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.....Respondent

Sh. Jaspal Singh, (7340971043)

# 1205, Gali No. 8,

Hussainpura East, Amritsar. ......Appellant/Complainant

Versus

**Public Information Officer** 

O/o Commissioner of Police, Ludhiana.

**First Appellate Authority** 

O/o Commissioner of Police, Ludhiana.

Appeal Case No. 539 of 2022 (Cisco Webex Proceedings)

RTI application filed on : 01-10-2021

PIO replied on :

First appeal filed on : 16-11-2021

First Appellate Authority order : -

Present: Appellant: Sh. Jaspal Singh

Respondent: Sh. Balwinder Singh Saini (ASI), 9463180355

# **ORDER (First Hearing):**

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 24.01.2022. Accordingly, the cases are fixed for today.

# **Information Sought**

Sir, ਮੈਂ ਆਪ ਜੀ ਨੂੰ 14 Sep.2021, ਸਮਾਂ 10:53am (mazdoorjagritiunion@gmail.com) ਈਮੇਲ ਰਾਹੀਂ ਆਪਜੀ ਦੇ ਈਮੇਲ ਉੱਤੇ (cpjal@jalandharpolice.gov.in ਅਤੇ cpo.jal.police@punjab.gov.in) ਇਕ ਸ਼ਿਕਾਇਤ ਭੇਜੀ ਸੀ। ਆਪ ਜੀ ਵੱਲੋਂ ਉਸ ਸ਼ਿਕਾਇਤ ਉੱਤੇ ਜੋ ਕਾਰਵਾਈ ਕੀਤੀ ਗਈ ਹੈ ਉਸ ਕਾਰਵਾਈ ਦੀ ਕਾਪੀ ਅਤੇ ਉਸ ਸ਼ਿਕਾਇਤ ਉੱਤੇ ਲਿਖੀ ਗਈ FIR ਦੀ ਤਸਦੀਕਸ਼ਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ ਜੀ।

2. <u>Written Submission from respondent:</u> An email dated 03.06.2022 is received by the undersigned bench the relevant portion of which is reproduced below:

ਉਪਰੋਕਤ ਵਿਸ਼ਾ ਅੰਕਿਤ ਅਪੀਲ ਦੇ ਸਬੰਧ ਵਿੱਚ ਸ਼੍ਰੀ ਜਸਪਾਲ ਸਿੰਘ ਉਕਤ ਨੇ ਸੂਚਨਾ ਅਧਿਕਾਰ ਐਕਟ 2005 ਤਹਿਤ ਆਰ.ਟੀ.ਆਈ. ਦਰਖਾਸਤ ਨੰਬਰ 2026 - ਆਰ.ਟੀ.ਆਈ. ਮਿਤੀ 04,10,2021 ਦਾਇਰ ਕਰਕੇ ਦਰਖਾਸਤ ਨੰਬਰ 2087-ਈਮੇਲ ਮਿਤੀ 21.09.2021 ਸਬੰਧੀ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਹੈ। ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਬੰਧੀ ਰਿਪੋਰਟ ਇੰਚਾਰਜ ਸ਼ਿਕਾਇਤ ਸ਼ਾਖਾ ਕਮਿਸ਼ਨਰੇਟ ਜਲੰਧਰ ਪਾਸੇਂ ਹਾਸਲ ਕੀਤੀ ਗਈ ਸੀ। ਮੁਤਾਬਿਕ ਰਿਪੋਰਟ ਉਕਤ ਦਰਖਾਸਤ ਕਾਰਵਾਈ Appeal Case No. 539 of 2022

(Cisco Webex Proceedings)

ਕਰਨ ਲਈ ਸ਼ਿਕਾਇਤ ਸ਼ਾਖਾ ਦੇ ਦਫਤਰ ਦੇ ਨੰਬਰ 12164-ਪੀਸੀ ਮਿਤੀ 26.10.2021 ਨਾਲ ਦਫਤਰ ਕਮਿਸ਼ਨਰ

ਪੁਲਿਸ, ਅਮ੍ਰਿਤਸਰ ਵਿਖੇ ਕਾਰਵਾਈ ਕਰਨ ਹਿਤ ਭੇਜੀ ਗਈ ਸੀ। ਕਿਉਂਕਿ ਉਕਤ ਦਰਖ਼ਾਸਤ ਦਾ ਸਬੰਧ ਕਮਿਸ਼ਨਰ

ਪੁਲਿਸ, ਅੰਮ੍ਰਿਤਸਰ ਨਾਲ ਸੀ। ਇਸੇ ਵਿਸ਼ੇ ਸਬੰਧੀ ਅਪੀਲ ਕਰਤਾ ਨੇ ਮਾਨਯੋਗ ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ ਜਲੰਧਰ ਪਾਸ

ਅਪੀਲ ਨੰਬਰ 76 ਏ.ਸੀ.ਪੀ. ਆਰ.ਟੀ.ਆਈ ਮਿਤੀ 20.11.2021 ਦਾਇਰ ਕਰਕੇ ਉਕਤ ਦਰਖਾਸਤ ਸਬੰਧੀ ਸੂਚਨਾਹਾਂ

ਮੰਗ ਕੀਤੀ ਹੈ। ਜਿਸ ਸਬੰਧੀ ਅਪੀਲ ਕਰਤਾ ਨੂੰ ਪੱਤਰ ਨੰਬਰ 2028 ਡੀ.ਆਰ.ਟੀ.ਆਈ. ਵਿਸ਼ੇ 0 () 202) ਨਾਲ

