

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864118, Email: - psic28@punjabmail.gov.in

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APPEAL CASE NO. 577 OF 2019

Shri Ramandeep Singh Ahluwalia,
Ward No. 18, Street No. 2, Kartar Nagar,
Amloh Road, Khanna- 141401

...Appellant

Versus

Public Information Officer,
O/o Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35, Chandigarh.

First Appellate Authority,
O/o Director,
Local Government, Punjab,
Municipal Bhawan, Sector-35, Chandigarh.

...Respondents

PRESENT: None on behalf of the Appellant.
Sh. Ranbir Singh, Executive Officer – PIO O/o Nagar Council, Khanna.

ORDER:

This order may be read with reference to the previous order dated: 19.12.2019.

2. Sh. Ranbir Singh, Executive Officer – cum – PIO appears in person and brought an Affidavit regarding the information supplied to the Appellant, for the perusal of the Commission.
3. After examining the Affidavit, it is found incorrect. Therefore, the Respondent – PIO is directed to appear personally alongwith the proper Affidavit, duly attested by the competent authority in response to the information supplied to the Appellant and he further directed to file a reply in response to the Show Cause Notice issued to him vide order dated 19.12.2019, on the next date of hearing, failing which Penalty provisions will be initiated against him as per provisions of the RTI Act, 2005.
4. In view of the above, the case is adjourned to **18.03.2020 at 11:30 AM**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

(Hem Inder Singh)
State Information Commissioner

Copy of this forwarded to:-

(Regd. Post)

Sh. Ranbir Singh,
Executive Officer – cum – PIO,
Municipal Council, Khanna (Ludhiana).

- for intimation & further Necessary Action.

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COMPLAINT CASE NO. 0921 OF 2019

Dr. Kamallesh Garg, (9815620669)
Kumar Hospital,
Fauji Road, Kotkapura-151204
(Kapurthala).

...Complainant

Versus

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

...Respondents

PRESENT: None on behalf of the Complainant.
Constable Shri Pawandeep Singh on behalf of the Respondents

ORDER: This order may be read with reference to the previous order dated 19.12.2019.

2. The Complainant is absent from today's hearing in the Commission and he was also absent on the last date of hearing i.e. 19.12.2019.
3. Constable Shri Pawandeep Singh appears on behalf of the Respondents and in compliance with the order of the Commission that the requisite information has been sent to Complainant vide letter no. 1481/R.T.I. dated 20.12.2019 through registered post.
4. From perusal of the record as available on the file, it is ascertained that the Complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the Complainant.
5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the Complainant has failed to avail the same in the instant case. Consequently, the First Appellate Authority (FAA) has not had the chance to review the PIO's decision as envisaged under the RTI Act. In case the Complainant has any grouse about the provided information, he is advised to challenge the response of the PIO to the First Appellate Authority as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving opportunity of hearing to all concerned, by passing a speaking order.

Cont...P2

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COMPLAINT CASE NO. 0921 OF 2019

6. If, however, the Complainant does not feel satisfied with the decision of the F.A.A., he will be at liberty to move a Second Appeal, before the Commission, as per Section 19(3) of the RTI Act 2005.
7. In terms of the observations noted above, the case is hereby ordered to be **disposed of and closed.**

**Chandigarh
06.02.2020**

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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COMPLAINT CASE NO. 991 OF 2019

Sh. Rajinder Kumar Verma,
326, Guru Gobind Singh Nagar,
Street No. 8/6, New Shimlapuri,
Ludhiana-141003

...Complainant

Versus

Public Information Officer,
O/o District Saving Officer,
Ludhiana-141001

...Respondent

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated 28.01.2020.

