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FINAL ORDER

Surinder Kumar, S/o Nauria Ram, R/o Ward No.3, Mohalla Bawian, Shahkot, Jalandhar.

Versus

Public Information Officer, o/o Tehsildar Shahkot, Jalandhar.

Complaint Case No. 327 of 2022 (Video Conference Proceedings)

PRESENT: (Complainant) Absent (Respondent) Absent

ORDER:

- 1. The complainant, **Surinder Kumar**, filed this RTI application dated **15.3.2022** and sought information <u>regarding illegal commercial / non-commercial buildings</u>, from the PIO o/o **Tehsildar Shahkot**, **Jalandhar**. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **24.5.2022**. Notice was issued to the parties for first hearing in the Commission on **10.8.2022**.
- 2. Both parties are absent despite Notice of Hearing be issued to each of them on 21.6.2022. An examination of the RTI application shows that the respondent PIO did in fact submit a reply to the RTI application on 19.4.2022 vide Letter No. 533 wherein the complainant was informed that a public authority is not required to answer queries or create information (as per the RTI Act). The complainant was also intimated that in case he needed any certified copy of some specific document, he could obtain the same from the concerned Sewa Kendar as per State Government guidelines.
- 3. In view of the respondent PIO's reply, the Commission is of the view that there was no malafide intent on the part of respondent PIO to deny information. Furthermore, the respondent PIO did send a reply, albeit with a minor delay of four days.
- 4. The Commission however, notes that both the respondent and the appellant have not deemed it fit to attend this hearing. The respondent PIO is herewith directed to submit a written explanation for his absence at today's hearing without intimation to this Commission. This must be done within Ten days of receipt of this Order.
- 5. This Complaint Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Rajiv Arora,

S/o Ram Saroop Arora, # 415, Chotti Baradari, Part-1, Jalandhar – 144 022

Versus

Public Information Officer,

o/o Estate Officer, Greater Mohali Area Development Authority (GMADA), S.A.S. Nagar (Mohali). First Appellate Authority, o/o Chief Administrator, Greater Mohali Area Development Authority (GMADA), S.A.S. Nagar (Mohali).

Appeal Case No. 1388 of 2020 (Video Conference Proceedings)

PRESENT:

Rajiv Arora (Appellant) 98154-05500 Gurvinder Singh, PIO-cum-AEO (Respondent) 98786-02071 Ashwani, Senior Assistant (for the Respondent) 99888-23435

ORDER:

(To be read in continuity with earlier orders on 23.12.2020, 26.2.2021, 29.10.2021, 10.2.2022, and 4.5.2022)

- 1. The RTI application is dated **15.1.2020** vide which the appellant has sought information regarding the status of land acquisition and GMADA schemes in sectors 88-89 and 95-96, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **25.2.2020** and Second Appeal was filed in the Commission on **2.6.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.5.2022**.
- 2. Both parties are present. At the last hearing on 4.5.2022, the respondent PIO was directed to submit a duly notarized affidavit by way of pointwise reply to the RTI application. The respondent PIO has complied.
- 3. In view of the above, the Appeal is herewith **Disposed of**.

Sd/-(ASIT JOLLY)

State Information Commissioner, Punjab.

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FINAL ORDER

Rajiv Arora,

S/o Ram Saroop Arora, # 415, Chotti Baradari, Part-1, Jalandhar – 144 022

Versus

Public Information Officer,

o/o Greater Mohali Area Development Authority (GMADA), S.A.S. Nagar (Mohali). First Appellate Authority, o/o Estate Officer, Greater Mohali Area Development Authority (GMADA), S.A.S. Nagar (Mohali).

Appeal Case No. 1389 of 2020 (Video Conference Proceedings)

PRESENT:

Rajiv Arora (Appellant) 98154-05500 Gurvinder Singh, PIO-cum-AEO (Respondent) 98786-02071

ORDER:

(To be read in continuity with earlier orders on 23.12.2020, 26.2.2021, 29.10.2021, 10.2022, and 4.5.2022)

- 1. The RTI application is dated **3.1.2020** vide which the appellant has sought information regarding schemes and the status of allotment of SCOs to LOI holders in GMADA sectors 88-89 and 95-96, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.2.2020** and Second Appeal was filed in the Commission on **2.6.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.5.2022**.
- 2. Both parties are present. At the last hearing on 4.5.2022, the respondent PIO was directed to submit a duly notarized affidavit by way of pointwise reply to the RTI application. PIO was also directed to provide the sector-wise breakup of SCO/plots as requested in the RTI application. The respondent PIO has complied.
- 3. The Appeal is herewith **Disposed of**.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

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FINAL ORDER

Angoori Rani,

W/o Late Hem Raj, # 2650, Ward No. 12 (New No. 263), Sector 8, Serve No. B020-01536, Near Dushehra Ground, Kharar, Mohali.

