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Sh. Jagir Singh,

S/o Sh.Partap Singh,

Village: Dalia Rajputa,

Presently, R/o, Village Gill,

P.O: Jagdev Khurd, Tehsil:Ajnala,

Distt: Amritsar.

…Appellant

Versus

**Public Information Officer**,

O/o District Social Security Officer,

Women and child Development and

Welfare Deptt, Amritsar.

**First Appellate Authority**

o/o District Social Security Officer,

Women and child Development and

Welfare Deptt, Chandigarh.

…Respondent

**APPEAL CASE NO. 1154 OF 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

 (ii)Sh. Surjit Singh, Jr. Assistant on behalf of the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 22.05.2018.

2. The appellant is absent for today’s hearing.

3. Sh. Surjit Singh, Jr. Assistant is appearing on behalf of the respondent and states that he has recently joined and has requested that some more time be given to him to provide the information to the appellant.

4. Last opportunity is given to the respondent to provide the information to the appellant, before the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated. The PIO is also directed to appear personally on the next date of hearing.

5. The appellant is also advised to follow up his case in the Commission, failing which decision shall be taken on merit.

6. The matter to come up for further hearing now on **27.11.2018 at 11.00AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**03.10.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gurcharan Singh,

S/o Sh. Surjit Singh,

Village:Gosian, P.O: Sihon Majra,

Tehsil & Distt: Ropar.

…Complainant

Versus

**Public Information Officer**,

O/o Deputy Registrar,

Cooperative Societies,

Roopnagar.

**Public Information Officer**,

O/o Secretary,

The Dulchi Majra Multipurpose Cooperative Service Society Ltd.,

Dulchi Majra, Tehsil & Distt: Roopnagar.

…Respondent

**Complaint CASE NO. 399 OF 2018**

**PRESENT:** (i) Sh. Gurcharan Singh, the complainant.

 (ii)Sh. Umesh Kumar, Deputy Registrar, the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 22.05.2018.

2. The complainant states that no information has been supplied to him by the respondent.

3. The respondent files written reply today in the Commission mentioning therein that the information which has been sought by the complainant is related with the Society and concerned society has denied to provide the information to the complainant, as the cooperative societies are not controlled by Govt., and this preposition has already been decided by the Supreme Court of India in Civil Appeal No. 9017 of 2013. Copy of the reply of the Society is taken on record.

4. The respondent is directed either to provide the information to the complainant which is available in their office or to file an affidavit in this regard, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

5. The matter to come up for further hearing now on **22.11.2018 at 11.00AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**03.10.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Pawan Sood,

# 95, Tagore Nagar-A,

Civil Lines, Ludhiana. Complainant.

Versus

**Public Information Officer,**

O/o President,

The Tagore Nagar-A, welfare Society,

# 85, Tagore Nagar-A, Civil Lines,

Ludhiana.

Respondent

 **Complaint Case No. 569 of 2018**

**PRESENT:** (i) Sh. Pawan Sood, the complainant.

 (ii) None is present on behalf of the respondent.

**ORDER:**

 The RTI application is dated 30.12.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 22.05.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The complainant states that till today, no reply has been given to him by the respondent.

3. Neither the PIO nor his representative is present for today’s hearing.

4. One more opportunity is given to the President of the Society to appear personally and explain the facts of the case, on the next date of hearing, failing which action under section 20(1) of the RTI Act, 2005 will be initiated.

5. The matter to come up for further hearing now on **22.11.2018 at 11.00AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**03.10.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. D.N.Kapoor,

Ex General Secretary,

Adarsh Colony, Cooperative HB Society,

# 1134, Phase-II, Dugri, Ludhiana.

Complainant.

Versus

**Public Information Officer,**

O/o Deputy Registrar,

Cooperative Societies,

Ludhiana.

Respondent

 **Complaint Case No. 580 of 2018**

**PRESENT:** (i) None is present on behalf of the complainant.

(ii) Sh. Manmohan Singh, Suptd., on behalf of the respondent.

**ORDER**

 The RTI application is dated 15.11.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 23.05.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. A letter has been received from the complainant in the Commission mentioning therein that due to ill health, he cannot attend today’s hearing.