2. Both the parties are absent from today's hearing in the Commission. However, the Respondent has E-mailed in the Commission mentioning therein that the information has been supplied to the Complainant by hand and he has acknowledge the same in writing.
3. From perusal of the record as available on the file, it is ascertained that the Complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the Complainant.
4. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the Complainant has failed to avail the same in the instant case. Consequently, the First Appellate Authority (FAA) has not had the chance to review the PIO's decision as envisaged under the RTI Act. In case the Complainant has any grouse about the provided information, he is advised to challenge the response of the PIO to the First Appellate Authority as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving opportunity of hearing to all concerned, by passing a speaking order.

Cont...P2

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COMPLAINT CASE NO. 0991 OF 2019

5. If, however, the Complainant does not feel satisfied with the decision of the F.A.A., he will be at liberty to move a Second Appeal, before the Commission, as per Section 19(3) of the RTI Act 2005.
6. In terms of the observations noted above, the case is hereby ordered to be **disposed of and closed.**

**Chandigarh
06.02.2020**

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 1263 OF 2019

Shri Jagjeet Singh (9530991083)
S/o Shri Gurcharan Singh
VPO: Phul Khera, Tehsil: Malout,
District Shri Muktsar Sahib-152114

...Appellant

Versus

Public Information Officer,
O/o Sub-Divisional Engineer,
Water Supply & Sanitation Division,
MALOUT, Distt. Sri Muktsar Sahib.

First Appellate Authority,
O/o Sub-Divisional Engineer,
Water Supply & Sanitation Division,
MALOUT, Distt. Sri Muktsar Sahib.

...Respondents

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated: 19.12.2019.

2. The Appellant is absent for today's hearing in the Commission and he has also not attended the last hearings consecutively 5th times dated: 31.07.2019, 18.09.2019, 13.11.2019 and 19.12.2019.
3. After examining the case file, it is revealed that the Respondent has sent a letter in the Commission vide diary no. 11467, dated: 13.06.2019 and mentioning therein that the demanded information has already been supplied to the Appellant and after that no observation has been received from him.
4. The Appellant has not attended the Commission consequently 5th times entailing thereby that he does not want to follow up his case further. It is presumed that he is satisfied with the provided information.
5. Keeping in view of the above, no further action is required in this Case, hence the Appeal case is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 1841 OF 2019

Sh. Hardit Singh,
S/o Sh. Karnail Singh,
Village Isapur Rauni, Ward No. 17,
Dera Bassi, District S.A.S. Nagar (Mohali).

...Appellant

Versus

Public Information Officer,
O/o Sub Divisional Officer,
Water Supply & Sewerage Board,
Zirakpur, District S.A.S. Nagar.

First Appellate Authority,
O/o Water Supply & Sewerage Board,
Division No. 1, Patiala.

...Respondents

PRESENT: None on behalf of the Appellant.
Sh. Hari Krishan Sharma, S.D.O. on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 23.01.2020.

2. The Appellant is absent from today's hearing in the Commission. He has also not attended last hearings consecutively 09.12.2019 and 23.01.2020 and he has also not intimated about his absence for today's hearing.
3. Sh. Hari Krishan Sharma, S.D.O. appears on behalf of the Respondents and reiterates his earlier stand that the requisite information has already been provided to the Appellant and after that no observation has been received from him.
4. The Appellant has not attended the Commission consequently twice entailing thereby that he does not want to follow up his case further. It is presumed that he is satisfied with the provided information.
5. Keeping in view of the above, no further action is required in this case; hence the Appeal case is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 2427 OF 2019

Smt. Madhu Sharma,
W/o Sh. Sawtantar Sharma,
R/o H. No. 4811/1, Sector-38 (West),
Chandigarh-160014

...Appellant

Versus

Public Information Officer,
O/o XEN/Executive Engineer,
Water Supply & Sanitation Division No. 2,
Ludhiana.

First Appellate Authority,
O/o Superintending Engineer,
Water Supply & Sanitation Circle,
Ludhiana.

...Respondents

PRESENT: Shri Sawtantar K. Sharma, on behalf of the Appellant.
Sh. Prem Kumar, SDO on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 19.12.2019.

