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Sh. Sarabjit Singh, # 1725, Sec-39-B, Chandigarh.

... Complainant

Versus

Public Information Officer, O/o Addl Superintendent Engineer, Computerization Cell, Sec-22-C, SCO-2433-34, PSPCL, Chandigarh.

...Respondent

Complaint Case No. 1122 of 2018

Present: Sh.Sarabjit Singh as Complainant Sh.Paramjit Singh, Addl. SE PSPCL Chandigarh for the Respondent

ORDER:

The complainant through RTI application dated 14.08.2018 has sought information regarding master file pertaining to A/c No.J65/MS0014/0059 in name of Shri Ram Food Products Jamsher related to AEE Distribution Commercial unit No.5 Jalandhar Cantt sent by DOEACC Centre Chandigarh and other information concerning the office of PSPCL Patiala. The complainant was not provided the information after which he filed complaint with the Commission on 11.10.2018.

The respondent present pleaded that the available information was sent to the complainant vide letter dated 06.09.2018 which however, could not be delivered and received back with the remarks of postal authorities "Not met". Thereafter, the information was provided to the complainant by hand on 17.10.2018. The complainant claims that the information is incomplete and not as per the RTI application. The respondent pleaded that the entire record pertaining to the period prior to 08.06.2014 was destroyed in the devastating fire that broke out in NIELIT on 08.06.2014 resulting in the collapse of building situated in Sector 17, Chandigarh, so no more record is available.

Keeping the above in view, the Commission finds no malafide on the part of the PIO in providing the information and directs the complainant that if the complainant still have any discrepancies in the information provided, he should go to the First Appellate Authority.

No further course of action is required. The case is **disposed off and closed**.

Chandigarh Dated: 14.01.2019.

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Sh. Ram Murti, S/o Sh Jaswant Rai, Sandhu Colony, H No-77, Village Malak Nangar, Tehsil Baba Bakala , Distt Amritsar.

... Complainant

Versus

Public Information Officer, O/o SDO, PSPCL, Mehta Chowk, Amritsar.

...Respondent

Complaint Case No. 1125 of 2018

Present: None for the Complainant Sh.Ramesh Kumar, SDO, PSPCL Mehta Chowk, Amritsar for the Respondent

ORDER:

The complainant through RTI application dated 04.09.2018 has sought information regarding action taken on the application dated 11.06.2018 and other information concerning the office of SDO PSPCL Mehta Chowk, Amritsar. The complainant was not provided the information after which he filed complaint with the Commission on 15.10. 2018.

The respondent present pleaded that the information has been provided to the complainant vide letter dated 06.12.2018 and the copy of the same is submitted to the Commission. The complainant is absent and vide letter received in the Commission on 11.01.2019, informed that the information has not been provided by the PIO. The Commission finds that the PIO has not handled the RTI application properly and there is a delay of 3 months in attending to the RTI application. The PIO is directed to explain the reasons for delay in attending to the RTI application.

To come up for further hearing **on 27.02.2019 at 11.00 AM** through video conference facility available in the office of the Deputy Commissioner, Amritsar. Copies of the order be sent to the parties *through registered post*.

Chandigarh Dated: 14.01.2019.

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Sh. Shiv Parshad, # 671, Kajheri, Chandigarh.

... Complainant

Versus

Public Information Officer,

O/o GMADA, Sector-62, Mohali.

...Respondent

Complaint Case No. 1129 of 2018

Present: Sh.Shiv Parshad as Complainant] Sh.Gulshan Kumar, PIO GMADA Mohali for the Respondent

ORDER:

The complainant through RTI application dated 19.06.2018 has sought information regarding number of application received from Senior Citizen candidates, women candidates and preferential candidates for 100 sq.yds plot under Catgory-B, and other information concerning the office of GMADA Mohali. The complainant was not provided the information after which he filed complaint with the Commission on 11.10. 2018.

