

PUNJAB STATE INFORMATION COMMISSION
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Sector 16, Chandigarh.

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Helpline no. 0172-2864100



Sh. Pawan Kumar Singla, **(Registered Post)**
House No. B-III, Near Ashwani Chaudhary, Advocate
Nabha Gate, Sangrur

.....Complainant

Vs

Public Information Officer, (Registered Post)

O/o EO, Improvement Trust,
Sangrur

Remanded back to (Registered Post)

First Appellate Authority-cum-
Regional Deputy Director Local Govt,
Mini Sectt., 4th Floor, Room No.406-411
Patiala

.....Respondent

CC.No. 114 of 2020

Through Video-Conferencing

Present: (i) Sh. Pawan Kumar Singla the Complainant

(ii) For the Respondent: Sh. Asif Saleem, Clerk (9814564007)

ORDER

This order may be read with reference to the previous order dated 09.06.2020 vide which the respondent –PIO was directed to file his reply in response to the show cause notice.

2. Today the Complainant the Sh. Pawan Kumar Singla states that wrong information has been given to him so far.

3. The respondent states that the information, as exists, in their record has been provided to the complainant. He further states that the reply to the show cause notice has also been sent to the Commission office.

4. The reply submitted by the Respondent is found satisfactory, the show cause notice is hereby, dropped.

5. After going through the file, it is observed that this is the complaint case. 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

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CC.No. 114 of 2020

entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information 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.

3. 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.

4. 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.

5. 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
Dated: 28.07.2020

(PreetyChawla)
State Information Commissioner
Punjab

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ShDhanawant Singh (Nambardar), (9815517865)

S/o Sh. Yati Singh, KhanpurFakira,

Tehsil tirbamDistt.Sangrur(148026)

.....Complainant

..Vs

Public Information Officer,

O/oSDO, Mining and Geology, Sangrur

Registered post :

Sh. Harjot Singh,

Distt. Mining Officer-cum-PIO, Ludhiana

.....Respondent

CC No. 302of 2020

Through Video-Conferencing

Present: (i)Sh. Dhanwant Singh the complainant

(ii) For the Respondent: Sh. Avtar Singh, SDO (9832488887)

ORDER

1. The RTI application is dated 25.01.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 29.05.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 27.07.2020 in the Commission
3. The Appellant Sh. Dhanwant Singh states that wrong information has been given to him so far.
4. The respondent SDO, Sh. Avtar Singh, states that the information, as exits in their record has been sent to the complainant. He further states that the remaining information is lying with Sh. Harjot Singh, Distt. Mining Officer-cum-PIO, Ludhiana.
5. Since, the remaining information is lying with Sh. Harjot Singh, Distt. Mining Officer-cum-PIO, Ludhiana. I, therefore, order that Sh. Harjot Singh, Distt. Mining Officer-cum-PIO, Ludhianabe impleaded as Respondent No.2

CC No. 302 of 2020

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6. Both the PIOs are directed to come present on the next date of hearing with complete information on **24.08.2020 at 11.00 AM** in the office of Deputy Commissioner Sangrur through Video Conference facility. Copy of the order be sent to the parties.

Sd/-

(PreetyChawla)

State Information Commissioner
Punjab

Dated: 28.07.2020

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Helpline no. 0172-2864100



DrSurinderSingla,(M:9646070531)
S/o Late ShKaurSainSingla,
Club road, near telephone Exchange,
Sangrur-148001

Versus

.... Appellant.

Public Information Officer,
O/o Director,Health and Family Welfare, Pb CHD
ParivarKalyanBhawan, Sector 34A, CHD
First Appellate Authority-cum-O/o Director,Health and Family Welfare,
Pb. CHD ParivarKalyanBhawan, Sector 34A, CHD

