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Shri Ramesh s/o Shri Jaila, Village Theh Banehra, Tehsil Guhla, District Kaithal.

-----Appellant

Vs

Public Information Officer o/o Director General of Police, Punjab, Chandigarh.

First Appellate Authority o/o Director General of Police, Punjab, Chandigarh.

-----Respondents

Appeal Case No. 3056 of 2018

Present:- Shri Ramesh, appellant, in person.

Shri Ajeet, ASI; Shri Darbara Singh, ASI and Shri Harwinder Singh, ASI, on behalf of the respondents.

<u>ORDER</u>

The case was last heard on 29.11.2018, when the respondents vide letter dated 28.11.2018 sought exemption under Section 8(1)(h) of the RTI Act, 2005 for providing the information as the original complaint is pending with Deputy Superintendent of Police, Patran. Accordingly, the respondents were directed to expedite the inquiry/action on the original complaint and supply the information on or before the next date of hearing. The case was adjourned for today.

2. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

AC - 3056 of 2018

3. Today, the representatives of the respondents inform the Commission that the investigation in the matter is still in progress. Accordingly, the respondent PIO is directed to expedite the investigation and supply the requisite information to the appellant before the next date of hearing, under intimation to the Commission.

4. To come up on 20.02.2019 at 11.30 A.M. for further proceedings before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

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Ms. Kiran, H.No.611/7, Adarsh Nagar, Naya Gaon, District: Mohali.

-----Appellant

Vs

Public Information Officer o/o Punjab Police, Headquarters, Chandigarh.

First Appellate Authority o/o Punjab Police, Headquarters, Chandigarh.

-----Respondents

Appeal Case No. 2990 of 2018

Present:- Shri Kamal Singh Rana, on behalf of the appellant. Shri Jarnail Singh, ASI, on behalf of the respondents.

<u>ORDER</u>

The case was last heard on 29.11.2018, when the appellant vide her letter dated 20.11.2018 informed that till date she had not received the requisite information. Consequently, after hearing both the parties and going through the record available on the case file, the respondents were directed to allow inspection of the said FIR case file to the appellant and give specific reply to him with regard to the status of the said FIR. The case was adjourned for today.

2. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

AC - 2990 of 2018

3. Today, the representative of the respondents hands over a copy of the information to the representative of the appellant. Accordingly, the appellant is directed to send her observations, if any, on the provided information to the PIO, with a copy to the Commission, before the next date of hearing.

4. To come up on 20.02.2019 at 11.30 A.M. for further proceedings before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

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Shri Mehar Singh s/o Shri Tarlok Singh, H.No.87, Street No.1, Guru Teg Bahadur Nagar, Faridkot.

-----Appellant

Vs

Public Information Officer O/o Director General of Police, Punjab, Chandigarh.

First Appellate Authority O/o Deputy Inspector General of Police, Punjab (Admn.), O/o Director General of Police, Punjab, Chandigarh.

-----Respondents

Appeal Case No. 3077 of 2018

Present:- None on behalf of the appellant.

Shri Gurnam Singh, Senior Assstant and Shri Narinder Singh, Senior Constable, on behalf of the respondents.

<u>ORDER</u>

In this case, during hearing on 30.10.2018 the appellant wanted to seek information with regard to the selection of only two candidates out of total 13 candidates namely Ms. Anchyal Walyat d/o Shri Dinesh Kumar and Ms. Baljit Kaur D/o Shri Inderjit Singh. The information had been denied to the appellant by the PIO and the First Appellate Authority on the basis of exemption under Section 8(1)(g) of the RTI Act, 2005. Consequently, after hearing both the parties and discussing the matter at length, it was directed that a Speaking Order in this regard be passed spelling out clearly as to why their selection criteria vis-z-vis their antecedents cannot be shared. The case was adjourned to 29.11.2018.

