**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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E-mail-psic27@punjabmail.gov.in

Sh. Parminder Lal, S/o Sh Darshan Lal,

Navi Abadi Akalgarh, Sudhar Bazar,

Ludhiana. Appellant.

Versus

**Public Information Officer,**

SDO,

Jagraon Canal, Sub Dvision Akhara,

Ludhiana.

**First Appellate Authority**

XEN, Canal Circle,

Faridkot. ...Respondent

**Appeal Case No. 1135 of 2018**

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

(ii) For the respondent: Sh.Mandeep Singh Brar,JE

**ORDER**

1. The RTI application is dated 25.11.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 05.01.2018 and second appeal was filed in the Commission on 28.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 28.05.2018 in the Commission.

3. The appellant is absent today.

4. Respondent states that the information has already been sent to the appellant

5. The appellant is absent today and this is the first date of hearing, therefore one more opportunity is given to the appellant to appear before the Commission and state his case.

6. To come up on **19.06.2018 at 11.00 AM**. Copy of the order be sent to the parties  ***through registered post.***  Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

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Sh. Sandeep, Assistant Professor,

University of Delhi, Deen Dayal Upadhyaya College,

Dwarka, Sector-3, New Delhi. Appellant.

Versus

**Public Information Officer,**

SSP, Court Complex,

Kapurthala.

**First Appellate Authority**

SSP, Court Complex,

Kapurthala.

**Public Information Officer**

**o/o SSP, Jalandhar (rural)**

...Respondent

**Appeal Case No. 1151 of 2018**

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

(ii) For the respondent: Sh. Balwinder Singh, ASI, Sh.Davinder Singh, ASI

**ORDER**

The RTI application is dated 28.11.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 01.01.2018 and second appeal was filed in the Commission on 28.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 28.05.2018 in the Commission.

3. The appellant is absent today.

4. Respondent states that the information is lying with PIO,o/o SSP, Jalandhar (Rural).

5. Since, the information is to be provided by the PIO,o/o SSP, Jalandhar (Rural).. I, therefore, order that PIO,o/o SSP, Jalandhar (Rural).be impleaded as Respondent No.2. I further direct that PIO,o/o SSP, Jalandhar (Rural).should supply the information to the Complainant before the next date of hearing.

6. To come up on **19.06.2018 at 11.00 AM**. Copy of the order be sent to the parties  ***through registered post.***

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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E-mail-psic27@punjabmail.gov.in

Sh. Maninder Singh,

# 53-B, Grid Road, Sarabha Nagar,

Patiala. . Appellant.

Versus

**Public Information Officer,**

Examination Branch, P.S.E.B,

Phase-8, Mohali.

**First Appellate Authority**

Vice Chairman, P.S.E.B,

Phase-8, Mohali. ...Respondent

**Appeal Case No. 1145 of 2018**

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

(ii) For the respondent: Sh. Ram Saroop, Sr. Assistant

**ORDER**

1. The RTI application is dated 15.01.2018 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 13.02.2018 and second appeal was filed in the Commission on 28.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 28.05.2018 in the Commission.

3. The appellant is absent today. He has sent a letter that he is unable to attend today's hearing.

4. Respondent states that the information demanded by the appellant is third party information.

5. Respondent is directed to bring consent of third party on the next date of hearing. He is also directed to bring complete information in the Commission office on the next date of hearing. It is made clear that in case the appellant does not appear on the next date of hearing , appropriate order in his absence shall be passed.

6. To come up on **19.06.2018 at 11.00 AM**. Copy of the order be sent to the parties  ***through registered post.***

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION,**

**Red Cross Building, Sector-16, Chandigarh**

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Sh Gurdev Singh, S/o Sh Gaga Singh,

Village Kothe Sapoora Singh wale,

P.O Mehma Sawai, Bathinda. Appellant.

Versus

**Public Information Officer,**

Principal,

Govt Sr. Sec. School (Girls),

Mandi Kalan Distt Bathinda..

**First Appellate Authority,**

District Education officer (S),

Bathinda . ...Respondent

**Appeal Case No. 317 of 2018**

Present: (i) Sh. Gurdev singh the appellant

(ii) for the respondent : Sh. Pritam Singh, Lecturer-cum-PIO

**ORDER**

This order may be read with reference to the previous order dated 12.03.2018 .

2. Respondent states that he has personally brought the information today in the Commission, which is handed over to the appellant.

