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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

PSIC PINANGE PRICE

Sh. Manjinder Singh,

House Number 2469, Sunny Enclave,

Sector -125, Kharar,

Distt. Mohali (140301) Punjab.`

...Appellant

**Public Information Officer.** 

O/o The Secretary,

Regional Transport Authority, Bathinda.

First Appellate Authority,

O/o The State Transport Commissioner, Punjab,

Sector -17, Chandigarh.

...Respondent

Appellant Case No. 70 of 2020

V/s.

**Heard through CISCO WEBEX MEETINGS Software** 

**Present**: The Appellant, Sh. Manjinder Singh is present.

Sh. Baljeet Singh, Section Officer – cum – PIO is present from the Department.

**ORDER:** 

This case was last heard on 09.09.2020 vide which the Appellant was directed to visit the concerned office on 24.09.2020 for collecting the desired information after inspecting the same.

In today's hearing, the Appellant, Sh. Manjinder Singh states that the inspection could not take place at the time of visit as the concerned persons were not available.

On this, the PIO, Sh. Baljeet Singh states that it would not be an issue if the Appellant could visit at their office again for inspection on any working day. He further mentions about an email dated 24.11.2020, which has been sent to the Commission by their department and the same is taken on record.

In view of above, the Appellant is directed to visit the concerned office on 21.12.2020 at 11.00 A.M. for collecting the requisite information after identifying the records as per his RTI Application. The PIO, Sh. Baljeet Singh and other concerned officials are directed to be present there on the said date and time to facilitate the Appellant for inspection of records and to supply the record.

The Appellant, Sh. Manjinder Singh and the PIO, Sh. Baljeet Singh are directed to mutually call each other and decide the date of inspection, **only if**, it could not take place on 21.12.2020 and the PIO, Sh. Baljeet Singh should assure that before the next date of hearing, the information should be supplied to the Appellant, by hand or through registered post.

#### Both the parties mutually agree to this.

If the **Appellant** doesn't visit for inspection then it will be presumed that the Appellant is satisfied and he doesn't require the information anymore and the case will be decided on merits.

PIO is directed to supply the requisite information (after inspection) to the Appellant, by hand and if the information is not available with them then, Sh. Baljeet Singh, PIO is

### Appellant Case No. 70 of 2020





directed to submit the same in writing signed by the PIO along with a reason that why the information cannot be supplied to the Appellant.

The Appellant is also directed after inspecting, if he observes that as per his RTI Application if any information is remaining or he is not satisfied with the same, then he must write that down and supply the letter of deficiencies by hand to the PIO at the time of inspection along with a copy to the Commission through email failing which it will be presumed that he is just prolonging the case and he does not require the information anymore and the case will decided on merits.

This case is adjourned to 27.01.2021 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 27.01.2021 which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings. Meeting Id Number: 918782948.

Copies of the orders be sent to the parties.

Dated: 24.11.2020

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

PSIC PINTON

Sh. Manjinder Singh,

House Number 2469, Sunny Enclave,

Sector -125, Kharar,

Distt. Mohali (140301) Punjab.`

... Appellant

Public Information Officer.

O/o The Secretary,

Regional Transport Authority, Jalandhar.

First Appellate Authority,

O/o The State Transport Commissioner, Punjab,

Sector -17, Chandigarh.

...Respondent

Appellant Case No. 3093 of 2019

{Heard through CISCO WEBEX MEETINGS Software}

V/s.

**Present**: The Appellant, Sh. Manjinder Singh is present.

None is present from the Department.

**ORDER:** 

This case was last heard on 09.09.2020 vide which the Appellant was directed to visit the concerned office on 17.09.2020 for collecting the desired information after inspecting the same.

In today's hearing, the Appellant, Sh. Manjinder Singh states that the inspection could not take place at that time of visit.

The Respondent/ PIO is absent without any intimation to the Commission. An email dated 25.09.2020, dated 04.11.2020 and dated 23.11.2020 which have been sent to the Commission by the Department and the same is taken on record.

After going through all the documents which are attached in the file, it has been observed that the information is still not supplied to the Appellant and the Department is giving vague replies in their letters which are not acceptable and further Commission takes a serious view of the casual approach of the Respondent/PIO.

It has also been observed from the file that a show cause notice was issued to the concerned PIO on 04.12.2019 and after all these further hearings i.e. on 28.01.2020, 30.06.2020 and 09.09.2020 (in this PIO himself or his representative were present) still information is pending.