<u>AC - 3077 of 2018</u>

2. On 29.11.2018, the appellant was not present. The representative of the respondents placed on record a copy of speaking order, which was taken on record. Accordingly, the respondents were directed to send a copy of speaking order to the appellant through registered post and the appellant was advised to go through the same and send his observations, if any, to the PIO, with a copy to the Commission. The case was adjourned for today.

3. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

4. Today, the appellant is not present without any intimation. The representatives of the respondents inform that no observations have been received from the appellant on the provided information. Accordingly, one last opportunity is afforded to the appellant to furnish his observations, if any, on the provided information failing which case will be decided on merit on the basis of documents placed on record.

5. To come up on 20.02.2019 at 11.30 A.M. for further proceedings before the Bench of Hon'ble C.I.C.

Sd/-(Preety Chawla) State Information Commissioner Punjab

Dated : 14.01.2019

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Shri Manjit Singh s/o Shri Bachan Singh, Villaga Daba, Near Nirmal Palace, Ludhiana.

-----Appellant

-----Respondents

Vs.

Public Information Officer o/o Additional Deputy Commissioner of Police-II, Sherpur, Ludhiana.

First Appellate Authority, O/o Additional Deputy Commissioner of Police-II, Sherpur, Ludhiana.

Public Information Officer, O/o S.H.O., Police Station, Daba, Ludhiana.

Appeal Case No. 782 of 2018

Present:- Shri Manjit Singh, appellant, in person.

Shri Daljit Singh, S.I., on behalf of the respondents.

<u>ORDER</u>

The case was last heard on 29.11.2018, when the appellant was advised

to send one more copy of deficiencies in the provided information to the respondents

by registered post and the respondents were directed to supply complete information

to the appellant after removing the deficiencies pointed out by him, before the next date

of hearing. The case was adjourned for today.

2. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

AC - 782 of 2018

3. Today, the representative of the respondents informs that the requisite information has been supplied to the appellant. The appellant expresses dissatisfaction with the provided information while stating that he has sent the deficiencies in the provided information. He hands over a copy of the deficiencies, in the provided information, to the respondent. Accordingly, the respondent PIO is directed to supply complete information to the appellant after removing the deficiencies pointed out by him, before the next date of hearing. It is also directed that in case any information is not available in the record, then a written submission to this effect be submitted on the next date of hearing.

4. To come up on 20.02.2019 at 11.30 A.M. for further proceedings before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

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Dr. Manjit Singh Komal Ex-Principal GGN Khalsa College, 174-A, Shastri Nagar, Ludhiana.

-----Appellant

Vs

Public Information Officer o/o Commissioner of Police, Ludhiana.

First Appellate Authority o/o Commissioner of Police, Ludhiana.

Public Information Officer, O/o SHO, Police Station, Salem Tabri, Ludhiana.

-----Respondents

Appeal Case No. 1127 of 2018

Present:- Dr. Manjit Singh Komal, Appellant, in person. Shri Jawala Parshad, ASI, on behalf of the respondents.

<u>ORDER</u>

In this case, during hearing on 29.10.2018, the respondent-PIO was directed to file detailed reply regarding status of the provided information spelling out clearly as to whether the statements in this case were recorded or not. The case was adjourned to 29.11.2018.

2. On 29.11.2018, none was present on behalf of the appellant as well as the respondents, without any intimation. Viewing the callous and lackadaisical attitude of the PIO seriously, last opportunity was afforded to the PIO to comply with the orders of the Commission dated 29.10.2018. The case was adjourned for today.

<u>AC - 1127 of 2018</u>

3. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

-2-

4. Today, a letter No. 20-ਰ/RTI, dated 14.01.2019 has been received from PIO-cum-DCP, Commissionerate, Ludhiana vide which it has been informed that Shri Ramesh Kumar, ASI, who was deputed to attend the hearing in the Commission, has met with an accident on his way to Chandigarh and is thus unable to attend the hearing. The PIO has requested to adjourn the case to some other date.

