

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**

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Sh Surinder Singh, S/o Shri Sona Singh  
Village Dhab Khushhal Joiya,  
Tehsil Jalalabad (East)  
Distt. Fazilka

.....Appellant  
**Vs**

**Public Information Officer,**  
O/o Civil Surgeon, Ferozepur

**First Appellate Authority,**  
O/o Food and Drugs Administration,  
Kharar, Punjab Mohali

.....Respondent

**AC.No. 2627 of 2019**

Present : (i) Sh. Balwinder Singh is appearing on behalf of the appellant  
(ii) For the respondent : Sh. Paramvir Singh Monga, Sr. Assistant and Sh. Karan, Jr. Assistant

**ORDER**

1. The RTI application is dated 15.04.2019 vide which the appellant has sought information as enumerated in his RTI 15.05.2019 and second appeal was filed in the Commission on 22.07.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 26.09.2019 in the Commission.
3. The appellant has authorized Sh. Balwinder Singh to appear on his behalf today in the Commission.
4. Respondent states that the reply has already been sent to the appellant through registered post. He states that the information pertaining to point nos. 1 and 2 is on their website i.e. [www.xnindia.gov.in](http://www.xnindia.gov.in), and the information regarding point no. 3 is not exist in the record.
5. The perusal of the file shows that the appellant has demanded information on three points. Information pertaining to point nos. 1 and 2 is on their website and the information regarding point no. 3 is not exists in their record.

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**AC.No. 2627 of 2019**

6. 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 order be sent to the parties.

**Chandigarh**  
**Dated: 26.09.2019**

Sd/-  
**(Preety Chawla)**  
**State Information Commissioner**

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Sh Sandeep Mittal, SCF 8,  
 Vikas Vihar Market ,  
 Near ICICI Bank, Ambala City - 134003

.....Appellant

**Vs**

**Public Information Officer,**  
 O/o SMO, Civil Hospital  
 Bathinda

**First Appellate Authority,**  
 O/o SMO, Civil Hospital  
 Bathinda

.....Respondent

**AC.No. 2621 of 2019**

Present : (i) None is present on behalf of the appellant  
 (ii) For the respondent : Dr. Rajinder Kumar, M.O.-cum-APIO, Sh. Sanjeev Goyal, Clerk

**ORDER**

The RTI application is dated 30.11.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 16.01.2019 and second appeal was filed in the Commission on 19.07.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 26.09.2019 in the Commission.
3. The appellant is absent today.
4. Respondent states that the reply has already been sent to the appellant on 27.12.2018, which is as under:-

ਨੰ :- 5334 ਮਿਤੀ :- 27.12.18

:- Information Regarding missing "leave/attendance record & further complaint received" against Dr. Ramesh Maheshwari- (MBBS-MD)

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲੇ ਅਧੀਨ ਪੱਤਰ ਰਾਹੀਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ ਜੀ।

Sr.No		
1	(A)	2007 ਦਾ ਰਿਕਾਰਡ ਇਸ ਦਫ਼ਤਰ ਦੇ ਪੱਤਰ ਨੰ: 1436, ਮਿਤੀ 27-4-18 ਨੂੰ ਅਚਨਚੇਤ ਫ਼ਟੀਆਂ ਦਾ ਰਿਕਾਰਡ ਵੀਡ ਆਊਟ ਕਰ ਦਿੱਤਾ ਗਿਆ ਹੈ, ਅਤੇ 2014 ਦਾ ਰਿਕਾਰਡ ਇਸ ਪੱਤਰ ਨਾਲ ਨੱਥੀ ਹੈ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਇਹ ਅਧਿਕਾਰੀ ਇਸ ਸੰਸਥਾ ਤੋਂ ਬਦਲ ਕੇ ਜਾ ਚੁੱਕੇ ਹਨ ਅਤੇ ਇਸ ਸਬੰਧੀ ਕੋਈ ਵੀ ਰਿਕਾਰਡ ਇਸ ਸੰਸਥਾ ਵਿਖੇ ਉਪਲਬਧ ਨਹੀਂ ਹੈ। <i>ਤਾਰੀਖ 22/10/18</i>
2	(B)	ਰਿਕਾਰਡ ਨਾਲ ਨੱਥੀ ਹੈ।

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**AC.No. 2621 of 2019**

He further states that moreover, the information demanded by the appellant is third party information and he has also submitted consent of the third party in the Commission office.

