

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.

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Sh. Rajesh Sharma, S/o Sh. Sukhdev Raj,
VPO: Kalanapur, Distt:Gurdaspur.

...Appellant

Vs

Public Information Officer,
O/o Head Mistress,
Govt. High School, Mahalon,
Distt:Shaheed Bhagat Singh Nagar.

First Appellate Authority-cum-
O/o District Education Officer (SE),
Shaheed Bhagat Singh Nagar.

...Respondents

AC.No. 4223 of 2019

PRESENT : (i) Sh. Rajesh Sharma, the appellant.
(ii) Sh. Sarabjit Singh, Principal-cum-First Appellate Authority, the respondent.

ORDER:

1. The RTI application is dated 08.08.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 27.09.2019 and the second appeal was filed in the Commission on 19.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.
3. The appellant states that till date, no information has been provided to him by the PIO.
4. Sh. Sarabjit Singh, Principal-cum-First Appellate Authority is appearing in person states that information was sent to the appellant by registered post on 30.09.2019 but the same was returned undelivered with the remarks of the postal authorities that the address of the appellant is incomplete. He further adds that information has no relationship to any public interest and related with third party being exempted under Section 8(1)(j) of the RTI Act, 2005. Copy of the reply is handed over to the appellant today in the Commission.
5. After perusing the reply, the appellant states that he is not satisfied with the reply of the PIO that this information cannot be supplied being third party information.
6. After deliberation on the case as also hearing both the parties and perusing the record as available on the file, it is ascertained that the RTI application of the appellant is related to

Contd...p-2

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AC.No. 4223 of 2019

third party information, which cannot be disclosed to him under Section 8(1)(j) of the RTI Act, 2005 and serves no public interest. Further consent to share the information has not been given by the third party in question. The Bench agrees with the contention of the respondent that the information sought by the appellant is third party information and has rightly been declined in view of Section 8(1)(j) of the RTI Act, 2005.

7. In view of the above, no further cause of action is left in the instant Appeal case. The same, is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
04.02.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Pardeep Kumar, S/o Sh. Kharati Lal,
MCB-Z-6/00289, Gali No.16,
Multania Road, Bathinda.

...Appellant

Vs

Public Information Officer,
O/o Secretary,
Arya Girls Sr. Secondary School,
Bathinda.

First Appellate Authority-cum-
O/o President,
Arya Girls Sr. Secondary School,
Bathinda.

...Respondents

AC.No. 4225 of 2019

PRESENT : None of the parties.

ORDER:

1. The RTI application is dated 27.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 02.08.2019 and the second appeal was filed in the Commission on 14.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.
3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission by email mentioning therein that due to some unavoidable reason, he does not want to proceed further with his RTI application dated 27.06.2019 and withdraws his application.
4. The PIO is also absent for today's hearing. Intimation has also been received from the PIO in the Commission vide diary no. 2237 dated 03.02.2020, which is taken on record.
5. On the written submission of the appellant for withdrawal of this appeal, the instant Appeal Case is allowed to be withdrawn. The case is hereby **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
04.02.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Kuljit Singh, S/o Sh. Harcharan Singh,
VPO: Mahiraj Patti, Karam Chand,
Tehsil: Rampura Phul, Distt: Bathinda.

.....Appellant

Vs

Public Information Officer,
O/o District Education Officer (SE),
Bathinda.

First Appellate Authority
O/o District Education Officer (SE),
Bathinda.

.....Respondent

Appeal Case No. 4163 of 2019

PRESENT : (i) Sh. Kuljit Singh, the appellant.
(ii) Sh. Megha Ram, APIO on behalf of the respondent-PIO.

