Punjab Stelle Information

Sh H.S Hundal, # 203, Judicial Courts, Sector-76, Mohali.

... Appellant

Versus

Public Information Officer, O/o Tehsildar, Moga.

First Appellate Authority, O/o SDM, Moga.

...Respondent

Appeal Case No. 514 of 2020

PRESENT: None for the Appellant Sh.Mangaljit Singh, Reader/Tehsildar Moga for the Respondent

ORDER:

The appellant through RTI application dated 31.10.2019 has sought information regarding register maintained by patwaris as per section 6(3) of Punjab Transparency and Accountability in delivery of public service Act 2018 area of Salina Moga Mehla Singh, Daulatpur Niwan and Ghal Kalan villages of Moga Tehsil and other information concerning the office of Tehsildar Moga. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 01.12.2019 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Moga. The respondent present has pleaded that the information has been sent to the appellant vide letter dated 06.07.2020. The appellant is absent and vide email has informed that he has received a photo copy of reply on his whatsapp from the PIO, which is incorrect and wrong facts have been mentioned in the reply.

The appellant is directed to point out the discrepancies, if any in writing to the PIO with a copy to the Commission. The PIO is directed to remove the discrepancies.

The case is adjourned. To come up for further hearing on **01.09.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, **Moga.** The appellant may appear at Chandigarh.

Chandigarh Dated 07.07.2020



Sh H.S Hundal, # 203, Judicial Courts, Sector-76, Mohali.

... Appellant

Versus

Public Information Officer, O/o Tehsildar, Moga.

First Appellate Authority, O/o SDM, Moga.

...Respondent

Appeal Case No. 515 of 2020

PRESENT: None for the Appellant Sh.Mangaljit Singh, Reader/Tehsildar Moga for the Respondent

ORDER:

The appellant through RTI application dated 31.10.2019 has sought information regarding details of amendment/change in jamabandis, procedure for change of jamabandi by the patwaris- relating to villages of Mehla Singh, Daulatpur Niwan and Ghal Kalan villages of Moga Tehsil and other information concerning the office of Tehsildar Moga. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 01.12.2019 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Moga. The respondent present has pleaded that the information has been sent to the appellant vide letter dated 06.07.2020. The appellant is absent and vide email has informed that he has received a photo copy of reply on his whatsapp from the PIO, which is incorrect and wrong facts have been mentioned in the reply.

The appellant is directed to point out the discrepancies, if any in writing to the PIO with a copy to the Commission. The PIO is directed to remove the discrepancies.

The case is adjourned. To come up for further hearing on **01.09.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, **Moga.** The appellant may appear at Chandigarh.

Sd/-

Chandigarh Dated 07.07.2020



Sh. H.S Hundal, # 1, Dutt Road, Moga.

... Appellant

...Respondent

Versus

Public Information Officer,

O/o SDM, Moga.

First Appellate Authority,

O/o Additional Deputy Commissioner, Moga

Appeal Case No. 3615 of 2018

PRESENT: None for the Appellant Smt.Usha Rani, Suptd.-cum-PIO O/o SDM Moga and Sh.Mangaljit Singh, Reader/Tehsildar, Moga for the Respondent

ORDER: This case should be read in continuation to the earlier order.

On the date of hearing of 30.07.2019, Sh.Prince Kumar, Clerk O/o SDM Moga appeared and pleaded that the information regarding point-1 relates to them and they have already sent reply to the appellant that the information is 3rd party information, it cannot be provided. The information regarding points-2 & 8 relates to Tehsildar Moga and remaining information relates to PWD(B&R) Moga. The respondent further pleaded that the information has also been provided to the appellant by the PIO-PWD and PIO-Tehsildar concerning them.

Having gone through the record, and hearing both the parties, the following was concluded:

| Point-1, 5, 6 & 7 | - | The information pertains to 3 rd party. The concerned 3 rd parties are impleaded in the case and directed to appear before the commission and plead why their information be not provided. |
|-------------------|---|--|
| Point-2 & 8 | - | Relates to Tehsildar Moga. The Tehsildar Moga is directed to provide the information as per RTI application |
| Point-3 | - | PIO-SDM Moga to procure from PIO-PWD and send to the appellant. |

The appellant was also directed to file written submission to establish in writing that the disclosure of information has a larger public interest as he had made allegation of corruption while disbursing money.

On the date of hearing on **19.12.2019**, the respondent present from the office of SDM-Moga informed that the information regarding point-3 has been sent to the appellant vide letter dated 06.11.2019 and a copy of the same is submitted to the Commission. The PIO-Tehsildar, Moga and both the 3rd parties were absent. The appellant was absent and vide email had submitted his written submission which was taken on the file of the Commission.