ਬਜਰੀਆ ਡਾਕ ਉਕਤ ਜਵਾਬ ਭੇਜ ਕੇ ਸੂਚਿਤ ਕੀਤਾ ਗਿਆ ਸੀ। ਹੁਣ ਅਪੀਲ ਕਰਤਾ ਵਲੋਂ ਉਕਤ ਅਪੀਲ ਆਪ ਜੀ

ਪਾਸ ਦਾਇਰ ਕਰਕੇ ਦਰਖਾਸਤ ਨੰਬਰ 2087 ਈ.ਮੇਲ ਮਿਤੀ 21.09.2021 ਸਬੰਧੀ ਸੁਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਗਈ ਹੈ।

ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਸਬੰਧੀ ਰਿਪੋਰਟ ਇੰਚਾਰਜ ਸ਼ਿਕਾਇਤ ਸ਼ਾਖਾ ਕਮਿਸ਼ਨਰੇਟ ਜਲੰਧਰ ਪਾਸੋਂ ਹਾਸਲ ਕੀਤੀ ਗਈ ਸੀ।

ਮੁਤਾਬਿਕ ਰਿਪੋਰਟ ਉਕਤ ਦਰਖਾਸਤ ਕਾਰਵਾਈ ਕਰਨ ਲਈ ਸ਼ਿਕਾਇਤ ਸ਼ਾਖਾ ਦੇ ਦਫਤਰ ਦੇ ਨੰਬਰ 12164-ਪੀਸੀ

ਮਿਤੀ 26.10.2021 ਨਾਲ ਦਫਤਰ ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ , ਅਮ੍ਰਿਤਸਰ ਵਿਖੇ ਕਾਰਵਾਈ ਕਰਨ ਹਿਤ ਭੇਜੀ ਗਈ ਹੈ।

ਅਪੀਲ ਕਰਤਾ ਨੂੰ ਹਦਾਇਤ ਕੀਤੀ ਜਾਵੇ ਕਿ ਉਹ ਉਕਤ ਦਰਖਾਸਤ ਸਬੰਧੀ ਸੂਚਨਾ ਹਾਸਲ ਕਰਨ ਲਈ ਦਫਤਰ

ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ, ਅਮ੍ਰਿਤਰ ਨਾਲ ਰਾਬਤਾ ਕਾਇਮ ਕਰ

ਜੇਕਰ ਪ੍ਰਵਾਨ ਹੋਵੇ ਤਾਂ ਉਕਤ ਤੱਥਾਂ ਦੀ ਰੋਸ਼ਨੀ ਵਿੱਚ ਉਪਰੋਕਤ ਅਪੀਲ ਦਾਖਲ

3. Both the parties are present and heard.

4. After hearing both the parties and going through the written submission of the

respondent PIO, the Commission finds that the RTI application has been suitably replied

.Moreover, the factual position has been brought to the notice of the appellant by the

respondent for further query, he can file a fresh RTI application to the concerned

department.

Therefore, no cause of action is required in this case. Hence, the

instant appeal case is disposed & closed.

Sd/-

Chandigarh

Dated: 06.06.2022

(Maninder Singh Patti) State Information Commissioner, Pb.

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Smt. Kailash Kaur, (9815117328)

W/o Late Sh. Dalbir Singh,

Village Hardorwal Khurd, Tehsil Dera Baba Nanak,

Distt Gurdaspur.

.....Appellant/Complainant

.....Respondent

Versus

**Public Information Officer**O/o Sub divisional Magistrate

Dera Baba Nanak.

**First Appellate Authority** 

O/o Deputy Commissioner, Gurdaspur

Appeal Case No. 544 of 2022

(Cisco Webex Proceedings)

RTI application filed on : 01-10-2021

PIO replied on : -

First appeal filed on : 16-11-2021

First Appellate Authority order : -

Present: Appellant: Sh. Kuldeep Singh for appellant Smt. Kailash Kaur

Respondent: Absent

# **ORDER (First Hearing):**

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 24.01.2022. Accordingly, the cases are fixed for today.
- 2. Appellant, Sh. Jaspal Singh stated that no information has been supplied to him so far.
- 3. As nobody is preset on behalf of respondent authority the case is adjourned to date 30.06.2022 through Cisco Webex at 11:00 am with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated. On other hand, the appellant is hereby, directed to revert back to the authorities in case of deficiencies, if any, in the information so supplied by the respondent before the next date of hearing.

{Steps: Install Cisco Webex < Click on Join Meeting < Write Meeting No. - 1581884645 }

<u>NOTE:</u> All documents / information supplied to appellants / complainants must mandatorily be attested as: Information supplied under the RTI Act, 2005, Signature of the PIO, Name of the PIO, Name of the Public Authority, Date.

Sd/-

(Maninder Singh Patti)
State Information Commissioner, Pb.

Chandigarh Dated: 06.06.2022

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# {Encl. Pgs.} Sh. Tehal Singh, (9855626011)

S/o sh. Amar Singh, Village Matoi, P.O Malerkotla.

.....Appellant/Complainant

.....Respondent

#### Versus

#### **Public Information Officer**

O/o Astt. Registrar Cooperative Societies, Malerkotla.

# **First Appellate Authority**

O/o Deputy Registrar, Cooperative Societies, Sangrur.

# Appeal Case No. 548 of 2022

(Cisco Webex Proceedings)

RTI application filed on : 28-09-2021

PIO replied on : -

First appeal filed on : 01-12-2021

First Appellate Authority order : -

Present: Appellant: Sh. Tehal Singh

Respondent: Ms. Sandeep Kaur (Asst.), 9478680169

#### **ORDER (First Hearing):**

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 24.01.2022. Accordingly, the cases are fixed for today.