ORDER:

1. The RTI application is dated 06.07.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 26.07.2019 and the second appeal was filed in the Commission on 06.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.
3. The appellant states that he has received the information except on point No.4 i.e copy of departmental Rules regarding authority to sign official documents.
4. Sh. Megha Ram, APIO is appearing on behalf of the PIO states that reply pertaining to point no.4 has already been provided to the appellant and there are no such departmental Rules.
5. After deliberations and perusal of the record as available on the file, it is ascertained that the information as per official record has been supplied to the appellant. The PIO is directed to file an affidavit clearly mentioning that the information sought by the appellant has been provided. No departmental Rules exist in the O/o District Education Office (SE), Bathinda regarding authority to sign official documents. The affidavit must be filed by the PIO within fifteen days and duly attested by the Notary Public.
6. With these directions, the instant Appeal Case is, hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
04.02.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Makhan Singh, S/o Sh. Jagir Singh,
Village:Bika, Distt:Shaheed Bhagat Singh Nagar.

...Appellant

Vs

Public Information Officer,
O/o Inspector General of Police,
PAP, Jalandhar.

First Appellate Authority-cum-
O/o Additional Director General of Police,
PAP, Jalandhar Cantt.

.....Respondent

Appeal Case No. 4159 of 2019

PRESENT : (i) Sh. Makhan Singh, the appellant.
(ii) Sh.Balkar Singh, PPS, Deputy Suptd. of Police, Jalandhar on behalf of the respondent/PIO.

ORDER:

1. The RTI application is dated 31.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 26.08.2019 and the second appeal was filed in the Commission on 05.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.

3. The appellant states that till date, no information has been provided to him by the respondent.

4. Sh.Balkar Singh, PPS, Deputy Suptd. of Police, Jalandhar is appearing on behalf of the PIO having been duly authorized by the PIO. He states that RTI application of the appellant was addressed to the Commandant 7th Battalion, PAP, Jalandhar. He demanded information/documents of his service record pertaining to the years 1983-84. He further adds that the appellant was informed vide letter dated 21.08.2019 that RTI application dated 31.07.2019 of the appellant has been rejected based on the Govt. of Punjab, Deptt of Governance Reforms Notification No. S.O49/CA.22/2005/S.24/2016 dated 07.06.2016 in exercise of the powers conferred by sub section (4) of section 24 of the RTI Act, 2005 (Central Act No.22 of 2005) according to which the provisions of RTI Act shall not apply on Armed Battalions.

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Appeal Case No. 4159 of 2019

5. The appellant has filed two complaints and four appeal cases so far, all relating to his service record of the years 1983-84 before the Punjab State Information Commission, since 2013.

6. Detailed deliberation on the case was held. The case file of the appellant was examined by the Bench. The Bench then observed that from perusal of case file of the appellant available with the respondent(s), the Court is of the opinion that sufficient information has already been made available to the appellant in one form or to other on the issues raised vide his RTI application.

7. In view of the above, no further cause of action is called for in the instant Appeal Case. The same is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
04.02.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Roop Singh,
S/o Sh. Hari Singh, R/o Street No.2,
New Basant Nagar, Malout Road,
Opp: Gandhi Petrol Pump, Abohar,
Distt: Fazilka.

...Appellant

Vs

Public Information Officer,
O/o Senior Superintendent of Police,
Bathinda.

Public Information Officer,
O/o Sub Divisional Magistrate,
Bathinda.

First Appellate Authority-cum-
O/o Inspector General of Police,
Bathinda Range, Bathinda.

.....Respondent

AC.No. 4023 of 2019

PRESENT: (i) None is present on behalf of the appellant.
(ii) Sh. Resham Singh, Head Constable o/o S.S.P, Bathinda and Sh. Sukhjeet Singh, Naib Tehsildar O/o Sub Divisional Magistrate, Bathinda on behalf of the respondents.

ORDER

1. This order may be read with reference to the previous order dated 06.01.2020.
2. The appellant is absent for today's hearing without any intimation to the Commission.
3. Sh. Resham Singh, Head Constable is appearing on behalf of o/o S.S.P, Bathinda having been duly authorized by the PIO files reply stating that reply to the RTI application of the appellant has been sent to him on 08.06.2019. He further states that the information sought by the appellant relates to the O/o Sub Divisional Magistrate, Bathinda.
4. Sh. Sukhjeet Singh, Naib Tehsildar is appearing on behalf of O/o Sub Divisional Magistrate, Bathinda files an affidavit stating that information as sought by the appellant has been given to him by hand on 09.01.2020. Copy of acknowledgment to the effect given by the appellant is taken on record.
5. In view of the above, no further cause of action is left in the instant Appeal Case. The same is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Sd/-

Chandigarh
04.02.2020

(Lt Gen Ajae Kumar Sharma, (Retd))
State Information Commissioner, Punjab

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Sh. Parminder Lal (Pammi),
S/o Sh. Darshan Lal,
Navi Abadi Akalgarh, Sudhar Bazar,
Ludhiana.