The respondent present pleaded that the information has been sent to the complainant vide letter dated 11.01.2019 and a copy of the same is submitted to the Commission. The Commission finds that the PIO has not replied to the RTI application well within the time prescribed under the RTI Act and there is a delay of 7 months in attending to the RTI application. The PIO is directed to explain the reasons for delay in attending to the RTI application. The appellant is directed to go to the First Appellate Authority for the discrepancies if any in the information provided.

To come up for further hearing on 26.02.2019 at 11.00 AM.

Chandigarh Dated: 14.01.2019.

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Versus

Sh. Bhupinder Singh,ACPA City Circle Amritsar,1-2, Fateh Singh Colony,Main Bharariwal Road, Amirtsar.

....Appellant

Public Information Officer,

O/o Deputy Secretary, RTI Cell, PSPCL, Patiala.

First Appellate Authority,

O/o Account Officer, HQ, PSPCL, Patiala.

...Respondent

Appellant Case No. 3497 of 2018

Present: None for the Appellant Sh.Mewa Singh Sr.Assistant, PSPCL Patiala for the Respondent

ORDER:

The appellant through RTI application dated 27.06.2018 has sought information regarding circulars/rules for change of induction post retrospectively from 1993 to 2018 and circulars/orders under which circular No.6/1993 was withdrawan and other information concerning the office of Deputy Secretary, RTI Cell, PSPCL Patiala. The appellant was not provided the information after which filed first appeal before the First Appellate Authority on 16.08.2018 which took no decision on the appeal.

The respondent present pleaded that the information has been sent to the appellant vide letter dated 27.07.2018 and again on 22.10.2018 and a copy of the same is submitted to the Commission. The Commission finds that on being denied the information by the PIO vide dated 27.07.2018, stating that the information sought is in question form, the appellant filed first appeal on 16.08.2018 after which the PIO again sent a communication to the appellant on 22.10.2018. Regarding information, relating to point 1, the PIO has mentioned in the letter that the Corporation has not issued any instructions for change of induction post after retirement and regarding information relating to point 2, there is no change in circular No.6/93.

The PIO is directed to relook at the RTI application and send a certified copy of the relevant circular pertaining to point 2 to the appellant within 10 days and send compliance report to the Commission.

No further course of action is required. The case is **disposed off and closed**.

Chandigarh Dated: 14.01.2019.

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Sh. Jasbir Singh, Village Bholapur, Jhabewal, P.O Ramgarh, Distt Ludhiana..

.....Appellant

Versus

Public Information Officer, O/o SDM, Fazilka.

First Appellate Authority, O/o DC, Fazilka.

...Respondent

Appellant Case No. 3507 of 2018

Present: None for the Appellant Sh.Jaswinder Singh, Data Entry Operator, O/s SDM Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 16.07.2018 has sought information regarding copy of case register containing the form K rule 4(6) of RTI Act from 01.01.2010 to Feb.2018 and other information concerning the office of SDM Fazilka.. The appellant was not provided the information after which filed first appeal before the First Appellate Authority on 23.08.2018 which took no decision on the appeal.

The respondent present informed that the information has been provided to the appellant vide letter dated 21.09.2018 and a copy of the same is submitted to the Commission. The appellant is absent and has not communicated any discrepancies in the information provided.

I have gone through the information provided and found that it is in accordance with the information sought in the RTI application. A copy of the information is being sent again to the appellant alongwith the order.

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

Chandigarh Dated: 14.01.2019.

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Sh. Jasbir Singh, Village Bholapur, Jhabewal, P.O Ramgarh, Distt Ludhiana..

....Appellant

Versus

Public Information Officer, O/o SDM, Sri Mukatsar Sahib.

First Appellate Authority, O/o DC, Sri Mukatsar Sahib.

...Respondent

Appellant Case No. 3540 of 2018

Present: None for the Appellant None for the Respondent

ORDER:

The appellant through RTI application dated 16.07.2018 has sought information regarding copy of case register containing the form K rule 4(6) of RTI Act from 01.01.2010 to Feb.2018 and other information concerning the office of SDM Sri Mukatsar Sahib.. The appellant was not provided the information after which filed first appeal before the First Appellate Authority on 23.08.2018 which took no decision on the appeal.