5. Shri Jawala Parshad, ASI, appearing on behalf of the respondents informs that no statement has been recorded by the concerned ASI in this case. The appellant expresses dis-satisfaction with the statement of the representative of the respondents and requests that requisite information may be provided to him. Consequently, after hearing both the parties and discussing the matter at length, the PIO is directed to explain the factual position of the case, in person, on the next date of hearing so that requisite admissible information could be provided to the appellant before any further delay.

6. To come up on **11.02.2019 at 11.30 A.M. for further proceedings** before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

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Shri Naresh Devgan Sharma, Advocate, Chamber No.7022/2, District Courts, Ludhiana.

-----Appellant

Vs

Public Information Officer o/o Police Post, Kochhar Market, Ludhiana.

First Appellate Authority o/o Station House Officer, Police Station, Division No.5, Ludhiana.

-----Respondents

Appeal Case No. 2175 of 2018

Present:- None on behalf of the appellant. Shri Bhupinder Singh, Head Constable, on behalf of the respondents.

<u>ORDER</u>

The case was last heard on 29.11.2018, when the appellant informed that he had furnished the deficiencies in the provided information to the PIO but complete information had not been supplied to him. Accordingly, the respondents were directed to supply complete information to the appellant after removing the deficiencies furnished by him, before the next date of hearing. The case was adjourned for today.

2. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

3. Today, the appellant is not present. However, a letter dated 14.01.2019

AC - 2175 of 2018

has been received from him through e-mail informing that he is unable to attend hearing due to breakdown of the vehicle in which he is travelling. He has requested to adjourn the case to some other date.

4. The representative of the respondents states that complete information has been supplied to the appellant after removing the deficiencies furnished by him. Accordingly, the appellant is directed to send his observations, if any, on the provided information to the PIO, with a copy to the Commission.

5. To come up on 20.02.2019 at 11.30 A.M. for further proceedings before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

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Shri Rupinder Singh s/o Shri Baldev Singh, r/o H.No.14, Street No.4-1/12, Indra Colony, Rahon Road, Ludhiana.

-----Appellant

-----Respondents

Vs

Public Information Officer o/o Deputy Commissioner of Police, Ludhiana.

First Appellate Authority o/o Commissioner of Police, Ludhiana.

Appeal Case No. 3479 of 2018

Present:- Shri Rupinder Singh, appellant, in person. None on behalf of the respondents.

<u>ORDER</u>

In this case, during hearing on 29.10.2018, the respondents were directed to get the Rojnamcha of the said period be got inspected by the appellant to identify the pages of Rojnamcha required by him and supply the same to him on the spot. The case was adjourned to 29.11.2018.

2. On 29.11.2018, the appellant informed that inspection of Rojnamacha was not allowed by the respondents. Accordingly, the respondents were again directed to allow the inspection of Rojnamcha of the said period to the appellant as per his RTI application, within ten days failing which punitive action under the provisions of the RTI Act, 2005 would be initiated against them. The case was adjourned for today.

AC - 3479 of 2018

3. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

4. Today, a letter No. 20-ਰ/RTI, dated 14.01.2019 has been received from PIO-cum-DCP, Commissionerate, Ludhiana vide which it has been informed that Shri Ramesh Kumar, ASI, who was deputed to attend the hearing in the Commission, has met with an accident on his way to Chandigarh and is thus unable to attend the hearing. The PIO has requested to adjourn the case to some other date.

5. The request of the PIO for adjournment of the case is accepted with the directions that the inspection of Rojnamcha for the said period be allowed to the appellant to identify the pages of Rojnamcha required by him and supply the same to him on the spot, before the next date of hearing.

6. To come up on **30.01.2019 at 11.30 A.M. for further proceedings** before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

Sd/-(Preety Chawla) State Information Commissioner Punjab

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Shri Rupinder Singh s/o Shri Baldev Singh, r/o H.No.14, Street No.4-1/12, Indra Colony, Rahon Road, Ludhiana.