.....Appellant

Vs

Public Information Officer,
O/o Principal,
Shaheed Kartar Singh Sarabha,
Govt., Sr. Secondary School,
Sarabha, Distt:Ludhiana.

First Appellate Authority
O/o District Education Officer(SE),
Ludhiana.

.....Respondent

Appeal Case No.4230 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Harjinder Singh, Teacher on behalf of the respondent.

ORDER:

1. The RTI application is dated 18.04.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 26.08.2019 and the second appeal was filed in the Commission on 14.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.

3. The appellant is absent for today's hearing without any intimation to the Commission.

4. Sh. Harjinder Singh, Teacher is appearing on behalf of the PIO without any authority letter states that information which was available in their office records, has been supplied to the appellant vide letters dated 27.05.2019 and 31.10.2019 by registered post.

5. The appellant is advised to scrutinize the information provided and revert back to the PIO as also the Commission, in case of any short comings. The appellant is also advised to appear in person on the next hearing.

6. The PIO has not appeared for today's hearing, inspite of the directions of the Bench. This shows his disregard to the authority of the Commission. The absence of the PIO is viewed

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Appeal Case No.4230 of 2019

seriously. The PIO is directed to appear in person on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

7. The matter is adjourned. To come up for further hearing now on **18.03.2020 at 11.30AM through Video Conference at Deputy Commissioner, Ludhiana**. Copies of the order be sent to the parties.

**Chandigarh
04.02.2020**

Sd/-
**(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

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Sh. Manjit Singh, S/o Sh. Gurcharan Singh,
Village: Mane Majra, Tehsil: Chamkaur Sahib,
Distt: Ropar.

... Appellant

Vs

Public Information Officer,
O/o Secretary,
Punjab School Education Board, Mohali.

First Appellate Authority-cum-
O/o Secretary,
Punjab School Education Board, Mohali.

.....Respondent

Appeal Case.No.4136 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Baljinder Kaur, APIO, Sh. Inderjit Singh, Suptd. and Smt.Jasdeep Kaur on behalf of the respondent.

ORDER:

1. The RTI application is dated 23.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 12.09.2019 and the second appeal was filed in the Commission on 05.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.
3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission by email mentioning therein that due to marriage ceremony of his close relative, he is unable to attend today's hearing. He has also mentioned that no information has been given to him by the PIO till date.
4. Sh. Baljinder Kaur, APIO is appearing on behalf of the PIO states that information has been sent to the appellant vide letter dated 10.01.2020. She further adds that information has also been provided to the appellant in Complaint case No.411 of 2019 by Bench of Hon'ble Dr. Pawan Kumar Singla, SIC on a similar issue.
5. The appellant is, however, advised to visit the office of the respondent on any working day and peruse the original records as available in the office of the respondent with prior notice to the PIO. The respondent is directed to provide access to records in his office and give

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Appeal Case.No.4136 of 2019

copies of documents needed by the appellant. Photocopies of the same be provided to him duly page numbered, stamped and authenticated by the PIO. The Bench directed the PIO O/o Secretary, Punjab School Education Board, Mohali that the same be done, before the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter is adjourned. To come up for further hearing on **02.03.2020 at 11.30 AM.**

Copies of the order be sent to the parties.

Chandigarh
04.02.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Dheeraj Kumar Rattan,
S/o Sh. Harvinder Lal,
VPO: Jhander Kalan, Tehsil: Banga,
Distt: Shahid Bhagat Singh Nagar.

