

PUNJAB STATE INFORMATION COMMISSION

Red Cross Bhawan, Near Rose Garden, Madhya Marg,

Sector: 16, Chandigarh.

Tel. No.0172-2864100-01, Fax No.0172-2864110

Visit us @ www.infocommpunjab.com, Email-ID pcic20@punjabmail.gov.in

Shri K.N.S. Sodhi,
#1634, Sector 70,
Mohali.

-----Appellant

Vs.

Public Information Officer
O/o Municipal Corporation,
Mohali.

First Appellate Authority,
O/o Municipal Corporation,
Mohali.

-----Respondents

Appeal Case No. 895 of 2017

Present:- Shri K.N.S. Sodhi in person alongwith Shri S.M. Bhanot.

Shri Sarabjit Singh, PIO-cum-Assistant Commissioner, Municipal Corporation, Mohali alongwith Shri Harwant Singh, Chief Sanitary Inspector, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 15.11.2018 vide which a compensation of Rs.5000/- was awarded to the appellant for avoidable inconvenience and hardship and a notice for imposition of penalty was issued to the respondent-PIO for not supplying the information within the stipulated period under the provisions of the RTI Act, 2005.

2. The appellant states that no compensation as well as information has been received from the respondents till date.

3. The respondent-PIO submits that he has sent a Demand Draft of Rs.5000/- as compensation to the Commission in the name of Chief Information Commissioner alongwith reply to the previous order vide letter dated 11.01.2019, the necessary contents of which are reproduced below:-

- i) The whole information sought by the applicant was provided within the stipulated time and there is no intentionally delay in providing the said information.

Contd.....p/2

- ii) It is again contended that the payment for the bills amounting to Rs.5,52,222/- was never made by the Municipal Corporation although the information regarding the said bills was supplied to the applicant.
- iii) As the order passed by the Hon'ble Commission, the Commissioner, Municipal Corporation, SAS Nagar has issued the Show Cause notice to the concerned as to why the action should not be taken against the guildy officials. It is also mentioned in the Show Cause Notice that why such type of information was supplied to the applicant.

It is again submitted that if any delay for supply of information to the applicant was made, it was not intentional and there is no intention for causing any inconvenience and hardship to the applicant. The undersigned as PIO of Municipal Corporation, SAS Nagar has supplied the information to the applicant as and when provided by the concerned branch. It is respectfully submitted that this Hon'ble Commission may kindly accept the justification submitted by the undersigned and the Show Cause Notice under Section 20 of the Right to Information Act, 2005 issued to the undersigned may kindly be dropped.

4. After hearing both the parties and going through the record available on the case file, it is observed that Demand Draft sent to the Commission, in the name of Chief Information Commissioner, should be in the name of the appellant. Demand draft is handed over to the respondent-PIO with the direction to prepare the same in the name of applicant and send it to him within 10 days from today. The respondents are directed to file reply in chronological sequence alongwith copy of charge sheet and reply of the official to the charge sheet before the next date of hearing.

5. To come up on 18.02.2019 at 11.30 A.M.

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

**The Commissioner, Municipal Corporation,
SAS Nagar.**

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Smt. Nirmaljeet Kaur w/o S. Kulwant Singh,
r/o H.No.99, Street No.1,
Banda Bahadur Colony,
Near Subhash Nagar, Rahon Road,
P.O. Basti Jodhewal, Tehsil and Distt. Ludhiana.

.....Appellant.

Vs

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

FAA-Commissioner of Police,
Ludhiana.

.....Respondents.

Appeal Case .No. 3081 of 2018

Present:- Shri Satnam Singh on behalf of the appellant.

Shri Pawanjit, PPS, Assistant Commissioner of Police, Ludhiana (East)
alongwith Shri Dev Raj, Inspector, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.12.2018 vide which the respondents were directed to finalise action against Shri Jagtar Singh, Head Constable and final action taken report be submitted on the next date of hearing.

2. Shri Pawanjit, Assistant Commissioner of Police, Ludhiana (East) states that inquiry has been finalized and the report has been put up to the higher officers for their approval.

3. Last opportunity is afforded to the respondents to get the inquiry report finalized from the senior officers and submit it to the Commission before the next date of hearing, which is fixed for 18.2.2018.

4. To come up on **18.02.2018 at 11.30 A.M.**

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Smt. Nirmaljeet Kaur
w/o S. Kulwant Singh,
r/o H.No.99, Street No.1,
Banda Bahadur Colony,
Near Subhash Nagar, Rahon Road,
P.O. Basti Jodhewal, Tehsil and Distt. Ludhiana.Appellant.

