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Shri Preet Singh (98888-88355), S/o Shri Surmukh Singh, R/o #1231/11, Ranjeet Nagar, Near NRI Colony, Randhawa Road, Kharar, Mohali.

.....Complainant

Versus

Public Information Officer, O/O Chairman, Gram Panchayat, Water Supply & Sanitation Committee, Balongi Colony, Tehsil Kharar, District Mohali.

.....Respondent.

COMPLAINT CASE NO. 747 of 2018

Present: Shri Preet Singh, complainant in person. Ms. Bhinderjit Kaur, PIO and Shri Bahadur Singh, Sarpanch on behalf of respondent.

ORDER:

On the last date of hearing on 29-06-2018, the respondent has submitted the information in the court which was handed over to the complainant.

2. The complainant after receiving the information had sought some time to go through the provided information. Accordingly, the case was adjourned for today.

3. Today, both the parties are present. The complainant states that there are some deficiencies in the provided information and the same has not been certified by the respondent-PIO. He requests the court to direct the respondent to certify the provided information and to supply the complete information.

4. As this is a complaint case, therefore, the attention of the complainant is drawn to the decision of the Hon'ble Supreme Court of India rendered in its order dated 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) in para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. The complainant is advised to approach the first appellate authority in this behalf. Accordingly, the case is ordered to be **disposed of and closed**.

5.

Copies of order be sent to the parties.

Place: Chandigarh, Dated: 20-11-2018

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Shri Sanjay Kumar (90413-50530), s/o Shri Gori Shankar, R/o Garh Mohalla, Shahid Chowk, Samana, Tehsil & Distt. Patiala.

...Appellant

Versus

Public Information Officer O/O Chief Engineer, Punjab PWD, (B&R), Patiala.

First Appellate Authority, O/O Chief Engineer, Punjab PWD, (B&R), Patiala.

... Respondents

APPEAL CASE NO. 161 of 2018

Present: None on behalf of appellant. Shri Jitesh Sharma, JE, on behalf of respondents.

ORDER:

Shri Jitesh Sharma, appearing on behalf of respondents states in the court that the sought for information has already been supplied to the appellant.

2. On the last date of hearing on 28-08-2018, when the appellant was not present in the court, he was directed to point out the deficiencies, if any, in the provided information and to be present on the next date of hearing.

3. The appellant is absent for the third time consecutively and nothing has been

heard from him about the supplied information. It is assumed that he might be satisfied with the supplied information.

4. As the information stands supplied, the case is **disposed of and closed**.

5. Copy of order be sent to the parties.

Place: Chandigarh, Dated: 20-11-2018

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Smt. Kamaldip Kaur, (98550-76763), W/o Shri Paramjit Singh, H.No. B-08/0733, Ward No. 15, Mohalla Koko Majri, Near Rose Garden, Sunam District Sangrur.

.....Complainant

.....Respondent.

Versus

Public Information Officer, O/O Deputy Director, Animal Husbandry, Patiala.

COMPLAINT CASE NO. 293 of 2018

Present: Shri Paramjit Singh, on behalf of complainant. Dr. KPS Pasricha, APIO, on behalf of respondents.

ORDER:

Today both the parties are present in the court.

2. The respondent-APIO submits duly attested affidavit from Dr. Baljit Singh Brar, Deputy Director, Animal Husbandry, Patiala in the court, a photocopy of the same is retained in the case file for record, which is handed over to the representative of complainant.

3. After going through the provided affidavit, the representative of complainant expresses satisfaction and requests the court to close the case.

4. As the sought for information stands supplied, the case is **disposed of and closed.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Sh. Makhan Singh (94641-32390), S/o Sh. Jang Singh, VPO Mashana, Block Sangat, Tehsil Talwandi, District Bathinda.

....Appellant

Versus

Public Information Officer, O/O Senior Medical Officer, Sangat.