...Complainant

Vs

Public Information Officer,
O/o Secretary, Punjab School Education Board,
Mohali.

...Respondents

Complaint Case. No.980 of 2019

PRESENT : (i) None is present on behalf of the complainant.
(ii) Sh. Surinder Singh, Sr. Assistant on behalf of the respondent.

ORDER:

1. The RTI application is dated 20.06.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 13.11.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.
3. The complainant is absent for today's hearing without any intimation to the Commission.
4. Sh. Surinder Singh, Sr. Assistant is appearing on behalf of the PIO states that the information asked for by the complainant has been sent to him vide letter dated 23.01.2020 by registered post. Copy of the same is taken on record.
5. The complainant was contacted on telephone, he has informed that information in this complaint case has been received, however copy of notification asked for is yet to be made available.
6. The PIO is directed to send the copy of the notification to the complainant in the next 48 hours through registered post under intimation to the Commission. In the complaint cases, it is to be seen whether the intention of the respondent/PIO is genuine. The respondent/PIO in the instant case has delayed responding to the request for information by nearly six months, however, during deliberations the Bench observed that the intentions of the respondent were genuine. Thus, the Bench advises the PIO to be more sensitive and prompt in dealing with RTI applications.
7. With these directions, the instant Complaint Case is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Sd/-

Chandigarh
04.02.2020

(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Subhash Chander Kundra Judge (Advocate),
Pidit Organisation, Japo, Ludhiana,
Society for Fast Justice,
1447, Sector:32-A, Chandigarh Road,
Ludhiana.

...Complainant

Vs

Public Information Officer,
O/o District Education Officer (SE),
Ludhiana.

...Respondents

CC.No. 978 of 2019

PRESENT : (i) None is present on behalf of the complainant.
(ii) Sh. Ashwani Kumar, Jr. Assistant on behalf of the respondent.

ORDER:

1. The RTI application is dated 05.09.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 13.11.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.
3. The complainant is absent for today's hearing without any intimation to the Commission.
4. Sh. Ashwani Kumar, Jr. Assistant is appearing on behalf of the PIO without any authority letter states that complete information has already been provided to the complainant by hand on 25.07.2019. He produces the receiving letter given by the complainant in the Court.
5. The complainant was contacted on telephone, he has informed the Bench that incomplete information in this complaint case has been given by the PIO.
6. The complainant is, therefore, advised to visit the office of the respondent on any working day and peruse the original records as available in the office of the respondent with prior notice to the PIO. The respondent is directed to provide access to records in his office and give copies of documents needed by the complainant. Photocopies of the same be provided to him duly page numbered, stamped and authenticated by the PIO.

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CC.No. 978 of 2019

7. The PIO is absent inspite of the Notice of the Commission. The absence of the PIO is viewed adversely. The Bench directed the PIO O/o District Education Officer(SE), Ludhiana to file an affidavit duly attested by the Notary Public within one week stating that information as available on their office records has been supplied to the complainant and no information has been withheld.

8. Last opportunity is now being given to the complainant to follow up the case, failing which decision be will taken in his absentia based on documents available on file.

9. The matter is adjourned. To come up for further hearing now on **18.03.2020 at 11.30AM through Video Conference at Deputy Commissioner, Ludhiana**. Copies of the order be sent to the parties.

**Chandigarh
04.02.2020**

Sd/-
**(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab**

PUNJAB STATE INFORMATION COMMISSION

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Sh. Lakha Singh Azad, S/o Sh. Mangal Singh Fauji,
VPO: Raiya (Khurd), Ward NO.3, Tehsil: Baba Bakala,
Distt: Amritsar.

... Appellant

Vs

Public Information Officer,
O/o Deputy Director,
Local Bodies, Amritsar.

First Appellate Authority-cum-
O/o Principal Secretary,
Local Govt., Punjab, Chandigarh.

..... Respondent

Appeal Case No.4187 of 2019

PRESENT : (i) None is present on behalf of the appellant.
(ii) Sh. Balwinder Singh, Clerk on behalf of the respondent.

