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Sh.Manjit Singh,		
S/o Shri Gurcharan Singh,		
Village Majra, PO Chamkaur, Sahib		
Distt. Ropar		Complainant
	Vs	
Public Information Officer,		
o/o M.D.		
PRTC,Patiala		
		Respondent
<u>C</u>	C .840 No. of 2018	

Present:

- (i) Sh Manjit Singh, Complainant
- (ii) None on behalf of the Respondent.

#### **ORDER**

The RTI application is dated 09.06.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 01.08.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. The Respondent is absent today.
- 4. The Complainant states that no information has been provided to him so far.
- 5. Today is the first date of hearing. Hence, the Respondent is given one opportunity to appear before the Commission and state his case.
- To come up on 15.11.2018 at 11:00 AM. Copy of the orders be sent to the 6. parties.

Chandigarh Dated: 16.10.2018

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Sh. Manjit Singh
S/o Shri Gurcharan Singh
Village Mane Majra, PO Chamkaur Sahib
Distt.Ropar ......Complainant

Vs

Public Information Officer,
o/o Director State Transport Punjab
Jeevan Deep Building, Sector 17, Chandigarh ......Respondent

# CC .No. 841 of 2018

Present: (i) Sh Manjit Singh, Complainant.

(ii) For the Respondent: Sh Darshan Singh, Sr Assistant alongwith Sh Sukhwinder Singh, Clerk

### **ORDER**

The RTI application is dated 09.06.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 01.08.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- The Respondent states that the information has already been provided to the Complainant.
- 4. The Complainant states that he has received the information except on point no.1.
- 5. Hence, the Respondent is directed to provide complete information pertaining to

# CC .No. 841 of 2018

point no.1 to the Complainant before the next date of hearing.

6. To come up on **15.11.2018 at 11:00 AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh Dated: 16.10.2018

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Sh. Manjit Singh S/o Shri Gurcharan Singh Village Mane Majra, PO Chamkaur Sahib Distt.Ropar ..... Complainant Vs **Public Information Officer,** o/o General Manager, Punjab Roadways, Batala .....Respondent

# CC .No. 842 of 2018

Present:

ORDER

- (i) Sh Manjit Singh, Complainant
- (ii) For the Respondent: Sh Leela Singh, Works Manager alongwith Sh Gurdip Singh, Sr Assistant

The RTI application is dated 09.06.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 01.08.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- The Respondent states that he has brought information to be handed 3. over to the Complainant. A copy of the same is given to the Complainant.
- The Complainant states that the information provided is partial and 4. not complete.

CC .No. 842 of 2018

5. After perusal of the file, it is ascertained that the information provided

is not complete. Hence, the applicant shall visit the office of respondent on

22.10.2018 at 10:00 AM, inspect the relevant records, identify the

documents copies whereof are required by him; and the respondent shall

provided copies thereof, according to his RTI application upto 50 pages for

free and rest the Complainant will pay.

6. To come up on 15.11.2018 at 11:00 AM. Copy of the orders be sent

to the parties.

Sd/-

Chandigarh

Dated: 16.10.2018

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Complainant
Respondent

# CC .No. 847 of 2018

Present: (i) Sh Varinder Kumar, Complainant.

(ii) For the Respondent-Sh Gurmeet Singh, Clerk

# **ORDER**

The RTI application is dated 24.03.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 03.08.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. The Respondent states that he has brought the copy of the information. The same is handed over to the Complainant.
- 4. The Complainant has gone through the same and states that the information provided is misleading and incomplete. The Complainant has

CC .No. 847 of 2018

pointed out deficiencies in the information provided, in writing, to the

Respondent. A copy of the same is taken on record.

5. After perusal of the file, it is ascertained that the information provided

is mis-leading. Hence, PIO-Sh Pawan Kumar, XEN is directed to be

personally present on the next date of hearing.

6. To come up on **15.11.2018 at 11:00 AM**. Copy of the orders be sent

to the parties.

