Haryana High Court,  
Chandigarh.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Guruharsahai.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Ferozepur.

Respondents

**Appeal Case No.2165/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
22.12.2017	Nil	29.01.2018	Nil	

**Present:** Appellant- Sh. Jatin Kumar Gupta;  
Respondents- None.

**ORDER**

This is a long standing case. Due to non availability of internet connectivity on the last couple of hearings, the case could not be taken up. The original application was filed way back on 22.12.2017.

Sh. Sukhdeep Singh, Panchayat Secretary, was duly advised by the Block Development Officer, Shri Guruharsahai, to take appropriate action. He seems to have stone-walled the flow of information.

Neither he is present nor has he filed any reply to the notice of the Commission. The appellant has sought an information pertaining to the proceedings of Gram Panchayat of the Village-Chak Sawah Wala, Block- Guruharsahai for the period commencing from 01.04.2014 to 31.10.2017 besides the record of the auctions held to lease the

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**Appeal Case No.2165/2018**

Panchayati land during the aforesaid period. A CD of the videography, if it all held, has also been sought. The respondents are maintaining a studied silence. The Commission is inclined to believe that the respondent is willfully sitting on the information. Apparently, he has violated the provisions of section 7(1) of the RTI Act, 2005 and rendered himself liable for penal consequences.

Sh. Sukhdeep Singh, Panchayat Secretary – cum- PIO is, thus, issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing 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 the detriment suffered by him.

In addition to the written reply, the PIO is also given an opportunity under Section 20 (1) proviso thereto, 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.

To come up on **29.10.2019 at 11.30 AM at Chandigarh.**

**03.09.2019**

**Sd/-  
(Yashvir Mahajan)  
State Information Commissioner**

**CC: The BDPO, Shri Guruharsahai, should monitor the filing of reply to the show cause notice and arrange to deliver the information.**



**By Registered Post**

Ms. Renu Sharma,  
D/o Sh. Rakesh Sharma,  
Vill. Ramgarh Sikri,  
Tehsil Mukerian,  
Distt. Hoshiarpur.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Talwara.

First Appellate Authority,  
O/o Additional Deputy Commissioner (General),  
Hoshiarpur.

Respondents

**Appeal Case No.2046/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA
15.09.2017	Nil	07.12.2017	10.01.2018

Present: Appellant- Ms. Renu Sharma;  
Respondents- None.

**ORDER**

The following order was passed by the bench on 23.01.2019:

*“Sh. Yudhvir Singh, BDPO is present in the video conferencing. He submits that the appellant was provided with the information on 29.12.2017 under registered cover. Taking note of the same her appeal was filed by the First Appellate Authority. The appellant, on the other hand, says that she has been made to run from pillar to post to procure the information which was belatedly given to her and that too deficiently.*

*Sh. Yudhvir Singh, BDPO submits that he has brought along the deficient information which has been handed over to the appellant on spot at the behest of the Commission. Undoubtedly, a significant delay has taken place beyond the mandated period in supplying the information. The respondents owe an explanation. The PIO is hereby directed to explain the delay in writing and show cause as to why he should not be penalized by Rs.250/- per day of delay subject to maximum of Rs.25,000/- under Section 20(1) of the RTI Act and why the appellant be not compensated for the*

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**Appeal Case No.2046/2018**

*detriment and harassment suffered by her.”*

The case has come up today. The video conference has not matured again today for want of internet connectivity. The matter shall be heard on **06.11.2019 at 11.30 AM through video conference at Hoshiarpur.**

**03.09.2019**

**Sd/-  
( Yashvir Mahajan )  
State Information Commissioner**



Sh. Tejinder Singh,  
R/o Village Bholapur,  
Post Office Ramgarh,  
Chandigarh Road, Ludhiana. 141123.

Appellant

Versus

Public Information Officer,  
O/o Executive Officer,  
Municipal Council,  
Kharar, Distt Mohali.

First Appellate Authority,  
O/o Regional Deputy Director,  
Local Bodies, Mohali.

