

PUNJAB STATE INFORMATION COMMISSION
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Sector 16, Chandigarh.
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Sh. Aditya Pandey,
H.No. 174, Sector-21-A,
Chandigarh.

Appellant

Versus

Public Information Officer
O/o Department Of Home Affairs and Jails,
PB, Chandigarh.

First Appellate Authority
O/o Department Of Home Affairs and Jails,
PB, Chandigarh

Respondents

Appeal Case No.: 1434 of 2019
Heard through CISCO WEBEX

Present: Nobody on behalf of the appellant.
For the respondent:
Advocate, Malvika Singh through CISCO WEBEX.
Sh. Sunil (Clerk) (9023574711) at PSIC Office.

ORDER

1. This order may be read with reference to the previous order dated 15.07.2020 vide which representative of the appellant, Advocate, Nikhil Kaushal stated that requisite information is pending and requested to direct the respondent PIO to provide requisite information as no stay order has been passed by the Hon'ble High Court in this case.

Representative of the respondent, Advocate, Malvika Singh requested for an adjournment in this case on the plea that matter is pending before the Hon'ble High Court on 30.09.2020. Accordingly, this case was adjourned for further hearing on 12.10.2020 i.e. today.

2. Representative of the respondent, Advocate, Malvika Singh states that CWP 3152 of 2020 is pending before the Punjab and Haryana High Court and next date of hearing is on 11.01.2021 and on this ground she verbally requested for an adjournment. She also sent an email dated 12.10.2020 stating that orders dated 12.09.2019 and 24.10.2019 passed by the Commission have been challenged and interim protection has been granted to the State of Punjab. In this mail she further requested to take order dated 05.02.2020 on record. Through this order following directions were given:

Learned Additional Advocate General, Punjab, *inter alia* contends that no first appeal was filed under Section 19 (1) of the Right to Information Act by respondent No.1 at any point of time and despite intimation to said effect having been given by the first Appellate Authority to the State Information Commissioner vide communication (Annexure P-7) dated 12.06.2019, consequently second appeal under Section 19(3) not being maintainable, the learned State Information Commissioner, passed the impugned order without considering the aforementioned aspect of the matter.

Notice of motion for **17.02.2020**.

Notice : reg. stay as well.

Dasti only.

To be shown immediately after the urgent cases.

3. Representative of the respondent, Sh. Sunil submits a copy of case details of CWP 3152 of 2020 along with copies of orders passed by the Hon'ble Punjab and Haryana High Court dated 05.02.2020, 17.02.2020 and 24.02.2020, which are taken on record.
4. Neither the appellant, Sh. Aditya Pandey is present himself nor his representative for today's hearing nor did he file any reply in this regard.
5. In wake of above, matter is adjourned for further hearing on **20.01.2021 through CISCO WEBEX at 12:00 Noon** (Steps: Install CISO WEBEX->Click on Join Meeting->Enter meeting number **918232900**).
6. Announced in the Court. Copy of the order to be sent to the parties.

Chandigarh
Dated: 12.10.2020

(Dr.Pawan Kumar Singla)
State Information Commissioner