Sd/-

Chandigarh

Dated: 16.10.2018

(Preety Chawla)
State Information Commissioner

# **THROUGH REGISTERED POST**

CC: PIO-Sh Pawan Kumar, XEN, Bhagta Bhai at Bathinda

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Sh.Madan Lal, S/o Shri Om Parkash Jain Niwas
MCB, Zone 2, House No. 10803
Parinda Road 18, Guru Teg Bahadur Nagar, Bathinda- 151001

.....Appellant

۷s

**Public Information Officer,** o/o Commissioner, MC, Bathinda

First Appellate Authority -cum o/o Commissioner, MC, Bathinda

.....Respondent

AC .No. 2699 of 2018

Present: None for the parties.

#### **ORDER**

The RTI application is dated 20.04.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 10.08.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. A letter has been received from the appellant vide commission no. 20915 dated 15.10.2018 stating that he has received the information and is satisfied.
- 4. In view of the foregoing, no cause of action is left. The appeal filed by the appellant is therefore disposed of and closed. Copy of the orders be sent to the parties.

Sd/-

Chandigarh Dated: 16.10.2018

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Sh. Ram Pal Chaudhary, S/o Lt Sh Dhani Rani Chaudhary, 12-A, Ajit Nagar, Tanda Road, Backside KMV College, Jalandhar City-1.

Appellant.

Versus

Public Information Officer, Commissioner, MC, Jalandhar. First Appellate Authority Commissioner, MC, Jalandhar.

...Respondent

## Appeal Case No. 1133 of 2018

Present: (i) Sh Kailash Thukral, on behalf of Sh Ram Pal Chaudhary.

(ii) For the Respondent: Sh Vinod Kumar, ATP

# **ORDER**

This order may be read with reference to the previous order dated 17.09.2018.

The Respondent files his reply as under:-

"ਬਿਨੈਦਾਰ ਵਲੋਂ ਮੰਗੀ ਗਈ ਲੜੀ ਨੰ : 3 ਦੀ ਸੂਚਨਾ ਦੇ ਸਬੰਧ ਵਿਚ ਦਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਸਹਾਇਕ ਟਾਊਨ ਪਲੈਨਰ ਨੂੰ ਡੈਮੋਲਿਸ਼ਨ ਸਬੰਧੀ ਜੋ ਪਾਵਰ ਡੈਲੀਕੇਟ ਕੀਤੀ ਗਈ ਸੀ, ਉਨ੍ਹਾਂ ਆਰਡਰਾਂ ਦੀ ਕਾਪੀ ਦਫਤਰ ਦੇ ਰਿਕਾਰਡ ਵਿੱਚ ਮੌਜੂਦ ਨਹੀਂ ਹੈ।"

- 2. The Appellant states that the Respondent has delayed in providing the information. Hence, he has suffered mental harassment.
- 3. The Respondent further states that the post of the PIO was vacant from the last few months. Therefore, the information was delayed.

Appeal Case No. 1133 of 2018

4. After hearing the Respondent, it is observed that the post of the PIO was

vacant in the office of the Respondent due to which the information could not

be provided within time. Hence, taking a lenient view, the Respondent, is

warned to be careful in future while dealing with the RTI Applications. In view

of the foregoing, the Appeal case filed by the Appellant is disposed off and

**closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh

Dated: 16.10.2018

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Sh. Gulshan Rai Sanger, Mohalla Vaid Hem Raj Nawanshahr

Complainant.

Versus

**Public Information Officer.** o/o Punjab Education Board Complex, 7<sup>th</sup> floor, Phase 8, Mohali

...Respondent

# Complaint Case No. 325 of 2018

None for the parties. Present:

#### **ORDER**

The brief fact of the case shows that the complainant filed his RTI on 05.01.2018 with the PIO, o/o DPI (Colleges), Punjab, Chandigarh. After not receiving any information, the Complainant filed RTI with the Commission on 12.03.2018. Notice of hearing was issued to both the parties for 30.04.2018 at 11.00 AM.