-----Appellant

Vs

Public Information Officer o/o Deputy Commissioner of Police, Ludhiana.

First Appellate Authority o/o Commissioner of Police, Ludhiana.

-----Respondents

Appeal Case No. 3480 of 2018

Present:- Shri Rupinder Singh, appellant, in person. None on behalf of the respondents.

<u>ORDER</u>

In this case, during hearing on 29.10.2018, the respondents were directed to get the Rojnamcha of the said period be got inspected by the appellant to identify the pages of Rojnamcha required by him and supply the same to him on the spot. The case was adjourned to 29.11.2018.

2. On 29.11.2018, the appellant informed that inspection of Rojnamacha was not allowed by the respondents. Accordingly, the respondents were again directed to allow the inspection of Rojnamcha of the said period to the appellant as per his RTI application, within ten days failing which punitive action under the provisions of the RTI Act, 2005 would be initiated against them. The case was adjourned for today.

AC - 3480 of 2018

3. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

4. Today, a letter No. 20-ਰ/RTI, dated 14.01.2019 has been received from PIO-cum-DCP, Commissionerate, Ludhiana vide which it has been informed that Shri Ramesh Kumar, ASI, who was deputed to attend the hearing in the Commission, has met with an accident on his way to Chandigarh and is thus unable to attend the hearing. The PIO has requested to adjourn the case to some other date.

5. The request of the PIO for adjournment of the case is accepted with the directions that the inspection of Rojnamcha for the said period be allowed to the appellant to identify the pages of Rojnamcha required by him and supply the same to him on the spot, before the next date of hearing.

6. To come up on **30.01.2019 at 11.30 A.M. for further proceedings** before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

Sd/-(Preety Chawla) State Information Commissioner Punjab

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Smt. Neena Gupta, H.No.1410, Phase-1, Urban Estate, Dugri Road, Ludhiana.

-----Complainant

Vs.

Public Information Officer o/o Sub Registrar/Tehsildar (West), Humbran Road, Ludhiana.

-----Respondent

Complaint Case No. 1163 of 2017

Present:- None on behalf of the complainant as well as the respondent.

<u>ORDER</u>

The case was last heard on 11.12.2018 when none was present on behalf of the complainant as well as the respondent. Viewing the callous attitude of the PIO seriously, a show cause notice was issued to PIO of the office of Sub Registrar/Tehsildar (West), Humbran Road, Ludhiana for non compliance of the orders of the Commission. Besides, he was directed to avail of an opportunity of personal hearing on the next date of hearing in the interest of natural justice. He was also directed to supply the requisite information to the complainant before the next date of hearing. The case was adjourned for today.

2. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

<u>CC - 1163 of 2017</u>

3. Today again, none is present on behalf of the complainant as well as the respondent without any intimation. Viewing the callous and lackadaisical attitude of the PIO seriously, one last opportunity is afforded to him to supply the requisite information to the complainant and submit reply to the Show-Cause Notice issued to him, failing which further action under the provisions of RTI Act, 2005 will be taken against him exparte.

4. To come up on 20.02.2019 at 11.30 A.M. for further proceedings before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

Sd/-(Preety Chawla) State Information Commissioner Punjab

CC: Shri Ajit Pal, Tehsildar, Ludhiana West, Mini Secretariat Ferozepur Road, Ludhiana. REGISTERED

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Shri Ranjit Singh S/o Shri Sandeep Singh, Village Tong, Tehsil Baba Bakala Sahib, District Sri Amritsar Sahib.

-----Appellant

Vs.

Public Information Officer O/o Additional Deputy Commissioner, Sri Amritsar Sahib.

First Appellate Authority, O/o Deputy Commissioner, Sri Amritsar Sahib.

Appeal Case No. 3015 of 2017

-----Respondents

Present:- Shri Ranjit Singh, appellant, in person. Shri Vikas Hira, SDM-2, Amritsar, on behalf of the respondents.