2. The representatives of the Appellant states that incomplete information has been provided to the Appellant.

3. Sh. Prem Kumar, S.D.O. appears on behalf of the Respondent and states that information has already been provided to the Appellant.

4. The representative of the Appellant further furnished the deficiencies in writing to the Respondent and same is handed over to him.

5. The Respondent is directed to supply the demanded information after removing the deficiencies as furnished by the representative of the Appellant, today in the Commission, before the next date of hearing, by registered post, under intimation to the Commission. If there is no other information then file an affidavit stating therein that the information as available in their office record has been provided to the Appellant which is complete, correct and duly authenticated, failing which strict action under Section 20(1) of the RTI Act, 2005 will be initiated against the PIO.

6. The case is adjourned to **03.03.2020 at 11:30 AM**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 3161 OF 2019

Smt. Madhu Sharma,
W/o Sh. Sawtantar Sharma,
R/o H. No. 4811/1, Sector-38 (West),
Chandigarh-160014

...Appellant

Versus

Public Information Officer,
O/o XEN/Executive Engineer,
Water Supply & Sanitation Division No. 2,
Ludhiana.

First Appellate Authority,
O/o Superintending Engineer,
Water Supply & Sanitation Circle,
Ludhiana.

...Respondents

PRESENT: Shri Sawtantar K. Sharma, on behalf of the Appellant.
Sh. Prem Kumar, SDO on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 19.12.2019.

2. Sh. Prem Kumar, S.D.O. appears on behalf of the Respondent along with the information and same is handed over to the representative of the Appellant.

3. The representative of the Appellant requests that some more time is given to him to furnish the deficiencies.

4. In view of the above, the Appellant is directed to point out the deficiencies, if any, in writing to the Respondent- PIO within week, under intimation to Commission. The Respondent – PIO is directed to remove the same, after receiving the discrepancies from the Appellant, before the next date of hearing. If there is no other information then file an affidavit stating therein that the information as available in their office record has been provided to the Appellant which is complete, correct and duly authenticated, failing which strict action under Section 20(1) of the RTI Act, 2005 will be initiated against the PIO.

5. The case is adjourned to **03.03.2020 at 11:30 AM**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3898 OF 2019

Smt. Madhu Sharma,
W/o Sh. Sawtantar Sharma,
R/o H. No. 4811/1, Sector-38 (West),
Chandigarh-160014

...Appellant

Versus

Public Information Officer,
O/o XEN/Executive Engineer,
Water Supply & Sanitation Division No. 3,
Ludhiana.

First Appellate Authority,
O/o Superintending Engineer,
Water Supply & Sanitation Circle,
Ludhiana.

...Respondents

PRESENT: Shri Sawtantar K. Sharma, Husband, on behalf of the Appellant.
Sh. Rohit Kumar, XEN-cum-PIO & Sh. Gagan Sharma, Sr. Assistant.

ORDER:

This order may be read with reference to the previous order dated 19.12.2019.

2. The representative of the Appellant states that incomplete information has been provided to Appellant except the point no. 1, 3 and 5 of the RTI application.
3. Sh. Rohit Kumar, XEN – cum – PIO appears in person and file a reply stating therein that the requisite information has already been supplied to the Appellant and no other information available in the official record.
4. In view of the above, the Respondent – PIO is directed to provide the remaining information, if there is no other information then file an affidavit stating therein that the information as available in their office record has been provided to the Appellant which is complete, correct and duly authenticated, failing which strict action under Section 20(1) of the RTI Act, 2005 will be initiated against him.
5. The case is adjourned to **03.03.2020 at 11:30 AM**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3685 OF 2019

Shri Dinesh Kumar,
S/o Shri Daulat Ram,
Village Ratewal (Neleware), Tehsil Balachaur,
District SBS Nagar.

...Appellant

Versus

Public Information Officer,
O/o Deputy Commissioner,
Patiala.