First Appellate Authority, O/O Civil Surgeon, Bathinda.

...Respondents.

APPEAL CASE NO. 41 of 2017

Present: Sh. Makhan Singh along with Shri Surjeet Singh on behalf of appellant. Dr. Sarbjit Singh, SMO-cum-PIO along with Shri Navjot Singh on behalf of respondents.

ORDER:

Today, both the parties are present.

2. As directed on the last date of hearing on 28-08-2018, the respondent-PIO, Dr. Sarbjit Singh, SMO, Senior Medical Officer, Incharge Primary Health Centre, Sangat, District Bathinda submits a duly attested affidavit in the court, a photocopy of which is retained in the case file, which is handed over to the appellant.

3. A perusal of affidavit submitted by the respondent-PIO reveals that Shri Makhan Singh, appellant with a revolver in hand and along with three persons, who were armed with dandas raided their office on 16-01-2018 and after rebuking and threatening the PIO and the present staff, took away the whole record with them forcibly.

The respondent-PIO informed the Deputy Commissioner, Bathinda and Senior Superintendent of Police, Bathinda about the incident, in writing, vide letter No. Amla/PHC Sangat/123-24, dated 16-01-2018. An FIR No. 0011, dated 16-01-2018 was also lodged against Shri Makhan Singh and others in the Police Station, Sangat. The case is sub judice in the court of District and Sessions Judge, Bathinda.

4. The respondent-PIO further submits that as the record is in the unauthorised possession of the appellant, no information can be provided to him.

Appeal Case No. 41 of 2017 -2-

5. After going through the provided affidavit, the appellant raises some objections about the facts narrated in the affidavit.

6. The RTI application is discussed point wise and after discussion it comes out that the sought for information cannot be provided to the appellant as the relevant record is in the possession of appellant. The case is ordered to be **disposed of and closed**.

7. Copy of order be sent to the parties.

Place: Chandigarh, Dated: 20-11-2018

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Shri Bhupinder Singh s/o Sh. Baldev Singh, Village PO: Mann, Tehsil Malout, Distt. Sri Muktsar Sahib.

Appellant

Public Information Officer, O/O Block Development & Panchayats Officer, Lambi, Distt. Sri Muktsar Sahib.

First Appellate Authority, O/O District Development & Panchayats Officer, Sri Muktsar Sahib.

Respondents.

APPEAL CASE NO. 452 of 2017

Versus

Present: None on behalf of appellant. Shri Gurparsad, Panchayat Secretary, on behalf of respondents.

ORDER:

The representative of respondents submits a letter dated 16-11-2018 from Shri Bhupinder Singh, appellant, which is placed in the case file. The appellant has signed the said letter in his hand in which he has written that he has received the sought for information and the compensation amounting to Rs. 5,000/- has also been received by him.

2. However, a perusal of case file reveals that on the last date of hearing on 25-04-2018 a penalty amounting to Rs. 25,000/- was imposed upon the respondent-PIO and a compensation amounting to Rs. 5,000/- was awarded to the appellant to be paid by the respondents. The PIO was directed to be present, in person in the court, but the PIO appeared in the court after the hearing was over. However,he tendered an unconditional apology for not reaching in time to attend the court. Taking his unconditional apology in view, the order of imposing penalty was stayed for the time being and the PIO was directed to submit a duly attested written submission stating reasons for not providing the information as per provisions of RTI Act, 2005.

3. On the next date of hearing on 29-08-2018 the respondent-PIO, Shri Sukhmeet Singh, BDPO, Lambi sought time to furnish his written explanation. On his request he was afforded final to be present in the court along with the duly attested written submission.

Appeal Case No. 452 of 2017

4. Today, the respondent-PIO is not present in the court. Instead he has deputed his Panchayat Secretary to appear in the court who does not bring written submission from the BDPO. The Court takes this irresponsible behavior of BDPO very seriously. However, taking a lenient view, the respondent-PIO is afforded a final opportunity to be present in the court along with his written submission on the next date of hearing. Adjourned.