3. The respondent states that the information has already been supplied to the complainant vide letter dated 26.12.2017.

4. The PIO is directed to file an affidavit that the information as per office record has been supplied to the complainant and noting is pending to be supplied to the complainant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

5. The matter to come up for further hearing now on **22.11.2018 at 11.00AM.** Copies of the order be sent to the parties.

 Sd/-

 **Chandigarh (Prof. Viney Kapoor Mehra)**

 **03.10.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. D.N.Kapoor,

Ex General Secretary,

Adarsh Colony, Cooperative HB Society,

# 1134, Phase-II, Dugri, Ludhiana.

Complainant.

Versus

**Public Information Officer,**

O/o Assistant Registrar,

Cooperative Societies,

Ludhiana (East).

Respondent

**Complaint Case No. 582 of 2018**

**PRESENT:** (i) None is present on behalf of the complainant.

(ii) Sh. Manmohan Singh, Suptd., on behalf of the respondent.

**ORDER**

 The RTI application is dated 09.01.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 23.05.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. A letter has been received from the complainant in the Commission mentioning therein that due to ill health, he cannot attend today’s hearing.

3. The respondent states that the information has already been supplied to the complainant vide letter dated 23.08.2018.

4. After perusing the record available on file it emerges that PIO has delayed/ denied in providing the information to the complainant. In view of the above, ***PIO- Assistant Registrar, Cooperative Societies, Ludhiana (East)*  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.

 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 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

Contd…p-2

**Complaint Case No. 582 of 2018**

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.

5. The matter to come up for further hearing now on **22.11.2018 at 11.00AM.** Copies of the order be sent to the parties.

 Sd/-

 **Chandigarh (Prof. Viney Kapoor Mehra)**

 **03.10.2018 State Information Commissioner**

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Sh. Manjit Singh,

S/o Sh. Nigahia ISngh,

Flat No. 16/D, First Floor,

Akanksha Apartment, Parshant Vihar,

Baltana, Zirakpur. .

Appellant

Versus

**Public Information Officer,**

O/o Director,

Food Civil Supplies and Consumer Affairs,

Punjab, Chandigarh.

**First Appellate Authority,**

o/o Director,

Food Civil Supplies and Consumer Affairs,

Punjab, Chandigarh.

Respondent

 **Appeal Case No. 1082 of 2018**

**PRESENT:** (i) Sh. Manjit Singh, the appellant.

(ii) None is present on behalf of the respondent.

**ORDER**

 This order may be read with reference to the pervious order dated 22.05.2018

2. The appellant states that till today, no information has been supplied to him by the respondent.

3. Neither the PIO is present for today’s hearing nor has filed any reply to the show cause notice, which shows that he has no regard to the orders of the Commission.

4. One more opportunity is given to the PIO to provide the information to the appellant and file an affidavit in response to the show cause notice, on the next date of hearing. He is also directed to appear personally, on the next date of hearing, failing which bailable warrant will be issued against him for non compliance the orders of the Commission.

5. The matter to come up for further hearing now on **22.11.2018 at 11.00AM.** Copies of the order be sent to the parties.

 Sd/-

 **Chandigarh (Prof. Viney Kapoor Mehra)**

 **03.10.2018 State Information Commissioner**

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Sh. Gurdev Singh,

S/o Sh. Jarnail Singh,

R/o Ward No. 12, Makhu,

Tehsil:Zira, Distt: Ferozepur.

…Appellant

Versus

**Public Information Officer**,

O/o Deputy Commissioner,

Ferozepur.

**First Appellate Authority**

o/o Additional Deputy Commissioner (G),

Ferozepur.

…Respondent

**Appeal** **Case No. 1199 of 2018**

**PRESENT:** (i) Sh. Gurdev Singh, the appellant.

(ii) None is present on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 22.05.2018.

2. The appellant states that inspite of the directions of the Commission, no information has been provided to him by the respondent.

3. A letter has been received from the respondent in the Commission vide diary no. 14433 dated 16.07.2018 mentioning therein that the information has already been supplied to the appellant vide letter dated 18.05.2018.

4. Last more opportunity is given to the PIO to file an affidavit in response to the show cause notice and is also directed to appear personally, on the next date of hearing, failing which bailable warrant will be issued against him for non compliance the orders of the Commission. He is also directed to bring all the record relating to the RTI application of the appellant, on the next date of hearing in the Commission

5. The matter to come up for further hearing now on **22.11.2018 at 11.00AM.** Copies of the order be sent to the parties.