Vs

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

FAA-Commissioner of Police,
Ludhiana.

.....Respondents.

Appeal Case .No. 3082 of 2018

Present:- Shri Satnam Singh on behalf of the appellant.

Shri Pawanjit, PPS, Assistant Commissioner of Police, Ludhiana (East)
alongwith Shri Dev Raj, Inspector, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.12.2018 vide which the respondents were directed to finalise action against Shri Jagtar Singh, Head Constable and final action taken report be submitted on the next date of hearing.

2. Shri Pawanjit, Assistant Commissioner of Police, Ludhiana (East) states that inquiry has been finalized and the report has been put up to the higher officers for their approval.

3. Last opportunity is afforded to the respondents to get the inquiry report finalized from the senior officers and submit it to the Commission before the next date of hearing, which is fixed for 18.2.2018.

4. To come up on **18.02.2018 at 11.30 A.M.**

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Naresh Devgan Sharma,
Advocate, Chamber No.7022/2,
District Court, 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 Assistant Commission of Police (South),
Civil Lines, Ludhiana.

.....Respondents.

Appeal Case No. 3600 of 2018

Present:- None on behalf of the appellant.

Shri Baljit Singh, ASI, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.12.2018 in which it was mentioned that complete information has been sent to the appellant on 2.12.2018 and the appellant was directed to send his observations, if any, on the provided information to the PIO with a copy to the Commission.

2. The appellant is absent but he has sent an e-mail seeking exemption and directions to the PIO concerned to supply the correct, complete and specific information to the appellant, without further delay, because PIO has deliberately failed to supply the specific information till the date, despite the orders passed by this Hon'ble Bench, Hence the present instant prayers for granting a fair and complete opportunity for hearing to the appellant before passing any final order in this Appeal Case, in the interest of justice and fair play and for this appellant as duty bound shall ever pray.

Contd.....p/2

-2-

3. The representative of the respondents states that they have sent the information to the appellant through registered post, which has been received back to the senders with the remark "Lock". The respondents are directed to send the same again through registered post with the advice to the appellant, to revert back to the authorities, in case of deficiencies as early as possible. On receipt of deficiencies from the appellant, the respondents are directed to remove the same before the next date of hearing, which is fixed for 18.2.2019.

4. To come up on **18.2.2019** at **11.30 A.M.**

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Hitender Atri, Advocate,
14, Star Colony, Near UVM School,
Mankwal Gate, Dhandra Road,
Ludhiana.

.....Appellant

Vs

Public Information Officer
o/o Director General of Police, Punjab,
Sector 9, Chandigarh.

First Appellate Authority
o/o Director General of Police, Punjab,
Sector 9, Chandigarh.

.....Respondents.

Appeal Case No. 1547 of 2018

Present:- None on behalf of the appellant.

Shri Dev Raj, Inspector, on behalf of the respondents.

Order

This order may be read with reference to the previous order dated 03.12.2018 vide which the respondents were directed to supply the inquiry report after its approval from the competent authority alongwith requisite information to the appellant before the next date of hearing.

2. The appellant is absent but he has sent an e-mail stating that due to unavoidable circumstance, he is unable to attend the Hon'ble Court today. Please arrange to send the order on his e-mail accordingly.

3. The representative of the respondents states that complete information has been provided to the appellant as per its availability in their record and nothing has been kept pending, which can be supplied to him as per his RTI application. He places on record letter dated 15.1.2019, the necessary contents of which are reproduced below:-