5. After hearing the respondent and examining the case file, it is observed that the information demanded by the appellant is third party information. This objection of the respondent is upheld.

6. 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 order be sent to the parties.

**Chandigarh**  
**Dated: 26.09.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**

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Smt. Geeta Rani Kashyap, W/o Shri Kimti Lal Kashyap,  
R/o House No. 12, Teacher Colony, Nawanshahr

.....Complainant

**Vs**

**Public Information Officer,**  
O/o Civil Surgeon,  
SBS Nagar

.....Respondent

**CC.No. 632 of 2019**

Present : (i) None is present on behalf of the appellant  
(ii) For the respondent : Dr. Balwinder Singh, Assistant Civil Surgeon, PIO, Sh.  
Harjinder Singh, Clerk

**ORDER**

1. The RTI application is dated 08.02.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 19.07.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 26.09.2019 in the Commission.
3. The Complainant Smt. Geeta Rani Kashyap is absent today.
4. Respondent files his reply, which is taken on record.
5. The perusal of the file shows that the respondent has given his reply to the complainant. Moreover, this is the complainant case and the attention of the complainant is drawn to the decision of the Hon'ble Supreme Court of India dated 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) wherein it 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. As per the above decision of the Hon'ble Supreme Court of India, the Information Commission has a power to receive and enquire into the complaint of any person who has been refused access to any information requested under this Act (section 18 (1)(b)) or has been given incomplete, misleading or false*

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**CC.No. 632 of 2019**

*information under the Act (Section 18(1)(e) or has not been given a response to a request for information or access to information within time limits specified under the Act (Section 18(1)(c)).*

6. In view of the foregoing, no cause of action is left, the complaint filed by the Complainant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

**Chandigarh**  
**Dated: 26.09.2019**

**(Preety Chawla)**  
**State Information Commissioner**

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Sh Harjeet Singh, (M:7888728750)  
MCB 5981, Street No.11/3,  
Guru Gobind Singh Nagar,  
Bathinda

.....Appellant  
**Vs**

**Public Information Officer,**  
O/o Secretary,  
Department of Social Welfare Pb(Reservation Cell),  
Sector -9, Chandigarh  
**First Appellate Authority,**  
O/o Secretary,  
Department of Social Welfare Pb(Reservation Cell),  
Sector -9, Chandigarh

.....Respondent

**AC.No. 2558 of 2019**

**Present :** (i) Sh. Harjeet Singh the appellant  
(ii) For the respondent : Sh. Nachattar Singh, PIO, Sh. Jasmandeep Singh, APIO

**ORDER**

The RTI application is dated 25.03.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 22.06.2019 and second appeal was filed in the Commission on 16.07.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 26.09.2019 in the Commission.

3. All the points have been discussed in the Commission before the appellant and the respondent. It is observed that the appellant is not satisfied with the information provided by the respondent. Hence, one more opportunity is given to the respondent to provide correct and specific reply alongwith complete information on 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.

4. To come up on **23.10.2019 at 11.00 AM** for further proceedings. Copy of the order be sent to the parties.

**Chandigarh**  
**Dated: 26.09.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**

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Sh Jagtar Singh, S/o Shri Sampooran Singh,  
Village Naraina, PO Bahamana  
Tehsil Bassi Pathana, Distt. Fatehgarh Sahib

.....Appellant

**Vs**

**Public Information Officer,**  
O/o President Cooperative Societies,  
Pawala, Distt. Fatehgarh Sahib  
**First Appellate Authority,**  
O/o Secretary,  
Department of Social Welfare Pb(Reservation Cell),  
Sector -9, Chandigarh