Appeal Case No. 3615 of 2018

The PIO-Tehsildar, Moga was given one last opportunity to comply with the earlier order of the Commission and provide the information on Points-2 & 8. The PIO was also directed to be present on the next date of hearing. Both the 3rd parties were also given one last opportunity to appear before the Commission and plead their case otherwise it will be presumed that they have nothing to say in the matter and the case will be decided on merits.

On the last date of hearing which was held on **24.02.2020**, the appellant was absent and vide email has informed that he has not received the information regarding point-3 from the office of SDM Moga as recorded in the last order. The appellant further informed that he has not received information on other points also. A copy of the information regarding point-3 submitted by the respondent at the hearing on 19.12.2019 was attached with the order for the appellant.

The PIO-SDM Moga was absent. The PIO-Tehsildar Moga was also absent and vide email has sought adjournment on the plea that they have been deputed by the SDM to attend Mahatma Gandhi Sarbat Vikas Yojna camp to be organized on 24.02.2020 at Ghal Kalan.

Sh.Gurmukh Singh, the 3rd party was present and pleaded that his file relating to his assessment be not provided. The case was adjourned.

Hearing dated 07.07.2020:

The case has come up for hearing today through video conferencing at DAC Moga. The respondent present from the office of SDM pleaded that the information regarding point-3 has already been provided. The appellant is absent and vide email has informed that he has received the information on point-3 but the information on points-2 & 8 has not been supplied.

The PIO-Tehsildar Moga is absent. The respondent present from the office of Tehsildar Moga has sought some more time and assured to supply the information on points-2 & 8 within 10 days.

The PIO-Tehsildar Moga is directed to supply the information on points-2 & 8 within 10 days and send a compliance report to the Commission.

To come up for further hearing on **01.09.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, **Moga**. The appellant may appear at Chandigarh.

Chandigarh Dated:07.07.2020

Sd/-(Khushwant Singh) State Information Commissioner

CC to : 1. PIO-Tehsildar Moga

- 2. Sh.Gurmukh Singh s/o Sh.Nahar Singh Village Landeke (Moga)
- 3. Sh.Amarjit Singh s/o Sh.Jiwan Singh Village Landeka (Moga)



Sh Surta Singh, S/o Sh Rulia Singh, R/o VPO Rana, Tehsil & Distt Fazilka. .

Versus

Public Information Officer,

O/o DC, Fazilka.

...Respondent

... Appellant

Complaint Case No. 54 of 2020

PRESENT: None for the Complainant Sh.Rakesh Kumar O/o DDPO Fazilka for the Respondent

ORDER:

The complainant through RTI application dated 27.11.2019 has sought information regarding formation of gram panchayat of village Rana, resolutions passed by the gram panchayat, grants received and spent and other information concerning the office of DC Fazilka. The complainant was not provided the information after which the complainant filed complaint in the Commission on 09.01.2020.

The case has come up for hearing today through video conferencing at DAC Moga. The Commission has received a letter diary No.5381 on 23.03.2020 from APIO O/o DC Fazilka vide which they have directed the DDPO Fazilka to provide the information as per the RTI application of the complainant transferred under section 6(3) to DDPO vide letter dated 03.12.2019.

The respondent present from the office of DDPO has pleaded that the information has already been supplied to the complainant and the complainant has acknowledged having received the information vide receipt dated 20.03.2020, a copy of which is being sent to the Commission through whatsapp.

The complainant is absent and vide email has sought exemption. The complainant has telephonically informed that he has received the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh Dated 07.07.2020



Sh. Mohinder Singh, S/o. Sh Surain Singh, R/o Village Fatthu Wala, VPO Lamochad Kalan, Tehsil Jalalabad, Distt Fazilka.

... Appellant

Versus

Public Information Officer, O/o SSP, Fazilka.

First Appellate Authority, O/o IGP, Ferozepur Range, Ferozepur.

...Respondent

Appeal Case No. 247 of 2020PRESENT:Sh.Mohinder Singh as the AppellantSh.Mohan Lal, SP Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 27.07..2019 has sought information regarding details of property of Sh.Bhag Singh, ASI No.960 posted in District Fazilka , details of salary of Sh.Bhag Singh and other information concerning the office of SSP Fazilka. The appellant was denied the information by the PIO vide letter dated 16.09.2019 stating that the information sought is personal information of Sh.Bhag Singh and Sh.Bhag singh has not given his consent to disclose the information, after which the appellant filed first appeal before the First Appellate Authority on 04.10.2019 which disposed off the appeal on 17.10.2019.