Since both the parties are absent without intimation to the Commission, in the interest of justice, one more opportunity is granted and the case is adjourned.

Both the parties to be present on **26.02.2019 at 11.00 AM** for further hearing.

Chandigarh Dated: 14.01.2019.

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Sh. Jasbir Singh, Village Bholapur, Jhabewal, P.O Ramgarh, Distt Ludhiana..

....Appellant

...Respondent

Versus

Public Information Officer, O/o SDM-cum-Licensing Authority, Fazilka.

First Appellate Authority, O/o DC, Fazilka

Appellant Case No. 3542 of 2018

Present: None for the Appellant Sh.Jaswinder Singh, Data Entry Operator, O/s SDM Fazilka for the Respondent

ORDER:

The appellant through RTI application dated 16.07.2018 has sought information regarding other work allotted to the dealing head who is dealing the work of RC and driving licenses and other information concerning the office of SDM-cum-Licensing Authority, Fazilka. The appellant was not provided the information after which filed first appeal before the First Appellate Authority on 31.08.2018 which took no decision on the appeal.

The respondent present informed that the information has been provided to the appellant vide letter dated 21.09.2018 and a copy of the same is submitted to the Commission. The appellant is absent and has not communicated any discrepancies in the information provided.

I have gone through the information provided and found that it is in accordance with the information sought in the RTI application. A copy of the information is being sent again to the appellant alongwith the order.

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

Chandigarh Dated: 14.01.2019.

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Sh. H.S Hundal, # 82, Distt Court, SAS Nagar, Mohali

Versus

....Appellant

Public Information Officer, O/o PUDA, Mohali.

First Appellate Authority, O/o PUDA, Mohali.

...Respondent

Appellant Case No. 3543 of 2018

Present: None for the Appellant None for the Respondent

ORDER:

The appellant through RTI application dated 01.05.2018 has sought information regarding allotment letter of plot No.A-12 Industrial Area, Phase-VI Mohali, notices/orders of recovery, penalty, resumption, reallotment and other information concerning the office of PUDA Mohali. The appellant was not provided the information after which filed first appeal before the First Appellate Authority on 08.07.2018 which took no decision on the appeal.

Since both the parties are absent, in the interest of justice, one more opportunity is granted and the case is adjourned.

Both the parties to be present on **26.02.2019 at 11.00 AM** for further hearing.

Chandigarh Dated: 14.01.2019.

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Sh.Jaspal Singh, S/o Sh Ramesh Arora, H No-319/3, Gurdeep Nagar, Jagraon, Ludhiana.

... Appellant

...Respondent

Public Information Officer,

O/o Executive Officer, Nagar Council, Jagraon, Ludhiana.

First Appellate Authority, O/o Deputy Director, Local Bodies, Ludhiana.

Appeal Case No. 1283 of 2018

Present: None for the Appellant Satyajit Singh, JE, MC Jagraon, for the Respondent

ORDER:

The case was first heard on **19.06.2018**. The appellant informed that he has received the information but he was not satisfied with the information regarding points 3,4,5,6 & 8. The PIO was absent. The PIO was directed to provide the information regarding these points within 10 days.

The case was again heard on **24.07.2018**. Since the complete information was not supplied, the PIO was directed to send the complete information duly attested within ten days. Sh.Manohar Singh, PIO was also directed to be personally present on the next date of hearing with suitable reply and explain as to why action should not be taken against him for not complying with the orders of the Commission.

The case again came up for hearing on **20.08.2018**. The Commission found that the PIO is showing laxity in providing the information and not complying the orders of the Commission. The Commission made clear that on the next date of hearing, the designated PIO should be personally present with explanation for not complying the orders of the Commission failing which the Commission will be compelled to issue summons u/s 18(3)(a) of the RTI Act 2005 and also initiate action under the provisions of RTI Act.