.....Respondent

**AC.No. 2623 of 2019**

**Present :** (i) Sh. Jagtar Singh the appellant  
(ii) For the respondent : Sh. Bikram Singh, Sr. Assistant, Smt. Sandhya Sharma, Assistant Registrar, Bassi Pathanak, Sh. Kuldeep Singh, Secretary, Sh. Dalbir Singh, Pradhan

**ORDER**

The RTI application is dated 15.04.2019 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 15.05.2019 and second appeal was filed in the Commission on 14.06.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 26.09.2019 in the Commission.
3. The appellant states that no information has been given to him so far.
4. Respondent states that their Sabha i.e. The Pawala Cooperative Societies, Pawala is not covered under the RTI Act within the meaning of Section 2 (h) RTI Act 2005. According to the Respondent, the Sabha is purely a private sabha.
5. The appellant has not been able to prove that the Sabha is a 'public authority' within the meaning of Section 2(h) of the RTI Act 2005, the present appeal case is **disposed of and closed**. However the appellant will be at liberty to file fresh RTI application with supported documents to get it declared as a public authority , in case he so wish. Copies of the order be sent to the parties.

**Chandigarh**  
**Dated: 26.09.2019**

Sd/-  
**(Preety Chawla)**  
**State Information Commissioner**



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Sh Ashwani Kumar, (M:9417124773)

S/o Sh Sant Lal,

Village Amroh, Block Talwandi,

Tehsil Mukerian, Distt Hoshiarpur

.....Appellant

**Vs**

**Public Information Officer,**

O/o Asstt Registrar,

Cooperative Societies, Mukerian

Distt Hoshiarpur

.....Respondent

**CC.No. 634 of 2019**

Present : (i) Sh Ashwani Kumar, Complainant alongwith Sh Rohit Kumar and  
Sh Ronit Kumar

(ii) For the respondent : Sh Vishal Sharma, counsel for the Respondent,  
Sh Sunil Kumar, Secy and Sh Naveet Kashyap, Inspector

**ORDER**

The RTI application is dated 09.04.2019 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 23.07.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 26.09.2019 in the Commission.

3. Sh Ashwani Kumar states that he has not received the information so far.

4. The Counsel for the Respondent states that the RTI application of the applicant was received in the office of the Assistant Registrar, Mukerian and then transferred to the office of Amroh Multipurpose Cooperative Society Agricultural Cooperative Society Ltd VPO Amroh, Tehsil Mukerian, Distt Hoshiarpur, since the information relates to them. Further regarding the abovesaid society files his reply as under:-

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**CC.No. 634 of 2019**

5. That the Amroh Multipurpose Cooperative Society Ltd. Amroh Ltd is a cooperative society registered under Punjab Cooperative Societies Act 1961 and is not amenable to the provision of RTI Act 2005 as per judgment of Hon'ble Supreme Court in Thallapalam Service Cooperative Bank Vs State of Kerla case in which it has been held that Cooperative societies are not public authorities within meaning of section 2(H) of RTI Act unless it is proved that they are owned, controlled or substantially financed by the appropriate Govt. The Amroh Multipurpose Cooperative Society Ltd. Amroh has not Govt. Share Capital or substantial financing of any kind and hence it is not a public authority. A Full Bench of this Hon'ble Commission in the case titled H.S. Hundal Vs PIO office of Central Coop. Bank Moga which is also a cooperative society , has been adjourned sine-die in view of the stay granted by Hon'ble Punjab and Haryana High Court in the case related to the Punjab State Cooperative Bank Vs. State Information Commission Punjab and others. So the society is not bound to provide information under RTI Act. So, the Amroh Multipurpose Cooperative Society Ltd. Amroh Passed a resolution dated to the effect that the cooperative societies registered under the Act were not amenable to RTI Act and it was resolved that no information could not be provided to the complainant and the complainant was informed by the office of Assistant Registrar, Cooperative Societies Mukerian vide Endst.No. Super/ARM/1138-39 dated 4.5.19 and the copy of resolution was sent along with the letter. Copy of resolution and Endst.dated 4.5.19 is attached



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**CC.No. 634 of 2019**

Copy of the same is handed over to the Appellant.

5. I have gone through the reply filed by the Counsel for the Respondent and have agreed with the same. In view of the same no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

**Chandigarh**  
**Dated:26.09.2019**

Sd/-  
**(Preety Chawla)**  
**State Information Commissioner**

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Sh Harjeet Singh, (M:7888728750)

MCB 5981, Street No.11/3,

Guru Gobind Singh Nagar,

Bathinda

.....Appellant

**Vs**

Sh Jaspal Singh, (M:9815017246)

S/o Sh Ramesh Arora,

H.No-319/3, Gurdeep Nagar,

Jagraon, Distt-Ludhiana

.....Appellant

**Vs**

**Public Information Officer,**

O/o Inspector, PUNSUP

Atam Nagar, Jagraon, Distt-Ludhiana

**First Appellate Authority,**

O/o DM,

PUNSUP, Ludhiana

.....Respondent

**AC.No. 2524 of 2019**

Present : (i) Sh Jaspal Singh, Appellant

(ii) For the respondent : Ms Nancy Kashyap, Clerk

**ORDER**

The RTI application is dated 04.04.2019 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 15.07.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 26.09.2019 in the Commission.

3. The Respondent states that the information has been sent to the Appellant through registered post.

4. The Appellant states that he has not received the same. The Respondent hands over a copy of the information to the Appellant today. The Appellant has gone through the same and states that the information provided to him is not complete.

5. Today, both the parties mutually agreed that the applicant shall visit the office of on 03.10.2019 at 11:00AM, inspect the relevant records, identify the documents copies whereof are required by him; and the respondent shall provided copies thereof,

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**AC.No. 2524 of 2019**

according to his RTI application, in accordance with the relevant provisions of the RTI Act, 2005.

6. Further, PIO-Sh Akshay Goel, Accounts Officer, is directed to be personally present on the next date of hearing alongwith the complete information. To come up on **23.10.2019 at 11:00AM**. Copy of the orders be sent to the parties.

**Chandigarh**  
**Dated:26.09.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**

**Through Registered post**

**CC:** PIO-Sh Akshay Goel, Accounts Officer O/o Inspector, PUNSUP  
Atam Nagar, Jagraon, Distt-Ludhiana

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Sh Kruneshkar, (M:7986952728)  
VPO Manakpur Sharif,  
Tehsil Kharar, Distt Mohali

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Chief Election Officer, Pb  
SCO 29-32, Sector 17-E, Chandigarh  
**First Appellate Authority,**  
O/o Chief Election Officer, Pb  
SCO 29-32, Sector 17-E, Chandigarh

.....Respondent

**AC.No. 2545 of 2019**

Present : (i) Sh Kruneshkar, Appellant  
(ii) None for the respondent

**ORDER**

1. The RTI application is dated 14.03.2019 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 15.07.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 26.09.2019 in the Commission.
3. No one has appeared on behalf of the Respondent today. However, a letter has been received from the Respondent vide Commission diary no.18563 dated 25.09.2019 stating that they shall not be able to attend the hearing today.
4. The Appellant states that he has not received the complete information so far.
5. Today is the first date of hearing and the Respondent is not present today. Hence, an opportunity is given to the Respondent to appear before the Commission and state his case. To come up on **19.11.2019 at 11:00AM**. Copy of the orders be sent to the parties.

**Chandigarh**  
**Dated: 26.09.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**

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Sh Hari Singh, (M:9855559846)  
S/o Sh Harbans Singh,  
VPO Tara Singh, Tehsil Patti,  
Distt Tarn Taran

.....Appellant  
**Vs**

**Public Information Officer,**  
O/o District Food Supply and Controller,  
Tarn Taran  
**First Appellate Authority,**  
O/o Director,  
Food Supply and Civil Supplies, Pb  
Anaaj Bhawan, Sector 39C, Chd

.....Respondent

**AC.No. 2615 of 2019**

Present : (i) Sh Hari Singh, Appellant  
(ii) For the respondent : Sh Hari Singh, Appellant and Sh Baljinder Singh,  
Supdt. and Sh Sukhraj , Jr Asstt.

**ORDER**

1. The RTI application is dated 06.03.2019 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 18.07.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 26.09.2019 in the Commission.
3. Respondent states that the information has been sent to the Appellant through registered post.
4. The Appellant states that he has not received the same. The Respondent hands over a copy of the information to the Appellant today. The Appellant has gone through the same and states that the information provided to him on point no.1 and 3 is not complete.
5. After hearing both the parties and perusing the case file, it is ascertained that the information provided on point no.1 and 3 is not complete. Hence, the Respondent is directed to provide complete information pertaining to point no.1 and 3 to the Appellant.

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**AC.No. 2615 of 2019**

Further, if the information is not available in the official record of the Respondent then to file an affidavit for the same. To come up on **23.10.2019 at 11:00AM**. Copy of the orders be sent to the parties.

**Chandigarh**  
**Dated:26.09.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**



**PUNJAB STATE INFORMATION COMMISSION**  
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Sh Dharam Chand, (M:9914127660)  
S/o Sh Surjan Ram Alias Bhagat Singh,  
R/o H.No-3062, Sector 20D, Chd

.....Appellant

**Vs**

**Public Information Officer,**  
O/o Hoshiarpur Central cooperative Bank Ltd,  
Jahan Khelan, Hoshiarpur  
**First Appellate Authority,**  
O/o Hoshiarpur Central cooperative Bank Ltd,  
Jahan Khelan, Hoshiarpur

.....Respondent

**AC.No. 2587 of 2019**

Present : (i) Sh Dharam Chand, Appellant  
(ii) For the respondent : Sh Naginder Singh Vashisht, counsel for the Respondent  
and Sh Varinder Bikram Singh, Branch Manager.

**ORDER**

1. The RTI application is dated 13.08.2018 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 18.07.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 26.09.2019 in the Commission.
3. The Appellant states that no information has been provided to him so far.
4. The Counsel for the Respondent states that the Respondent is not a public authority in terms of Section 2 (h) of the RTI Act, 2005. Hence, the information cannot be provided to the Appellant. He also files his reply in this regard. A copy of the same is handed over to the Appellant.
5. In view of the above, the no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

**Chandigarh**  
**Dated:26.09.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**

**Ph: 0172-2864117, Email: - [psic27@punjabmail.gov.in](mailto:psic27@punjabmail.gov.in)**  
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Sh Gurpreet Singh, (M:9855262502)  
S/o Sh Nachattar Singh,  
VPO Tara Singh, Tehsil Patti,  
Distt Tarn Taran

.....Appellant  
**Vs**

**Public Information Officer,**  
O/o District Food Supply and Controller,  
Tarn Taran  
**First Appellate Authority,**  
O/o Director,  
Food Supply and Civil Supplies, Pb  
Anaaj Bhawan, Sector 39C, Chd

.....Respondent

**AC.No. 2616 of 2019**

Present : (i) Sh Gurpreet Singh, Appellant alongwith Sh Hari Singh  
(ii) For the respondent : Sh Baljinder Singh, Supdt. And Sh Sukhraj, Jr  
Asstt.

**ORDER**

1. The RTI application is dated 18.10.2018 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 18.07.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 26.09.2019 in the Commission.
3. The Respondent states that he has brought the information today to be handed over to the Appellant. Copy of the same is handed over to the Appellant.
4. The appellant has gone through the same and states that the information is not complete. He has pointed out the deficiencies in the information provided to the Respondent.
5. The Respondent assures the Court that the complete information will be provided to the Appellant before the next date of hearing. To come up on **23.10.2019 at 11:00AM**. Copy of the orders be sent to the parties.

**Chandigarh**  
**Dated:26.09.2019**

**Sd/-**  
**(Preety Chawla)**  
**State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
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