Respondents

**Appeal Case No.3644/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
17.02.2018	Nil	02.05.2018	Nil	30.10.2018

**Present:** Appellant- None;  
Respondents- Sh. Rajesh Kumar, J.E.

**ORDER**

The following order was made by the Commission on 17.07.2019:

*“The appellant has sought exemption from appearance and has requested for adjournment. None is present on behalf of the respondents also. The Commission takes serious note of the absence of the respondents. It directs them to file a reply to the Notice of the Commission and explain the delay in having failed to respond to the application.”*

The case has come up today. Sh. Rajesh Kumar, J.E. is present. He has produced before the Commission a copy of the reply sent to the appellant. The Commission has gone through the communication sent to the information seeker by the respondents. The Commission having perused the original application makes out that indiscriminately all and sundry information with regard to the activities of the respondents has been sought. Such an

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**Appeal Case No.3644/2018**

information rather is unfeasible to be provided. The Commission is satisfied with the reply sent and reiterates that, in case, the appellant intends to promote the cause of accountability and transparency; he should be specific in his requisitions.

**Disposed.**

**03.09.2019**

**Sd/-  
(Yashvir Mahajan)  
State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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Email:psic22@punjabmail.gov.in



Sub Maj (Retd.) Sh. Balbir Singh,  
S/o Sh. Ram Kishan,  
Vill. Jamalpur, Tehsil Mukerian,  
Distt. Hoshiarpur.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Dasuya, Distt. Hoshiarpur.

First Appellate Authority,  
O/o Block Development and Panchayat Officer,  
Dasuya, Distt. Hoshiarpur.

Respondents

**Appeal Case No.2015/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA
12.03.2018	Nil	26.04.2018	Nil

**Present:** Appellant- None;  
Respondents- Sh. Jodhbir Singh, Superintendent.

**ORDER**

Sh. Jodhbir Singh, Superintendent, is present. He has produced a copy of a letter from the appellant to the address of the Commission, wherein he has admitted to have received the information to his satisfaction. He further states that he is no more interested to pursue the matter.

The appeal is **disposed** accordingly.

**03.09.2019**

**Sd/-  
( Yashvir Mahajan )  
State Information Commissioner**



Sh. Sukhchain Singh,  
S/o Sh. Karnail Singh,  
R/o Village Kallah,  
Block Khadur Sahib,  
Distt. Tarn Taran.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Block-Khadur Sahib,  
Distt. Tarn Taran.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Distt. Tarn Taran.

Respondents

**Appeal Case No.2707/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
08.12.2017	Nil	25.01.2018	Nil	08.08.2018

**Present:**

**Appellant-** Sh. Sukhchain Singh.  
**Respondents-** Sh. Prabhjit Singh, Panchayat Secretary.

**Order**

**The case has been heard through video conferencing.**

The Commission has made following observations on 03.04.2019:

30.01.2019:

*"None is present on behalf of the respondents. The Commission takes a serious note of the conduct of the respondents. The PIO, O/o BDPO, Block Khadur Sahib is issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.*

*In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, 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.2707/2018**

03.04.2019

*The matter is being taken up today. Sh. Rajinder Kumar Gupta, BDPO, Khadur Sahib submits that he has joined recently. It transpires that the information sought was conveyed to the appellant through a registered post during the month of November, 2018. The appellant submits that the same was deficient and uncertified.*

*The Commission feels that the information sought is quite huge and voluminous and providing the Zerox copies of the entire record shall disproportionately divert their resources. It shall be fair if BDPO arranges an inspection of the record in his office by the appellant on a prefixed date and time and provides him certified copies of the documents identified by him to an extent of one hundred pages besides the ones already provided to the appellant. Meanwhile he shall arrange the certification of the documents which had earlier been sent to the appellant.*

The case has taken up today. The Commission notes it with regret that the BDPO has ignored the directions even though a show cause notice stands already issued to him. As a measure of final opportunity, the BDPO is once again directed to ensure the compliance of the orders reproduced above.