3. The appellant states that he is not satisfied with the information provided.

4. I have carefully considered the objections of the appellant that is without substance. Appellant is advised, for his grievances, he may approach the concerned authorities. Since, information has been provided as per record, no further cause of action is left and the complaint is **closed and disposed of.** Copies of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Sh. Satish Kumar Sobti,

#292, kanchera, P.O Pratap Nagar,

Nangal Dam, Distt Ropar. Appellant.

Versus

**Public Information Officer,**

DEO (S),

Roopnagar.

**First Appellate Authority**

DEO (S),

Roopnagar ...Respondent

**Appeal Case No. 1132 of 2018**

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

(ii) For the respondent : Smt. Navjot Kaur,DY.DEO,Ropar and Smt. Kuldeep Kaur, APIO

**ORDER**

1. The RTI application is dated 18.12.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 16.01.2018 and second appeal was filed in the Commission on 28.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 28.05.2018 in the Commission.

3. The appellant is absent today.

4. Respondent states that the appellant has not sent his ID proof, therefore, information cannot beprovided to him. Respondent is directed to send complete information to the appellant. Respondent further states that she has brought information today in the commission. Copy of the same is taken on record. The appellant may collect the same from the Commission office on any working day. Respondent- Smt. Navjot kaur has given in writing that there is no other information which is pending in the office record of the respondent and there is nothing left to be furnished to him

5. 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.Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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E-mail-psic27@punjabmail.gov.in

Sh Rajesh Aggarwal, S/o Sh Ram Roop,

General Shop No-17, New Grain Market,

Sunam. Appellant.

Versus

**Public Information Officer,**

Punjab Mandi Board,

Sector-65,Phase-2, Mohali..

**First Appellate Authority,**

Punjab Mandi Board,

Sector-65,Phase-2, Mohali. ...Respondent

**Appeal Case No. 1131 of 2018**

Present: (i) Sh. Rajesh Aggarwal the appellant

(ii) for the respondent : Smt.Amarjit Kaur, Research Officer, Smt. Arshdeep Kaur, Planning Officer, Smt.Jasvir Kaur,Supdt., Smt.Iqbal Kaur, Sh.Lakhvir Singh,Jr. Assistant and Smt.Pardeep Kaur, Clerk

**ORDER**

1. The RTI application is dated 05.10.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 27.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 28.05.2018 in the Commission.

3. Respondent states that complete information has been provided to the appellant.

4. All the points have been discussed in the Commission. Smt. Jasvir Kaur, Supdt files reply which is as under:-

ਵਿਸ਼ੇ ਅੰਕਿਤ ਅਧੀਨ ਸਬੰਧੀ ਦਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਪ੍ਰਾਰਥੀ ਦੀ ਅਪੀਲ ਸਬੰਧੀ ਅਜਿਹਾ ਹਿਕਾਰਡ ਇਸ ਵਿਭਾਗ ਦੇ ਸਬੰਧਤ ਡੀਮਡ ਪੀ ਆਈ ਉ ਪਾਸੋਂ ਪ੍ਰਾਪਤ ਕਰਕੇ ਦਿਤਾ ਜਾ ਚੁੱਕਾ ਹੈ। ਸਬੰਧਤ ਡੀਮਡ ਪੀ ਆਈ ਉ ਪਾਸੋਂ ਪ੍ਰਾਪਤ ਸਵੈ ਘੋਸ਼ਣਾ ਅਨੁਸਾਰ ਜੋ ਰਿਕਾਰਡ ਮੰਡੀ ਬੋਰਡ ਪਾਸ ਉਪਲਬਧ ਸੀ ਦਿਤਾ ਜਾ ਚੁੱਕਾ ਹੈ। ਸਵੈ ਘੋਸ਼ਣਾ ਅਨੁਸਾਰ ਦਫਤਰ ਵਿਖੇ ਕੋਈ ਹੋਰ ਰਿਕਾਰਡ ਉਪਲਬਧ ਨਹੀ ਹੈ ਜੀ।

*Smt. Amarjit Kaur, Research Officer –the respondent has also filed her reply regarding point nos. 15, 16 & 17 which is as under:-*