Versus

Public Information Officer,

o/o Executive Officer, Nagar Palika, Kharar.

Complaint Case No. 98 of 2020 (Video Conference Proceedings)

PRESENT:

Parmod Kumar (for the Complainant) 99149-22650 (Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 12.6.2020, 20.8.2020, 26.11.2020, 28.1.2021, 9.9.2021, 30.11.2021, 10.2.2022, and 27.4.2022)

- 1. The complainant, **Angoori Rani**, filed this RTI application dated **29.11.2019** and sought information by way of copies of letters dated 1.8.2016 and 24.1.2017 and action taken on said letters from the PIO o/o Executive Officer, Nagar Palika, Kharar . When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on **23.1.2020**. The case was last heard on **27.4.2022**.
- 2. At the last hearing on 27.4.2022, the respondent PIO was directed to submit a copy of the reply/information sent to the complainant vide Letter No. 56 Dated 25.4.2022. While the respondent has failed to comply with the Commission's directions, the complainant Smt. Angoori Rani, has submitted a copy of the respondent PIO's reply to the Commission. The said reply has been examined and it is Commission's view that this addresses the queries raised in the RTI application.
- 3. This is a however, Compliant Case pertaining to which the RTI application was submitted on 29.11.2019. The respondent has contended in past hearings that the RTI application was never received in his office and that this was only made available to him after Commission's intervention on 28.1.2021. The respondent PIO is herewith directed to submit a written explanation for the delay in providing the reply/information, to the Commission within Ten days of receipt of this Order. This Complaint is accordingly **Disposed of.** A copy of this Order be conveyed to Registry Branch for follow-up and compliance.

Sd/-(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh 10.8.2022

Cc: Deputy Registrar, for follow-up and compliance.

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FINAL ORDER

Jagjit Singh Bajaj, S/o Sh. Harbans Singh, #1716, Sector 61, Phase-7, District Mohali-160062

Versus

Public Information Officer,

o/o Greater Mohali Area Development Authority, Mohali.

Public Information Officer,

o/o Punjab Urban Development Authority, PUDA Bhawan, Sector-62, Mohali.

First Appellate Authority,

o/o Estate Officer, Greater Mohali Area Development Authority, PUDA Bhawan, Sector-62, Mohali.

Appeal Case No. 2350 of 2020 and 2351 of 2020 (Heard together via Video Conference Proceedings)

PRESENT:

Jagjit Singh Bajaj (Appellant) 99290-41716 Gurvinder Singh, PIO-cum-AEO (Respondent) 98786-02071

ORDER:

(To be read in continuity with earlier orders on 13.1.2021, 27.10.2021, 10.2.2022, and 4.5.2022)

- 1. The RTI application is dated 22.5.2020 vide which the appellant has sought <u>information</u> regarding a residential plot of 256.66 sqr yard 33'x70' in 750 plots scheme IT City Mohali and IT City Industry (200 plots) scheme SAS Nagar, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on 1.7.2020, and Second Appeal was filed in the Commission on 28.8.20 under Section 19 of the Right to Information Act, 2005. The case was last heard on 4.5.2022.
- 2. Both parties are present. As directed by the Commission, the respondent PIO has submitted a duly notarized affidavit pertaining to both points cited in para no. 3 of this Commission's Order of 4.5.2022. The appellant however, states that the action on the policy guidelines issued subsequent to the meeting chaired by Additional Chief Secretary, Development, Punjab on 2.1.2017, has still not been provided.
- 3. The respondent PIO is herewith directed to supply a duly attested copy of policy guidelines, as cited in his affidavit submitted to this Commission. The respondent PIO is further directed to write a letter to the appellant informing him whether any further action was taken after said policy guidelines were issued on 15.2.2017 and whether any noting etc. were made on said Order. This must be done before the end of working hours i.e. on 10.8.2022.