Last and final opportunity is given to the PIO and the PIO is further directed to supply the remaining information to the Appellant (as discussed in the hearing of dated 09.09.2020) by registered post or through email along with a copy to the Commission relating to his RTI Application by the next date of hearing positively failing which further action would be taken against the concerned PIO on the next date of hearing.

The Respondent/PIO concerned is also directed to submit copy of postal receipt or submits a copy of an email (to the Commission), through which information would be sent to the Appellant, by the next date of hearing.

### Appeal Case No. 3093 of 2019 2/2



The Appellant is directed to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to 27.01.2021 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 27.01.2021 which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings. Meeting Id Number: 918782948.

Copies of the orders be sent to the parties.

Sd/-(Sanjiv Garg) State Information Commissioner Punjab

Dated: 24.11.2020

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



Sh. Manjinder Singh,

House Number 2469, Sunny Enclave,

Sector -125, Kharar,

Distt. Mohali (140301) Punjab.`

...Appellant

**Public Information Officer.** 

O/o The Secretary,

Regional Transport Authority, Jalandhar.

First Appellate Authority,

O/o The State Transport Commissioner, Punjab,

Sector -17, Chandigarh.

...Respondent

Appellant Case No. 4290 of 2019
{Heard through CISCO WEBEX MEETINGS Software}

V/s.

**Present**: The Appellant, Sh. Manjinder Singh is present.

None is present from the Department.

**ORDER:** 

This case was last heard on 09.09.2020 vide which the Appellant was directed to visit the concerned office on 17.09.2020 for collecting the desired information after inspecting the same.

In today's hearing, the Appellant, Sh. Manjinder Singh states that the inspection could not take place at the time of visit and the information has not been received by him.

The Respondent/ PIO is absent without any intimation to the Commission. An email dated 25.09.2020 and dated 23.11.2020 which has been sent to the Commission by the Department and the same is taken on record.

After going through all the documents which are attached in the file, it has been observed that the information is still not supplied to the Appellant and the Department is giving vague replies in their letters which are not acceptable and it has also been observed that the Penalty has also been deposited into the Government Treasury by the Department vide dated 15.09.2020 and the same has been intimated to the Commission vide email dated 16.09.2020 and is also taken on record.

Commission takes a serious view of the casual approach of the Respondent/ PIO as the information is still pending. Last and final opportunity is given to the PIO and the PIO is further directed to supply the remaining information to the Appellant by registered post or through email along with a copy to the Commission relating to his RTI Application by the next date of hearing positively failing which further action would be taken against the concerned PIO on the next date of hearing.

The Respondent/PIO concerned is also directed to submit copy of postal receipt or submits a copy of an email (to the Commission), through which information would be sent to the Appellant, by the next date of hearing.

# Appellant Case No. 4290 of 2019 2/2



The Appellant is directed to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to 27.01.2021 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 27.01.2021 which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings. Meeting Id Number: 918782948.

Copies of the orders be sent to the parties.

Dated: 24.11.2020

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

PSIC PINTON

Sh. Manjinder Singh,

House Number 2469, Sunny Enclave,

Sector -125, Kharar,

Distt. Mohali (140301) Punjab.`

...Appellant

**Public Information Officer.** 

O/o The Secretary,

Regional Transport Authority, Jalandhar.

First Appellate Authority,

O/o The State Transport Commissioner, Punjab,

Sector -17, Chandigarh.

...Respondent

Appellant Case No. 4599 of 2019
{Heard through CISCO WEBEX MEETINGS Software}

V/s.

**Present**: The Appellant, Sh. Manjinder Singh is present.

None is present from the Department.

**ORDER:** 

This case was last heard on 09.09.2020 vide which the Appellant was directed to visit the concerned office on 17.09.2020 for collecting the desired information after inspecting the same.

In today's hearing, the Appellant, Sh. Manjinder Singh states that as per his RTI Application he has received the information relating to the month of October, 2017 and November, 2017 but the information relating to the month of December, 2017 is still pending and requests for the same.

The Respondent/ PIO is absent without any intimation to the Commission. An email dated 25.09.2020 and dated 24.11.2020 which has been sent to the Commission by the Department and the same is taken on record.

Last and final opportunity is given to the PIO and the PIO is further directed to supply the remaining information (i.e. information relating to December, 2017 as per RTI Application) to the Appellant by registered post or through email along with a copy to the Commission by the next date of hearing else if the information is not available with them then the Respondent/ PIO is directed to submit the same in writing signed by the PIO explaining with the reason why the information cannot supplied to the Appellant till date.

The Respondent/PIO concerned is also directed to submit copy of postal receipt or submits a copy of an email (to the Commission), through which information would be sent to the Appellant, by the next date of hearing, positively.