-2-

5. To come up for further hearing on **20-12-2018 at 11.00 AM.**

6. Copies of order be sent to the parties.

Place: Chandigarh, Dated: 20-11-2018

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Shri Tarsem Lal Jindal (Nili Chhattri Wala), RTI Activist (Punjab) Mob- 98551-51985), R/o 306, Aastha Enclave, Dhanaula Road, Barnala.

... Appellant

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

First Appellate Authority, o/o Additional Deputy Commissioner (General), Sangrur.

... Respondents.

Appeal Case No. 3176 of 2017

Versus

Present: None on behalf of the appellant. Shri Kulpreet Singh, Clerk on behalf of respondents.

ORDER:

Today, the representative of respondents submits a self attested affidavit from Shri Gagandeep Singh, PIO, office of Deputy Commissioner, Sangrur, which is taken on record and placed in the case file. The PIO has written that the sought for information has already been supplied to the appellant by registered post on 26-07-2018.

2. The representative of respondents further states in the court that unfortunately, Shri Tarsem Lal Jindal, the appellant had died some time ago.

3. As no cause of action remains, therefore, the case is **disposed of and closed**.

6. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Shri Tarsem Lal Jindal (Nili Chhattri Wala), RTI Activist (Punjab) Mob- 98551-51985), R/o 306, Aastha Enclave, Dhanaula Road, Barnala.

... Appellant

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

First Appellate Authority, o/o Additional Deputy Commissioner (General), Hoshiarpur. Appeal Case No. 3174 of 2017

... Respondents.

Present: None on behalf of appellant. Shri Chandan Sharma, HRC, on behalf of respondents.

Versus

ORDER:

The representative of respondents states in the court that as the sought for information related to all the Sub-Registrars i.e. Tehsildars in the District of Hoshiarpur, the RTI application of the appellant was transferred to all the Sub-Registrars under Section 6(3) of the RTI Act, 2005 to provide the information to the appellant directly.

2. He further states that their office has received information from all the Sub Registrars that the information has been sent to the appellant directly.

3. The representative of respondents further states in the court that unfortunately, Shri Tarsem Lal Jindal, the appellant had died some time ago.

4. As no cause of action remains, therefore, the case is **disposed of and closed**.

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Shri Kuldeep Singh Bhalla, (98814-9916) ATP (Retd.) Nagar Nigam, Jalandhar, #259, Guru Nanak Pur (west), Jalaandhar.

Versus

...Appellant

Public Information Officer O/O Municipal Corporation, Jalandhar.

First Appellate Authority, O/O Commissioner, Municipal Corporation, Jalandhar.

Public Information Officer, o/o Director Local Government, Punjab, Sathanak Sarkar Bhawan, Sector-35A, Chandigarh.

..... Respondents

APPEAL CASE NO. 297 of 2018

Present: Shri Kuldeep Singh Bhalla, appellant in person. Shri Lakhvir Singh, ATP-cum-PIO, on behalf of respondents.

ORDER:

Today, both the parties are present in the court.

2. The respondent-PIO submits his duly attested affidavit in the court, a copy of which is placed in the case file for record, which is handed over to the appellant.

3. The appellant, after going through the provided affidavit expresses his satisfaction, however, points out that no mention has been made about the charge-sheet issued to him.

4. The respondent-PIO states that the decision on the charge-sheet is to be taken at the level of Government, therefore, his office cannot say anything about the charge-sheet.

5. A show cause notice under Section 20(1) of the RTI Act, 2005, was issued to the respondent-PIO for not providing the information in time. In the above-said affidavit, he has stated the delay was not willful or intentional on the part of PIO. He tenders an unconditional apology and requests the court to file the show cause notice issued to him earlier.