ਉਪਰੋਕਤ ਵਿਸ਼ਾ ਤੇ ਹਵਾਲਾ ਅਧੀਨ ਬੇਨਤੀ ਹੈ ਕਿ ਅਪੀਲ ਕਰਤਾ ਸ੍ਰੀ ਹਿਤੇਂਦਰ ਅਤਰੀ ਨੇ ਆਪਣੇ

Contd.....p/2

-2-

ਮੰਗ ਪੱਤਰ ਵਿਚ ਮਾਨਯੋਗ ਡਾਇਰੈਕਟਰ ਜਨਰਲ ਪੁਲਿਸ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ ਜੀ ਨੂੰ ਗੁਰਿੰਦਰ ਸਿੰਘ ਪੁੱਤਰ ਗੁਰਦਿਤ ਸਿੰਘ ਵਾਸੀ ਪ੍ਰੀਤ ਨਗਰ ਲੁਧਿਆਣਾ, ਜਸਪਾਲ ਚਾਵਲਾ, ਪ੍ਰਦੀਪ ਕੁਮਾਰ ਵਲੋਂ ਮਿਤੀ 27.01.18 ਰਜਿਸਟਰਡ ਡਾਕ ਰਾਹੀਂ ਭੇਜੀ ਦਰਖਾਸਤ ਬਾਰੇ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਸੀ। ਜਿਸ ਸੰਬੰਧੀ ਦਫ਼ਤਰ ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ ਦੀ ਸ਼ਿਕਾਇਤ ਸ਼ਾਖਾ ਪਾਸੋਂ ਰਿਪੋਰਟ ਹਾਸਲ ਕੀਤੀ ਗਈ ਜਿਨ੍ਹਾਂ ਦੀ ਰਿਪੋਰਟ ਮੁਤਾਬਿਕ ਦਰਖਾਸਤ ਗੁਰਿੰਦਰ ਸਿੰਘ ਵਾਸੀ ਪ੍ਰੀਤ ਨਗਰ ਲੁਧਿਆਣਾ, ਜਸਪਾਲ ਚਾਵਲਾ, ਪ੍ਰਦੀਪ ਕੁਮਾਰ ਜਿਸ ਨੂੰ ਦਫ਼ਤਰ ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ ਲੁਧਿਆਣਾ ਦੀ ਅੰਗਰੇਜ਼ੀ ਬਰਾਂਚ ਦਾ ਡਾਇਰੀ ਨੰਬਰ 1392 ਏ ਮਿਤੀ 08.03.18 ਲੱਗਾ ਹੈ ਜੋ ਇਹ ਦਰਖਾਸਤ ਹਿਤੋਂਦਰ ਅਤਰੀ ਐਡਵੋਕੇਟ ਦੀ ਦਰਖਾਸਤ ਯੂ.ਆਈ.ਡੀ. ਨੰ: 1313213 ਮਿਤੀ 17.04.18 ਨਾਲ ਕਲੱਬ ਹੋ ਕੇ ਇਨਕੁਆਰੀ ਵਾਸਤੇ ਸਹਾਇਕ ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ ਉਤਰੀ ਲੁਧਿਆਣਾ ਨੂੰ ਭੇਜੀ ਗਈ ਸੀ। ਇਹ ਦਰਖਾਸਤ ਏ.ਸੀ.ਪੀ. ਉਤਰੀ ਲੁਧਿਆਣਾ ਰਾਹੀਂ ਸਲੇਮ ਟਾਬਰੀ ਲੁਧਿਆਣਾ ਨੂੰ ਪੜਤਾਲ ਵਾਸਤੇ ਭੇਜੀਆਂ ਗਈਆਂ ਸਨ ਅਤੇ ਜੋ ਪੜਤਾਲ ਅਧੀਨ ਸਨ ਜਿਸ ਸੰਬੰਧੀ ਅਪੀਲ ਕਰਤਾ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਗਿਆ ਸੀ।

ਹੁਣ ਇਨ੍ਹਾਂ ਦਰਖਾਸਤਾਂ ਸੰਬੰਧੀ ਦੁਆਰਾ ਸ਼ਿਕਾਇਤ ਸ਼ਾਖਾ ਨਾਲ ਸੰਪਰਕ ਕਰਕੇ ਸੂਚਨਾ ਹਾਸਲ ਕੀਤੀ ਜੋ ਹੁਣ ਉਕਤ ਦਰਖਾਸਤ ਦਾ ਨਿਪਟਾਰਾ ਹੋ ਕੇ ਸੀਨ ਐਂਡ ਫਾਇਲ ਹੋ ਚੁਕੀ ਹੈ। ਹਾਸਲ ਕੀਤੀ ਸੂਚਨਾ ਤਾਰੀਖਕ ਪੇਸ਼ੀ ਪਰ ਆਪ ਜੀ ਦੀ ਸੇਵਾ ਵਿਚ ਪੇਸ਼ ਕੀਤੀ ਜਾਵੇਗੀ ਜੀ।

4. After hearing the representative of the respondents and going through the record available on the case file, it is ascertained that complete information as per its availability in the record of the respondents has been given. Accordingly, the instant case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Dr. Sandeep Kumar Gupta

H.No.1722, Sector 14,

Hisar-125001.

.....Appellant

Vs

Public Information Officer

o/o Guru Angad Dev Veterinary

and Animal Sciences University,

Ludhiana.