.Respondent

AC No. 3676 of 2019
Through Video-Conferencing

Present: (i)Dr. SurinderSingla, the appellant
(ii)None for the respondent

ORDER

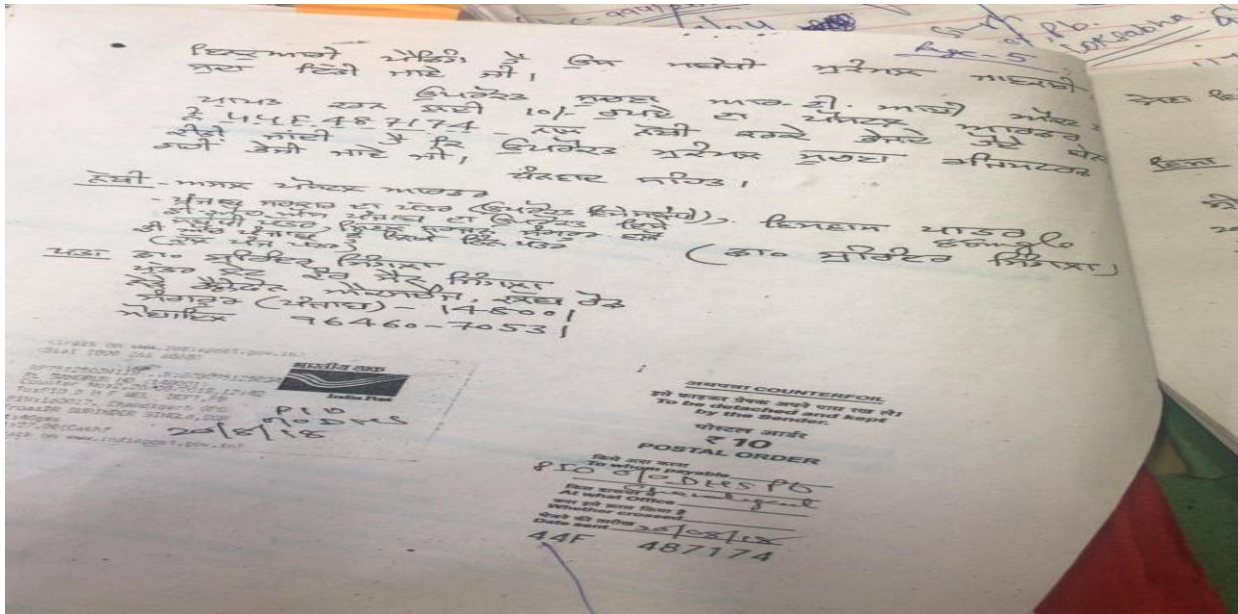
The brief facts of the case is that the appellant –ShSurinderSingla has filed his RTI filed with the O/o Director, Health and Family Welfare, Pb CHD, ParivarKalyanBhawan, Sector 34A, CHD. The information demanded by the appellant is as under:-

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AC No. 3676 of 2019



The perusal of the file discloses that the respondent –PIO has given his reply mentioning therein that the information has already been sent to you. He further added that the information has again been sent to you vide letter no. 5418 dated 16.10.2018.

2 The appellant filed first appeal before the First Appellate Authority 10.10.18. The respondent has again replied to the appellant vide their letter no/ 5517 dated 29.10.2018 that the information has already been sent to him on 16.10.2018.

3. Today the respondent is not present.

4. The appellant Sh. SurinderSingla states that he has received the information, but he has not received the information within stipulated time as prescribed under the RTI Act 2005. Moreover, he states that he was mentally harassed by the rude behavior

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AC No. 3676 of 2019

of respondent, every time he asked for the information. This shows that the respondent has no regard for the RTI regime. Such kind of behavior of a Government servant needs to be condemned and such employees need to be warned so that rest of the employees have a right kind of message to wake up and perform their duties under the RTI Act for ensuring complete transparency and due accountability in the governance affairs of the public authorities.

5. The respondent may take note that the RTI Act 2005 is meant for promoting transparency in governmental functioning by bringing to light governmental actions done behind closed doors so that the common man is kept well informed of the goings on in the public authorities with a view to strengthening democracy. The RTI Act 2005 is not to be used as a substitute for availing of services available under various statutes for matters not involving the bringing to light the mannerism of / flaws in the working of public authority.