# **Information Sought:**

- Respondent's representative Ms. Sandeep Kaur Sharma pleaded that Cooperative societies does not come under the ambit of the Right to Information Act. A written submission from the respondent dated 23.05.2022 vide diary no. 10985 is received in the Commission; therein the aforesaid statement is mentioned in detail.
- 3. <u>Written submission from respondent</u>: A letter dated 23.05.2022 vide diary no. 10985 is received in the Commission , the relevant portion of which is reproduced below:

Appeal Case No. 548 of 2022

(Cisco Webex Proceedings)

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਸਬੰਧ ਵਿਚ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਸ੍ਰੀ ਟਹਿਲ ਸਿੰਘ ਪੁੱਤਰ ਸ੍ਰੀ ਅਮਰ ਸਿੰਘ ਵਾਸੀ ਪਿੰਡ ਮੜੋਈ

ਤਹਿਸੀਲ ਅਤੇ ਜਿਲ੍ਹਾ ਮਾਲੇਰਕੋਟਲਾ ਵੱਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ 2005 ਤਹਿਤ ਸੂਚਨਾਂ ∕ ਦਸਤਾਵੇਜ ਹਾਸਲ ਕਰਨ ਲਈ

ਇਸ ਦਫ਼ਤਰ ਨੂੰ ਮਿਤੀ 28-09-2021 ਨੂੰ ਦਰਖਾਸਤ ਦਿੱਤੀ ਗਈ ਸੀ ਜੋ ਇਸ ਦਫਤਰ ਵਿੱਚ ਮਿਤੀ 30.09.2021 ਨੂੰ

ਪ੍ਰਾਪਤ ਹੋਈ ਸੀ। ਜਿਸ ਤੇ ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਕਾਰਵਾਈ ਕਰਦੇ ਜਿਹੜੀ ਸੂਚਨਾ ਇਸ ਸਰਕਲ ਦੀ ਸਭਾ ਨਾਲ ਸਬੰਧਿਤ ਸੀ,

ਉਸ ਸਬੰਧੀ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: ਲੇਖਾਕਾਰ 3655 ਮਿਤੀ 01.10.202 | (ਕਾਪੀ ਨਾਲ ਨੰਬੀ) ਰਾਹੀਂ ਸ੍ਰੀ ਇਮਰਾਨ

ਅਹਿਮਦ ਨਰੀਖਕ,ਸਹਿਕਾਰੀ ਸਭਾਵਾਂ (ਵਾਧੂ ਚਾਰਜ ਅੰਕੜਾ ਸਹਾਇਕ ਦਫਤਰ ਸਹਾਇਕ ਰਜਿਸਟਰਾਰ, ਸਹਿਕਾਰੀ

ਸਭਾਵਾਂ, ਮਾਲੇਰਕੋਟਲਾ) ਨੂੰ ਦਰਖਾਸਤ ਨਾਲ ਸਬੰਧਿਤ ਸੂਚਨਾ ਦੇਣ ਲਈ ਲਿਖਿਆ ਗਿਆ ਸੀ∣ ਨਰੀਖਕ ਵੱਲੋਂ ਇਹ ਸੂਚਨਾ

ਇਸ ਦਫਤਰ ਨੂੰ ਮਿਤੀ 25.11.2021 (ਕਾਪੀ ਨਾਲ ਨੰਬੀ) ਨੂੰ ਦਿੱਤੀ ਸੀ।ਜਿਸ ਦੇ ਸਬੰਧ ਵਿੱਚ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ:

ਸਰਮ/ਲੇਖਾਕਾਰ/4084 ਮਿਤੀ 30.11.2022 (ਕਾਪੀ ਨਾਲ ਨੱਥੀ) ਰਾਹੀਂ ਲਿਖਤੀ ਤੌਰ ਤੇ ਸੂਚਤ ਕੀਤਾ ਗਿਆ ਕਿ ਹਲਕਾ

ਨਰੀਖਕ ਨੇ ਇਸ ਦਫਤਰ ਨੂੰ ਰਿਪੋਰਟ ਕੀਤੀ ਹੈ ਕਿ ਦੀ ਮਤੇਈ ਖੇਤੀਬਾੜੀ ਸਹਿਕਾਰੀ ਸਭਾ ਦੇ ਸਕੱਤਰ ਪ੍ਰਧਾਨ ਵੱਲੋਂ ਜਵਾਬ

ਦਿੱਤਾ ਗਿਆ ਹੈ ਕਿ ਉਹਨਾ ਦੀ ਸਭਾ ਜੋ ਕਿ ਇੱਕ ਸਹਿਕਾਰੀ ਅਦਾਰਾ ਹੈ, ਆਰ.ਟੀ.ਆਈ ਐਕਟ 2005 ਅਧੀ ਨਹੀਂ ਆਉਂਦੀ

ਜਿਸ ਕਾਰਨ ਇਹ ਸੂਚਨਾ ਆਪ ਜੀ ਨੂੰ ਸੂਚਨਾ ਮੁਹੱਈਆ ਕਰਵਾਉਣ ਤੋਂ ਅਸਮਰਥ ਹਨ।

ਸੋਂ ਉਕਤ ਤੱਥਾਂ ਨੂੰ ਧਿਆਨ ਵਿਚ ਰੱਖਦੇ ਹੋਏ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਸ਼ੀ ਟਹਿਲ ਸਿੰਘ ਪੁੱਤਰ ਸੀ