Sh. Prabhjit Singh, Panchayat Secretary, who is present in person, submits that he is not in a position to certify the copies in the absence of the original record, which has not been handed over to him on his joining following the death of then Sarpanch. The BDPO shall look into it also and arrange to procure the record from the successors of the then Sarpanch and hand it over to the current incumbent.

The appellant alleges that there have been grave irregularities in the execution of MNREGA works. The record pertaining to which has not been furnished. The BDPO, Khadur Sahib, is

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**Appeal Case No.2707/2018**

once again desired to ensure that the record on the above score is arranged to be delivered to the appellant under intimation to the Commission. Be it noted that no further opportunity shall be afforded and the Commission shall go ahead to penalize the noticee on basis of the record available on file.

To come up on **30.10.2019 at 11.30 AM through video conference at Tarn Taran.**

**03.09.2019**

**Sd/-  
( Yashvir Mahajan )  
State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**  
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Email:psic22@punjabmail.gov.in



Sh.Mangal Singh,  
S/o Kandhara Singh,  
Vill. & PO Bhangala,  
Tehsil Patti,  
Distt Tarn Taran.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Patti, Distt. Tarn Taran.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Tarn Taran.

Respondents

**Appeal Case No.2012&2047/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA
18.11.2017	Nil	27.11.2017	Nil

**Present:** Appellant- Sh. Mangal Singh, in person.  
Respondents- None.

**ORDER**

As the appellant and the respondents are the same and the information sought essentially is identical, the single order shall dispose both the appeals.

Due to technical reasons, the video conference could not mature. Sh. Mangal Singh is present in the court itself. He denies having received any information despite his follow up for last two years.

The BDPO, Patti, District-Tarn Taran, is advised to arrange an inspection of the record pertaining to the incumbency of last two Sarpanches by giving him a notice in writing defining the date, time and venue; and provide him the certified copies of the documents identified by him but not beyond 150 pages. In case, the appellant seeks the delivery of more documents, he shall have to come up with proper justification of its requirement in public interest and the BDPO shall take a suitable call on the same.

To come up on **30.10.2019 at 11.30 AM through video conference at Tarn Taran.**

**03.09.2019**

**Sd/-  
( Yashvir Mahajan )  
State Information Commissioner**



Sh. Sanjay Kumar,  
R/o B-34-167, Street No. 2,  
Civil City, Ludhiana.

Appellant

Versus

Public Information Officer,  
O/o Assistant Town Planner,  
Municipal Corporation,  
Zone-D, Ludhiana.

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

Respondents

**Appeal Case No.1940/2018**

Date of RTI application: 30.01.2018  
Date of First Appeal : 08.03.2018  
Date of Order of FAA or Reply: Nil  
Date of 2<sup>nd</sup> Appeal/complaint: 16.05.2018

**Present:**                      **Appellant-        None.**  
   **Respondents- Sh. Harjit Singh, Draftsman, Zone 'D', MC Office,**  
   **Ludhiana.**

**ORDER**

**The case has been heard through video conferencing.**

The following order was passed by the Commission on 27.03.2019:

16.01.2019

*"It is a long standing case. The appellant had sought to know the details of the challan issued by the respondents and other allied documents in case of an unauthorized structure having come up in the municipal limits of the town of Ludhiana.*

*Sh. Ravinder Singh appearing on behalf of the respondents submits that he has been suitably informed. It transpires that they have sent a terse reply to him that no document on this score exists. The Commission is not inclined to accept this contention. The PIO is hereby desired to file a detailed reply about the facts of the case with a copy to the appellant before the next date of hearing positively. Simultaneously, he shall explain his conduct in having failed to respond within the stipulated period. Be it noted that no further opportunity shall be afforded."*

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**Appeal Case No.1940/2018**

27.03.2019

*“The case has been taken up today. Sh. Harjit Singh, Draftsman has come present on behalf of the Respondents. He has drawn the attention of the Commission to a letter issued by them on 22.03.2019 which reflects on the various actions taken by the respondents to chastise the builder for his act of illegal construction. He reiterates that the available information was provided to the information seeker. The appellant has denied the receipt of any information. He has asked for the copies of the challan and demolition order which according to the respondents were never issued by the Municipal Corporation. Obviously, the record which is not available cannot be provided. As the appellant is absent a final opportunity is afforded to him to react on the submissions made by the respondents.”*

The matter has come up today.