The Appellant is directed to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

# Appellant Case No. 4599 of 2019

<u>2/2</u>



This case is adjourned to 27.01.2021 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 27.01.2021 which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings. Meeting Id Number: 918782948.

Copies of the orders be sent to the parties.

Dated: 24.11.2020

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Sh. Prem Singh, S/o Sh. Mehar Singh,

Asstt. Transport Officer (Retd.), House Number 914, Phase -7, S.A.S Nagar (Mohali)

...Appellant

V/s.

{Regd. Post} Public Information Officer,

**O/o** The Secretary, Regional Transport Authority, Sangrur.

{Regd. Post }First Appellate Authority,

**O/o** The State Transport Commissioner, Punjab, Sector -17, Chandigarh.

...Respondent

Appellant Case No. 2130 of 2019
[Heard through CISCO WEBEX MEETINGS Software]

**Present**: The Appellant, Sh. Prem Singh is present.

None is present from the Department.

**ORDER:** 

This case was last heard on 09.09.2020 vide which the Respondent/ PIO was directed to supply the information to the Appellant and the Appellant was directed to intimate to the Commission whether he had received the information or not.

In today's hearing, the Appellant, Sh. Prem Singh states that no information has been received by him.

The Respondent/ PIO is absent but an email dated 24.11.2020 has been received in the Commission vide which the Respondent/ PIO had requested for an adjournment due to family issue.

Last and final opportunity is given to the PIO and the PIO is further directed to supply the requisite information to the Appellant by registered post or through an email along with a copy to the Commission by the next date of hearing else if the information is not available with them then the Respondent/ PIO is directed to submit the same in writing signed by the PIO explaining with the reason why the information cannot supplied to the Appellant till date.

The Respondent/PIO concerned is also directed to submit copy of postal receipt or submits a copy of an email (to the Commission), through which information would be sent to the Appellant, by the next date of hearing, positively.

PIO is directed to appear in person on the next date of hearing which is going to be heard through Cisco Webex Meetings and the show cause notice which was issued to the concerned PIO on 09.12.2019 still stands.

The Appellant is directed to go through the requisite information, once he

# Appellant Case No. 2130 of 2019

<u>2/2</u>



receives the same from the Respondent/PIO and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits

This case is adjourned to 27.01.2021 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 27.01.2021 which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings. Meeting Id Number: 918782948.

Dated: 24.11.2020

Copies of the orders be sent to the parties through registered post.

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

V/s.



Sh. Jasbir Singh,

Village Bolapur, Jhabewal,

P.O. Ramgarh, Distt. Ludhiana (123455) Punjab

... Appellant

{Regd. Post} Public Information Officer,

O/o The Secretary,

Regional Transport Authority, Sangrur. (Punjab)

{Regd. Post} First Appellate Authority,

**O/o** The State Transport Commissioner, Punjab, Sector -17, Chandigarh.

...Respondent

Appellant Case No. 157 of 2020
{Heard through CISCO WEBEX MEETINGS Software}

**Present**: The Appellant, Sh. Jasbir Singh is present.

None is present from the Department.

**ORDER:** 

This case was last heard on 14.09.2020 vide which the Respondent/ PIO was directed to supply the information to the Appellant along with the compensation amount in the name of the Appellant and the Appellant was directed to clarify the Commission whether he had received the information or not.

In today's hearing, the Appellant, Sh. Jasbir Singh states that neither an information nor the compensation cheque have been received by him.

The Respondent/ PIO is absent but an email dated 24.11.2020 has been received in the Commission vide which the Respondent/ PIO had requested for an adjournment due to family issue.

Last and final opportunity is given to the PIO and the PIO is further directed to supply the requisite information to the Appellant by registered post or through an email along with a copy to the Commission by the next date of hearing else if the information is not available with them then the Respondent/ PIO is directed to submit the same in writing signed by the PIO explaining with the reason why the information cannot supplied to the Appellant till date.

The Respondent/PIO concerned is also directed to submit copy of postal receipt or submits a copy of an email (to the Commission), through which information would be sent to the Appellant, by the next date of hearing, positively.

PIO is directed to appear in person on the next date of hearing which is going to be heard through Cisco Webex Meetings and pay the amount of compensation (Rs. 2500/-) to the Appellant before the next date of hearing failing which the penalty will be imposed on the concerned PIO on the next date of hearing.



### Appellant Case No. 157 of 2020

<u>2/2</u>

The Appellant is directed to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to 27.01.2021 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 27.01.2021 which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings. Meeting Id Number: 918782948.

Dated: 24.11.2020

Copies of the orders be sent to the parties through registered post.

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.

V/s.



Sh. Jasbir Singh,

Village Bolapur, Jhabewal,

P.O. Ramgarh, Distt. Ludhiana (123455) Punjab

... Appellant

{Regd. Post} Public Information Officer,

O/o The Secretary,

Regional Transport Authority, Sangrur. (Punjab)

{Regd. Post} First Appellate Authority,

**O/o** The State Transport Commissioner, Punjab, Sector -17, Chandigarh.

...Respondent

Appellant Case No. 155 of 2020
{Heard through CISCO WEBEX MEETINGS Software}

**Present**: The Appellant, Sh. Jasbir Singh is present.

None is present from the Department.

**ORDER:** 

This case was last heard on 14.09.2020 vide which the Respondent/ PIO was directed to supply the information to the Appellant along with the compensation amount in the name of the Appellant and the Appellant was directed to clarify the Commission whether he had received the information or not.

In today's hearing, the Appellant, Sh. Jasbir Singh states that neither an information nor the compensation cheque have been received by him.

The Respondent/ PIO is absent but an email dated 24.11.2020 has been received in the Commission vide which the Respondent/ PIO had requested for an adjournment due to family issue.

Last and final opportunity is given to the PIO and the PIO is further directed to supply the requisite information to the Appellant by registered post or through an email along with a copy to the Commission by the next date of hearing else if the information is not available with them then the Respondent/ PIO is directed to submit the same in writing signed by the PIO explaining with the reason why the information cannot supplied to the Appellant till date.

The Respondent/PIO concerned is also directed to submit copy of postal receipt or submits a copy of an email (to the Commission), through which information would be sent to the Appellant, by the next date of hearing, positively.

PIO is directed to appear in person on the next date of hearing which is going to be heard through Cisco Webex Meetings and pay the amount of compensation (Rs. 2500/-) to the Appellant before the next date of hearing failing which the penalty will be imposed on the concerned PIO on the next date of hearing.



### Appellant Case No. 155 of 2020

<u>2/2</u>

The Appellant is directed to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to 27.01.2021 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 27.01.2021 which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings. Meeting Id Number: 918782948.

Dated: 24.11.2020

Copies of the orders be sent to the parties through registered post.

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Bench: Sh. Sanjiv Garg, State Information Commissioner, Punjab.



### {Regd. Post} Sh. Munish Kaushal, (9463900048)

S/o Sh. N.D. Kaushal,

13- D, Passi Road, Patiala (147001)

... Appellant

V/s.

### {Regd. Post}Public Information Officer,

O/o The Deputy Secretary,

Punjab State Power Corporation Limited (P.S.P.C.L)

Patiala.

### {Regd. Post}First Appellate Authority,

**O/o** The Chief Secretary / H.R.D,

Punjab State Power Corporation Limited (P.S.P.C.L)

Patiala.

...Respondent

### Appellant Case No. 385 of 2020

{Heard through CISCO WEBEX MEETINGS Software}

**Present**: The Appellant, Sh. Manish Kaushal is present.

Sh. Dharam Veer Saini, Deputy Director,

Sh. K.S. Bhatia, Deputy Chief Engineer (Personnel Branch),

Sh. Kamalpreet Singh, Deputy Manager (H.R.),

Sh. Rakesh Kokria, Superintendent Engineer (Technical),

Sh. Bahadur Singh, Deputy Secretary, ENG - I are present from the

Department.

#### ORDER:

This case was last heard on 28.10.2020 vide which the Respondent / PIO concerned was directed to supply the information to the Appellant and the Appellant was directed to confirm the same whether the information has been received by him or not.

In today's hearing, Sh. K.S. Bhatia states that whatever the information was available with them, it have been sent to the Appellant as well as to the Commission. He further states that the information has been sent vide memo number 7324 dated 27.10.2020 along with supporting documents, which has been received in the Commission vide diary number 15395 dated 02.11.2020 and the same is taken on record.

On this, the Appellant, Sh. Manish Kaushal states that the status of the case is same as the Department is still not supplying the information to him and sending him the vague replies. He further mentions the Commission to go through his email dated 22.11.2020, which is taken on record.

On having the point wise discussion with both the parties, it is found that information is remaining to these three points which have been discussed during the hearing and the same has to be supplied by the concerned Department.