6. The perusal of the file shows that the respondent has sent reply to the Commission office as directed during the last hearing, which is as under:-

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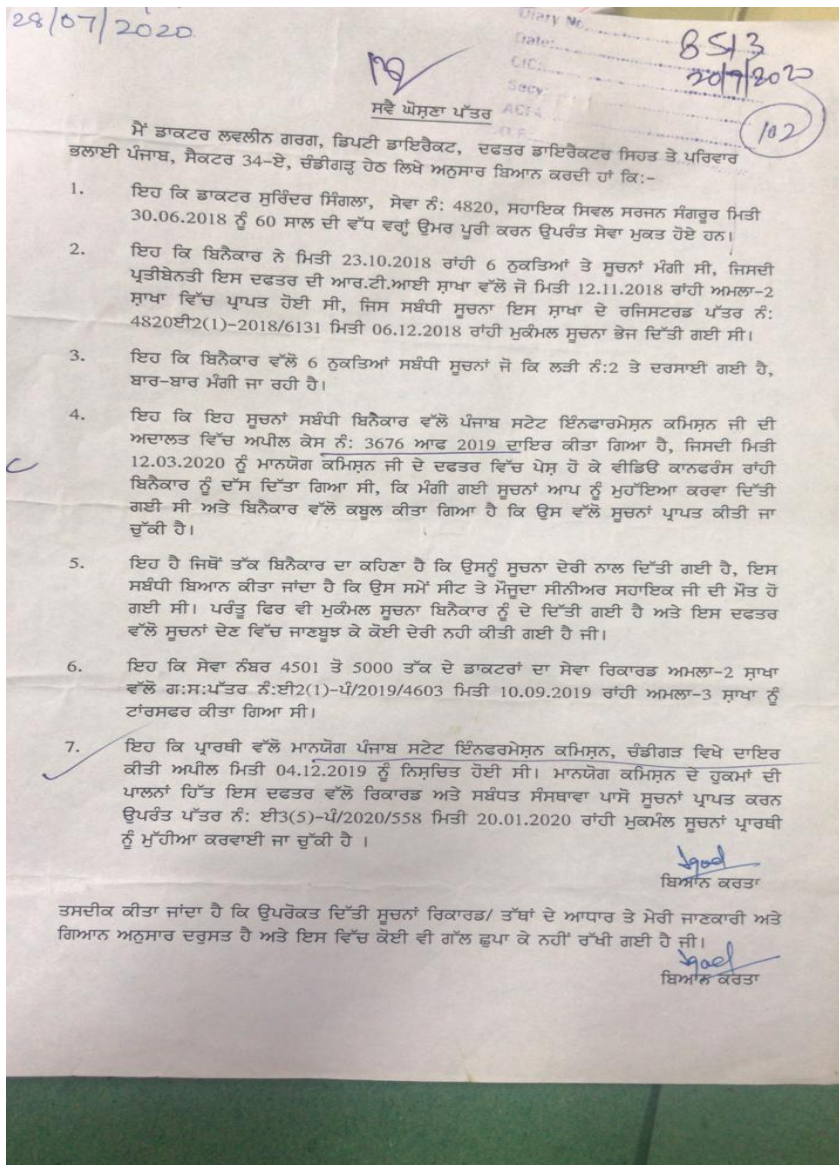
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AC No. 3676 of 2019



7. I have gone through the reply and have agreed with it.

However, due to COVID-19 , taking a lenient view, PIO is warned to be careful in futurewhile dealing with the RTI applications.

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AC No. 3676 of 2019

8. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
Dated: 28.07.2020

Sd/-
(PreetyChawla)
State Information Commissioner
Punjab

Through Registered Post

CC:1) Director, Health and FW, Pb,
Sector-34A, Chandigarh
2) Secretary, Health and FW, Pb
Mini Sectt, Sector-9, Chandigarh

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Sh. Malkait Singh Mann, (Advocate)
PreetVihar, Dhuri, Distt. Sangrur

.....Appellant

..Vs

Public Information Officer,
O/o SSP, Sangrur
First Appellate Authority
o/o SSP, Sangrur

.....Respondent

AC No. 1225 of 2020
Through Video-Conferencing

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

(ii) For the Respondent: Sh. Kuldeep Singh, ASI (8054545442)

ORDER

1. The RTI application is dated 25.12.2019 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 18.01.2020 and second appeal was filed in the Commission on 20.04.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 28.07.2020 in the Commission.

3. The appellant is absent today.

4. The respondent states that the information, as exists, in their record has been provided to the appellant.

5. After hearing the respondent and examining the case file, it is observed that the information has been given to the appellant . But the appellant is absent today. He has not informed the commission about his absence for today's hearing. It is , therefore, presumed that he is satisfied with the information provided.