Contd....2

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Appeal Case No. 2350 of 2020 and 2351 of 2020 (Heard together via Video Conference Proceedings)

- 4. The appellant is requested to collect the original affidavit as well as the letter submitted by the respondent PIO from the Commission after seeking appointment on telephone on any working day.
- 5. These Appeal Cases are accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Varinder Singh,

S/o Babu Singh, Village Mullanpur Garibdass, Tehsil Kharar, Mohali – 140 901

Versus

Public Information Officer,

o/o Naib Tehsildar (o/o Land Acquisition Collector), Greater Mohali Area Development Authority (GMADA), Mohali

Public Information Officer,

o/o Greater Mohali Area Development Authority (GMADA),

First Appellate Authority,

o/o Greater Mohali Area Development Authority (GMADA), Mohali.

Appeal Case No. 3020 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent Gurvinder Singh, PIO-cum-AEO (Respondent) 98786-02071 Gurpreet Singh, Naib Tehsildar (for the Respondent)

ORDER:

(To be read in continuity with earlier orders on 17.2.2021, 27.10.2021, 10.2.2022, and 4.5.2022)

- 1. The RTI application is dated **10.2.2020** vide which the appellant has sought information **regarding Award No. 540/structure compensation**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **5.8.2020** and Second Appeal was filed in the Commission on **13.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.5.2022**.
- 2. The appellant is absent without intimation. At the last hearing on 4.5.2022, the respondent PIO was directed to submit a duly notarized affidavit. The respondent PIO has complied.
- 3. The Commission is of the view that this RTI application is adequately addressed. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)

State Information Commissioner, Punjab.

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FINAL ORDER

Harsimran Saini, # 7518/8, St.No.10-B, Daba Colony, Ludhiana – 141 003

Versus

Public Information officer, o/o Chief Secretary, Labour Department, Punjab, Chandigarh.

Complaint Case No. 1140 of 2021 (Video Conference Proceedings)

PRESENT: (Complainant) Absent (Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on **27.4.2022**)

- 1. The complainant, Harsimran Saini, filed this RTI application dated 14.7.2021 and sought information Regarding an inquiry conducted by the Director of Fctories in 2021, from the PIO o/o Principal Secretary, Labour Department, Pb., Chandigarh. When no information was received, the Complainant filed a complaint under Section 18 of the RTI Act, 2005 to the Commission on 9.9.2021. The case was last heard on 27.4.2022.
- 2. Both parties are absent. At the last hearing on 27.4.2022, the respondent PIO was directed to demonstrate in writing as to why the requested information should not be disclosed in the larger public interest. He was also directed to appear at today's hearing in person. The respondent PIO is absent without intimation, but he / she has made a written submission regarding the exemption sought by him under Section 8(1)(h) and 8(1)(j) of the RTI Act 2005.
- 3. The Commission has examined said submission and herewith upholds the PIO's decision to deny the requested information. This Complaint Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Ashok Kumar, S/o Sh. Rajinder Nath, # 1299, Morni Wala Khu, VPO-Dera Bassi, District Mohali.

Versus

Public Information officer, o/o Superintendent (Budget), Water Resources Department, Punjab, Sector-18, Chandigarh. First Appellate Authority, o/o Director Water Cell, Water Resources Department, Punjab, Sector-18, Chandigarh.

Appeal Case No. 1846 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent Ramandeep Kaur, Senior Assistant (for the Respondent) 90564-19212 Jaspal Sharma, Supervisor (for the Respondent) 98760-32040

ORDER:

(To be read in continuity with earlier orders on 22.9.2021, 5.1.2022, and 4.5.2022)

- 1. The RTI application is dated **712.2020** vide which the appellant has sought information regarding copies of notings of dealing assistant, comments given by Superintendent, remarks by Director Finance and Accounts and orders from Chief Engineer in respect of Letter No. 206/AK Dated 18.11.2020, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **20.1.2021** and Second Appeal was filed in the Commission on **9.4.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **4.5.2022**.
- 2. The appellant is absent without intimation for the Third successive hearing. The respondent PIO has meanwhile informed the Commission that the requested information was sent to the appellant vide Letter No. 1455-1457 dated 22.9.2021, a copy of which is available on the file. The respondent PIO, represented by Ramandeep Kaur, Senior Assistant and Jaspal Sharma, Supervisor, further state that a reply has now once again been sent to the appellant vide Letter No. 5303-04 Dated 3.8.2022. Said reply has not yet been received in the Commission.
- 3. The respondent PIO is herewith directed to submit a copy of original complaint cited in the RTI application to this Commission within 10 days of receipt of this Order. The Appeal is accordingly **Disposed of**.