## Appellant Case No. 385 of 2020 2/3



- 1. On asking Sh. K.S. Bhatia that when Smt. Madhuri Saxena was appointed from Foreman to Sports Officer, whether her Cadre was changed or it was a fresh appointment, on which Sh. K.S. Bhatia states that it is a fresh appointment. On further discussing with Sh. K.S. Bhatia it is found that he is going to retire from the services in three days, so Sh. K.S. Bhatia is directed before his retirement to submit the same in writing that 'Smt. Madhuri Saxena was appointed from Foreman to Sports Officer, under the fresh appointment,' along with the specific dates. Sh. K.S. Bhatia is also directed to supply the same to the Appellant along with a copy to the Commission within three days vide registered post.
- 2. On further discussion it is also found that the reply which has been given by the Department which is signed by Dy. Secretary/ Services II, PSPCL, Patiala vide memo number 7324 dated 27.10.2020 having two names in it while supplying the information i.e. in point number 01 they have written Smt. Madhuri A Singh and in the same letter at point number 04 they have written as Smt. Madhuri Saxena, so it the duty of Dy. Secretary/ Services –II, PSPCL, Patiala to clear the facts that whether in this letter they are giving information to the Appellant relating to one person or two different person, or if the name of the person has been changed, then supply the same in writing or supply an affidavit of 'name change' to the Appellant as well as to the Commission through registered post before the next date of hearing.
- 3. On further discussing, Sh. Rakesh Kokria is directed to supply the enquiry report to the Appellant, by hand. The Appellant, Sh. Manish Kaushal is directed to visit the concerned office after mutually deciding the time with Sh. Rajesh Kokeria and collect the enquiry report by himself.

Last and final opportunity is given to the PIO concerned and the PIO is further directed to supply the requisite information (as discussed above 3 points) to the Appellant by registered post or through an email along with a copy to the Commission by the next date of hearing failing which further strict action would be taken against the concerned persons or on the PIO's.

2/3

### Appellant Case No. 385 of 2020 3/3



The Respondent/PIO concerned is also directed to submit copy of postal receipt or submits a copy of an email (to the Commission), through which information would be sent to the Appellant, by the next date of hearing, positively.

The Appellant is directed to go through the requisite information, once he receives the same from the Respondent/PIO and point out deficiencies in written, **if any**, to the Respondent/PIO through registered post or through email, with a copy to the Commission, failing which the case will be decided on merits.

This case is adjourned to 27.01.2021 at 11:00 A.M.' and both the parties are directed to be present on the next date of hearing i.e. 27.01.2021 which is going to be heard through Video Conference Software/ Application Cisco Webex Meetings. Meeting Id Number: 918782948.

Dated: 24.11.2020

Copies of the orders be sent to the parties through registered post.

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Sh. Manjinder Singh,

House Number 2469, Sunny Enclave,

Sector 125, Kharar, Distt. Mohali (140301) Punjab

...Appellant

Public Information Officer.

O/o The Secretary,

Regional Transport Authority, Bathinda.

First Appellate Authority,

**O/o** The State Transport Commissioner, Punjab,

Sector -17, Chandigarh.

...Respondent

Appellant Case No. 1061 of 2019

**Heard through CISCO WEBEX MEETINGS Software** 

**Present**: The Appellant, Sh. Manjinder Singh is present.

Sh. Baljeet Singh, Section Officer – cum- PIO is present from the Department.

**ORDER:** 

Dated: 24.11.2020

This order may be read with reference to the previous order dated 09.09.2020 vide which Appellant, Sh. Manjinder Singh intimated the Commission that incomplete information has been supplied to him. The Appellant was directed to visit the Respondent's office on 24.09.2020 at 11:00 A.M. (along with earlier supplied documents) for collecting the specific information after inspecting the record

In today's hearing, Appellant, Sh. Manjinder Singh states that he has received the requisite information and he has no objection to close this present case.

The PIO, Sh. Baljeet Singh states that requisite information has already been supplied to the Appellant and requested to close this case.

After hearing both the parties and examining the case file, it is observed that requisite information stands supplied and now this case is only pending regarding penalty to be deposited or not.

As matter is pending in CWP 1326 of 2020 before the Hon'ble Punjab and Haryana High Court regarding the penalty imposed on the Respondent/ PIO amounting to Rs. 2,500/(imposed vide order dated 27.11.2019).

It is observed that this present case be taken up after decision of the Hon'ble Punjab and Haryana High Court in Civil Writ Petition 1362 of 2020.

The above mentioned case is adjourned <u>sine die</u> with the direction to the parties that as and when the above referred writ petition is decided, they shall inform the Commission. Thereafter appropriate steps will be taken to deal with this present case.

Announced in the Court. Copy of the order be sent to the parties.

Sd/-

(Sanjiv Garg)
State Information Commissioner

Punjab