 Sd/-

 **Chandigarh (Prof. Viney Kapoor Mehra)**

 **03.10.2018 State Information Commissioner**

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Sh. Gurdev Singh,

S/o Sh. Jarnail Singh,

R/o Ward No. 12, Makhu,

Tehsil:Zira, Distt: Ferozepur.

…Appellant

Versus

**Public Information Officer**,

O/o Deputy Commissioner,

Ferozepur.

**First Appellate Authority**

o/o Additional Deputy Commissioner (G),

Ferozepur.

…Respondent

**Appeal** **Case No. 1200 of 2018**

**PRESENT:** (i) Sh. Gurdev Singh, the appellant.

(ii) None is present on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 22.05.2018.

2. The appellant states that inspite of the directions of the Commission, no information has been provided to him by the respondent.

3. A letter has been received from the respondent in the Commission vide diary no. 14434 dated 16.07.2018 mentioning therein that the information has already been supplied to the appellant vide letter dated 18.05.2018.

4. Last more opportunity is given to the PIO to file an affidavit in response to the show cause notice and is also directed to appear personally, on the next date of hearing, failing which bailable warrant will be issued against him for non compliance the orders of the Commission. He is also directed to bring all the record relating to the RTI application of the appellant, on the next date of hearing in the Commission

5. The matter to come up for further hearing now on **22.11.2018 at 11.00AM.** Copies of the order be sent to the parties.

 Sd/-

 **Chandigarh (Prof. Viney Kapoor Mehra)**

 **03.10.2018 State Information Commissioner**

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Ms. Jagjeet Kaur,

MIG 836, Punjab Housing Board Colony,

Jamalpur, Chandigarh Road,

Ludhiana-141010.

…Appellant

Versus

**Public Information Officer**,

O/o Assistant Food & Civil Supply Officer,

Sahnewal, District Ludhiana.

**First Appellate Authority,**

O/o District Food & Civil Supply Controller,

East Ludhiana.

**Public Information Officer**,

O/o Assistant Food & Civil Supply Officer,

District Ludhiana (East).

…Respondent

**APPEAL CASE NO. 1910 OF 2017**

**PRESENT:** None is present on behalf of the appellant.

Sh. Amandeep Singh, Inspector on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated: 06.09.2018.

2. The appellant is absent for today’s hearing.

3. Sh. Amandeep Singh, Inspector is appearing on behalf of the o/o AFSO, Ludhiana (East) and states that as directed by the Commission, during the last hearing, the complete information has been provided to the appellant and has shown the acknowledgment of having received the information by the appellant. Copy of the same is taken on record.

4. After hearing the respondent and perusing the record, it is ascertained that the information has been supplied to the appellant with which the appellant is satisfied and does not want to pursue the case.

5. In view of the above, no further cause of action is left in the instant Appeal Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

 **Sd/-**

 **Chandigarh (Prof. Viney Kapoor Mehra)**

 **03.10.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Gurcharan Singh,

S/o Sh. Surjit Singh,

Village:Gosian, P.O: Sihon Majra,

Tehsil & Distt: Ropar.

…Complainant

Versus

**Public Information Officer**,

O/o Deputy Registrar,

Cooperative Societies,

Roopnagar.

…Respondent

**Complaint CASE NO. 398 OF 2018**

**PRESENT:** (i) Sh. Gurcharan Singh, the complainant.

 (ii)Sh. Umesh Kumar, Deputy Registrar, the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 22.05.2018.

2. The complainant states that as advised by the commission, during the last hearing, he visited the office of the respondent but still complete information has been provided to him by the respondent.

3. The respondent files written reply today in the Commission mentioning therein that the information related with point nos. 1 and 2 is third party information and third parties have denied the same. He further adds that information regarding point no. 3 is very old (approximately 14 years old), which is not traceable. He further states that information regarding point nos. 4, 6 and 7 is related with the Cooperative Bank and concerned Bank is not covered under the provisions of the RTI Act, as per the judgment of the Hon’ble Supreme Court of India in Civil Appeal
No. 9017 of 2013. Copy of the reply of the Society is taken on record.