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present from the office of SSP Fazilka pleaded that since the information sought by the appellant is personal information and is exempt under section 8(1)(j) and section 11(1) of the RTI Act, it cannot be provided. The respondent further informed that the appellant had filed first appeal before the First Appellate Authority which has also disposed off the appeal with the decision that the information being personal information, it cannot be provided.

Having gone through the record, I find that there is nothing on the file which establishes that the disclosure of personal information has a larger public interest. Hence I uphold the decision of the First Appellate Authority and dismiss the appeal.

The case is **disposed off and closed**.

Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh Dated 07.07.2020



Sh Swaran Singh, S/o Sh Channan Suingh, Village Mehmood Khane Ke, P.O Amir Khas, Tehsil Jalalabad (West), Distt Fazilka.

... Appellant

...Respondent

Versus

Public Information Officer,

O/o Tehsildar, Jalalabad, Distt Fazilka.

First Appellate Authority, O/o SDM, Jalalabad (West), Distt Fazilka.

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Appeal Case No. 256 of 2020

PRESENT: Sh.Swaran Singh as the Appellant Sh.D.P.Panday, Tehsildar, Jalalabad for the Respondent

ORDER:

The appellant through RTI application dated 09.10.2019 has sought information regarding details of applications found eligible for Namberdar of village Mehmood Khana, police verification report – the name of person recommended for Nambardar to DC FAzilka and other information concerning the office of Tehsildar Jalalabad The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 18.11.2019 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present pleaded that the information has been sent to the appellant vide letter dated 03.07.2020 and a copy submitted to the Commission. The appellant claims that he has not received the information. A copy of the information has been provided to the appellant during hearing. The appellant is satisfied with the information.

The appellant wants the information duly certified by the competent authority. The PIO is directed to certify the information.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

Chandigarh Dated 07.07.2020



Sh Butta Singh, S/o Sh Sohan Singh, R/o Village Jat Wali via Ram Nagar, Tehsil & Distt Fazilka.

Versus

... Appellant

Public Information Officer,

O/o Tehsildar, Jalalabad (West), Fazilka.

First Appellate Authority,

O/o SDM, Jalalabad (West), Fazilka.

Appeal Case No. 257 of 2020

...Respondent

PRESENT: None for the Appellant Sh.D.P.Panday, Tehsildar Jalalabad for the Respondent

ORDER:

The appellant through RTI application dated 30.09.2019 has sought information regarding copy of receipt for jamabandi for the year 2008-09 village Jalalabad, HB No.196 khasra No.396/2/2(146-9) – par 8/5858 – 0-4 marla khewat No.2164/1944 khatauni no.3396 in name of Smt.Kanchan Rani and other information concerning the office of Tehsildar Jalalabad (West). The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 13.11.2019 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present pleaded that as per report of concerned patwari, no copy of jamabandi for khasra No.396/2/2 was provided and hence no receipt is available in the record. The reply has been sent to the appellant o 16.01.2020. The respondent has sent a copy of the reply to the Commission through whatsapp.

Having gone through the reply, I find that the RTI application has been suitably replied and no further course of action is required. The PIO is directed to send a certified copy of reply to the appellant through registered post. A copy of the information is being attached with the order for the appellant.

With the above order, the case is **disposed off and closed**.

Chandigarh Dated 07.07.2020

PUNJAB STATE INFORMATION COMMISSION

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Sh Jatinder Singh, S/o Sh Manjit Singh, H No-1886/56, Indernagri, Jalalabad (WEST), Distt Fazilka.

... Appellant

...Respondent

Versus

Public Information Officer, O/o EO, NC, Jalalabad (WEST), Distt Fazilka.

First Appellate Authority, O/o Deputy Director, Deptt of Local Slf Government, Ferozepur.

Appeal Case No. 415 of 2020

PRESENT: Sh.Jatinder Singh as the Appellant Sh.Narinder Kumar, EO-NC Jalalabad for the Respondent

ORDER:

The appellant through RTI application dated 25.07.2019 has sought information regarding resolutions passed by the EO NC Jalalabad from 2015 to May 2019 – instructions issued for development work from March, 2006 to May 2019 and other information concerning the office of EO-NC Jalalabad (West). The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 20.08.2019 which disposed off the appeal on 19.12.2019 with the observations that the available information as per record of EO-NC has been provided and no further information is available.

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant claims that the PIO has not provided the information. The respondent present pleaded that the information regarding point -1 is not available in electronic form and cannot be provided in CD. The information regarding point-2 is not specified. The reply was sent to the appellant on 29.08.2019. The respondent further informed that thet they can provide Photostat copies of the record/registers which however, is voluminous and the appellant be asked to inspect the record and get the information.