The appellant was absent. The appellant was also directed to be present to go through the information, failing which the Commission will be constrained to decide the case ex-parte."

The case was last heard on **26.09.2018**. The respondent was absent and sought exemption due to election duty of the staff.

The appellant pleaded that the PIO has not abided by the orders of the Commission. The PIO was directed to send the information regarding points 3,4,5,6 & 8 as per RTI Act within 15 days failing to do so, the Commission will be constrained to issue show cause notice The PIO was also directed to send compliance report before the next date of hearing to the Commission.

The case was last heard on **19.11.2018.** The order is reproduced hereunder:

"The appellant has informed that the information has not been provided to him so far. The respondent is absent. In the last hearing, the PIO had asked for exemption due to election duty of the staff. The PIO has now again asked for exemption citing the reason that the APIO dealing with such cases has been deputed for election duty.

In the last hearing, the PIO was directed to provide the information to the appellant within 15 days and send compliance report the Commission. The PIO has neither provided the information nor appeared before the Commission. It appears that the PIO is not serious in complying with the orders of the Commission and not attending to the RTI application. The Commission has taken a serious note of this and hereby directs 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 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."**

Hearing dated 14.01.2019:

The respondent present has submitted an affidavit stating that the information has been provided to the appellant as per available record vide letter dated 08.02.2018 and there is no more information in their record. The appellant is absent and has sought adjournment on medical grounds. The appellant vide email has informed that the PIO has not provided the information as per orders of the Commission.

In the last hearing, the PIO was absent and was issued show cause notice for not complying the orders of the Commission. The PIO was directed to submit reply to the show cause on an affidavit. The PIO is absent and has preferred to send affidavit through his representative. The affidavit is not on the stamp paper. It appears that the PIO in the affidavit has given misleading statement that the information has been sent to the appellant since the respondent present could not answer whether the information relating to points 3,4,5,6 & 8 has been provided or not.

Keeping the above in view, the PIO is directed to appear personally on the next date of hearing and submit appropriate reply to the show cause notice. The PIO is also directed to send the information regarding points 3,4,5,6 & 8 to the appellant.

Both the parties to be present on **26.02.2019 at 11.00 AM** for further hearing.

Chandigarh Dated: 14.01.2019.

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ShJaspal Singh, S/o Sh Ramesh Arora, H No-319/3, Gurdeep Nagar, Jagraon, Ludhiana.

... Appellant

...Respondent

Public Information Officer,

O/o Executive Officer, Nagar Council, Jagraon, Ludhiana.

First Appellate Authority, O/o Deputy Director, Local Bodies, Ludhiana.

Appeal Case No. 1284 of 2018

Present: None for the Appellant Satyajit Singh, JE, MC Jagraon, for the Respondent

ORDER:

The case was first heard on **19.06.2018**. The appellant was not satisfied with the information provided by the respondent regarding points 1 to 4. The PIO was directed to provide the information regarding these points within 10 days.

The case was again heard on **24.07.2018**. The appellant was not present. The respondent present brought the information. The information was found incomplete as the copies of the information were not attested and signed by the competent authority.

The Commission had taken a serious view of this and the PIO was directed to send the complete information on all points duly attested and signed by the competent authority within ten days of the receipt of orders. The PIO Sh.Manohar Singh was also directed to be present personally on the next date of hearing with suitable reply and explain as to why action should not be taken against him for not complying with the orders of the Commission.

The case again came up for hearing on **20.08.2018.** The Commission found that the PIO is showing laxity in providing the information and not complying the orders of the Commission. The Commission made clear that on the next date of hearing, the designated PIO should be personally present with explanation for not complying the orders of the Commission failing which the Commission will be compelled to issue summons u/s 18(3)(a) of the RTI Act 2005 and also initiate action under the provisions of RTI Act.

The appellant was absent. The appellant was also directed to be present to go through the information, failing which the Commission will be constrained to decide the case ex-parte.