4. The attention of the complainant is drawn to the decision of the Hon'ble Supreme Court of India dated 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 titled Chief Information Commissioner and Another Vs. State of Manipur and Another (arising out of SLP © No.32768-32769/2010) wherein it has been held that *while entertaining a complaint under Section 18 of the RTI Act, 2005, the*

*Contd…p-2*

**Complaint CASE NO. 398 OF 2018**

*Commissioners have no jurisdiction to pass an order providing for an access to the information. As per the above decision of the Hon'ble Supreme Court of India, the Information Commission has a power to receive and enquire into the complaint of any person who has been refused access to any information requested under this Act (section 18 (1)(b)} or has been given incomplete, misleading or false information under the Act (Section 18(1)(e) or has not been given a response to a request for information or access to information within time limits specified under the Act (Section 18(1)(c))*.

5. In the complaint cases, it is to be seen whether the intention of the respondent-PIO is clear or not. In this case, the complainant has filed RTI on 10.02.2018 and the respondent-PIO replied on 15.03.2018 well in time. The respondent has replied within the prescribed time as per the RTI Act, 2005. Therefore, no further cause of action is left in the instant Complaint Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**03.10.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Virpal Singh,

S/o Sh. Gurjail Singh,

VPO: Bsti Bammna,

Tehsil: Samana, Distt: Patiala.

Appellant

Versus

**Public Information Officer**,

O/o Chief State Election Commissioner,

Punjab.

**First Appellate Authority**

O/o Secretary,

State Election Commission, Punjab,

Chandigarh.

Respondent

**APPEAL CASE NO: 1138 OF 2018**

Present : (i) None is present on behalf of the appellant.

(ii)Sh. Gurcharan Singh o/o State Election Commission and SH. Chamandeep Singh, T.C c/o BDPO, Samana on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 22.05.2018.

2. The appellant is absent for today’s hearing.

 3. The respondent states that the information has been supplied to the appellant vide letter dated 04.07.2018.

4. During the last hearing, Sh. Arvind Garg, SDM, Samana was directed to appear personally but at today’s hearing, he has not come

5. Last opportunity is given to the PIO o/o SDM, Samana to appear personally and file an affidavit that the information (which was related with their department has been supplied), on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated. The PIO o/o ADC (D), Patiala is also directed to appear personally alongwith the written reply, on the next date of hearing. The PIO o/o State Election Commission, Punjab is exempted from further appearances.

6. The appellant is also advised to follow up his case in the Commission, failing which decision shall be taken on merit.

Contd..p-2

**APPEAL CASE NO: 1138 OF 2018**

7. The matter to come up for further hearing now on **27.11.2018 at 11.00AM.** Copies of the order be sent to the parties.

 Sd/-

 **Chandigarh (Prof. Viney Kapoor Mehra)**

 **03.10.2018 State Information Commissioner**

***Through registered post***

 CC: (i) The PIO o/o Sub Divisional Magistrate, Samana, Distt: Patiala.

 (ii) The PIO o/o Additional Deputy Commissioner (D), Patiala.

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Sh. Gurdeep Singh,

S/o Sh. Satnam Singh,

R/o Village Teja Rurela,

Tehsil & Distt:Fazilka.

Complainant

Versus

**Public Information Officer**,

O/o Deputy Commissioner,

Fazilka.

Respondent

**Complaint CASE NO. 95 OF 2018**

**PRESENT:** (i) None is present on behalf of the complainant.

(ii) Sh. Mangat Singh Bhandari, Tehsildar, Fazilka, Sh. Darshan Singh, Clerk and Sh. Iqbal Singh, Tehsildar (Retd) and SH.Sunil Kumar, Reader o/o DRO on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 20.06.2018.

2. The complainant has informed the Commission that he has received the information from the respondent.

3. The respondent states that the information has already been supplied to the complainant vide letter dated 14.03.2018 and again sent to him by registered post on 09.07.2018, after that he received by hand on 10.07.2018. Sh. Mangat Singh, Tehsildar states that Sh. Ved Parkash was the responsible for the delay but he has retired on 30.04.2017.