ਅਮਰ ਸਿੰਘ ਵਾਸੀ ਪਿੰਡ ਮੜੋਈ ਤਹਿਸੀਲ ਅਤੇ ਜਿਲ੍ਹਾ ਮਾਲੇਰਕੋਟਲਾ ਵੱਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ 2005 ਤਹਿਤ ਮੰਗੀ ਗਈ

ਸੁਚਨਾਂ ⁄ ਦਸਤਾਵੇਜ ਦੇਣ ਲਈ ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਸਮੇਂ ਸਮੇਂ ਸਿਰ ਬਣਦੀਆਂ ਕਾਰਵਾਈਆਂ ਕੀਤੀਆਂ ਜਾ ਚੁੱਕੀਆਂ ਸਨ੍ਸੋ

ਆਪ ਜੀ ਦੇ ਧਿਆਨ ਵਿਚ ਲਿਆਦਾ ਜਾਂਦਾ ਹੈ ਕਿ ਸੂਚਨਾ ਦੇਣ ਸਬੰਧੀ ਇਸ ਦਫਤਰ ਦੇ ਪੱਧਰ ਤੇ ਦੇਰੀ ਨਹੀਂ ਹੋਈ ਹੈ। ਨੱਥੀ

ਉਕਤ ਅਨੁਸਾਰ

4. In view of above this case is disposed of and closed.

Sd/-

Chandigarh Dated: 06.06.2022

(Maninder Singh Patti)
State Information Commissioner. Pb.

2/2

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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#### 

First Appellate Authority

Bathinda.

O/o Deputy Commissioner, Bathinda.

# Appeal Case No. 550 of 2022

(Cisco Webex Proceedings)

RTI application filed on : 28-09-2021
PIO replied on : 05-10-2021
First appeal filed on : 08-11-2021
First Appellate Authority order : -

Present: Appellant: Adv. Devan Munjal for Sh. Som Parkash Respondent: Sh. Ashwani Kumar (Suptd.), 9417102028

# **ORDER (First Hearing):**

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 24.01.2022. Accordingly, the cases are fixed for today.

#### 2. Information sought:

1 Kindly provide all the details including but not limited to date of issuance of stamp papers by your office, returns/submissions of the stamp papers etc and relevant record regarding the stamp papers issued/sold by the stamp vendor Sh. Mohan details of which are provided herein under

- 1. Two stamp papers of Rs 100/- bearing no. C 304666 & C304667 dated 09/03/2010 issued in favour of Tejpal S/o Harnek Singh R/o Rarha Sahib,
- 2. Two stamp papers of Rs. 100/- bearing no B 659721 & B 659722 dated 25/01/2010 issued in favour of Tejpal S/o Harnek Singh R/o Rarha Sahib
- 3. Two stamp papers of Rs. 100/- bearing no. D 498611 & D 498612 dated 14/07/2010 issued in favour of Tejpal S/o Harnek Singh R/o Rarha Sahib.
- 4. Two stamp papers of Rs. 100/- bearing no. D 498613 & D 498614 dated 14/01/2010 issued in favour of Tejpal S/o Harnek Singh R/o Rarha Sahib.
- 5. Two stamp papers of Rs. 100/- bearing no. D 498615 & D 498616 dated 14/01/2010 issued in favour of Tejpal S/o Harnek Singh R/o Rarha Sahib.
- 6. One stamp paper of Rs.50/- bearing no. B 659723 dated 25/01/2010 issued in favour of Tejpal S/o Harnek Singh R/o Rarha Sahib.

# Appeal Case No. 550 of 2022

(Cisco Webex Proceedings)

- 2. Kindly provide the copy of revert to the Letter no, 137 dated 23/01/2017 sent by office of Municipal Council Gidderbaha Distt. Sri Muktsar Sahib to your office.
- 3 Kindly provide the copy of all the official communications held between your office and the office of Municipal Council Gidderbaha regarding the above stated details of stamp papers.
- 3. Both the parties are present and heard.
- 4. <u>Post Deliberation:</u> In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority along with a copy of RTI application for their ready reference and is also directed to call the complainant **Sh. Som Parkash** within 15 days of receipt of this order provide the information/reply pertaining to this RTI application. A compliance report of the same has to be sent in the commission. The appeal is disposed of accordingly, with the above observations and directions.

Sd/-

Chandigarh Dated: 06.06.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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# Sh. Yogesh Maini, (9988758800) S/o Late Sh. Kapil Bhushan Maini, House No. 678/1, Prem Nagar, Shiv Mandir Road, Civil Lines, Ludhiana. Versus Public Information Officer O/o Commissioner of Police, Ludhiana. Respondent

# **First Appellate Authority**

O/o Commissioner of Police, Ludhiana.

# Appeal Case No. 557 of 2022

(Cisco Webex Proceedings)

RTI application filed on : 24-07-2021

PIO replied on : -

First appeal filed on : 20-09-2021

First Appellate Authority order : -

Present: Appellant: Absent

Respondent: Sh. Ramesh Kumar (ASI), 7837803000

# **ORDER (First Hearing):**

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 24.01.2022. Accordingly, the cases are fixed for today.

#### **Information Sought:**

1 ਟ੍ਰੈਫਿਕ ਪੁਲਿਸ ਲੁਧਿਆਣਾ ਵੱਲੋਂ ਮਿਤੀ 01,01,2015 ਤੋਂ 20,07,2021 ਤੱਕ ਮੋਟਰ ਵਹੀਕਲ ਐਕਟ ਦੀ ਉਲੰਘਨਾ ਕਰ ਰਹੀਆਂ J.C B, ਮਸ਼ੀਨਾਂ ਦੇ ਕੀਤੇ ਗਏ ਚਲਾਨਾਂ ਦੀ ਕੁੱਲ ਗਿਣਤੀ ਦੱਸੀ ਜਾਵੇ

- 2. <u>Written Submission from appellant:</u> An email dated 01.06.2022 is received by the undersigned bench vide which the appellant Sh. Yogesh Maini has acknowledged the receiving of requisite information and has requested to close the case.
- 3. As the sought information has been supplied this case is closed and disposed of.