The appellant is directed to inspect the record by visiting the office of the PIO on 14.07.2020 at 10.00 AM and get the relevant information by depositing the requisite fee as per the RTI Act. The PIO is directed to allow inspection of the record to the appellant and provide the relevant information by raising requisite fee as per the RTI Act.

The case is adjourned. To come up for further hearing on **01.09.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh Dated 07.07.2020

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Deepak Mudgil, R/o Military Station Road, Opp Chanakya School, Fazilka.

... Appellant

Versus

Public Information Officer,

O/o EO, MC, Fazilka.

First Appellate Authority,

O/o Regional Deputy Director, Urban Lcoal Bodies, Ferozepur.

...Respondent

Appeal Case No. 444 of 2020

PRESENT: Sh.Deepak Mudgil as the Appellant None for the Respondent

ORDER:

The appellant through RTI application dated 16.09.2019 has sought information regarding property tax collected against the properties falling under the jurisdiction of NC FAzilka, number of divisions for collecting property tax, rate of tax and other information concerning the office of EO-MC Fazilkia. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 23.10.2019 which directed the PIO to supply information by 05.12.2019 and appear before the First Appellate Authority on 06.12.2019.

The case has come up for hearing today through video conferencing at DAC Fazilka. The appellant claims that the PIO has not provided the information. The respondent is absent.

It is observed that the PIO has neither contacted to the appellant nor has attended the hearing of the First Appellate Authority as seen in the order of the First Appellate Authority and neither made himself/herself present at the Commission's hearing.

Having gone through the record on the file, I find that there has been constant break down of the implementation of the RTI Act and hereby direct the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information to the appellant within 10 days of the receipt of the order.

The case is adjourned. To come up for further hearing on **01.09.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh Dated 07.07.2020

PUNJAB STATE INFORMATION COMMISSION

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Sh. Kuldeep Singh, S/o Sh Krishan Singh, R/o VPO Gobindfarh, Tehsil Abohar, Disttt Fazilka.

Public Information Officer, O/o XEN, Water Supply & Sanitation Deptt, Abohar, Distt Fazilka

First Appellate Authority,

O/o XEN, Water Supply & Sanitation Deptt, Abohar, Distt Fazilka.

...Respondent

Appeal Case .No. 566 of 2020

PRESENT: Sh.Kuldeep Singh as the Appellant Sh.Rajnish, SDE-I O/o Water Supply & Sanitation Deptt. For the Respondent

ORDER:

The appellant through RTI application dated 12.03.2019 has sought information regarding detailed list issued for construction of toilets under Swachh Bharat Abhiyan Scheme in village Gobindgarh Block Abohar - toilets constructed by families of the area and other information concerning the office of Xen Water Supply & Sanitation Department Punjab Abohar. The appellant was not satisfied with the information provided by the PIO vide letter dated 30.05.2019 after which the appellant filed first appeal before the First Appellate Authority on 16.09.2019 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present pleaded that the information has been provided to the appellant on 30.05.2019. The respondent further informed that the information has also been provided to the appellant in an earlier appeal case No.388/2019 filed by the appellant for seeking exactly the same information which has been disposed off by Sh.Hem Inder Singh, State Information Commissioner.

The PIO is directed to send a copy of RTI application filed in appeal case No.388/2019 alongwith order passed by Sh.Hem Inder Singh, State Information Commissioner.

The case is adjourned. To come up for further hearing on 01.09.2020 at 01.00 PM through video conference facility available in the office of Deputy Commissioner, Fazilka.

> Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh Dated 07.07.2020



... Appellant

Vs

Point PSiC using the Information Contraction Contractico Contracti

Sh Lakhwinder Singh, S/o Sh Gurjant Singh, VPO Patti Sadiq, Tehsil Abohar, Distt Fazilka.

... Appellant

Versus

Public Information Officer,

O/o Tehsildar, Abohar, Distt Fazilka.

First Appellate Authority, O/o SDM, Abohar, Distt Fazilka.

...Respondent

Appeal Case No. 3006 of 2019

PRESENT: None for the Complainant Sh.Gursantbir Singh O/o Registrar Cooperative Societies for the Respondent

ORDER:

The appellant through RTI application dated 07.03.2019 has sought information regarding total number of farmers of village Patti Sadiq whose loan has been waived under Loan waiver scheme from 01.01.2017 to 07.01.2019 and other information concerning the office of Tehsildar Abohar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 11.05.2019 which took no decision on the appeal.

The case was first heard on 18.12.2019. Both the parties were absent. The case was adjourned.