The case came up for hearing again **on 26.09.2018.** The respondent was absent and sought exemption due to election duty of the staff.

The appellant pleaded that the PIO has not abided by the orders of the Commission. The PIO was directed to send the certified copies of the information regarding points 1 to 4 as per the RTI Act within 15 days failing to do so, the Commission will be constrained to issue show cause notice. The PIO was also directed to send compliance report before the next date of hearing to the Commission."

The case was last heard on **19.11.2018.** The order is reproduced hereunder:

"The appellant has informed that the information has not been provided to him so far. The respondent is absent. In the last hearing, the PIO had asked for exemption due to election duty of the staff. The PIO has now again asked for exemption citing the reason that the APIO dealing with such cases has been deputed for election duty.

In the last hearing, the PIO was directed to provide the information to the appellant within 15 days and send compliance report the Commission. The PIO has neither provided the information nor appeared before the Commission. It appears that the PIO is not serious in complying with the orders of the Commission and not attending to the RTI application. The Commission has taken a serious note of this and hereby directs 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 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."**

Hearing dated 14.01.2019:

The respondent present has submitted an affidavit stating that the information has been provided to the appellant as per available record vide letter dated 21.02.2018 and there is no more information in their record. The appellant is absent and has sought adjournment on medical grounds. The appellant vide email has informed that the PIO has not provided the information as per orders of the Commission.

In the last hearing, the PIO was absent and was issued show cause notice for not complying the orders of the Commission. The PIO was directed to submit reply to the show cause on an affidavit. The PIO is absent and has preferred to send affidavit through his representative. The affidavit is not on the stamp paper. It appears that the PIO in the affidavit has given misleading statement that the information has been sent to the appellant since the respondent present could not answer whether the certified copies of the information relating to points 1 to 4 has been provided or not.

Keeping the above in view, the PIO is directed to appear personally on the next date of hearing and submit appropriate reply to the show cause notice. The PIO is also directed to send the certified copies of the information regarding points 1 to 4 to the appellant.

Both the parties to be present on **26.02.2019 at 11.00 AM** for further hearing.

Chandigarh Dated: 14.01.2019.

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ShJaspal Singh, S/o Sh Ramesh Arora, H No-319/3, Gurdeep Nagar, Jagraon, Ludhiana.

... Appellant

...Respondent

Public Information Officer,

O/o Executive Officer, Nagar Council, Jagraon, Ludhiana.

First Appellate Authority, O/o Deputy Director, Local Bodies, Ludhiana.

Appeal Case No. 1285 of 2018

Present: None for the Appellant Satyajit Singh, JE, MC Jagraon, for the Respondent

ORDER:

The case was first heard on 19.06.2018. The appellant was not satisfied with the information provided by the respondent. The respondent was absent. The PIO was directed to provide the information within 10 days.

The case was again heard on 24.07.2018. The appellant was not present. The respondent present brought the information. The information was found incomplete as the copies of the information were not attested and signed by the competent authority.

The Commission had taken a serious view of this and directed the PIOto send the complete information on all points duly attested and signed by the competent authority within ten days of the receipt of orders. The PIO Sh.Manohar Singh was also directed to be present personally on the next date of hearing with suitable reply and explain as to why action should not be taken against him for not complying with the orders of the Commission.

The case again came up for hearing on **20.08.2018**. The Commission found that the PIO is showing laxity in providing the information and not complying the orders of the Commission. The Commission made it clear that on the next date of hearing, the designated PIO should be personally present with explanation for not complying the orders of the Commission failing which the Commission will be compelled to issue summons u/s 18(3)(a) of the RTI Act 2005 and also initiate action under the provisions of RTI Act.

The appellant was absent. The appellant was also directed to be present personally to go through the information, failing which the Commission will be constrained to decide the case ex-parte."

The case again came up for hearing on **26.09.2018.** The respondent was absent and sought exemption due to all the staff on election duty.