Sd/-

Chandigarh (Maninder Singh Patti)
Dated: 06.06.2022 State Information Commissioner, Pb.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in Visit us: - www.infocommpunjab.com



# Sh. Balbir Aggarwal, (9463666155)

# 1525/1, Street 33, Preet Nagar, Shimlapuri, Ludhiana.

.....Appellant/Complainant

.....Respondent

Versus

#### **Public Information Officer**

O/o Commissioner of Police, Ludhiana.

**First Appellate Authority** 

O/o Commissioner of Police, Ludhiana.

# Appeal Case No. 559 of 2022 (Cisco Webex Proceedings)

RTI application filed on : 18-10-2021

PIO replied on :

First appeal filed on : 22-11-2021

First Appellate Authority order : -

Present: Appellant: Sh. Balbir Aggarwal

Respondent: Sh. Ramesh Kumar (ASI), 7837803000

# **ORDER (First hearing):**

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 24.01.2022. Accordingly, the cases are fixed for today.
- 2. <u>Written submission from respondent:</u> An email dated 06.06.2022 is received by the undersigned bench, the relevant portion of which is reproduced below:

ਉਪਰੋਕਤ ਵਿਸ਼ਾ ਤੇ ਹਵਾਲਾ ਅਧੀਨ ਦੇ ਸਬੰਧ ਵਿੱਚ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਅਪੀਲ ਕਰਤਾ ਦਾ ਮਤ ਪੱਤਰ ਮਿਤੀ 18-10-2021 ਵਿੱਚ ਰਿੱਟ ਪਟੀਸ਼ਨ ਨੰਬਰ CWP - 3977/2018 ਬਾਰੇ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਸੀ।

ਜਿਸ ਸਬੰਧੀ ਲਿਟੀਗੇਸ਼ਨ ਬਰਾਚ, ਪਾਸੋ ਰਿਪੋਰਟ ਹਾਸਲ ਕੀਤੀ ਗਈ। ਜਿਹਨਾਂ ਦੀ ਰਿਪੋਰਟ ਮੁਤਾਬਕ ਉਕਤ ਕੇਸ ਮਾਨਯੋਗ ਪੰਜਾਬ ਐਂਡ ਹਰਿਆਣਾ ਹਾਈਕੋਰਟ ਵਿਖੇ ਸੁਣਵਾਈ ਅਧੀਨ ਚੱਲ ਰਿਹਾ ਹੈ, ਇਸ ਕੇਸ ਦੀ ਪੈਰਵਾਈ ਮੁੱਖ ਅਫਸਰ ਥਾਣਾ ਡਵੀਜਨ ਨੰਬਰ 5 ਲੁਧਿਆਣਾ ਵੱਲੋਂ ਕੀਤੀ ਜਾ ਰਹੀ ਹੈ।

ਉਕਤ ਅਪੀਲ ਕੇਸ ਦੀ ਤਾਰੀਕ ਪੇਸ਼ੀ 06-06-2022 ਹੈ। ਜਿਸ ਸਬੰਧੀ ਆਪ ਨੂੰ ਇਸ ਪੱਤਰ ਰਾਹੀ ਹਦਾਇਤ ਕੀਤੀ ਜਾਦੀ ਹੈ ਕਿ ਰਿੱਟ ਪਟੀਸ਼ਨ ਨੰਬਰ CWP-3977/2018 ਦੀ ਸਟੇਟਸ ਰਿਪੋਰਟ 2 ਦਿਨਾਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਇਸ ਦਫਤਰ ਵਿਖੇ ਭੇਜੀ ਜਾਵੇ, ਤਾਂ ਜੋ ਤਾਰੀਕ ਪੇਸ਼ੀ ਤੋਂ ਪਹਿਲਾ-ਪਹਿਲਾ ਅਪੀਲ ਕਰਤਾ ਨੂੰ ਸੂਚਨਾ ਮੁਹੱਈਆ ਕਰਵਾ ਕੇ ਮਾਨਯੋਗ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ ਜੀ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਜਾ ਸਕੇ।

3. Keeping in view the facts of the case and the submissions made by both the parties, it is evident that no satisfactory reply had been provided by the respondent in the matter, which is a grave violation of the provisions of the RTI Act, 2005.

# Appeal Case No. 559 of 2022

(Cisco Webex Proceedings)

The Commission therefore, directs the respondent to provide clear and specific information to the Appellant within a period of 20 days in accordance with the provisions of the RTI Act, 2005.

4. To come up on 30.06.2022 through Cisco Webex at 11:00 am. {Steps: Install Cisco Webex < Click on Join Meeting < Write Meeting No. – 1581884645 }

Sd/-

Chandigarh Dated: 06.06.2022 (Maninder Singh Patti)
State Information Commissioner, Pb.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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Sh. Ramandeep Singh Ahluwalia (9464500405)

(RTI Activist) Ward No. 18, Street No. 2, Kartar Nagar, Amloh Road Khanna - 141401

.....Appellant/Complainant

.....Respondent

Versus

**Public Information Officer** 

O/o XEN, PWD (B&R), Construction Division No. 3,

Ludhiana.

**First Appellate Authority** 

O/o Chief Engineer (Central), PWD B&R,

Patiala.