The case was last heard on **24.02.2020.** Both the parties were absent. The PIO-cum-Tehsildar Abohar vide email informed that since the information relates to the office of Assistant Registrar, Cooperative Department, Abohar, they have transferred the RTI application to them under section 6(3) vide letter dated 12.03.2019 with a copy to the appellant.

The PIO,O/o Assistant Registrar, Cooperative Department, Abohar was impleaded in the case and directed to look at the RTI application as transferred by the Tehsildar Abohar on 12.03.2019 and provide the information to the appellant. The PIO- Assistant Registrar, Cooperative Department, Abohar was also directed to be present on the next date of hearing alongwith the reasons for not attending to the RTI application within the prescribed time as per the RTI Act.

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present from the office of Registrar Cooperative Societies pleaded that the information is in the custody of SDM Abohar since the password and login is with the office of SDM Abohar.

Appeal Case No. 3006 of 2019

The PIO-SDM Abohar is impleaded in the case and directed to provide the information to the appellant as per the RTI application. A copy of RTI application is attached with the order for the PIO-SDM Abohar.

The Commission observes that the since the RTI application is moving from one desk to another, I hereby declare the PIO-SDM Abohar as the deemed PIO and direct him/her to procure the information even if in the custody of other department and provide to the appellant.

The case is adjourned. To come up for further hearing on **01.09.2020 at 01.00 PM** through video conference facility available in the office of Deputy Commissioner, Fazilka.

Chandigarh Dated 07.07.2020 Sd/-(Khushwant Singh) State Information Commissioner

CC to :1. PIO-Assistant Registrar, Cooperative Department, C/o District Central Cooperative Bank, Abohar.

2. PIO-SDM, Abohar



Sh. Tahaf Bains, S/o Sh.Dipender Singh, # 1562, Sector-18-D, Chandigarh.

.....Appellant

Versus

Public Information Officer, O/o Sub Registrar, Jalalabad, Distt.Fazilka..

First Appellate Authority, O/o SDM, Jalalabad, Distt. FAzilka.

Appeal Case No. 3838 of 2018

Present: Sh.Tahaf Bains as the Appellant on W/S Sh.D.P.Panday Tehsldar Jalalabad for the Respondent

Order:

This order be read in continuation to the earlier order.

On the date of hearing of **26.03.2019**, the respondent present pleaded that the information sought by the appellant is not specific and is third party information. After having gone through the arguments of the case, the Commission found the pleas of the PIO untenable. The Commission observed that since the appellant being a co-parcener and legal heir in the property, has every right to access the information. The PIO was directed to provide the information to the appellant as sought in the RTI application before the next date of hearing.

On the next date of hearing on **24.04.2019.** The respondent present brought the Vasika numbers and informed that on the basis of these vasika numbers, the appellant can get the information from the Sewa Kendra by depositing requisite fee. The appellant said that since they have asked the information under RTI Act, they are not to go to the Sewa Kendra and the information be provided under the RTI Act. The respondent was directed to raise the fee under the RTI Act within a week and provide the information before the next date of hearing.

On the date of hearing on **19.12.2019**, the respondent brought partial information (Vasika Nos.5617, 5619 & 3434) which was taken on the file of the Commission. The appellant was asked to come to the Commission any time and collect the same. The respondent however, pleaded that two vasika Nos 55 & 761 are not registered and these numbers can be wrong. The respondent further pleaded that the remaining vasika nos 09, 639, 649, 6436 & 04 would be provided to the appellant within 15 days after getting these attested from the competent authority. The PIO was directed to send certified copies of the remaining information to the appellant within 10 days through registered post.

On the last date of hearing on **25.02.2020**, the respondent brought remaining vasika Nos. 09, 639, 649, 6436 & 04 which were taken on the file of the Commission. The appellant was absent. The appellant was directed to collect the same from the office of the Commission.

The appellant appeared late and collected all the vasika submitted by the respondent. The appellant however, pointed out some discrepancy in the information.

..Respondent

Hearing dated 07.07.2020:

The case has come up for hearing today through video conferencing at DAC Fazilka. The respondent present pleaded that the information available in the record has been provided to the appellant. The appellant is not satisfied. The Commission has received observations of the appellant which has been taken on the file of the Commission.

Hearing both the parties, the PIO is directed to bring entire record to the Commission at the next date of hearing. A copy of the observations is being attached with the order for the PIO. The appellant is directed to appear personally on the next date of hearing to plead his case.

The case is adjourned. To come up for further hearing on **10.08.2020 at 11.00 AM**.

Chandigarh Dated: 07.07.2020 Sd/-(Khushwant Singh) State Information Commissioner

CC to PIO-Deputy Commissioner, Fazilka.