- On 30.04.2018, the respondent was absent and the Complainant stated that no 2. information has been given to him so far. Therefore, the case was adjourned on next date i.e. 16.05.2018. On 16.05.2018 Sh. Jai Singh Rana, Sr. Assistant was appeared and had sought some time. Therefore, the appeal was adjourned on 04.06.2018. On 04.06.2018, 02.07.2018 and 10.07.2018, neither the respondent was present nor has he bothered to inform the Commission about their absence. On that day, a show cause notice was issued to the PIO, o/o DPI (C), Punjab and the appeal was adjourned on 08.08.2018. On 08.08.2018 and 28.08.2018, again the respondent was absent. On 17.09.2018 again Sh. Jai Singh Rana appeared without any information.
- In view of the above, it is observed that this is the Complainant and there is a decision of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. 10787-10788 of 2011 (arising out of SLP© No. 32768-32769/2010) has held that while entertaining a complaint under Section 18 of the RTI Act 2005, the commissioners have no jurisdiction to pass an order providing for an access to the information. Since

the complainant has approached the Commission under the provisions of Section 18 of the RTI Act 2005, no directions for providing further information can be given by the Commission. The commission has to see the attitude of the respondent-PIO while dealing with the RTI application to an extent whether he is unable to supply the sought information under compelling circumstances or he is intentionally not supplying the information. In this case, it is derived that the respondent-PIO is intentionally delaying the supply of information and he has no respect for the orders of the Commission to be present, either himself or through his representative in the court.

4. In view of the defying attitude of the respondent-PIO neither attending the court nor submitting any explanation for the delay in supplying the information within the time schedule as prescribed under the RTI Act 2005, the court comes to a logical conclusion that it is a fit case for the imposition of penalty amounting to Rs. 25000/- (Rupees Twenty five thousand only) on the PIO. Therefore, taking a lenient view, I impose a penalty of Rs. 5000/- (Rs. Five thousand only) on Mr. Harinder Singh Bhalla, Deputy Director-cum-PIO. The Drawing and Disbursing Officer of the office of DPI(Colleges) is directed to deduct the amount of penalty of Rs. 5000/- from the salary of Mr. Harinder Singh Bhalla, Deputy Director-cum-PIO and deposited in the State Treasury in the following Head of Account and to report its compliance to the Commission:-

"0070-Other Administrative Services

60 other Services

800-Other Receipts

86-Fee under the RTI Act, 2005"

5. The perusal of the file also shows that Mr. Jai Singh Rana, Sr. Assistant had attended the hearings in the Commission, but he has not bothered to provide the information to the Complainant, which shows that he has no regard for the orders issued by the Commission. Therefore in this case he is treated as deemed PIO.

## Complaint Case No. 325 of 2018

- 6. In view of the foregoing, Sh. Jai Singh Rana, Sr. Assistant (deemed PIO) is directed to show cause why action should not be taken against him for not providing the information to the Complainant within time. He should file a written reply In addition to the written reply PIO is hereby given an opportunity u/s 20(1) proviso thereto for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte.
- 7. To come up on **21.11.2018 at 11.00 AM**. Copy of the order be sent to the parties through registered post.

Sd/-

Chandigarh Dated: 16.10.2018 (Preety Chawla)
State Information Commissioner

CC: DPI (Colleges), o/o DPI(Colleges), Punjab Education Board Complex, 7<sup>th</sup> Floor, Phase 8, Mohali

Sh. H.S.Bhalla, Deputy Director, o/o DPI(Colleges), Punjab Education Board Complex, 7<sup>th</sup> Floor, Phase 8, Mohali

Sh.Jai Singh Rana, Sr. Assistant, o/o DPI(Colleges), Punjab Education Board Complex, 7<sup>th</sup> Floor, Phase 8, Mohali

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Sh.Manjit Singh S/o Shri Sohan Singh, House No. 388/3, Dhandholian Road.Patiala

.....Appellant

۷s

**Public Information Officer,** o/o Assistant Transport Officer Automatic Driving Test Track, Patiala First Appellate Authority -cum o/o State Transport Commissioner, Punjab Jeevan Deep Building, Sector 17, Chandigarh

.....Respondent

# AC.No. 2562 of 2018

Present: (i) Sh.Manjit Singh the appellant

(ii) for the respondent : Sh. Abhishek Sehgal, DEO

#### ORDER

The RTI application is dated 23.04.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.07.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. The appellant states that no information has been given to him so far.
- 4. Respondent Sh. Abhishek Sehgal has sought some time to provide the information to the appellant.
- 5. On the plea of the respondent an adjournment is granted. The matter is come up now for further proceedings on 15.10.2014 at 11.00 AM. Copy of the order be sent to

AC .No. 2562 of 2018

the parties. Sh. Pardeep Singh Dhillon, Assistant Transport Officer is directed to

come present on the next date of hearing, failing which action under Section 20 (1) of

the RTI Act will be initiated.