Sd/-(ASIT JOLLY) State Information Commissioner, Punjab. Chandigarh 10.8.2022

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FINAL ORDER

Nalin Tayal, # 179-B, Model Town Extention, Ludhiana-141002.

Versus

Public Information officer, o/o Divisional Forest Officer (Wild Life), Department Of Forest & Wild Life, Preservation, Canal Colony, Roopnagar. First Appellate Authority, o/o Conservator of Forests (Wildlife), Shivalik Hills Circle, Mohali.

Appeal Case No. 4570 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent Guchait Singh, Range Incharge (for the Respondent) 94656-60157

ORDER:

(To be read in continuity with earlier orders on **27.4.2022**)

- 1. The RTI application is dated **10.7.2021** vide which the appellant has sought information **regarding GATS Urban CO. OP. T&C Society**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.8.2021** and Second Appeal was filed in the Commission on **6.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.4.2022**.
- 2. As directed at the last hearing on 27.4.2022, the respondent PIO has submitted a detailed tabulated reply to the RTI application vide Letter No.313 Dated 6.5.2022, along with some documents by way of information, which are however, not attested in the format stipulated by the Commission.
- 3. The respondent PIO is directed to resubmit his reply along with appended documents after duly attesting the same in the format stipulated at para no. 3 of the Commission's Order of 27.4.2022. This must be done within one week of receipt of this Order.
- 4. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Surinder Singh, S/o Santokh Singh, 1381, Baba Farid Nagar, Village Kaleighunupur, Chheharata, Amritsar.

Versus

Public Information officer, o/o Punjab Mandi Board, Sector 65 A, Mohali. First Appellate Authority, o/o Punjab Mandi Board, Sector 65 A, Mohali

Appeal Case No. 4700 of 2021 (Video Conference Proceedings)

PRESENT: (Appellant) Absent (Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on **27.4.2022**)

- 1. The RTI application is dated **15.7.2021** vide which the appellant has sought information regarding the Inquiry Report about Executive Engineer R.P. Agnihotri and a certified copy of his subsequent suspension order etc., as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.8.2021** and Second Appeal was filed in the Commission on **13.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.4.2022**.
- 2. Both parties are absent. At the last hearing on 27.4.2022, the appellant was given one opportunity to be heard in person. The appellant had requested video conference in the office of Deputy Commissioner, Amritsar. He was however, not found present when this Bench connected via Video Conference.
- 3. The Commission upholds the PIO's reply to deny/withhold the information as per section 8(1)(j) of the RTI Act 2005. The Appeal is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Shishpal Singh, S/o Balbir Singh, 21, Malkit Avenue, Barewal Road, Near Shri Guru Ram Rai School, Ludhiana

Versus

Public Information officer, o/o Chief Engineer, Water Resources Department, Punjab, Sector-18-B, Chandigarh. First Appellate Authority, o/o Chief Engineer, Water Resources Department, Punjab,

Water Resources Department, Sector-18-B, Chandigarh.

Appeal Case No. 4783 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent Gori Sharma, Superintendent (for the Respondent) 99153-81118

ORDER:

(To be read in continuity with earlier orders on **27.4.2022**)

- 1. The RTI application is dated 10.7.2021 vide which the appellant has sought information regarding a Government Order of 1977 to regularize the service of Sukhwant Singh Saini and a certified copy of the letter issued by the government to regularize his service, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on 30.8.2021 and Second Appeal was filed in the Commission on 21.10.2021 under Section 19 of the Right to Information Act, 2005. The case was last heard on 27.4.2022.
- 2. The appellant is absent. As directed at the last hearing on 27.4.2022, the respondent PIO has submitted copy of a reply/information sent to the appellant vide Letter No. 1576 Dated 5.5.2022 wherein, some of the requested information has been provided. For the rest of the information, the respondent PIO has informed the appellant that said information is some 45 years old and not possible to trace in the records.
- 3. The Commission has examined the respondent PIO's reply and is of the view that this adequately addresses the RTI application. This Appeal Case is accordingly **Disposed of**.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Prem Sagar, 58, Main Bazar, Sawan Nagar, Amritsar – 143 001

Versus

Public Information officer, o/o Admin Officer-2, Irrigation Works, Punjab, Sector-18, Chandigarh. First Appellate Authority, o/o Superintendent Engineer, Inter State Waters, Irrigation Works, Punjab, SCO 45/1, Sector-17-E, Chandigarh.