ORDER:

1. The RTI application is dated 20.06.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 09.08.2019 and the second appeal was filed in the Commission on 08.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.
3. The appellant is absent for today's hearing. Intimation has been received from the appellant in the Commission by email mentioning therein that even after a lapse of six months, no information has been provided to him by the PIO.
4. Sh. Balwinder Singh, Clerk is appearing on behalf of the PIO without any authority letter states that information has already been sent to the appellant vide letter dated 13.08.2019.
5. The appellant was contacted on telephone during the hearing, he has informed the Bench that no information in this appeal case has been given by the PIO.
6. The appellant is, therefore, advised to visit the office of the respondent on any working day and peruse the original records as available in the office of the respondent with prior notice to the PIO. The respondent is directed to provide access to records in his office and give copies of documents needed by the appellant. Photocopies of the same be provided to him duly page numbered, stamped and authenticated by the PIO.

Contd...p-2

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Appeal Case No.4187 of 2019

7. The PIO is absent inspite of the Notice of the Commission. The absence of the PIO is viewed adversely. The Bench directed the PIO to file an affidavit duly attested by the Notary Public within one week stating that information as available in their office records has been supplied to the appellant and no information has been withheld.

8. Last opportunity is now being given to the complainant to follow up the case, failing which decision be will taken in his absentia based on documents available on file.

9. The matter is adjourned. To come up for further hearing now on **18.03.2020 at 11.30AM through Video Conference at Deputy Commissioner, Amritsar**. Copies of the order be sent to the parties.

Chandigarh
04.02.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab

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Sh. Sukhchain Singh,
Sonam Mohalla, Fatehgarh Churian,
Tehsil:Batala, Distt:Gurdaspur.

.....Appellant

Vs

Public Information Officer,
O/o Deputy Director,
Local Bodies, Amritsar.

First Appellate Authority-cum-
O/o Director,
Local Bodies, Punjab,
Chandigarh.

.....Respondent

Appeal Case No.4180 of 2019

PRESENT : (i) Sh. Sukhchain Singh, the appellant.
(ii) Sh.Baldev Singh, Clerk on behalf of the respondent o/o Nagar Council,
Fatehgarh Churian.

ORDER:

1. The RTI application is dated 12.07.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 19.08.2019 and the second appeal was filed in the Commission on 08.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.02.2020 by the Commission.

3. The appellant states that till date, no information has been given to him by the PIO. He further states that a letter has been received from the department to deposit Rs. 42/- as documentation fee. He visited the office of the respondent to deposit the documentation fee in cash and collect the information, however the dealing Clerk Sh. Vijay Kumar refused to hand over copies of information and said that same will be sent to him by registered post as requested in his RTI application. This attitude of the department to RTI applications has been viewed adversely by the Bench.

4. Sh. Baldev Singh, Clerk is appearing on behalf of the o/o Executive Officer, Nagar Council, Fatehgarh Churian having been duly authorized by the PIO files reply to the Notice of the Commission, which is taken on record.

Contd...p-2

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Appeal Case No.4180 of 2019

5. The appellant is now again advised to visit the office of the respondent on any working day and peruse the original records as available in the office of the respondent with prior notice to the PIO. The respondent is directed to provide access to records in his office and give copies of documents needed by the appellant. Photocopies of the same be provided to him duly page numbered, stamped and authenticated by the PIO.

6. After deliberations and perusal of the record as available on the file, it is ascertained that the PIO is unnecessarily delaying provision of information and harassing the appellant. The RTI Act 2005 is meant to promote transparency in functioning of public authorities. The PIO is also absent in spite of the Notice of the Commission. The absence of the PIO is viewed adversely. The Bench directed the PIO to provide the complete and correct information to the appellant, free of cost, before the next date of hearing and personally appear on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

7. The matter is adjourned. To come up for further hearing now on **04.03.2020 at 11.30AM**. Copies of the order be sent to the parties.

Chandigarh
04.02.2020

Sd/-
(Lt Gen Ajae Kumar Sharma,(Retd))
State Information Commissioner, Punjab