Sd/-

Chandigarh

Dated: 16.10.2018

(Preety Chawla)
State Information Commissioner

CC: Sh. Pardeep Singh Dhillon, Assistant Transport Officer, Patiala

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Sh.Manjit Singh S/o Shri Sohan Singh, House No. 388/3, Dhandholian Road, Patiala

......Appellant/ Complainant

۷s

Public Information Officer, o/o State Transport Commissioner, Punjab Jeevan Deep Building, sector 17, Chandigarh First Appellate Authority –cum o/o State Transport Commissioner, Punjab Jeevan Deep Building, sector 17, Chandigarh

.....Respondent

## AC .No. 2558 of 2018

Present: (i) Sh.Manjit Singh the appellant

(ii) For the respondent : Sh. Gurpal singh, APIO

**ORDER** 

The RTI application is dated 19.04.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.07.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. The respondent has brought the information today in the commission which is handed over to the appellant. He has also given in writing that that there is no other information which is pending in the office record of the respondent and there is nothing left to be furnished to him
- 4. Copy of the same is handed over to the appellant. Since, the information has been provided to the appellant, no cause of action is left. The appeal filed by the appellant is therefore **disposed of and closed.** Copy of the order be sent to the parties.

Sd/-

Chandigarh (Preety Chawla)
Dated: 16.10.2018 State Information Commissioner

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Sh.Gian Singh, S/o Shri Parkash Singh R/o Near Patwarkhana, Dhuri Pind, Tehsil Dhuri, Distt. Sangrur

......Appellant/ Complainant ۷s o/o President Shiromani Gurdwara Parbandak Committee, o/o President Shiromani Gurdwara Parbandak Committee,

## AC.No. 2614 of 2018

Present:

First Appellate Authority -cum

**Public Information Officer,** 

(i) Sh. Gian Singh the appellant

(ii) For the respondent : Sh.Simarjit Singh, PIO

### **ORDER**

Amritsar

Amritsar

The RTI application is dated 22.02.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 07.08.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. Respondent states that the information has already been provided to the appellant. He has also brought another copy of information today in the commission.
- 4. The appellant has gone through the same and states that he is not satisfied with the information.
- 5. The perusal of the file shows that the appellant wants the resolution passed between 1984 to 1988. Respondent is directed to look all the record in the office and provide it to the appellant before the next date of hearing. However, if this information is not available on record, the PIO shall file an affidavit on oath stating the same.
- 6. To come up on 14.11.2018 at 11.00 AM. Copy of the order be sent to the parties.

Sd/-

Chandigarh Dated: 16.10.2018

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Sh.Manjit Singh S/o Shri Sohan Singh, House No. 388/3, Dhandholian Road.Patiala

.....Appellant

۷s

**Public Information Officer,** o/o Assistant Transport Officer Automatic Driving Test Track, Patiala

First Appellate Authority -cum o/o State Transport Commissioner, Punjab Jeevan Deep Building, Sector 17, Chandigarh

.....Respondent

# AC.No. 2557 of 2018

Present:

(i) Sh.Manjit Singh the appellant

(ii) for the respondent : Sh. Abhishek Sehgal, DEO

### **ORDER**

The RTI application is dated 16.05.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.07.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. The appellant states that no information has been given to him so far.
- 4. Respondent Sh. Abhishek Sehgal has sought some time to provide the information to the appellant.
- 5. On the plea of the respondent an adjournment is granted. The matter is come up now for further proceedings on 15.10.2014 at 11.00 AM. Copy of the order be sent to

AC.No. 2557 of 2018

the parties. Sh. Pardeep Singh Dhillon, Assistant Transport Officer is directed to come present on the next date of hearing, failing which action under Section 20 (1) of

the RTI Act will be initiated.