**Appeal Case No. 1131 of 2018**

15,16,17 ਦਾ ਸਬੰਧ ਫਰਮ ਮੈਸ ਲਿਉਟ੍ਰੋਨਿਕ ਸਰਵੇਜ ਪ੍ਰਾਈ .ਇਮ ਅਮ੍ਰਿਤਸਰ ਨਾਲ ਹੈ। ਸਾਰੇ ਵੇ ਬਰਿੱਜ ਲੀਜ ਤੇ ਦਿੱਤੇ ਹੋਏ ਹਨ। ਪੰਜਾਬ ਮ਼ੰਡੀ ਬੋਰਡ ਵੱਲੋਂ ਕੇਵਲ ਫਰਮ ਤੋਂ ਲੀਜ ਮਨੀ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ। ਤੁਲਾਈ ਦਾ ਰਿਕਾਰਡ ਫਰਮ ਪਾਸ ਉਪਲੱਬਧ ਹੈ।

5. Copy of the replies filed by the respondent is handed over to the appellant today in the commission. Since, complete information has been provided to the appellant. Moreover, the respondent has also given in writing that there is no other information which is pending in the office record of the respondent and there is nothing left to be furnished to him.

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 (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Sh Bhupinder Singh Bedi, S/o Sh Dhian Singh,

Plot No. 1-2, Fateh Singh Colony,

Main Bharaiwal road,

Outside Hakiman, Amtirsar

9872827004 Appellant.

Versus

**Public Information Officer,**

Assistant Labour Commissioner,

Department of Labour, Amritsar.

**First Appellate Authority,**

Labour Commissioner,

SCO-47-48, Sector-17-E, Chandigarh. ...Respondent

**Appeal Case No. 1117 of 2018**

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

(ii) for the respondent : Sh.Vikramjeet Singh, Clerk, Sh.A.R. Kamal, ALS

**ORDER**

1. The RTI application is dated 10.11.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 27.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 28.05.2018 in the Commission.

3. The appellant is absent today.

4. Respondent states that the information has already been sent to the appellant through speed post.

5. The appellant is absent today and this is the first date of hearing, therefore one more opportunity is given to the appellant to appear before the Commission and state his case.

6. To come up on **19.06.2018 at 11.00 AM**. Copy of the order be sent to the parties  ***through registered post.***

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Sh Suresh Ram, S/o Sh Afsar,

Village Sasa Gujran, P.O Bibipur,

Distt & Tehsil Patiala. Appellant.

Versus

**Public Information Officer,**

DEO (S.E),

Patiala..

**First Appellate Authority,**

DPI (S.E)

P.S.E.B, , 4th Floor,

Phase-8, Mohali. ...Respondent

**Appeal Case No. 1113 of 2018**

Present: (i) Sh.Suresh Ram the appellant

(ii) for the respondent : Sh.Upkar Singh, Jr. Assistant

**ORDER**

1. The RTI application is dated 27.02.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 27.03.2018 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 28.05.2018 in the Commission.

3. The appellant states that he has received only information pertaining to point no one.

4. Respondent states that the appellant has demanded information on three points. Regarding remaining two points he has demanded information of private schools, which are not covered under the RTI Act. He has also given his written reply.

5. Copy of the same is handed over to the appellant today in the Commission. Since, the remaining information cannot be provided to the appellant, no cause of action is left. The appeal filed by the appellant is therefore disposed of and closed. Copy of the order be sent to the parties.

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

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Sh Navdeep Gupta,

Kothi No-455, Gilco Valley,

Kharar, Distt Mohali. Appellant.

Versus

**Public Information Officer,**

Secretary, P.S.E.B,

Phase-8, Mohali.

**Remanded Back to**

**First Appellate Authority-cum-**

Secretary Education,

Phase -8,Mohali

...Respondent

**Complaint Case No. 380 of 2018**

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

(ii) for the respondent : Smt.Charanpreet Kaur, APIO

ORDER

1. The RTI application is dated 30.12.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 20.03.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 28.05.2018 in the Commission.
3. The respondent states that the information demanded by the complainant does not relate to them so they have transferred the RTI of the complainant to the concerned departments i.e. PIO,o/o DPI(SE) and PIO,o/o School Education.
4. I have gone through the RTI of the complainant and found that that the complainant has not mentioned and specified the date , time and number of schools. Its vast record.

5. Moreover, this is the complaint case and the attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a

**Complaint Case No. 380 of 2018**

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 which is as under:-

*(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).*

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

6. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

7. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority , he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

8.In view of the observations noted above, the instant case is **disposed of.** Copies of this decision be sent to the parties ***through registered post.***

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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E-mail-psic27@punjabmail.gov.in

Sh Narinder Singh, S/o Sh Anant Singh,

Village Chak Singha, Tehsil Garhshankar,

Distt Hoshiarpur.. Complainant.