Appeal Case No. 587 of 2022

(Cisco Webex Proceedings)

RTI application filed on : 27-07-2021

PIO replied on :

First appeal filed on : 11-09-2021

First Appellate Authority order : -

Present: Appellant: Absent

Respondent: Sh. Nirpal Singh (SDO), 9501031775

#### Order (First hearing):

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 25.01.2022. Accordingly, the cases are fixed for today.

# 2. Information Sought:

- Certified copies of the copy of the complete file with all papers/documents with noting's, suggestions, correspondence in regards to the NOC called by any of the official of the Municipal Council, Khanna in regards to "P/L Interlock tiles and R/g's on side Berms (RHS and LHS) from Malerkotla chowk to cheema chowk MK Road Khanna" along with the copy of the NOC granted to the Municipal Council, Khanna.
- Certified copy of the dispatch and receipt register showing the detail of the letters received or dispatched in regards to the correspondence done in regards to the subjected called for information as detailed in point No 1 of this RTI Application.
- 3. Certified copy of the layout map supplied and passed by the Department of the PWD (B&R) Punjab with complete dimensions where the berms and R/G's are to be constructed along the road as detailed in Para No 1 of this RTI Application.
- 4. Certified copy of the action taken in regards to the tenders floated for construction of the berms and R/G's as detailed in Para No 1 of this RTI Application and the tender has to be bided on 2-8-2021 by the Municipal Council, Khanna.
- 3. <u>Written Submission from respondent</u>: An email dated 01.06.2022 is received by the undersigned bench the relevant portion of which is reproduced below:

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲਾ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਸਹਿਤ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਬਿਨੈਕਾਰ Sh. Ramandeep Singh Ahluwalia, New ward No.18, Street No.2, Katar Nagar, Amloh Road, Khanna ਵੱਲੋਂ ਇਸ ਮੰਡਲ ਵਿਰੁੱਧ ਅਪੀਲ ਕੇਸ ਨੂੰ 587 ਆਫ 2022 ਫਾਈਲ ਕੀਤਾ ਗਿਆ ਹੈ। Appeal Case No. 587 of 2022

(Cisco Webex Proceedings)

ਇੱਥੇ ਆਪ ਜੀ ਦੇ ਧਿਆਨ ਹਿੱਤ ਲਿਆਂਦਾ ਜਾਂਦਾ ਹੈ ਕਿ ਬਿਨੈਕਾਰ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾਂ ਦਸਤਤ ਕਾਰਜਕਾਰੀ

ਇੰਜੀਨੀਅਰ, ਕੇਂਦਰੀ ਕਾਰਜ ਮੰਡਲ,ਲੋ...ਵਿ. (ਭ ਤੇ ਮ) ਸ਼ਾਖਾ ਮੋਹਾਲੀ ਦੇ ਅਧਿਕਾਰ ਖੇਤਰ ਨਾਲ ਸਬੰਧਤ ਹੈ। ਇਸ ਦਫਤਰ

ਵਿੱਚ ਬਿਨੈਕਾਰ ਵੱਲੋਂ ਆਰ.ਟੀ.ਆਈ. ਟੈਕਟ ਤਹਿਤ ਮਿਤੀ 26.07.2021 ਨੂੰ ਸੂਚਨਾ ਮੰਗੀ ਗਈ ਸੀ ਜੋ ਕਿ ਇਸ ਦਫਤਰ

ਵੱਲੋਂ ਪੱਤਰ ਨੰ:583 ਮਿਤੀ 17.08.2021 ਰਾਹੀਂ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਦੀ ਧਾਰਾ 13 ਤੱਤ ਤਬਦੀਲ ਕਰਕੇ ਦਫਤਰ

ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ, ਕੇਂਦਰੀ ਕਾਰਜ ਮੰਡਲ,ਲੋ.ਨਿ.ਵਿ. (ਭ ਤੇ ਮ) ਸ਼ਾਖਾ ਮੋਹਾਲੀ ਨੂੰ ਭੇਜ ਦਿੱਤਾ ਗਿਆ ਸੀ ਅਤੇ ਇਸ

ਦੀ ਕਾਪੀ ਬਿਨੈਕਾਰ ਨੂੰ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ:584 ਮਿਤੀ 17.08.2021 ਰਾਹੀਂ (ਪੱਤਰਦੀ ਕਾਪੀ ਨੱਥੀ ਹੈ) ਕੀਤੀ ਗਈ

ਸੀ।

ਸੋ ਉਪਰੋਕਤ ਦੇ ਸਨਮੁੱਖ ਆਪ ਜੀ ਨੂੰ ਨਿਮਰਤਾ ਸਹਿਤ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਬਿਨੈਕਾਰ ਵਲੋਂ ਜੋ ਅਪੀਲ

ਕੇਸ ਨੰ:587 ਆਫ 2022 ਦਾਇਰ ਕੀਤਾ ਗਿਆ ਹੈ,ਰਾਹੀਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾਂ ਦਾ ਸਬੰਧ ਇਸ ਦਫਤਰ ਨਾਲ ਨਾ ਹੋਣ ਕਰਕੇ

ਅਪੀਲ ਕੇਸ ਨੰ:587 ਆਫ 2022 ਰੱਦ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਜੀ।

4. After hearing both the parties and going through the written submission of the

respondent PIO, the Commission finds that the RTI application has been suitably replied

.Moreover, the factual position has been brought to the notice of the appellant by the

respondent for further query, he can file a fresh RTI application to the concerned

department. Therefore, no cause of action is required in this case. Hence, the instant

appeal case is disposed & closed.

