



**(Regd. Post)** Sh. Aditya Pandey,  
H.No.174, Sector-21-A,  
Chandigarh.

Appellant

Vs.

**(Regd. Post)** Public Information Officer,  
O/o Deptt. Of Home Affairs & Jails,  
Punjab, Chandigarh.

**(Regd. Post)** First Appellate Authority  
O/o Department of Home Affairs & Jails,  
Punjab, Chandigarh.

Respondent

**Appeal case No.1434 of 2019**  
**Through CISCO WEBEX**

**Present:** (i) Advocate, Sh. Nitin Kaushal (8288899044) on behalf of the appellant  
(ii) For the respondent: Advocate, Ms. Anu Chatrath (9872511222).

**ORDER**

1. This order may be read with the previous order dated 01.09.2021 vide which respondent, Sh. Kewal Krishan (XEN) stated that the matter was not heard by the Hon'ble High Court on 5.8.2021 and fixed for hearing on 03.11.2021 but on the department's request, matter is now fixed for 13.9.2021. He also requested the Commission for an adjournment and the case may be heard after 13.09.2021.

Advocate, Sh. Nitin Kaushal appeared on behalf of the appellant stated that there is no relation with hearing of Hon'ble High Court dated 13.09.2021 with the present case. So, adjournment sought by the department may not be granted. Respondent PIO is delaying outcome of the present case on the one pretext or the other. He further adds that respondent PIO is misleading the undersigned Bench.

The Commission vide order dated 12.09.2019 passed by the then Ld. SIC, Sh. Yashvir Mahajan had already directed the respondent PIO to supply the requisite information to the appellant within fifteen days from receipt of order but after the lapse of approximately two years, neither the respondent PIO submitted any reply regarding stay order passed by the Hon'ble High Court nor he has supplied the requisite information.

One more opportunity was awarded to the respondent PIO and matter was adjourned for further hearing on 14.09.2021 at 12:00 Noon.

2. In today's hearing, representative of the appellant, Advocate, Sh. Nitin Kaushal states that there is no exemption from supplying the requisite information as per previous orders of the Commission dated 12.09.2019. The information is already in the public domain then it pertains to the public at par, it may not be considered as private information. If it seemed as third party, then consent from the third party may be taken as per relevant Sections mentioned in the RTI Act, 2005, which is not done by the respondent PIO. Appellant is still waiting the requisite information in this present appeal even after the lapse of 03 years when there is no stay by the Hon'ble High Court. There is one false statement given by the respondent (which is mentioned in the orders dated 12.10.2020 in Para 2) that interim protection has been granted to the state of Punjab against the challenged orders of the Commission dated 12.09.2019 and 24.10.2019.

**Appeal case No.1434 of 2019**

**Through CISCO WEBEX**

3. On this, Advocate, Ms. Anu Chatrath states that report and action taken were placed before the Vidhan Sabha but the appellant is demanding the enclosures on which report and action is relied upon, which were never tabled before the Vidhan Sabha. Reply/information in connection with RTI application has already been supplied to the appellant dated 13.11.2018 and 15.04.2019.

She adds that firstly appellant, Aditya Pandey has no concern with it as he had never appeared before the Narang Commission to record his statement. She further states that we are only supposed to supply the requisite information which is in the public domain and we are not denying it. She requests for an adjournment after 16.09.2021 in this case so that an interim orders are anticipated by Hon'ble High Court.

4. Advocate, Sh. Nitin Kaushal states that respondent PIO is agreeing to supply the report but not evidences on which report and action taken is decided. He also mentioned that matter is still fixed for 03.11.2021 before the Hon'ble High Court.
5. After hearing both the parties in detail and examining the case file, one final opportunity is given to the respondent PIO to submit the relief order, if an interim order is passed by the Hon'ble High Court by the next date of hearing positively, failing which case will be decided on the merit basis.
6. Both the parties are advised to represent this case in person or through their representative(s), who is well aware about the case on the next date of hearing positively, failing which appropriate orders will be passed in their absence.
7. With aforesaid directions, matter is adjourned for further hearing on **30.09.2021 at 10:30 through CISCO WEBEX application**. Copy of the order be sent to the parties.

(Steps to use CISCO WEBEX: Install CISCO Webex->Click on Join Meeting->Enter Meeting Number 1582933632).

**Dated: 14.09.2021(12:00 Noon)**

**(Anumit Singh Sodhi)  
State Information Commissioner  
Punjab**