<u>ORDER</u>

In this case, during hearing on 20.11.2018, SDM-II, Amritsar was directed to intimate as to whether the relevant record is available or has gone missing, if so, then efforts be made to trace the missing record and fix responsibility for the same. He was also directed to submit status report on the next date of hearing. The case was adjourned to 11.12.2018.

2. On 11.12.2018, the appellant informed that he tried to meet Shri Vikas HIra, Sub Divisional Magistrate, Amritsar-II but could not do so. None was present on behalf of the respondents without any intimation. Viewing the callous attitude of the respondents, seriously a show cause notice was issued to PIO o/o Sub Divisional

<u>AC - 3015 of 2017</u>

Magistrate, Amritsar-II for non compliance of the orders of the Commission. He was directed to file a formal reply in this behalf before the next date of hearing. Besides, an opportunity of personal hearing was also afforded to him in the interest of natural justice. The case was adjourned for today.

-2-

2. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

3. As per the orders of the Commission, Shri Vikas Hira, SDM-2, Amritsar is present today. He explains the position of the case and submits a detailed reply from Dr. Shivraj Singh Bal, Assistant Commissioner(G), Officer In-Charge ALA Branch, Amritsar, a copy of which is handed over to the appellant for furnishing his observations, if any, to the PIO, with a copy to the Commission.

4. To come up on 20.02.2019 at 11.30 A.M. for further proceedings before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

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Shri Mukesh Kumar, S/o Shri Krishan Lal, H.No. 33229, Street – 08, Partap Nagar, Bathinda.

-----Appellant

Vs

Public Information Officer O/o Senior Superintendent of Police, Bathinda.

First Appellate Authority O/o Inspector General of Police, Bathinda Zone, Bathinda.

-----Respondents

Appeal Case No. 1821 of 2016

Present: Shri Nand Lal, on behalf of the appellant. None for the respondents.

<u>ORDER</u>

In this case, Shri Mukesh Kumar, Appellant, vide his RTI application dated 16.01.2016 sought photo copy of Police Verification of Shri Sandeep Sharma S/o Shri Sat Pal Sharma, resident of Partap Nagar, Street No. 8, Bathinda employed as Constable in the Punjab Police. This case was allotted to Shri A. S. Chanduraian, S.I.C.

2. During hearing on 20.10.2016, the appellant was not present. The representatives of the respondents submitted that the information sought for by the appellant could not be supplied to him as it is 'third party' information under clause (j) of Section 8(1) of the RTI Act. Consequently, after examining the documents placed on record and observing that the information sought for by the appellant is personal information in

nature, the case was disposed of and closed.

3. The order of the Commission dated 20.10.2016 was challenged in the

AC - 1821 of 2016

6.

Hon'ble Punjab and Haryana High Court by Shri Mukesh Kumar, Appellant, vide CWP No. 26089 of 2016 and Shri Rajan Gupta, Ld. Judge set-aide the order of the Commission vide his order dated 26.09.2017 and the matter was remitted to the same authority for decision afresh after affording an opportunity of hearing to the concerned parties.

4. Consequently, the case was heard by Shri A. S. Chanduraian, SIC on 27.12.2017 and the respondent PIO was directed to supply the certified copies of the available/giveable information to the applicant as per his queries raised by him in his RTI request, by the next date of hearing.

5. This order of the Commission dated 27.12.2017 was challenged by Shri Sandeep Sharma(Third Party) vide CWP No. 397 of 2018, whose information has been sought by Shri Mukesh Kumar, Appellant. Hon'ble Punjab & Haryana High has passed order on 10.09.2018, which inter-alia reads as under:-

" The order dated 27.12.2017 is hereby set aside. The matter is remanded back to the State Information Commission, Punjab, for fresh decision. Parties are directed to appear before the State Information Commission, Punjab, on 01.10.2018.

Liberty is also granted to the parties to file their respective pleadings/objections within a period of two weeks from the date of appearance before the State Information Commission, which shall, thereafter, consider the respective contentions/claims/objections and pass a speaking order in accordance with law.