Electoral Registration Officer –cum- APIO
110-Patiala Rural Assembly,
O/o Deputy Director,
Local Government, Patiala.

Electoral Registration Officer –cum- APIO
116- Samana Assembly,
O/o Sub Divisional Magistrate,
Samana (Patiala).

First Appellate Authority,
O/o Deputy Commissioner,
Patiala.

...Respondents

PRESENT: None on behalf of the Appellant.
Sh. Ramji Lal, PIO –cum Election Tehsildar O/o District Election Office, Patiala;
Sh. Madho Lal, Assistant Programmer O/o 110-Patiala Rural Assembly, Patiala;
Sh. Paramjit Singh & Sh. Kartik Bansal, Clerk for the Respondents.

ORDER:

This order may be read with reference to the previous order dated 28.11.2019.

2. The Respondent states that the available information has already been provided to the Appellant by hand and he has acknowledged the same.
3. The Appellant is absent from the today's hearing in the Commission. However, the Appellant telephonically confirmed that he has received the sufficient information and wants to close the case.
4. Keeping in view of the above, the Respondent has supplied the requisite information to the Appellant and he has acknowledged the same and expresses his willingness to close the case. Therefore, no further action is required. Hence this Appeal Case is **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy to Intimation & Necessary Action: -

Assistant Public Information Officer (By Name)
Tehsildar Elections,
O/o Deputy Commissioner,
Patiala.

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3694 OF 2019

Shri Malkit Singh, (9988810640)
S/o Shri Jang Singh,
Government Quarter No. 71,
Block No. 3, Ghalauri Gate, Patiala.

...Appellant

Versus

Public Information Officer,
O/o XEN/Executive Engineer,
Water Supply & Sanitation Division No. 1,
Amritsar.

First Appellate Authority,
O/o Superintending Engineer,
Water Supply & Sanitation Circle,
Amritsar.

...Respondents

PRESENT: Sh. Malkit Singh, Appellant.
Sh. Sarabjit Singh, S.D.O. on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 28.11.2019.

2. Sh. Sarabjit Singh, S.D.O. appears on behalf of the Respondents and states that requisite information has already been provided to him.
3. The Appellant states that the provided information is neither legible nor attested.
4. In view of the above, the Respondent – PIO is directed to provide the complete information legible and duly attested to the Appellant, before the next date of hearing, failing which Show Cause Notice will be issued to the PIO as per provisions of the RTI Act, 2005.
5. The case is adjourned to **03.03.2020 at 11:30 AM**. Copy of order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3859 OF 2019

Shri Surinder Pal
S/o Sh. Harbans Lal,
House No.1225, Fairland Colony,
Fategarh Churia Road,
Amritsar.

...Appellant

Versus

Public Information Officer,
O/o Superintendent Establishment
Branch (Non-Gazatted), Water Supply
And Sanitation Department,
Patiala.

First Appellate Authority,
O/o Deputy Director (Admn)
Water Supply and Sanitation Department,
Patiala.

...Respondents

PRESENT: Shri Surinder Pal, Appellant.
Shri Kuldeep Singh, Sr. Assistant on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 19.12.2019.

2. Shri Kuldeep Singh, Sr. Assistant appears on behalf of the Respondents along with the requisite information as discussed on the previous date of hearing and the same is handed over to the Appellant, during the hearing.
3. After going through the information, the Appellant acknowledges the same.
4. Keeping in view of the above, the Respondent has supplied the available information to the Appellant and he has acknowledged the same. Therefore, no further action is required. Hence this Appeal Case is **disposed of and closed**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 4257 OF 2019

Sh. Pritpal Singh,
S/o Sh. Baldev Singh,
Village Jeond, Tehsil Rampura Phul,
District Bathinda.
Mo: 9815814042

...Appellant

Versus

Public Information Officer,
O/o Tehsildar,
Rampura Phul,
District Bathinda.

First Appellate Authority,
O/o Sub Divisional Magistrate,
Rampura Phul,
District Bathinda.