Sd/-

Chandigarh

Dated: 06.06.2022

(Maninder Singh Patti)
State Information Commissioner. Pb.

2/2

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.....Respondent

# Sh. Harjeet Singh, (9814809717)

S/o Sh. Balbir Singh,

# 133, Urban Estate, Ram Tirath Road, Amritsar. ......Appellant/Complainant

#### Versus

#### **Public Information Officer**

O/o Chief Engineer, PWD (B&R), Block C, Patiala.

# **First Appellate Authority**

O/o Principal Secretary, PWD B&R, Punjab, Chandigarh.

# Appeal Case No. 589 of 2022

(Cisco Webex Proceedings)

RTI application filed on 18-10-2021 PIO replied on : 17-11-2021 First appeal filed on 09-12-2021 First Appellate Authority order : 06-12-2021

Present: Appellant: Sh. Harjeet Singh

Respondent: Sh. Nirpal Singh (XEN), 9501025490

# Order (First hearing):

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 25.01.2022. Accordingly, the cases are fixed for today.

# INFORMATION REQUIRED:

- 1. Certified copies of all 19 pages of Annexure-2 of A&C Slip to CSR 2010 which are with regard to the Reference to Secretary PWD . (B&R) Memo No. PS/SPW/2015/20 dated 10-03-15 and Advisor (Tech). D.O. letters no. ATPB/36/PER dated 25-02-2015.
- 2. Certified copies of all pages of 'Minutes of meeting of the Direction Committee of Chief Engineers' held on Dt. 04-07-2012 signed by the EIC cum Convener Direction Committee of Chief Engineers dated 18/7/2012.
- 3. Certified copy of Report/Memo No. 1133 dated 15-06-2012 of the Chief Engineer cum Chief Vigilance Officer Quality Control Cell, Punjab PW Department. ILL DTI Application required by
- 2. Appellant, Sh. Harjeet Singh stated that he has received the the requisite information by the respondent authority.
- 3. As the sought information has been supplied to the appellant therefore no cause of action is required in this case, hence the case is disposed if and closed.

Sd/-

Chandigarh (Maninder Singh Patti) State Information Commissioner, Pb. Dated: 06.06.2022

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Sh. Jagdish Dhiman, (9815396226)

S/o Sh. Krishna Dhiman, Village Nagla, P.O Handesra, Tehsil Derabassi, Mohali – 140501

.....Appellant/Complainant

**Versus** 

**Public Information Officer** 

.....Respondent

O/o Registrar, Cooperative Societies, Punjab, Sector-17, Chandigarh.

**First Appellate Authority** 

O/o Registrar, Cooperative Societies, Punjab, Sector-17, Chandigarh.

Appeal Case No. 654 of 2022

(Cisco Webex Proceedings)

RTI application filed on : 25-05-2021

PIO replied on : -

First appeal filed on : 25-06-2021

First Appellate Authority order : -

Present: Appellant: Absent

Respondent: Sh. Sanjiv Kumar (Inspector, DC office Mohali), 9878219252 (In person)

Sh. Kanwaljit Singh (Clerk, DC office Mohali), 9780362099 (In person)

#### Order (First hearing):

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 25.01.2022. Accordingly, the cases are fixed for today.

# 2. Information sought:

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# Appeal Case No. 654 of 2022

(Cisco Webex Proceedings)

- 3. Appellant Sh. Jagdish Dhiman has acknowledged the receiving of sought information.
- **4.** As the sought information has been supplied to the appellant therefore no cause of action is required in this case, hence the case is disposed if and closed.

Sd/-

Chandigarh Dated: 06.06.2022

(Maninder Singh Patti)
State Information Commissioner, Pb.

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.....Respondent

Sh. Pawan Kumar, (7508780269)

S/o Sh. Shiv Lal, Village Rupana,

Tehsil & Distt Sri Muktsar Sahib – 152032 ......Appellant/Complainant

Versus

**Public Information Officer** 

O/o SDE (Center Works), B&R, Sub Division Batala at Amritsar.

**First Appellate Authority** 

O/o Superintending Engineer, Construction Division (B&R) Circle, Amritsar.

# Appeal Case No. 667 of 2022

(Cisco Webex Proceedings)

RTI application filed on : 08-11-2021

PIO replied on : -

First appeal filed on : 11-12-2021

First Appellate Authority order : -

Present: Appellant: Sh. Pawan Kumar

Respondent: Absent

#### Order (First hearing):

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 25.01.2022. Accordingly, the cases are fixed for today.
- 2. Appellant, Sh. Pawan Kumar stated that no information has been supplied to him so far.
- 3. As nobody is preset on behalf of respondent authority the case is adjourned to date 21.06.2022 through personal hearing at 11:30 am PSIC Chandigarh, with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated. On other hand, the appellant is hereby, directed to revert back to the authorities in case of deficiencies, if any, in the information so supplied by the respondent before the next date of hearing.

<u>NOTE:</u> All documents / information supplied to appellants / complainants must mandatorily be attested as: Information supplied under the RTI Act, 2005, Signature of the PIO, Name of the PIO, Name of the Public Authority, Date.

The PIO SDE (Center Works), B&R, Sub Division Batala at Amritsar (By Name) has to be present on next date of hearing. It is the duty of the PIOs to ensure that the provisions of the Act are fully complied with and in case of default, necessary consequences follow.

Sd/-

(Maninder Singh Patti)
State Information Commissioner, Pb.

Chandigarh Dated: 06.06.2022

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# Sh. Ved Parkash, (9781671555)

R/o House No. 327, Ward No. 6, Bombay Street, near Sunami Gate, Sangrur.