The appellant pleaded that the PIO has not abided by the orders of the Commission. The PIO was directed to send the certified copies of the information on all points as per the RTI Act within 15 days failing to do so, the Commission will be constrained to issue show cause notice. The PIO was also directed to send compliance report before the next date of hearing to the Commission.

The case was last heard on **19.11.2018.** The order is reproduced hereunder:

"The appellant has informed that the information has not been provided to him so far. The respondent is absent. In the last hearing, the PIO had asked for exemption due to election duty of the staff. The PIO has now again asked for exemption citing the reason that the APIO dealing with such cases has been deputed for election duty.

In the last hearing, the PIO was directed to provide the information to the appellant within 15 days and send compliance report the Commission. The PIO has neither provided the information nor appeared before the Commission. It appears that the PIO is not serious in complying with the orders of the Commission and not attending to the RTI application. The Commission has taken a serious note of this and hereby directs 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 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."**

Hearing dated 14.01.2019:

The respondent present has submitted an affidavit stating that the information has been provided to the appellant as per available record vide letter dated 21.02.2018 and there is no more information in their record. The appellant is absent and has sought adjournment on medical grounds. The appellant vide email has informed that the PIO has not provided the information as per orders of the Commission.

In the last hearing, the PIO was absent and was issued show cause notice for not complying the orders of the Commission. The PIO was directed to submit reply to the show cause on an affidavit. The PIO is absent and has preferred to send affidavit through his representative. The affidavit is not on the stamp paper. It appears that the PIO in the affidavit has given misleading statement that the information has been sent to the appellant since the respondent present could not answer whether the certified copies of the information on all points have been provided or not.

Keeping the above in view, the PIO is directed to appear personally on the next date of hearing and submit appropriate reply to the show cause notice. The PIO is also directed to send the certified copies of the information on all points to the appellant.

Both the parties to be present on **26.02.2019 at 11.00 AM** for further hearing.

Chandigarh Dated: 14.01.2019

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Sh Dilawar Singh, # 18, Tettenhall Road, Wolverhampton, WV 14 SL, U.K, England.

Versus

.... Appellant.

Public Information Officer,

Deputy CE/Op.Circle, PSPCL, Hoshiarpur

First Appellate Authority,

Chief Engineer, North Zone, PSPCL, Jalandhar.

Appeal Case No. 2352 of 2018

Present: None for the Appellant Sh.Subhash Chander, AE PSPCL, Mahilpur Sub Division for the Respondent

ORDER: The case was last heard on **11.09.2018.** The order is reproduced hereunder:

"The appellant through RTI application dated 13.01.2018 has sought information regarding action taken on the request dated 22.11.2017submitted to CMD PSPCL Patiala in connection with file M.S.90 Guru Nanak Cold Store Mullapur alongwith record of billing ledgers, meter reading books and other information concerning the office of Dy C.E./OP Circle, PSPCL Hoshiarpur. The appellant was not provided the information after which he filed first appeal with the First Appellate Authority on 01.03.2018.

The respondent present has pleaded that the available information has been sent to the appellant vide letter dated 04.05.2018. He further pleaded that the remaining information which the appellant is asking, relates to the record for the year 1976 which is not available in their office.

The appellant is absent. Vide email he has sought adjournment due to health issue. The appellant has further informed that he is an NRI living in England and has requested the next date of hearing be fixed in the end of Dec.2018. The adjournment is granted. The appellant is asked to clarify to the Commission that whether he is a bonafide citizen of India."

Hearing dated 14.01.2019:

The respondent present reiterated their earlier plea that the available information has already been provided to the appellant and the remaining information which the appellant is asking, relates to the record for the year 1976 which is not available in their office.

The appellant is absent. Vide email, the appellant has sought adjournment on medical grounds and requested for further hearing in the month of April,2019. The adjournment is granted. The appellant is asked to be present at the next date of hearing otherwise the case will be decided ex-parte.

Both the parties to be present on 24.04.2019 at 11.00 AM for further hearing.

Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh Dated: 14.01.2019