Writ petition stands disposed of accordingly.

Any observations made herein above by this Court on merits shall have no bearing upon the appeal to be decided by the Commission."

It was decided that this case would be heard by the Bench of C.I.C.

Contd.....p/3

As per above noted orders of Hon'ble Punjab & Haryana High Court, Shri Mukesh Kumar, Appellant and Shri Sandeep Kumar(third party) appeared before the Commission on 01.10.2018. None was present on behalf of the respondent PIO. Accordingly, all the three parties were directed to furnish their written submissions to the Commission within two weeks to enable the Commission to arrive at a logical conclusion. The case was adjourned to 30.10.2018.

7. On 30.10.2018, Shri Mukesh Kumar, appellant and Shri Sandeep Sharma(Third Party) stated that they had already made their written submissions. Counsel for the appellant stated the appellant wanted only copy of police verification in respect of the recruitment of Shri Sandeep Sharma(Third Party) as it was a public document. Counsel for Shri Sandeep Sharma(Third Party) stated that he had no objection if only copy of police verification was provided to the appellant but the identify of witnesses should not be disclosed. The representative of the office of Senior Superintendent of Police, Bathinda had not brought the original file. He had brought copies of the documents of the file, which were not at all legible. Therefore, the respondent of the office of Senior Superintendent of Police, Bathinda was directed to bring the original file for the perusal of the Commission to enable it to arrive at a logical conclusion. The case was adjourned to 26.11.2018.

8. On 26.11.2018, Shri Gurmeet Singh, ASI, office of SSP, Bathinda appearing on behalf of the respondents submitted original file for the perusal of the Commission stating that this file only contains Police Verification Report, Statements of Witnesses and C.I.D. report and no other document is available in the file.

9. After perusing the original file and hearing both the parties, it was directed that Contd.....p/4

Police Verification Report without disclosing the identify of the witnesses(Names, addresses etc.) be provided to the appellant. The respondent assured to comply with the orders of the Commission.

10. The Counsel for the appellant requested that copy of CID report might also be provided as it is part of Police Verification Report. During hearing it was observed that since CID report had not been asked for vide the said RTI application, it could not be allowed to be provided. Accordingly, the appellant was advised to file a fresh RTI application with the concerned PIO for seeking CID report.

11. On the assurance given by the respondent of the office of SSP, Bathinda to supply a copy of Police Verification Report without disclosing the identify of the witnesses, to the appellant, the case was disposed of and closed.

12. Now a letter dated 29.11.2018 has been received from the Counsel for the appellant informing that the complete information as per the orders of the Commission have not been provided to the appellant by the respondent PIO. He has requested the Commission to direct the respondents to provide the requisite information to the appellant before the Hon'ble Commission on any date. Accordingly, the case has been fixed for further hearing for today for providing information to the appellant during hearing of the case.

13. Today, the case is being heard by the undersigned as per the orders of the Hon'ble CIC dated 11.01.2019 as he is unable to hold the court today due to certain administrative reasons.

14. Today, the appellant is not present. However, Shri Nand Lal, appearing on behalf of the appellant, requests for adjournment of the case to some other date as the Counsel for the appellant is unable to attend the hearing today due to some personal reasons.

Contd.....p/5

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AC - 1821 of 2016

Accordingly, while accepting the request of the representative of the appellant for adjournment of the case, the respondents are directed to bring the sought for information for handing over to the appellant on the next date of hearing.

15. To come up on 20.02.2019 at 11.30 A.M. for further proceedings before the Bench of Hon'ble C.I.C.

Dated : 14.01.2019

Sd/-(Preety Chawla) State Information Commissioner Punjab

16. After the hearing is over and representative of the appellant has left, Shri Gurmeet Singh, ASI appears before the Commission, on behalf of the respondent PIO. He explains reasons for his late arrival. Accordingly, he is apprised of the proceedings taken place during hearing of the case.

Dated : 14.01.2019