Contd...p/2

Appeal Case No.297 of 2018

6. Taking a lenient view and the fact that the sought for information stands supplied to the appellant, the court orders to drop the show cause notice issued to the respondent-PIO. However, the PIO is warned to be more careful in future in dealing with the RTI applications.

-2-

7. The case is ordered to be **disposed of and closed**.

8. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Sh. Narinderjeet Singh (94634-22558), Village Jasowal, P.O. Sandhuwal, Tehsil & Distt. Patiala.

....Appellant

Versus

Public Information Officer, O/O General Manager, PRTC, Patiala Depot, Patiala.

First Appellate Authority, O/O Managing Director PRTC, Head Office, Patiala. APPEAL CASE NO. 2926 of 2017

...Respondents.

Present: Shri Narinderjeet Singh, appellant, in person. None on behalf of respondents.

ORDER:

The appellant states in the court that no information has been supplied till date.

2. As the respondents are absent without any intimation to the Commission, they are directed to be present in the court on the next date of hearing along with the information to be supplied to the appellant. Adjourned.

3. To come up for further hearing on 20-12-2018 at 11.00 AM.

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Sh. Harbir Singh, House No. 307, Charan Bagh, Patiala.

...Complainant

Versus

Public Information Officer, O/O DPI (Colleges) Punjab, Punjab Education Board Complex, Sector 68, SAS Nagar.

.... Respondent.

COMPLAINT CASE NO. 923 of 2016.

Present: None on behalf of complainant. Shri Jai Singh Rana, Senior Assistant, on behalf of respondent.

ORDER:

The representative of respondent reiterates his earlier stand that the sought for information has already been supplied to the complainant.

2. The complainant is not present in the court. However, a letter is received in

the Commission in which the complainant has pointed out certain deficiencies in the provided information.

3. However, the representative of respondent states that no such letter has been received in their office. He is handed over photocopy of the letter for providing the information as per deficiencies pointed out by the complainant. Adjourned.

4. To come up for further hearing on **20-12-2018 at 11.00 AM**.

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Sh. Harbir Singh, House No. 307, Charan Bagh, Patiala.

.....Complainant

Versus

COMPLAINT CASE NO. 924 of 2016

Public Information Officer, O/O DPI (Colleges) Punjab, Punjab Education Board Complex, Sector 68, SAS Nagar.

.... Respondent.

Present: None on behalf of complainant. Shri Jai Singh Rana, Senior Assistant, on behalf of respondent.

ORDER:

The representative of respondent reiterates his earlier stand that the sought for information has already been supplied to the complainant.

2. The complainant is not present in the court. However, a letter is received in the Commission in which the complainant has pointed out certain deficiencies in the provided information.

3. However, the representative of respondent states that no such letter has been received in their office. He is handed over photocopy of the letter for providing the information as per deficiencies pointed out by the complainant. Adjourned.

4. To come up for further hearing on 20-12-2018 at 11.00 AM.

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Sh. Gora Lal (92566-44000), s/o Sh. Hem Raj, Model Town, Street No.4, Goniana Mandi, Bathinda.

.....Complainant

Versus

Public Information Officer, O/O Principal Secretary, Punjab Govt. Local Bodies, (Branch-3), Municipal Bhawan, Sector-35 A, Chandigarh.

.... Respondent.

COMPLAINT CASE NO. 1342 of 2016

Present: None on behalf of both the parties.

ORDER:

Today both the parties are absent.

2. However, intimation has been received from both the parties in which they have sought adjournment.

3. Accordingly, the case is adjourned and fixed for further hearing on **20-12-2018 at 11.00 AM.**

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Shri Ankit Jain (95017-60987), S/o Shri Yashpal Jain, # 1006, Morni Wala Khoo, Dera Bassi, S.A.S. Nagar, Mohali.

...Complainant

Versus

Public Information Officer, O/O Director Local Bodies, Punjab, Municipal Corporation, Bhawan, Sector-35-A, Chandigarh.

.... Respondent.

COMPLAINT CASE NO. 745 of 2018.

Present: Shri Ankit Jain, complainant, in person. Ms. Rajwinder Kaur, ACE, on behalf of respondent.

<u>ORDER</u>

Today both the parties are present.

2. As directed on 29-08-2018, the representative of respondents submits information relating to point No. 6 in the court which is handed over to the complainant.

3. After going through the provided information, the complainant states that it is incomplete.

4. This is a complaint case, therefore, the attention of the complainant is drawn to the decision of the Hon'ble Supreme Court of India rendered in its order dated 12-12-2011 in Civil Appeal Nos. 10788 of 2011 (arising out of SLP © No. 32768-32769/2010) in para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information. The complainant is advised to approach the first appellate authority in this behalf.

5. Accordingly, the case is ordered to be **disposed of and closed**.

6. Copy of order be sent to the parties.

Sd/-

(Hem Inder Singh) State Information Commissioner

Place: Chandigarh, Dated: 20-11-2018

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Phone. No. i) 0172-2864118 & FAX ii) 0172-2864125 E-mail - psic28@punjabmail.gov.in Visit us @ www.infocommpunjab.com

Shri Jai Gopal Dhiman, P.O. Box No. 10, Head Post Office, Hoshiarpur, District- Hoshiarpur146001.

...Appellant

Versus

Public Information Officer O/O Tehsildar, Hoshiarpur.

First Appellate Authority, O/O Tehsildar, Hoshiarpur.

..... Respondents

APPEAL CASE NO. 810 of 2018

Present: None on behalf of appellant. Shri Manpreet Singh, AOK and Shri Balbir Singh, Patwari, on behalf of respondents.

ORDER:

The representatives of respondents state in the court that they do not have the copy of RTI of the appellant, Mr. Jai Gopal Dhiman, therefore, the information cannot be supplied.

2. A photocopy of the RTI application dated 10-10-2017 is handed over to the representatives of respondents. They are directed to supply the sought for information to the appellant before the next date of hearing.

3. The appellant is absent for the third time. He is directed to be present in the court on the next date of hearing. Adjourned.

4. To come up for further hearing on **20-12-2018 at 11.00 AM**.

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Shri Narinder Prakash, S/o Late Shri Hari Ram, Village Kadiana, P.O & Block, Adampur, District Jalandhar.

.....Complainant

Versus

COMPLAINT CASE NO. 295 of 2018

Public Information Officer, O/O Deputy Commissioner, Jalandhar.

.....Respondent.

Present: Shri Balwinder Singh on behalf of complainant. None on behalf of respondent.

ORDER:

None is present on behalf of respondent.

2. The representative of complainant states in the court that the respondent has

supplied the information and the complainant is satisfied with the provided information. He requests the court to close the case.

3. As the information stands supplied, the case is **disposed of and closed**.

4. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

Red Cross Building, Near Rose Garden, Sector-16, Chandigarh. Phone. No. i) <u>0172-2864118</u> & FAX ii) <u>0172- 2864125</u> E-mail <u>– psic28@punjabmail.gov.in</u> Visit us @ <u>www.infocommpunjab.com</u>

Shri S.C.Khanna, WB- 248, Ali Mohalla, Jalandhar-144001.

... Appellant

Public Information Officer O/O Deputy Commissioner of Police, Jalandhar.

First Appellate Authority, O/O Commissioner of Police, Jalandhar.

Appeal Case No. 2542 of 2017

... Respondents

Present: None on behalf of appellant. Shri Anil Kumar, HC on behalf of the respondents.

<u>ORDER</u>

The representative of respondents submits in the court that the sought for

information, as available on the record, has already been supplied to the appellant.

Versus

2. The appellant is absent. On 20-06-2018, the appellant had requested the court to direct the respondents to provide a copy of postal receipt vide which the information has been supplied to him.