Vide her mail, the counsel of the appellant Ms. Sulhjinder Kaur, Advocate, has expressed her inability to join the proceedings. She has requested the Commission to decide the matter on merits.

The Commission observes that vide their communication dated 27.03.2019, the appellant has been apprised of the factual position of the case. The Commission has perused the same. The Commission is convinced that the available information has already been transmitted. If the appellant is unsatisfied with the action of the respondents, then he should approach the competent authority to ensure that the proper follow up action by the respondents towards regularization or demolition of building in contention is taken. This is not



**Appeal Case No.1940/2018**

in the domain of this Commission to pass any executive directions. The Commission feels that the appellant has been sufficiently informed. No further action is called for.

**Disposed.**

**03.09.2019**

**Sd/-  
(Yashvir Mahajan)  
State Information Commissioner**



Shri Makhan Singh,  
S/o Shri Inder Singh,  
R/o Village Mehmood Khane Ke (Bame Wala),  
Tehsil Jalalabad, Distt Fazilka.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Guruharsahai, Distt Ferozepur.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Ferozepur.

Respondents

**Appeal Case No.2908/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
21.02.2018	Nil	22.03.2018	Nil	27.08.2018

**Present:** Appellant- Sh. Makhan Singh.  
Respondents- Sh. Dilip Kumar, APIO.

**ORDER**

**The case has been heard through video conferencing.**

The following order was made on 03.04.2019:

06.02.2019

*“The appellant nurses a grievance for having not been paid the remunerations ever since his employment in various development works of NREGA from the month of January, 2013 onwards. The respondents are neither present nor a reply has been filed. The Commission takes an adverse note of it. The BDPO, Guruharsahai is directed to file a written statement and arrange to provide the information before the next date of hearing positively.”*

*“The case has come up today. Despite the express directions issued by the Commission in the aforementioned order the respondents have chosen to maintain a studied*

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**Appeal Case No.2908/2018**

*silence. Apparently the respondents have violated the provisions of Section 7(1) of the RTI Act and rendered themselves liable for penal consequences.*

*The PIO – cum - Block Dev. & Panchayat Officer ( by name), Guruharsahai, District Ferozepur is issued a show cause notice to explain in a self- attested affidavit as to why a penalty @ Rs.250/- per day of delay subject to maximum of Rs.25,000/- till the complete information is furnished, be not imposed under Section 20(1) of RTI Act, 2005 on him for causing willful delay / denial of the information to the RTI applicant and why the compensation be not awarded to the Appellant under Section 19 (8) (b) of the Act for the detriment suffered by him.*

*In addition to the written reply, the PIO is also given an opportunity under Section 20(1) proviso thereto, 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.”*

03.04.2019

*“The case has come up again for hearing today. It is very intriguing that the BDPO, Gur Harsahai, District Ferozepur is stubbornly maintaining silence on the directions and show cause notice of the Commission. The Commission finds that he had been advised by the District Development and Panchayat Officer, Ferozepur also to comply with the orders*

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**Appeal Case No.2908/2018**

*of the Commission. Though he does not deserve any relaxation yet in the interest of fair play another opportunity is afforded to him to file a written reply to the show cause notice failing which the penal action as proposed in the SCN shall be taken against him.”*

The matter has again been taken up today. Sh. Dilip Kumar, APIO, is present. He says that the BDPO has been away to a foreign land and is likely to join tomorrow. He has not been able to file a satisfactory reply. The aforementioned orders are self-speaking and showcase the conduct of the BDPO. A final opportunity is afforded to Sh. Sarabjeet Singh Brar, BDPO, to provide the information to the information seeker before next date of hearing along with his explanation on the show cause notice issued to him.

