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Sh. Updesh Singh ,
Ex Platoon Commander, Hamayupur,
Sirhind, Distt Fatehgarh Sahib

..Vs

.....Appellant

Public Information Officer,
O/o DGP, PB,
PP Hqrs, Sec-9, Chandigarh.

First Appellate Authority
O/o DGP, PB,
PP Hqrs, Sec-9, Chandigarh.

.....Respondent

AC No.1407 of 2022

Present : (i) Sh. Updesh Singh the appellant
(ii) For the respondent : Sh. Parshottam Kumar, ASI

ORDER

The RTI application is dated 02.12.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 22.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.07.2022 in the Commission.

3. The appellant state that he is not satisfied with the information provided by the respondent.

4. The respondent Sh. Parshotam Kumar is appearing on behalf of the PIO, o/o DGP Punjab states that they have transferred the RTI of the appellant to the PIO, o/o Home Guard Punjab. He further states that the PIO, o/o Home Guard, Punjab has sent information to the appellant.

PIO, o/o Home Guard Punjab has sent an email that he is unable to attend today's hearing.

5. After hearing both the parties and examining the case file, it is observed that the information has been sent by the respondent to the appellant. The appellant has gone through the same and states that he is not satisfied.

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AC No.1407of 2022

6. A close scrutiny of the questions asked and the answers given shows that the information, as demanded, has been supplied in its entirety by the Respondent. I have carefully considered the objections of the appellant that is without substance. Hence, I am of the considered view that no useful purpose would be served by prolonging this matter any further. Whatever information was available with the department has been supplied. Appellant is advised, for his grievances, he may approach the concerned authorities

7. In view of the foregoing, no cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab



Sh. Sarabjit Singh, S/o Sh. Anoop singh
R/o Street No. 3, Shivam Colony,
Near Nankian Chowk, Tehsil and Distt. Sangrur

.....Complainant

..Vs

Public Information Officer,
O/o DGP, Punjab
Punjab Police Headquarter, Sector 9
Chandigarh

.....Respondent

CC No.387 of 2022

Present : (i) None is present on behalf of the Complainant
(ii) For the respondent : Sh. Parshotam Kumar, ASI (941713150)

ORDER

1. The RTI application is dated 28.02.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 10.06.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 06.07.2022 in the Commission.
3. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).



CC No.387 of 2022

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 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.

4. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) as the first appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

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 **disposed of**. Copies of this decision be sent to the parties **through registered post**

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Registered post

First Appellate Authority
o/o DGP Punjab, Punjab Police Headquarter, Sector 9
Chandigarh

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Kumari Anju Rani Prashar, (M-8360034955)
D/o Late Sh.Y.D.Sharma, Ward No 2
Kurali- 140103

.....Appellant

..Vs

Public Information Officer,
O/o SSP, Mohali

First Appellate Authority
O/o IGP, Rupnagar Range,
Rupnagar

.....Respondent

AC No. 1421 of 2022

Present: (i) Ms. Anju Rani Prashar the appellant
(ii) for the respondent : Smt. Rajwinder Kaur, HC (8283060022), Sh. Sandeep Kumar (9988538026)

ORDER

The RTI application is dated 03.08.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 22.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.07.2022 in the Commission.

3. Today the respondent Smt. Rajwinder Kaur states that the information, as exists, in the record has been sent to the appellant. She further states that she has also brought original record in the Commission.

4. Copy of the same is handed over to the appellant. The appellant has gone through the same and is satisfied with the same.

5. Since, the appellant is satisfied with the information, no cause of action is left, hence the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Ms. Anju Rani Prashar,
R/o Ward No. 2, Kurali -140103

.....Appellant

Vs

Public Information Officer
O/o SSP, Mohali

First Appellate Authority
O/o IGP Rupnagar Range, Rupnagar

.....Respondent

Appeal Case No. 760 of 2022

Present: (i) Ms. Anju Rani Prashar the appellant
(ii) for the respondent : Smt. Rajwinder Kaur, HC (8283060022), Sh. Sandeep Kumar (9988538026)

ORDER

This order may be read with reference to the previous order dated 06.06.2022, vide which the respondent was absent.

2. Today the respondent Smt. Rajwinder Kaur states that the information, as exists, in the record has been sent to the appellant. She further states that she has also brought original record in the Commission.

3. Copy of the same is handed over to the appellant. The appellant has gone through the same and is satisfied with the same.