First Appellate Authority-Registrar,

Guru Angad Dev Veterinary

and Animal Sciences University,

Ludhiana.

.....Respondents.

Appeal Case No. 3353 of 2018

Present:- None on behalf of the complainant.

Shri Jarnail Singh, Clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.12.2018 vide which the representative of the appellant stated that deficiencies in the provided information has been sent to the PIO. Accordingly, the PIO was directed to supply complete information to the appellant after removing the deficiencies pointed out by him.

2. The appellant is absent but he has sent observations to the Commission.

3. The representative of the respondent-PIO states that he has brought reply dated 15.1.2019 to the observations raised by the appellant, to be handed over to the appellant, who is absent today. He further states that with the supply of reply, complete

Contd.....p/2

-2-

information has been provided to the appellant and nothing is kept pending, which could be supplied to him. The respondent-PIO is directed to send the reply, brought by him to be handed over to the appellant, through registered post. The appellant is advised to go through the reply and send observations, if any, in the information/reply. On receipt of the observations from appellant, the respondent-PIO is directed to remove the same before the next date of hearing, which is fixed for 18.2.2019.

4. To come up on **18.02.2019** at **11.30 A.M.**

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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Dr. Sandeep Kumar Gupta

H.No.1722, Sector 14,

Hisar-125001.

.....Complainant

Vs

Public Information Officer

o/o Guru Angad Dev Veterinary

and Animal Sciences University,

Ludhiana.

.....Respondent.

Complaint Case No. 1060 of 2018

Present:- None on behalf of the complainant.

Shri Jarnail Singh, Clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.12.2018 vide which the representative of the complainant stated that no information has been received by the complainant so-far. On the other hand, the representative of the respondent-PIO states that they have sent the information on 27.11.2018 through registered post. The respondent was directed to send one copy more of the information to the complainant through registered post. Accordingly the complainant was directed to send his observations, if any, on the provided information to the PIO with a copy to the Commission.

2. The complainant is absent but he has sent his observations dated 16.1.2018 through e-mail.

3. The representative of the respondent-PIO states that he has brought reply dated 15.1.2019, to be handed over to the complainant, to the observations of the complainant received in their office on 23.12.2018 through e-mail. He further states that with the supply of reply, complete information has been provided to the complainant and nothing has been kept pending, which could be supplied to him. The respondent-PIO is

Contd.....p/2

Complaint Case No. 1060 of 2018

-2-

directed to send the reply brought by him, to be handed over to the complainant, through registered post with the advice to the complainant to send his observations, if any, in the information so supplied by the respondent-PIO as early as possible. On receipt of the observations from the complainant, the respondent-PIO is directed to remove the same before the next date of hearing, which is fixed for 18.2.2019.

4. To come up on **18.02.2019** at **11.30 A.M.**

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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Dr. Sandeep Kumar Gupta

H.No.1722, Sector 14,

Hisar-125001.

.....Complainant

Vs

Public Information Officer

o/o Guru Angad Dev Veterinary

and Animal Sciences University,

Ludhiana.

.....Respondent.

Complaint Case No. 1059 of 2018

Present:- None on behalf of the complainant.

Shri Jarnail Singh, Clerk, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.12.2018 vide which the representative of the complainant stated that the complainant has not received any information so-far. On the other hand, the representative of the respondent-PIO states that they have sent the information on 27.11.2018 and handed over information regarding point at Sr. No.1. The respondent was directed to send one copy more of the information to the complainant through registered post. Accordingly the complainant was directed to send his observations, if any, on the provided information to the PIO with a copy to the Commission.

2. The complainant is absent without intimation but an e-mail has been received from him on 16.1.2019.

3. The representative of the respondent-PIO states that he has brought reply dated 15.1.2019, to be handed over to the complainant, to the observations of the complainant received in their office on 3.1.2019 through e-mail. He further states that with the supply of reply, complete information has been provided to the complainant and nothing has been kept pending, which could be supplied to him. The respondent-PIO is

Contd.....p/2

Complaint Case No. 1059 of 2018

-2-

directed to send the reply brought by him, to be handed over to the complainant, through registered post with the advice to the complainant to send his observations, if any, in the information/reply so supplied by the respondent-PIO as early as possible. On receipt of the observations from the complainant, the respondent-PIO is directed to remove the same before the next date of hearing, which is fixed for 18.2.2019.