To come up on **06.11.2019 at 11.30 AM through video conference at Fazilka.**

**03.09.2019**

**Sd/-  
( Yashvir Mahajan )  
State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
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Sh. Ravinder Singh,  
R/o House No.986, Near Dev Hotel,  
Main Bazar, Moga.

Appellant

Versus

Public Information Officer,  
O/o Tehsildar,  
Moga.

First Appellate Authority,  
O/o Sub District Magistrate,  
Moga.

Respondents

**Appeal Case No.3502/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
21.07.2018	Nil	20.08.2018	Nil	12.10.2018

**Present: None.**

**ORDER**

None is present. The Commission has gone through the facts of the case.

The law has been settled by the orders of the Hon'ble Supreme Court of India that when an information is sought under the RTI Act, 2005, the respondents are required to provide it accordingly. In view of the overriding effect of the RTI Act over the other provisions, the respondents are desired to part with the information as demanded by the appellant under intimation to the Commission before the next date of hearing.

To come up on **06.11.2019 at 11.30 AM through video conference at**

**Moga.**

**03.09.2019**

**Sd/-  
(Yashvir Mahajan)  
State Information Commissioner**

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Email:psic22@punjabmail.gov.in



Sh. Ravinder Singh,  
R/o House No.986, Near Dev Hotel,  
Main Bazar, Moga.

Appellant

Versus

Public Information Officer,  
O/o Tehsildar,  
Moga.

First Appellate Authority,  
O/o Sub District Magistrate,  
Moga.

Respondents

**Appeal Case No.3312/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
21.07.2018	12.07.2018	17.07.2018	24.08.2018	27.09.2018

**Present: None.**

**ORDER**

None is present. The Commission has gone through the facts of the case.

The law has been settled by the orders of the Hon'ble Supreme Court of India. An information, if sought under the RTI Act, 2005, the respondents are required to provide it accordingly, as Section 22 of RTI Act overrides all other provisions contrary to it. The respondents are desired to part with the information as demanded by the appellant under intimation to the Commission before the next date of hearing.

To come up on **06.11.2019 at 11.30 AM through video conference at**

**Moga.**

**03.09.2019**

**Sd/-  
(Yashvir Mahajan)  
State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH  
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Email:psic22@punjabmail.gov.in



Sh. Surinderjit Singh,  
S/o Late Shri Gurcharan Singh,  
Village Chak Wasan,  
PO Bham, Tehsil Batala,  
Block, Sri Hargobindpur, Distt Gurdaspur.

Complainant

Versus

Public Information Officer,  
O/o Panchayat Secretary,  
Gram Panchayat, Chak Wasan,  
Block- Sri Hargobindpur, Distt Gurdaspur.

Respondent

**Complaint Case No.1141/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
18.05.2018	Nil	Nil	Nil	06.08.2018

**Present: None.**

**ORDER**

For the want of internet connectivity video conference could not mature.

The matter shall be heard on **06.11.2019 at 11.30 AM through video conference at Gurdaspur.**

**03.09.2019**

**Sd/-  
(Yashvir Mahajan)  
State Information Commissioner**



Sh. Harmesh Singh,  
S/o Sh. Chet Singh,  
R/o V.P.O. Ahmed Dhandi,  
Block Mamdot, Tehsil Guruharsahai,  
Distt. Ferozepur, PIN 152022.

Appellant

Versus

Public Information Officer,  
O/o Block Development and Panchayat Officer,  
Mamdot.

First Appellate Authority,  
O/o District Development and Panchayat Officer,  
Ferozepur.

Respondents

**Appeal Case No.2130/2018**

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal
07.09.2017	Nil	02.02.2018	Nil	

**ORDER**

For the want of internet connectivity video conference could not mature.

To come up on **06.11.2019 at 11.30 AM through video conference at Ferozepur.**

**03.09.2019**

Sd/-  
**(Yashvir Mahajan)**  
State Information Commissioner