4. Since, the appellant is satisfied with the information, no cause of action is left, hence the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh.Sukhchain Singh Sran, (M-9815235256)
S/o Sh.Kulwant Singh,# 39, Balaji
Enclave,Barnala Road, RampuraPhul,
Distt Bathinda-151103

.....Appellant

..Vs

Public Information Officer,
O/o SSP,Mohali
First Appellate Authority
O/o SSP,Mohali

.....Respondent

AC No. 1394 of 2022

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Smt. Rajwinder Kaur, HC (8283060022)

ORDER

1. The RTI application is dated 18.09.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 22.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 06.07.2022 in the Commission.
3. The appellant is absent today.
4. The respondent states that the information cannot be provided to the appellant as an enquiry is pending. She has also sent reply in this regard.
5. After hearing both the parties and examining the case file, it is observed that the information demanded by the appellant cannot be provided under Section 8(1)(h) of the RTI Act, as an enquiry is pending. This objection of the respondent is upheld.
6. In view of the foregoing, no cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Smt. Mandeep Kaur, W/o Sh. Lahkhvir Singh
S/o Sh. Jarnail Singh, R/o Village Kakrali,
Tehsil Dera Bassi, Mohali

.....Appellant

Vs

Public Information Officer
O/o Secretary, Home Affairs and Justice, Punjab
Punjab Civil Secretariat, Chandigarh

First Appellate Authority
o/o Secretary, Home Affairs and Justice Punjab
Punjab Civil Secretariat, Chandigarh

2.Public Information Officer
o/o Punjab and Haryana High Court
Chandigarh

.....Respondent

AC No. 4767 of 2021

Present : (i) Sh. Karnail Singh on behalf of the appellant
(ii) For the respondent : Smt. Rajwinder Kaur, HC (8283060022) , o/o SSP,
Mohali

ORDER

This order may be read with reference to the previous order dated 30.05.2022.

2. Today, Sh.Karnail Singh is appearing on behalf of the appellant and states that incomplete information has been given to the appellant.

3. The respondent Smt. Rajwinder Kaur, o/o SSP, Mohali states that the information pertaining to point nos. 8,9,10,12 and 13 have already been sent to the appellant.

4. The perusal of the file shows that during the first hearing i.e. 25.03.2022, Sh. Karnail Singh states that he only wants information on point nos. 1 to 5 and 8,9,10,12 and 13. Further regarding point nos. 1 to 5 the information is lying with Hon'ble Punjab and Haryana High Court, hence PIO, o/o Punjab and Haryana High Court was impleaded as respondent no. 2 and information regarding point nos. 8,9,10,12 and 13 PIO, o/o SSP Mohali was directed to provide the information. On the next date of hearing i.e. 30.05.2022, PIO, o/o Punjab and Haryana High

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AC No. 4767 of 2021

Court filed his proper reply, which was scanned in the orders.

Today, representative of the SSP, Mohali states that the information has already been sent to the appellant. She further states that copy of the same has also been sent to the Commission office. The appellant has gone through the same and states that he is not satisfied.

5. A close scrutiny of the questions asked and the answers given shows that the information, as demanded, has been supplied in its entirety by the Respondent. I have carefully considered the objections of the appellant that is without substance. Hence, I am of the considered view that no useful purpose would be served by prolonging this matter any further. Whatever information was available with the department has been supplied. Appellant is advised, for his grievances, he may approach the concerned authorities

6. In view of the foregoing, no cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab



Sh. Vivek Kumar, Chairman of Movement against Corruption and Crime
Mandi Gobindgarh, # 450, Sector 3C, Mandi Gobindgarh

.....Complainant

..Vs

Public Information Officer,
O/o SDM, Amlah, Distt. Fatehgarh Sahib

.....Respondent

CC No.148 of 2022

Present : None for the parties.

ORDER

The RTI application is dated 04.10.2021 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 22.03.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 06.07.2022 in the Commission.
3. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).



CC No.148 of 2022

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 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.

4. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) as the first appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

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 **disposed of**. Copies of this decision be sent to the parties through registered post sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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First Appellate Authority
o/o DC, Fatehgarh Sahib

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Dr. Sandeep Kumar Gupta

House No. 1722, Sector 14, Hissar – 125001 (9992931181)

.....Complainant

..Vs

Public Information Officer,
O/o DC, SAS Nagar

.....Respondent

CC No.346 of 2022

Present : None for the parties.

ORDER

The RTI application is dated 31.03.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 02.06.2022 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 06.07.2022 in the Commission.

3. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).



CC No.346 of 2022

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 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.

4. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) as the first appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

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 **disposed of**. Copies of this decision be sent to the parties through registered post *sd/-*

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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First Appellate Authority
o/o DC, SAS Nagar

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Sh Sandeep Khatri (M-7009178045)
#126/B6, Gulmohar City,
Dera Bassi, Distt Mohali

.....Appellant

..Vs

Public Information Officer,
O/o MC, Dera Bassi

First Appellate Authority
O/o ADC (Urban Development) Mohali

.....Respondent

AC No. 1255 of 2022

Present : (i) None is present on behalf of the appellant
(ii) for the respondent: Sh. Tara Chand , J.E. (9876099689)

ORDER

The RTI application is dated 07.12.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 09.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for 10.06.2022. But on 10.06.2022, the above-said appeal case could not be heard and was postponed to be heard on 06.07.2022 i.e. today.

3. The appellant is absent today.

4. The respondent states that the information demanded by the appellant is not available in their official record. He has also sent written reply in this regard.

5. After hearing the respondent and going through the case file , it is observed that the appellant is absent today. He has not informed the Commission about his absence for today's hearing. The Respondent has sent his reply that the information demanded by the appellant is not available in their official record. *Copy of the same be sent to the appellant alongwith these orders.*

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AC No. 1255 of 2022

6. In view of the above reply filed by the respondent appears to be convincing, hence no further cause of action is left. Therefore, the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Sandeep Khatri (M-7009178045)
#126/B6, Gulmohar City,
Dera Bassi, Distt Mohali

..Vs

.....Appellant

Public Information Officer,
O/o MC, Dera Bassi

First Appellate Authority
O/o ADC (Urban Development) Mohali

.....Respondent

AC No. 1257 of 2022

Present : (i) None is present on behalf of the appellant
(ii) for the respondent: Sh. Tara Chand , J.E. (9876099689)

ORDER

The RTI application is dated 09.12.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 09.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for 10.06.2022. But on 10.06.2022, the above-said appeal case could not be heard and was postponed to be heard on 06.07.2022 i.e. today.

3. The appellant is absent today.

4. The respondent states that the information demanded by the appellant is not available in their official record. He has also sent written reply in this regard.

5. After hearing the respondent and going through the case file , it is observed that the appellant is absent today. He has not informed the Commission about his absence for today's hearing. The Respondent has sent his reply that the information demanded by the appellant is not available in their official record. *Copy of the same be sent to the appellant alongwith these orders.*

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AC No. 1257 of 2022

6. In view of the above reply filed by the respondent appears to be convincing, hence no further cause of action is left. Therefore, the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh Sandeep Khatri (M-7009178045)
#126/B6, Gulmohar City,
Dera Bassi, Distt Mohali

..Vs

.....Appellant

Public Information Officer,
O/o MC, Dera Bassi

First Appellate Authority
O/o ADC (Urban Development) Mohali

.....Respondent

AC No. 1256 of 2022

Present : (i) None is present on behalf of the appellant
(ii) for the respondent: Sh. Tara Chand , J.E. (9876099689)

ORDER

The RTI application is dated 18.12.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 09.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for 10.06.2022. But on 10.06.2022, the above-said appeal case could not be heard and was postponed to be heard on 06.07.2022 i.e. today.

3. The appellant is absent today.

4. The respondent states that the information demanded by the appellant is not available in their official record. He has also sent written reply in this regard.

5. After hearing the respondent and going through the case file , it is observed that the appellant is absent today. He has not informed the Commission about his absence for today's hearing. The Respondent has sent his reply that the information demanded by the appellant is not available in their official record. *Copy of the same be sent to the appellant alongwith these orders.*

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AC No. 1256 of 2022

6. In view of the above reply filed by the respondent appears to be convincing, hence no further cause of action is left. Therefore, the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Kumari Anju Rani Prashar, (M-8360034955)
D/o Late Sh.Y.D.Sharma, Ward No 2
Kurali- 140103

.....Appellant

..Vs

Public Information Officer,
O/o SSP, Mohali

First Appellate Authority
O/o IGP, Rupnagar Range,
Rupnagar

.....Respondent

AC No. 1422 of 2022

Present: (i) Ms. Anju Rani Prashar the appellant
(ii) for the respondent : Smt. Rajwinder Kaur, HC (8283060022), Sh. Sandeep Kumar (9988538026)

ORDER

The RTI application is dated 03.08.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 22.03.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 06.07.2022 in the Commission.

3. Today the respondent Smt. Rajwinder Kaur states that the information, as exists, in the record has been sent to the appellant. She further states that she has also brought original record in the Commission.

4. Copy of the same is handed over to the appellant. The appellant has gone through the same and is satisfied with the same.

5. Since, the appellant is satisfied with the information, no cause of action is left, hence the appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Dated: 06.07.2022

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab