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APPEAL CASE NO. 1560 of 2019

Shri Balwinder Singh, S/o Shri Arjan Singh, Village & Post Office Dhaleke, Tehsil & District Moga.

...Appellant

Versus

Public Information Officer, O/o Tehsildar, Moga.

First Appellate Authority, O/o Sub Divisional Magistrate, Moga.

...Respondents

PRESENT: Shri Balwinder Singh, Appellant. Sh. Sandeep Singh, Patwari on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. Sh. Sandeep Singh, Patwari appears on behalf of the Respondents alongwith the information and the same is handed over to the Appellant.

3. After going through the Information, the Appellant states that incomplete information

has provided to him.

4. In view of the above, the Respondent – PIO (Shri Lakshay Gupta, Tehsildar) is directed to supply the available information, if any, if there is no other information then he file an Affidavit in response to the information supplied and should appear personally, on the next date of hearing, failing which Show Cause Notice will be issued to him as per provisions of the RTI Act, 2005.

5. The case is adjourned to **10.12.2019 at 12:30 PM.** Copies of the order be sent to the parties.

Chandigarh 20.11.2019

Sd/-(Hem Inder Singh) State Information Commissioner

Copy to Intimation & Necessary Action: - (Regd. Post)

Sh. Lakshay Gupta, Tehsildar –cum – PIO, O/o Tehsidar, Moga.

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APPEAL CASE NO. 2183 OF 2019

Sh. Bhagwan Singh, S/o Shri Arjan Singh, Village & Post Office Harpalpur, Tehsil & District Patiala.

...Appellant

Versus

Public Information Officer, O/o Naib Tehsildar,

Ghanaur, District Patiala.

First Appellate Authority,

O/o Sub Divisional Magistrate, Rajpura, District Patiala.

...Respondents

PRESENT: Sh. Bhagwan Singh, Appellant. Sh. Gurdarshan Singh, Naib Tehsildar & Sh. Jitender Rajpal, Jr. Assistant for the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. Sh. Gurdarshan Singh, Naib Tehsildar appears with the remaining information and file

an Affidavit in response to the information supplied. The same is handed over to the Appellant.

3. After going through the information and the Affidavit, the Appellant express his

satisfaction.

4. Keeping in view of the above, the Respondent has supplied the requisite information

alongwith an Affidavit to the Appellant, today in the Commission and he has acknowledged the same.

Therefore, no further action is required. Hence this Appeal Case is **closed and disposed off.** Copies of the order be sent to the parties.

Chandigarh 20.11.2019

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APPEAL CASE NO. 2201 OF 2019

Shri Darshan Lal Kansal, Gill Patti, Village Malout, District Shri Muktsar Sahib-152107

...Appellant

Versus

Public Information Officer, O/o XEN, Water Supply & Sanitation Department, MALOUT, Distt. Sri Muktsar Sahib.

First Appellate Authority,

O/o Chief Engineer (Central), Water Supply & Sanitation Department, Head Office, Nabha Road, Patiala.

...Respondents

PRESENT: None for the Parties.

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. The Appellant is absent for today's hearing in the Commission. However, he has sent a letter in the Commission mentioning therein that as per directions of the Commission, he had visited the Respondent Office for the inspection/information, but no information has been provided to him by the Respondents.

3. Neither the PIO nor his representative is present for today's hearing nor has any written reply been filed.

4. In view of the foregoing, Sh. Jaswinder Singh, XEN O/o Water Supply & Sanitation Department, MALOUT, Distt. Sri Muktsar Sahib is directed to <u>Show Cause</u> why action should not be taken against him for not attending the hearing inspite of order of the Commission. He should file a written reply in response to the show cause notice as to why the Appellant should not be compensated for the mental harassment suffered by him in getting the information. 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.



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APPEAL CASE NO. 2201 OF 2019

5. The case is adjourned to **09.01.2020 at 11:30 AM.** Copies of the order be sent to the

parties.

Chandigarh 20.11.2019 Sd/-(Hem Inder Singh) State Information Commissioner

<u>PS</u>

After the hearing was over, Sh. Abhijit Singh, Jr. Engineer came present on behalf of

the Respondents. He has been apprised of the proceedings in today's hearing, including the next date

fixed. As already noted above, adjourned to 09.01.2020 at 11:30 AM.

Chandigarh 20.11.2019 Sd/-(Hem Inder Singh) State Information Commissioner

Copy to Intimation & Necessary Action: - (Regd. Post)

Sh. Jaswinder Singh, XEN/Executive Engineer, O/o Water Supply & Sanitation Department, MALOUT, Distt. Sri Muktsar Sahib.

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APPEAL CASE NO. 2624 OF 2019

Shri Preet Singh, S/o Shri Surmukh Singh, H. No. 1231/11, Ranjit Nagar, Near NRI Colony, Randhawa Road, Kharar, District S.A.S. Nagar (Mohali).

Versus

...Appellant

Public Information Officer,

O/o Chairman Water Supply, Gram Panchayat Village Balongi, S.A.S. Nagar (Mohali).

First Appellate Authority,

O/o XEN/Executive Engineer, Water Supply and Sanitation Division No. 3, Phase-1, S.A.S. Nagar (Mohali).

...Respondents

PRESENT: Sh. Jasvir Singh on behalf of the Appellant. None on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. The representative of the Appellant states that no information has been provided to the Appellant by the Respondent – PIO till date.

3. Neither the PIO nor his representative is present for today's hearing nor has any written reply been filed.

4. After examining the case file, it is revealed that Notice of the Commission sent to the Respondent – PIO vide No. PSIC/Legal/2019/14975, dated Chandigarh: 30.082019 returned back to the Commission with these remarks on the envelope that "No Such Person At This Address. RTS"

5. In view of the above, the Respondent – PIO is again directed to file a written reply regarding the RTI application of the Appellant, on the next date of hearing, failing which strict action will be initiated against him as per provisions of the RTI Act, 2005.

6. The case is adjourned to **09.01.2020 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 20.11.2019

Sd/-(Hem Inder Singh) State Information Commissioner

Copy to Intimation & Necessary Action: - (Regd. Post)

Smt. Bhinderjit Kaur

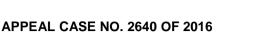
W/o Sh. Paramjit Singh, O/o Chairman Water Supply, Gram Panchayat Village Balongi Colony, S.A.S. Nagar (Mohali).



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Shri Bikramjit Bansal S/o Shri Desh Raj, R/o Land Mortage Bank Street, Arora Mohalla, District Mansa.

...Appellant

Versus

Public Information Officer,

O/o Headmistress, S.S. Jain High School, Mansa.

First Appellate Authority, O/o District Education Officer (S), Mansa.

...Respondents

PRESENT: None on behalf of the Appellant. Ms. Rekha Singla, Headmistress alongwith Adv Gaurav Gupta.

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. The Appellant is absent from today's hearing in the Commission and he was also absent on last 3rd consecutive hearings dated: 05.09.2019 and 25.09.2019. However, he has sent written arguments in the Commission vide diary no. 22225, dated: 19.11.2019. The same is taken on record.

3. Ms. Rekha Singla, Headmistress, S.S. Jain High School, Mansa appears and states that the requisite information has already been supplied to the Appellant.

4. After discussing the RTI application of the Appellant, the Respondent – PIO is directed to file an Affidavit duly attested in response to the information supplied to the Appellant alongwith reply of the Show Cause Notice issued to her vide order dated: 02.08.2017 by the then Ld. SIC S. Alwinderpal Singh Pakhoke, on the next date of hearing, failing which penalty provisions will be initiated against her as per provisions of the RTI Act, 2005.

5. Last opportunity is given to the Appellant to follow up his case in the Commission, failing which it is presumed that he has nothing to say and appropriate orders will be passed in his absence.

6. The case is adjourned to **04.12.2019 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 20.11.2019



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Smt. Rajni Gupta, W/o Shri Anurag Gupta, Chahrian Mohalla, Raja Ram Street, Sunam-148028 (Sangrur).

Versus

...Appellant

Public Information Officer, O/o Block Primary Education Officer, Block-I, Sunam, District Sangrur.

First Appellate Authority,

O/o Block Primary Education Officer, Block-I, Sunam, District Sangrur.

...Respondents

PRESENT: None for the parties.

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. The Appellant is absent from today's hearing in the Commission. However, he has Emailed in the Commission mentioning therein that she is unable to attend today's hearing in the Commission due to suffering from Dengue and further writes that no information has been provided to her by the Respondent – PIO till date.

3. Neither the PIO nor his representative is present for today's hearing nor has any written reply been filed.

4. In view of the above, the Respondent – PIO is again directed to file a written reply regarding the RTI application of the Appellant, on the next date of hearing, failing which **Show Cause Notice** will be issued him/her as per provisions of the RTI Act, 2005.

5. The case is adjourned to **09.01.2020 at 11:30 AM.** Copies of the order be sent to the parties.

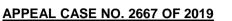
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Shri Parveen Kumar, Secretary, Parents Association Regd. Macchiwara, Ludhiana-141115

...Appellant

Versus

Public Information Officer, O/o District Education Officer (Elementary), Ludhiana.

First Appellate Authority

O/o District Education Officer (Elementary), Ludhiana.

...Respondents

PRESENT: None on behalf of the Appellant. Sh. Sushil Kumar, Accountant O/o BPEO, Machhiwara (Ludhiana).

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. The Appellant is absent from today's hearing in the Commission.

3. Sh. Sushil Kumar, Accountant O/o BPEO, Machhiwara (Ludhiana) appears on behalf of the Respondents and reiterate the previous stand that the Appellant is asked to deposit the

documentation fee of Rs. 1920/- vide letter no. 201934921, dated: 03.05.2019 through registered post, but no observation has been received from him till date.

4. The perusal of the case file, it is revealed that on the last date of hearing, the Appellant had been advised to get the information after depositing the requisite fee, but he failed to do so. It is presumed that the Appellant is neither interested to get the information nor pursue the case further.

5. In view of the foregoing, the instant Appeal is devoid of merit and not maintainable before this Commission. Therefore, no further action is required. Hence this Appeal Case is **closed and disposed off.** Copies of the order be sent to the parties.

Chandigarh 20.11.2019



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APPEAL CASE NO. 2701 OF 2019

Sh. Lucky Kumar, S/o Sh. Ram Gopal, H. No. B-V 813, Tilak Nagar, Ludhiana-8

...Appellant

Versus

Public Information Officer,

O/o Chief Accounts Officer, New Pension Scheme, Finance & Planning Bhawan, Sector-33-B, Chandigarh-160020

First Appellate Authority, O/o Secretary,

Finance Department, Punjab, Chandigarh.

...Respondents

PRESENT: Sh. Lucky Kumar, Appellant. Sh. Balwinder Singh, Deputy Director (Pension) on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. The Appellant appears and states that no information has been provided to him by the Respondent – PIO till date.

3. Sh. Balwinder Singh, Deputy Director (Pension) appears on behalf of the Respondents and states that information sought by the Appellant is third party information and cannot be provided to him. He further states that the third party also written that no personal information given to the third party (Appellant).

4. After discussing the RTI application of the Appellant, it is revealed that the information sought by him is third party information as well as denied by the third party also. As per last orders of the Commission, the Respondent has been directed to supply the complete information to the Appellant is hereby recalled and cannot be provided to him.

5. After hearing both the parties and perusing the record as available in the file, it is ascertained that the Appellant has sought the third party information which has no public interest. The Appellant is misusing the RTI Act for his personal grievances. The RTI Act is not means of grievances redressal.

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APPEAL CASE NO. 2701 OF 2019

Hon'ble Supreme Court of India in SLP no. 27734 of 2012 titled Girish Ramchandra

Deshpande Vs Cen. Information Commissioner & Ors and another in its order on 03.10.2012 has held as under:

held as under:-

6.

(13. We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right).

7.

In view of the above, no further cause of action is left in the instant Appeal Case,

which is hereby, closed and disposed off. Copies of the order be sent to the parties.

Chandigarh 20.11.2019

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APPEAL CASE NO. 2709 OF 2019

Shri Krishan Kumar, S/o Shri Karnail Singh, # 7057, Street No. 4, B/S New Bus Stand, Bathinda-151001

...Appellant

Versus

Public Information Officer, O/o Municipal Corporation, Bathinda.

First Appellate Authority, O/o Commissioner,

Municipal Corporation, Bathinda.

...Respondents

PRESENT: Shri Krishan Kumar, Appellant. Shri Gopal Krishan, Clerk on behalf of the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. The Appellant states that incomplete information has been provided to him by the Respondent – PIO.

3. Shri Gopal Krishan, Clerk appears on behalf of the Respondents alongwith the original record relating to the RTI application of the Appellant for the perusal of the Appellant and the Commission and copy of the same is handed over to the Appellant.

4. After going through the information, the Appellant states that unattested information has provided to him.

5. In view of the above, the Respondent – PIO (Sh. Lakhvir Trikha, DCFA) is directed to appear personally and bring the complete, legible and duly attested information for the Appellant, on the next date of hearing, failing which strict action will be initiated against him as per provisions of the RTI Act, 2005.

6. The case is adjourned to **26.11.2019 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 20.11.2019

Sd/-(Hem Inder Singh) State Information Commissioner

Copy to Intimation and Necessary Action: - Regd. Post.

Sh. Lakhvir Trikha, DCFA –cum- PIO, O/o Municipal Corporation, Bathinda.

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Sh. Surjit Singh, H. No. 2999/76, Street No. 4, Guru Gobind Singh Nagar, Near Mair Di Chakki, P.O. Lohara, District Ludhiana.

Versus

...Appellant

Public Information Officer,

O/o Principal Secretary, Local Government, Punjab, Municipal Bhawan, Sector-35, Chandigarh.

Public Information Officer,

O/o Commissioner, Municipal Corporation, Ludhiana.

First Appellate Authority,

O/o Principal Secretary, Local Government, Punjab, Municipal Bhawan, Sector-35, Chandigarh.

...Respondents

PRESENT:None on behalf of the Appellatn.
Ms. Vininder Kaur, Building Inspector on behalf of the Respondents.

<u>ORDER</u>: 1

This order may be read with reference to the previous order dated: 22.10.2019.

2. The Appellant is absent from today's hearing in the Commission and he was also absent on the last date of hearing i.e. 22.10.2019.

3. Ms. Vininder Kaur, Building Inspector appears on behalf of the Respondents and states that the RTI application of the Appellant related with the O/o Commissioner, Municipal Corporation, Ludhiana and the same has been transferred to him vide letter no. 前式1.41.4两)-2019/2213, dated: 05.07.2019 and the same is conveyed to the Appellant. The copy of the same is taken on record.

4. Since, the information is to be provided by the PIO O/o Commissioner, Municipal Corporation, Ludhiana. I, therefore, order that PIO O/o Commissioner, Municipal Corporation, Ludhiana be impleaded as necessary party as Respondent No. 2.



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APPEAL CASE NO. 3080 OF 2019

5. The Respondent- PIO O/o Principal Secretary, Local Government, Punjab (Town Planning Wing) has not transferred the RTI application of the Appellant within stipulated period of 5 days as mentioned under section 6 (3) of the RTI Act, 2005. Therefore, I further direct to the Respondent- PIO O/o Principal Secretary, Local Government, Punjab (Town Planning Wing) to retrieve the requisite information from the above said office and supply to the Appellant, before the next date of hearing, failing which strict action will be initiated against him as per provisions of the RTI Act, 2005.

6. The case is adjourned to **09.01.2020 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 20.11.2019

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Ms. Baljinder Kaur, D/o Sh. Mithu Singh, Village & Post Office Sivia, Tehsil & District Bathinda-151202 Mo: 8427529600, 9463321626

Versus

...Appellant

ਰਜ ਸੂਚਨਾ

PSIC

Public Information Officer, O/o Deputy District Education Officer (EE), Bathinda.

First Appellate Authority,

2.

O/o District Education Officer, (Elementary), Bathinda.

...Respondents

PRESENT:None on behalf of the Appellant.
Sh. Rajwinder Singh, Jr. Assistant for the Respondents.**ORDER:**

This order may be read with reference to the previous order dated: 05.11.2019.

Sh. Rajwinder Singh, Jr. Assistant appears on behalf of the Respondents and states

that the available information has already been supplied to the Appellant but she has time and again harassed the department by filing such kind of vague RTI applications. He further states that some information has already been given to Appellant in the others case fixed before Hon'ble SIC Sh. Sanjiv Garg.

3. The Appellant is absent from today's hearing in the Commission and she has also absent on the last date of hearing i.e. 05.11.2019. However, she has Emailed in the Commission mentioning therein that she has furnished the deficiencies to the Respondent PIO but till date complete information has not been received.

4. In view of the above, the Respondent – PIO is directed to supply the available information, if any, if there is no other information then he file an Affidavit in response to the information supplied and should appear personally, on the next date of hearing, failing which Show Cause Notice will be issued to him as per provisions of the RTI Act, 2005.

5. The case is adjourned to **10.12.2019 at 12:30 PM.** Copies of the order be sent to the parties.

Sd/-(Hem Inder Singh) State Information Commissioner

Chandigarh 20.11.2019

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APPEAL CASE NO. 3579 OF 2018

Shri Sarabjit Singh, S/o Shri Tara Singh, Village Badowal, P.O. Mandialan, District Hoshiarpur.

...Appellant

Versus

Public Information Officer,

O/o Chairman, Water Supply Committee, Gram Panchayat Badowal, District Hoshiarpur.

First Appellate Authority,

O/o Superintending Engineer, Rural Water Supply and Sanitation, Hoshiarpur.

...Respondents

PRESENT: Shri Sarabjit Singh, Appellant.

Shri Mahesh Kumar, BDPO, Shri Vijay Kumar, Panchayat Secretary & Shri Jiwan, Clerk for the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 25.09.2019.

2. Shri Mahesh Kumar, BDPO appears alongwith the information and file a Self Declaration in response to the information supplied. The same is handed over to the Appellant.

3. After going through the information and the Self Declaration, the Appellant express his satisfaction.

4. Keeping in view of the above, the Respondent has supplied the requisite information alongwith the Self Declaration to the Appellant and he has acknowledged the same. Therefore, no further action is required. Hence this Appeal Case is **closed and disposed off.** Copies of the order be sent to the parties.

Chandigarh 20.11.2019

Sd/-(Hem Inder Singh) State Information Commissioner

Copy to Intimation & Necessary Action: - (Regd. Post)

- 1) Shri Mahesh Kumar, Block Development & Panchayat Officer, Block-I, Hoshiarpur.
- 2) Shri Dilbagh Singh, S.D.O. O/o Sub Divisional Engineer, Water Supply & Sanitation Sub-Division-4, Hoshiarpur.
- 3) Shri Vijay Kumar, Panchayat Secretary, Hoshiarpur.
- 4) Sarpanch, Gram Panchayat Badowal, District Hoshiarpur.

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APPEAL CASE NO. 3907 OF 2018

Shri Yashpal Wadhwa, State President Haryana, All India Anti Injustice Council, Post Box No. 23, Yamuna Nagar.

...Appellant

Versus

Public Information Officer, O/o Chief Medical Officer (CMO), Kapurthala.

First Appellate Authority O/o Chief Medical Officer (CMO), Kapurthala.

...Respondents

PRESENT: None on behalf of the Appellant. Dr. Balwant Singh, Ex-Civil Surgeon –cum- PIO, Dr. Kuljit Singh, D.H.O. O/o Civil Surgeon, Kapurthala, S. Mohanjit Singh, Sr. Assistant O/o DHS, Punjab for the Respondents.

ORDER:

This order may be read with reference to the previous order dated: 28.08.2019.

2. The Appellant is absent from today's hearing in the Commission. However, he has

sent a letter in the Commission vide diary no. 22265, dated: 19.11.2019 mentioning therein that he is

unable to attend today's hearing in the Commission.

3. Sh. Darshan Singh, Superintendent appears on behalf of the Respondents and states

that the requisite information has been supplied to the Appellant.

4. Dr. Balwant Singh, Ex-Civil Surgeon –cum- PIO appears in person and states that the reply has already been supplied to the Appellant regarding the information sought by him. He further states that information sought by the Appellant relating to point no. A and B related with the O/o Director, Health & Family Welfare Department, Punjab and the same has been sent to him for further necessary action. No information available in this official record relating to point no. C to H of the RTI application of the Appellant.

5. Dr. Balwant Singh, Ex-Civil Surgeon –cum- PIO is exempted from further appearance in this case.

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APPEAL CASE No. 3907 OF 2018

6. In view of the above, the Respondent – PIO O/o Director, Health & Family Welfare Department, Punjab is directed to be present and submit a written statement regarding the what action has been taken by him in the RTI application of the Appellant and should appear personally, on the next date of hearing, failing which strict action will be initiated against him as per provisons of the RTI Act, 2005.

7. The case is adjourned to **04.12.2019 at 11:30 AM.** Copies of the order be sent to the parties.

Chandigarh 20.11.2019

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SECTOR 16, CHANDIGARH.

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APPEAL CASE NO. 3957 OF 2018

Shri Ajay Jindal, S/o Shri Mohan Lal, Lakhi Colony, Street No. 7, Barnala.

...Appellant

Versus

Public Information Officer, O/o Sub Divisional Engineer, Water Supply and Sewerage Board, Barnala.

First Appellate Authority,

O/o XEN/Executive Engineer, Water Supply and Sewerage Board, Sangrur.

...Respondents

PRESENT: Shri Ajay Jindal, Appellant. Sh. Rajinder Kumar Garg, S.D.O. –cum- APIO on behalf of the Respondent - PIO.

ORDER:

2.

This order may be read with reference to the previous order dated: 22.10.2019.

Sh. Rajinder Kumar Garg, S.D.O. –cum- APIO appears on behalf of the Respondent -

PIO and files an Affidavit and the same is handed over to the Appellant.

3. After going through the Affidavit, the Appellant states that Affidavit is not attested by

the appropriate authority.

4. In view of the above, the Respondent – PIO (Sh. Mahesh Chawla, XEN) is directed to

appear personally alongwith the proper Affidavit duly attested by the appropriate authority in response

to the information supplied to the Appellant, on the next date of hearing, failing which strict action will

be initiated against him as per provisions of the RTI Act, 2005.

5. The case is adjourned to **04.12.2019 at 11:30 AM.** Copies of the order be sent to the

parties. z

Chandigarh 20.11.2019

Sd/-(Hem Inder Singh) State Information Commissioner

Copy to Intimation & Necessary Action: - (Regd. Post)

Sh. Mahesh Chawla, XEN/Executive Engineer –cum – PIO, O/o XEN/Executive Engineer, Water Supply and Sewerage Board, Sangrur.