...Respondents

PRESENT: Sh. Pritpal Singh, Appellant.
Sh. Baljinder Singh, Patwari, Sh. Kaur Singh, Steno & Sh. Dev Raj, Superintendent,
on behalf of the Respondents.

ORDER:

The RTI application is dated 23.06.2019 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 21.08.2019 and Second Appeal was filed in the Commission on 15.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The Respondent file a reply in response to the RTI application of the Appellant and same is handed over to the Appellant, during the hearing.

3. After going through the reply, the Appellant shows his dissatisfaction and the same is returned back to the Respondents.

4. In view of the above, the Respondent – PIO is directed to provide the available information to Appellant, if there is no information available in the record then file an affidavit in this regard, on the next date of hearing, failing which strict action under Section 20(1) of the RTI Act, 2005 will be initiated against the Respondent – PIO.

5. The case is adjourned to **17.03.2020 at 11:30 AM**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

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APPEAL CASE NO. 4258 OF 2019

Advocate Rupinder Garg,
Chamber No. 3, Civil Court Complex,
Phul Town, District Bathinda-151104
Mo: 9876101257

...Appellant

Versus

Public Information Officer,
O/o Executive Officer,
Municipal Council,
Rampura Phul, District Bathinda.

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

...Respondents

PRESENT: None for the Parties.

ORDER:

The RTI application is dated 04.10.2018 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 30.11.2018 and Second Appeal was filed in the Commission on 15.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The Appellant is absent from today's hearing in the Commission.

3. The Respondent has E-mailed in the Commission stating therein that he is unable to attend today's hearing in the Commission due to some personal reasons.

4. In view of the above, the Respondent – PIO (**Sh. Surinder Kumar Garg, Executive Officer – cum – PIO**) is directed to appear personally along with the complete information, on the next date of hearing, failing which strict action under Section 20(1) of the RTI Act, 2005 will be initiated against him.

5. The case is adjourned to **17.03.2020 at 11:30 AM**. Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION

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APPEAL CASE NO. 3810 OF 2019

Sh. Varun Khanna (9356242125)
1st Floor No. 13, Mahajan Market,
Gali Acharjan, Near Karmon Deori,
Amritsar-143001

...Appellant

Versus

Public Information Officer,
O/o Director,
Punjab Education Department (Elementary),
S.A.S. Nagar (Mohali).

First Appellate Authority,
O/o Director,
Punjab Education Department (Elementary),
S.A.S. Nagar (Mohali).

...Respondents

DUE TO TECHNICAL ERROR VIDEO CONFERENCE COULD NOT INITIATE.

PRESENT: Sh.Varun Khanna, Appellant present in the D.C. Office, Amritsar.
Sh. Ajay, Sr. Assistant on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated 18.12.2019.

2. The Appellant telephonically informed that no information has been provided to him by the Respondent – PIO.

3. Sh. Ajay, Sr. Assistant appears on behalf of the Respondents and states that the available information has been sent to the Appellant by ordinary post and E-mailed on co.varunasr@gmail.com.

4. The Respondent – PIO (Sh. Sushil Nath, Assistant Director) is directed to be send it again to the Appellant, by registered post, under intimation to the Commission, before the next date of hearing and he is further directed to appear personally, failing which Show Cause Notice will be issued to him/her as per provisions of the RTI Act, 2005.

5. The case is adjourned to **04.03.2020 at 01:40 PM through Video Conference facility of PAWAN in the o/o Deputy Commissioner, Amritsar. Both the parties are directed to appear personally on the above said date & time.** Copies of the order be sent to the parties.

Chandigarh
06.02.2020

Sd/-
(Hem Inder Singh)
State Information Commissioner

Copy to Intimation & Necessary Action: -

Sh. Sushil Nath,
Assistant Director – cum- PIO,
O/o DPI (Elementary), Service Cell,
Punjab School Education Board Complex,
S.A.S. Nagar (Mohali).