3. The respondents are directed to submit a detailed reply with regard to the RTI application on the next date of hearing. Adjourned.

4. To come up further hearing on **10-12-2018 at 12.30 PM.**

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

Red Cross Building, Near Rose Garden, Sector-16, Chandigarh. Phone. No. i) <u>0172-2864118</u> & FAX ii) <u>0172- 2864125</u> E-mail <u>– psic28@punjabmail.gov.in</u> Visit us @ <u>www.infocommpunjab.com</u>

Sh. Amar Singh, House No. 385, Street No. 13, Aman Nagar, Opposite D.M.W., Patiala.

....Appellant

Versus

Public Information Officer, O/O General Manager, PRTC, Head Office, Nabha Road, Patiala.

First Appellate Authority, O/O Chief Accounts Officer-cum-Financial Advisor, PRTC, Nabha Road, Patiala.

...Respondents.

APPEAL CASE NO. 2885 of 2017

Present: Sh. Amar Singh, appellant, in person. Shri Napinder Singh, Clerk, on behalf of respondents.

ORDER:

Today, both the parties are present in the court.

2. The representative of respondents submits a letter from the PIO stating therein that the sought for information has already been supplied to the appellant by registered post.

3. The appellant, who is also present in the court, admits that he has received the

information and is satisfied with the supplied information. He requests the court to close the case.

4. The case is ordered to be **disposed of and closed**.

5. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018

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Shri Ram Kishore, VPO: Palahi, Phagwara, Distt. Kapurthala.

Versus

... Appellant

Public Information Officer, o/o Director, Public Instruction (Colleges), Punjab School Education Board Complex, Sector-62, SAS Nagar.

Public Information Officer, Principal, Kamla Nehru College for Women, Phagwara-144401.

First Appellate Authority, o/o Director, Public Instruction (Colleges), Punjab School Education Board Complex, Sector-62, SAS Nagar. Appeal Case No. 3756 of 2016

... Respondents.

Present: Shri Ram Kishore, appellant, in person.

None on behalf of respondents.

ORDER:

Earlier this case was being heard by the court of Shri Alwinderpal Singh Pakhoke, the then State Information Commissioner. On the retirement of Shri Alwinderpal Singh Pakhoke, this case was re-allocated to this Bench.

2. The brief facts of this case are that the appellant, Shri Ram Kishore, filed an RTI application dated 25-07-2016 with the PIO of office of Director Public Instruction (Colleges) Punjab seeking information on two points. Getting no response from the PIO, the appellant filed first appeal with the first appellate authority on 07-09-2016. Having no response from the first appellate authority also, the appellant filed a second appeal with the Commission on 15-11-2016.

3. Today, the appellant is present in the court who states that no information has been supplied till date.

4. Shri Yogeshwar Singh Rana, appeared in the Commission office before the start of court proceedings. He submitted an application seeking an adjournment as he has to appear in the Hon'ble Punjab and Haryana High Court in another case.

5. During one of the hearings on 11-04-2018, when both the parties were present in the court, Shri Sanjeev Madan, Senior Assistant, appearing on behalf of respondents had

Contd..p/2

Appeal Case No. 3756 of 2016 -2-

stated that the service book of the concerned official has been mis-placed in the office. He assured the court that as and when the service book is traced out, the information will be provided to the appellant. On his assurance the case was disposed of.

6. But after the elapse of 11 months, no information has been provided to the appellant. The appellant again approached the Commission to re-open the case and requested the court to direct the respondents to supply the information. On the request of the appellant the case was re-opened and was fixed for hearing on today.

7. On the request of the respondents, the case is adjourned. However, the respondents are directed to supply the complete and correct information to the appellant before the next date of hearing and to be present in the court on the hearing date.

8. To come up for further hearing on **20-12-2018 at 11.00 AM**.

9. Copy of order be sent to the parties.

Sd/-

Place: Chandigarh, Dated: 20-11-2018