.....Appellant/Complainant

Versus

Public Information Officer O/o Markfed Sector 35 A, Chandigarh. .....Respondent

# Complaint Case No. 214 of 2022

(Cisco Webex Proceedings)

RTI application filed on : 02-09-2021

PIO replied on : -

Present: Complainant: Sh. Ved Parkash

Respondent: Sh. Sudhir Kumar (Technical officer), 8427010848

#### **ORDER:**

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 19.04.2022. Accordingly, the cases are fixed for today.
- 2. The complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, in which no directions for providing further information can be given by the Commission.
- 3. The Hon'ble Supreme Court of India in its Order rendered on 12.12.2011 in Civil Appeal Nos. 10787 10788 of 2011 (arising out of SLP © No.32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information.
- 4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.
- 5. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.
- 6. In view of the observations noted above, the instant case is remanded to the concerned First Appellate Authority along with a copy of RTI application for their ready reference and is also directed to call the complainant Sh. Ved Parkash within 15 days of receipt of this order provide the information/reply pertaining to this RTI application. A compliance report of the same has to be sent in the commission. The appeal is disposed of accordingly, with the above observations and directions.

Sd/-

(Maninder Singh Patti)
State Information Commissioner, Pb.

Dated: 06.06.2022

Chandigarh

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Sh. Tejinder Singh, (9041004313)	
Civil Court, Tehsil Complex,	
Backside Sanjh Kender, Phillaur - 144410	Appellant/Complainant
Versus	
Public Information Officer	Responden
O/o SHO, Police Station, Daresi,	

# **First Appellate Authority**

O/o Commissioner of Police, Ludhiana.

# Appeal Case No. 4683 of 2021

(Cisco Webex Proceedings)

Present: Appellant: Sh. Tejinder Singh

Respondent: Sh. Rajinder Singh (SHO), 7837018620 (On telephone call)

#### ORDER:

Ludhiana.

- 1. This order may be read with the reference of previous order of the Commission dated 18.05.2022.
- 2. This case was only pending for the payment of compensation amount by the respondent authority, now which has been done.
- 3. Therefore this case is closed and Disposed of.

Sd/-

Chandigarh (Maninder Singh Patti)
Dated: 06.06.2022 State Information Commissioner, Pb.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

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.....Appellant/Complainant

.....Respondent

C/o Police Public Dairy, 15 A,

Shastari Nagar, Model Town, Ludhiana.

Versus

#### **Public Information Officer**

O/o Executive Engineer, Provincial Division, PWD B&R, Amritsar.

# **First Appellate Authority**

O/o Superintending Engineer, Construction PWD B&R, Circle Amritsar.

# **Appeal Case No. 1726 of 2021**

(Cisco Webex Proceedings)

RTI application filed on : 23-12-2020
PIO replied on : 07-01-2021
First appeal filed on : 23-01-2021
First Appellate Authority order : -

Present: Appellant: Sh. Nitin Kumar Garq

Respondent: Sh. Rohit Kumar (Sr. Asst.), 9780083300

#### **ORDER** (First Hearing):

- 1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 25.01.2022. Accordingly, the cases are fixed for today.
- 2. Appellant, Sh. Nitin Kumar Garg stated that no information has been supplied to him so far.
- 3. Respondent, Sh. Rohit Kumar submitted the unconditional apologies for the delay in dealing this RTI application and assured the Commission that he will furnish a reply/information within 20 days.
- 4. After hearing both the parties and as per the assurance given by the respondent Sh. Rohit Kumar, the Commission offers the respondent authority another opportunity to furnish the information/reply requested by the appellant. Falling to this adverse view will be taken under RTI Act 2005.
- To come up on 27.06.2022 through Cisco Webex at 11:00 am.
   {Steps: Install Cisco Webex < Click on Join Meeting < Write Meeting No. 1581884645 }</li>

Sd/-

Chandigarh (Maninder Singh Patti)
Dated: 06.06.2022 State Information Commissioner, Pb.

Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in
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# Sh. Nitin Kumar Garg, (7814322100)

C/o Police Public Dairy, 15 A,

Shastari Nagar, Model Town, Ludhiana.

.....Appellant/Complainant

.....Respondent

#### Versus

#### **Public Information Officer**

O/o Executive Engineer,

Construction Division, PWD B&R Batala.

# **First Appellate Authority**

O/o Superintending Engineer, Construction PWD B&R, Circle Pathankot.

# **Appeal Case No. 1730 of 2021**

(Cisco Webex Proceedings)

RTI application filed on : 23-12-2020

PIO replied on : -

First appeal filed on : 01-02-2021

First Appellate Authority order : -

Present: Appellant: Sh. Nitin Kumar Garg

Respondent: Sh. Amit Sharma (Sr. Asst.), 9646016564

#### **ORDER** (Fifth Hearing):

- 1. This order may be read with the reference of previous order of the Commission dated 25.05.2022.
- 2. Appellant, Sh. Nitin Kumar Garg stated that he has pointed out some deficiencies in the information so supplied by the respondent authority.
- 3. On this Respondent, Sh. Amit Sharma cotended that he has no t received any correspondence from appellant.
- 4. In view of above, on the receipt of the said correspondence from the appellant, the respondent is directed to make good the deficiencies. In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission without fail. Copy of the deficiencies pointed out by the appellant is sent with this order.
- 5. To come up on 27.06.2022 through Cisco Webex at 11:00 am.

{Steps: Install Cisco Webex < Click on Join Meeting < Write Meeting No. - 1581884645 }

Sd/-

(Maninder Singh Patti)
State Information Commissioner, Pb.

Chandigarh Dated: 06.06.2022