4. To come up on **18.02.2019** at **11.30 A.M.**

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

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Shri Gurdeep Singh Kahlon
Ro 947, HIG, Jamalpur Colony,
Ludhiana.

.....Complainant.

Vs

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

.....Respondent.

Complaint Case .No. 884 of 2018

Present:- None on behalf of the complainant.

Shri Gagandeep Singh, Clerk, on behalf of the respondent-PIO.

ORDER

This order may be read with reference to the previous order dated 03.12.2018 vide which the complainant was advised to send his observations in the information already supplied by the respondent-PIO on 29.11.2018.

2. The complainant is absent without intimation.

3. The representative of the respondent-PIO states that complete information has been supplied to the complainant vide their letter dated 29.11.2018. No observation has been received in their office after the previous date of hearing. He requests that the instant case be closed.

4. After hearing the representative of the respondents and going through the record available on the case file, it is observed that the complainant is absent for four consecutive dates and no observations has been received in the Commission also, which indicates that he is satisfied with information. In view of absence of the complainant on four consecutive dates, the present case is **disposed of** and **closed**. Copies of the order be sent to the parties.

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab

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Shri Trilochan Singh
r/o Prince Electronics, Shop No.29,
Sherpur Main Market,
Ludhiana.

.....Complainant
Vs

Public Information Officer
o/o Assistant Police Commissioner,
Sahnewal, District Ludhiana.

.....Respondent.

Complaint Case No. 1324 of 2017

Present:- None on behalf of the complainant.

Shri Sukhdev Raj, Sub Inspector, on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 03.12.2019 vide which a show cause notice was issued to him to submit reply and avail an opportunity of personal hearing, on the next date of hearing, failing which action for imposition of penalty would be taken ex-parte. He was directed to supply the requisite information to the appellant before the next date of hearing, under intimation to the Commission.

2. The complainant was absent on five consecutive dates including today without any intimation.

3. The representative of the respondent-PIO submits reply to the show cause notice issued vide order dated 03.12.2019, the relevant contents of that are reproduced below:-

That vide his application dated 25.09.2017, the complainant had sought information in case FIR No.184/2017, u/s 323, 324, 506 IPC, P.S. Jamalpur, Ludhiana which was registered against the present complainant at the instance of his wife. In this regard, it is respectfully submitted that in the same FIR, the present complainant had

Contd.....p/2

sought various other information vide various other applications under RTI and subsequently complaints No.794/2017, 1329/2017, 1350/2017 and 1335/2017 were also filed by the present complainant before this Hon'ble Commission. However, when the present complainant was contacted in those complaints to supply the requisite information, then the present complainant had made a statement with the PIO/SHO, P.S., Jamalpur, Ludhiana stating that the complainant has compromised the matter with his opposite party and therefore the complainant does not want any information on his said applications under RTI. Copy of the said statement of the present complainant dated 08.09.2018 is annexed hereto as Annexure R-1/T.

The said statement of the present complainant was also filed before this Hon'ble Commission in complaint case No.1350/2017 and that complaint case was disposed of by this Hon'ble Commission vide its order dated 26.06.2018 with the observations that the complainant does not want to pursue the matter further. Copy of the said order of this Hon'ble Commission 26.06.2018 is annexed hereto as Annexure R-2. Thus the complainant himself was not desirous to get the requisite information as is evident from the own statement of the complainant and therefore the complainant never appeared before the answering respondents to receive the information. Even the complainant never appeared before this Hon'ble Commission as is evident from the orders of this Hon'ble Commission passed in the present complaint case. Infact, the present application dated 25.09.2017 under RTI was sent by the complainant by attaching IPO of Rs.10/- only and therefore the complainant was required to get the requisite information personally but the complainant never appeared before the answering respondents to get the requisite information. Thus, when the complainant himself was not desirous to get the requisite information, then the question of delay in the supply of information does not arise at all. Thus, the show cause notice issued to the respondents may kindly be filed/recalled. However, the answering respondents

undertake to take every corrective step in future which may be directed by this Hon'ble Commission.

4. After hearing the representative of the respondents and perusing the record available on the case file, it is revealed that the complainant abstained himself in the present case for five consecutive dates without intimation. The Commission is satisfied with the reply filed by the respondent PIO and drop the show cause notice issued to him vide order dated 03.12.2018. The instant case is **disposed of** and **closed**, in view of the written statement given by the complainant. Copies of the order be sent to the parties.

Dated : 16.012019

Sd/-
(S.S. Channy)
Chief Information Commissioner
Punjab