4. After examining the case file, it reveals that the RTI application dated 20.09.2016 was filed by the complainant to the Deputy Commissioner, Fazilka but received in the office of Deputy Commissioner, Fazilka on 12.10.2016 and the same was transferred to the Tehsildar, Fazilka vide letter dated 12.10.2016, as the information was related with the Tehsildar, Fazilka. Sh. Iqbal Singh Gill was the Tehsildar who joined on 24.12.2016 and Sh. Ved Parkash, was the dealing Clerk at that time, who has been retired on 30.04.2017. Sh. Iqbal Singh Gill, Tehsildar filed written reply that due to election duty, he was busy and transferred from the Fazilka to Sh. Mukatsar Sahib o

Contd…p-2

**Complaint CASE NO. 95 OF 2018**

08.06.2017. During this period, no single document has been received neither from the Deputy Commissioner, Fazilka nor from the complainant.

 Sh. Darshan Singh Sidhu, joined on 27.06.2017 as Tehsildar, Fazilka and when they received the notice from the Deputy Commissioner, Fazilka, the information was sent to the complainant vide letter dated 14.03.2018 and again on 09.07.2018 by registered post and on 10.07.2018 by hand.

5. After perusing the case file, it is ascertained that the delay has been occurred on the part of Sh. Ved Parkash, who was the dealing clerk at that time but he has now been retired on 30.04.2017. He has sent his written reply in which he has admitted that he was the guilty. All the Tehsildars, who were at that time, have filed their written replies, which are taken record. Now, the information stands supplied and taking a lenient view, all the officers, who were the concerned at the time of filling the RTI application, are warned to be careful in future while dealing with the RTI applications.

6. In view of the above, no further cause of action is left in the instant Complainant Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**03.10.2018 State Information Commissioner**

***Through registered post***

**CC: Sh. Darshan Singh Sidhu, Tehsildar o/o Deputy Commissioner, Shri Mukatsar Sahib.**

 **Sh. Iqbal Singh Gill, Tehsildar (Retired), R/o Housefed Colony, Bathinda.**

 **Sh. Mangat Singh Bhandari, Tehsildar, Fazilka.**

 **PUNJAB STATE INFORMATION COMMISSION**

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**Sector:16, Chandigarh**

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Sh. Gurdeep Singh,

S/o Sh. Satnam Singh,

R/o Village Teja Rurela,

Tehsil & Distt:Fazilka.

Complainant

Versus

**Public Information Officer**,

O/o Deputy Commissioner,

Fazilka.

Respondent

**Complaint CASE NO. 93 OF 2018**

**PRESENT:** (i) None is present on behalf of the complainant.

(ii) Sh.Mangat Singh Bhandari, Tehsildar, Fazilka, Sh. Darshan Singh, Clerk and Sh.Iqbal Snigh, Tehsildar (Retd) and SH.Sunil Kumar, Reader o/o DRO on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 20.06.2018.

2. The complainant is absent for today’s hearing.

3. The respondent states that the information has been provided to the complainant vide letter dated 15.06.2018.

4. A written reply of PIO-cum-DRO o/o D.C, Fazilka has been received in the Commission vide letter dated 28.09.2018 mentioning therein that the RTI application of the complainant dated 20.08.2016 received in the o/o Deputy Commissioner, Fazilka on 24.08.2016 and the same was transferred to the ADC (D), Fazilka vide letter dated 26.08.2016 as the information was related with the ADC (D), Fazilka.

5. After examining the case file, it reveals that the RTI application of the complainant has been transferred at many levels. Therefore, the PIO o/o Deputy Commissioner, Fazilka, PIO o/o ADC(D), Fazilka, Tehsildar, Fazilka, BDPO, Fazilka, and VDO, Fazilka, all are directed to appear personally alongwith their written replies that on what date they received the RTI application of the complainant and when they replied to the complainant, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated against all the officials for non compliance the orders of the Commission.

Contd…p-2

**Complaint CASE NO. 93 OF 2018**

6. The complainant is also advised to follow up his case in the Commission, failing which decision shall be taken on merit.

7. The matter to come up for further hearing on **22.11.2018 at 11.00 AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**03.10.2018 State Information Commissioner**

***Through registered post***

**CC: (i) The PIO o/o Deputy Commissioner, Fazilka.**

 **(ii) The PIO o/o Additional Deputy Commissioner(D), Fazilka.**

 **(iii) Tehsildar, Fazilka.**

 **(iv) Block Development and Panchayat Officer, Fazilka.**

 **(v) Village Development Officer o/o Block Development and Panchayat**

 **Officer, Fazilka**