Versus

**Public Information Officer,**

Chief Agriculture Officer,

Agriculture Department, Chandigarh Road,

Aslamabad, Hoshiarpur. ...Respondent

**Complaint Case No. 379 of 2018**

Present: (i) Sh. Narinder Singh the complainant

(ii) for the respondent : None is present on behalf of the respondent

**ORDER**

1. The RTI application is dated 22.12.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.03.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 28.05.2018 in the Commission.

3. The appellant states that no information has been given to him so far.

4. A letter has been received from the respondent stating that he is unable to attend today's hearing and he has sought another date.

5. Respondent is directed to send complete information to the complainant before the next date of hearing.

6. To come up on **19.06.2018 at 11.00 AM**. Copy of the order be sent to the parties .

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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Sh Amritpal Singh,

Flat No-34-B, KV-II,

Sector-25, Pachkula.. Complainant.

Versus

**Public Information Officer,**

Executive Engineer,

Abohar Canal Division, Abohar,

Distt Fazilka. ...Respondent

**Complaint Case No. 374 of 2018**

Present: (i) Sh.Amrit Pal Singh alongwith Sh. Jit Singh

(ii) for the respondent : Sh. Chander Shekhar,

***ORDER***

1. The RTI application is dated 19.01.2018 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 26.03.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 28.05.2018 in the Commission.

3. Respondent states that complete information has already been sent to the complainant.

4. Complainant states that he is not satisfied with the information provided.

5. All the points have been discussed in the Commission. The complainant is directed to visit the office of the respondent on 04.06.2018 at 11.00 AM, inspect the record and obtain the information. Respondent is directed to provide the same to the complainant. Respondent is also directed to file point wise reply in the Commission on the next date of hearing.

**Complaint Case No. 374 of 2018**

6. To come up on **19.06.2018 at 11.00 AM**. Copy of the order be sent to the parties  ***through registered post.***

Sd/-

**Chandigarh (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**

**PUNJAB, STATE INFORMATION COMMISSION**

**Sector-16, Madhya Marg, Near Rose Garden, Chandigarh**

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E-mail-psic27@punjabmail.gov.in

Sh Hakam Singh, S/o Sh Darshan Singh,

R/o Madhir, Tehsil Giderbaha,

Distt Sri Muktsar Sahib.. Complainant.

Versus

**Public Information Officer,**

Director, S.C.E.R.T,

Phase-8, P.S.E.B, 6th Floor,

Mohali. ...Respondent

**Complaint Case No. 373 of 2018**

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

(ii) for the respondent : Smt.Indu Batra, APIO, Sh.Lakhwant Singh, Incharge DIET, Sh.Narinder Singh, Sr. Assistant, Sh. Bhagirath Lal, Lecurer DIET and Sh. Sanjeev Kumar, Sr. Assistant

**ORDER**

1. The RTI application is dated 13.12.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 23.03.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 28.05.2018 in the Commission.

3. The complainant is absent today.

4. Respondent states that the information has already been sent to the complainant. He has also filed in writing which is as under:-

ਨਿਮਰਤਾ ਸਹਿਤ ਬੇਨਤੀ ਹੈ ਕਿ ਵਿਸ਼ੇ ਅਧੀਨ ਬਿਨੈਦਾਰ ਵਲੋਂ ਲੜੀ ਨੰ 1 ਤੋਂ 4 ਤੱਕ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਪ੍ਰਾਰਥੀ ਨੂੰ ਮੁੱਹਈਆ ਕਰਵਾ ਦਿੱਤੀ ਗਈ ਹੈ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਕੋਈ ਸੂਚਨਾ ਦੇਣੀ ਪੈਡਿੰਗ ਨਹੀਂ ਹੈ।

5. After hearing the respondent, it is observed that the information has already been sent to the complainant. The complainant is absent today and the notice issued to him has not been returned undelivered which makes it clear that the same has been duly received by him.

**Complaint Case No. 373 of 2018**

Since, Complete information has been sent to the complainant. Moreover the respondent has also given in writing that there is no other information which is pending in the office record of the respondent and there is nothing left to be furnished to him.

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 (Preety Chawla)**

**Dated: 28.05.2018 State Information Commissioner**