Appeal Case No. 4802 of 2021 (Video Conference Proceedings)

PRESENT: (Appellant) Absent Sourav Kumar, Clerk (for the Respondent) 99153-20321

ORDER:

(To be read in continuity with earlier orders on **27.4.2022**)

- 1. The RTI application is dated **17.5.2021** vide which the appellant has sought information <u>regarding approval accorded by the Chief Engineer</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.6.2021** and Second Appeal was filed in the Commission on **22.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.4.2022**.
- 2. The appellant is absent without intimation. At the last hearing on 27.4.2022, the respondent PIO was directed to initiate the due process to report/reconstruct the missing/untraceable record as requested by the appellant in his RTI application. The PIO was also directed to submit a duly notarized affidavit stating his contention that the requested information/file is missing/untraceable. Although, the respondent PIO has failed to comply with the direction to submit said affidavit, he has provided a copy of the receipt for the complaint submitted to the Chandigarh Police regarding the loss of the concerned file.
- 3. In view of the above, the Commission is of the view that this RTI application has been adequately addresses. This Appeal is accordingly $\underline{\textbf{Disposed of}}$.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.

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FINAL ORDER

Harbinder Singh,

S/o Lal Singh, R/o Village Phide Khurd, PO Wandar Jatana, Tehsil Kotkapura, District Faridkot.

Versus

Public Information officer, o/o Assistant Labour Commissioner, Mohali. First Appellate Authority, o/o Assistant Labour Commissioner, Mohali.

Appeal Case No. 5149 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Jagpreet Singh, Assistant Labour Commissioner (for the Respondent) 98155-15255

ORDER:

(To be read in continuity with earlier orders on **27.4.2022**)

- 1. The RTI application is dated **25.3.2021** vide which the appellant has sought information <u>regarding the award in favour of 13 employees in 2004 and 2005 etc.</u>, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **29.4.2021** and Second Appeal was filed in the Commission on **15.11.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.4.2022**.
- 2. The appellant is absent. The respondent PIO, represented by Jagpreet Singh, Assistant Labour Commissioner, SAS Nagar, Mohali, has submitted copy of a reply sent to the appellant vide Letter No. 2007-08 Dated 22.7.2022, from which is evident that he made a sincere attempt to provide the information.
- 3. The Commission has examined the RTI application, which is in the form of long format essay and does not seek any document/electronic record etc. which could be defined as "information" as per Section 2 of the RTI Act 2005.
- 4. During deliberations at this hearing, the respondent PIO represented by Jagpreet Singh, Assistant Labour Commissioner, also confirmed that no specific information has been requested in said RTI application.
- 5. In view of above, this Appeal Case is accordingly **Disposed of**.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

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FINAL ORDER

Inderpal Singh,

S/o Surjit Singh, 240, Block B, Ahluwalia Colony, Jamalpur Awana, Ludhiana.

Versus

Public Information officer,

o/o Punjab Agro Foodgrains Corporation, PB, Chandigqarh.

First Appellate Authority,

o/o Punjab Agro Foodgrains Corporation, PB, Chandigarh.

Appeal Case No. 5031 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Sewak Singh, PIO-cum-Associate Manager Food Processing (for the Respondent) 98766-99789

ORDER:

(To be read in continuity with earlier orders on **27.4.2022**)

- 1. The RTI application is dated **4.8.2021** vide which the appellant has sought information regarding the action taken against Punjab Agro Foodgrains Corporation employees in the Rs. 24 Crore Scam, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **8.9.2021** and Second Appeal was filed in the Commission on **2.11.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **27.4.2022**.
- 2. At the last hearing on 27.4.2022, the respondent PIO was directed to send the information sent to the appellant on 21.4.2022 after duly attesting each page in the format stipulated by the Commission. The respondent PIO has complied vide Letter No. 1674 dated 22.5.2022. The appellant was also given an opportunity to examine the information for deficiencies, if any. There is however, been no communication from the appellant.
- 3. In view of the above, this Appeal Case is accordingly **Disposed of**.

Sd/-(ASIT JOLLY)

State Information Commissioner, Punjab.