Sd/-

Chandigarh Dated: 16.10.2018 (Preety Chawla)
State Information Commissioner

CC: Sh. Pardeep Singh Dhillon, Assistant Transport Officer , Patiala

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Sh. Kulwant Singh, s/o Late Shri Kammikar Singh House No. 2396/65,Near Khalsa High School (Boys), Jagraon Distt.Ludhiana

.....Appellant

۷s

Public Information Officer, o/o Nagar Coundil, Jagraon Distt.Ludhiana First Appellate Authority –cum o/o Deputy Director, Local Bodies,Ludhiana

.....Respondent

## AC.No. 2598 of 2018

Present: (i) None is present on behalf of the appellant

(ii) for the respondent : Sh.Amarpal singh, clerk

#### **ORDER**

The RTI application is dated 14.12.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 02.08.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. An email has been received from the appellant that he is unable to attend today's hearing as he is not well today.
- 4. Respondent states that the information is ready, but the appellant has not deposited the documentation fee, therefore, information cannot be provided to him.
- 5. The perusal of the file shows that the appellant has filed his RTI on 14.12.2017 and the respondent has demanded documentation fee on 28.12.2017 within stipulated time as prescribed under the RTI Act 2005. Respondent is directed to provide all the documents to the appellant on receipt of the requisite fee. No further action is required. The appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh (Preety Chawla)
Dated: 16.10.2018 State Information Commissioner

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E-mail-psic27@punjabmail.gov.in

۷s

Sh.Manjit Singh S/o Shri Sohan Singh, House No. 388/3, Dhandholian Road.Patiala

.....Appellant

**Public Information Officer**,

o/o State Transport Commissioner, Punjab Jeevan Deep Building, sector 17,

Chandigarh

First Appellate Authority -cum

o/o State Transport Commissioner, Punjab Jeevan Deep Building, sector 17, Chandigarh

.....Respondent

# AC .No. 2559 of 2018

(i) Sh.Manjit Singh the appellant Present:

(ii) For the respondent: Sh. Gurpal Singh, APIO

# **ORDER**

The RTI application is dated 10.05.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.07.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. The respondent states that he has brought the information today in the Commission, which is handed over to the appellant.
- 4. The perusal of the file shows that appellant has not asked for any specific information and information as exists in the record has been provided. He further states that sought for information relates to the queries, i.e., in a question form which are not to be replied.

AC.No. 2559 of 2018

However, the information as exist in the record has been provided, no cause of action is

therefore left. The appeal filed by the appellant is therefore disposed of and closed.

Copy of the order be sent to the parties.

Sd/-

Chandigarh

Dated: 16.10.2018

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Sh.Manjit Singh S/o Shri Sohan Singh, House No. 388/3, Dhandholian Road, Patiala

.....Appellant

Vs

Public Information Officer, o/o State Transport Commissioner, Punjab Jeevan Deep Building, sector 17, Chandigarh First Appellate Authority –cum o/o State Transport Commissioner, Punjab Jeevan Deep Building, sector 17,

.....Respondent

AC .No. 2540 of 2018

Present:

Chandigarh

- (i) Sh.Manjit Singh the appellant
- (ii) Sh. Gurpal Singh, APIO

# <u>ORDER</u>

The RTI application is dated 10.05.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 31.07.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

- 2. Notice of hearing was issued to the parties for 16.10.2018 in the Commission.
- 3. The appellant states that no information has been given to him so far.
- 4. The perusal of the file shows that appellant has not asked for any specific information and information as exists in the record has been provided. He further states that sought for information relates to the queries, which are not to be replied. RTI of the appellant has been discussed in the Commission today in the presence of the Respondent and Appellant. Respondent has agreed to provide complete information before the next date of hearing.
- 5. To come up on 15.11.2018 at 11.00 AM. Copy of the order be sent to the parties.

Sd/-

Chandigarh Dated: 16.10.2018