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: 28.07.2020

Sd/-
(PreetyChawla)
State Information Commissioner
Punjab

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Helpline no. 0172-2864100



Sh. Malkeet Singh, S/o Sh. Jeet Singh
House No. 230, W No. 7, MohallaSubhash Nagar
SunamUdham Singh Wala, Distt. Sangrur - 148028

.....Appellant

..Vs

Public Information Officer,
O/o Deputy Commissioner, Sangrur
First Appellate Authority
O/o Deputy Commissioner, Sangrur

.....Respondent

AC No. 1203 of 2020

Through Video-Conferencing

Present: (i) Sh. MalkeetSingh the appellant

(ii) For the Respondent: Sh. Gurdarshan Singh, Reader to SDM Sunam (9915427936)

ORDER

The RTI application is dated 08.11.2019 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 31.12.2019 and second appeal was filed in the Commission on 23.03.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 28.07.2020 in the Commission
3. The appellant Sh. Malkeet Singh states that he has demanded information on four points. He further states that he has received information pertaining to point nos. 1, 2 and 3, but he has not received information regarding point no. 4.
4. Regarding point no. 4, the respondent is directed to inspect the record to the appellant within fourteen days on any working day. The appellant is directed to visit the office of the respondent and obtain the information.
5. To come up on **01.09.2020 at 11.00 AM** in the office of Deputy Commissioner Sangrur through Video Conference facility. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 28.07.2020

(PreetyChawla)
State Information Commissioner
Punjab

Registered post

CC: SDM, Sunam

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Sh. Gurdeep Singh, S/o Sh. Bishan Singh
House No. 17D, Nursery Bagh Colony,
Faridkot – 151203 (9780008668)

.....Appellant

..Vs

Public Information Officer,
O/oBaba Farid University of Health Sciences
Faridkot
First Appellate Authority
O/o Baba Farid University of Health Sciences
Faridkot

.....Respondent

AC No. 1129of 2020
Through Video-Conferencing

Present: (i)Sh. Karamveer Singh Bhuller, Counsel of the appellant (9988132482)
(ii) For the Respondent: Sh. RajnishGarg, Law Officer (9815553933)

ORDER

The RTI application is dated 12.02.2018 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 14.03.2018 and second appeal was filed in the Commission on 16.03.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 28.07.2020 i.e. today in the Commission
3. The respondent states that as the matter *issub-judice* in the Hon'ble Punjab & Haryana High Court, the information could not be provided.
4. The respondent is directed to file an affidavit stating the same on the next date of hearing. He is further directed to file point-wise specific reply on the next date of hearing with a copy to the Commission.
5. To come up on **24.08.2020 at 11.00 AM** in the office of Deputy Commissioner Faridkot through Video Conference facility. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 28.07.2020

(PreetyChawla)
State Information Commissioner
Punjab

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Sh. Jaswant Singh, # 244, Medical Campus
Sadiq Road, Faridkot - 151203

.....Appellant

..Vs

Public Information Officer,
O/o Baba Farid University of Health Sciences
Faridkot

First Appellate Authority
O/o Baba Farid University of Health Sciences
Faridkot

.....Respondent

AC No. 1201 of 2020
Through Video-Conferencing

Present: (i) Sh. Jaswant Singh the appellant

(ii) For the Respondent: Sh. Rajnish Garg, Law Officer (9815553933)

ORDER

The RTI application is dated 13.05.2019 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 11.12.2019 and second appeal was filed in the Commission on 26.03.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 28.07.2020 i.e. today in the Commission

3. Today, the respondent states that complete information has already been provided to the appellant except point no. 10 and as the matter is *sub-judice* in the Hon'ble Punjab & Haryana High Court regarding point no. 10, hence, the information could not be provided.

4. The appellant is directed to point out deficiencies in the information provided by the respondent within ten days. On receipt of the deficiencies, the respondents are directed to remove the same before the next date of hearing.

5. To come up on **24.08.2020 at 11.00 AM** in the office of Deputy Commissioner Faridkot through Video Conference facility. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 28.07.2020

(PreetyChawla)
State Information Commissioner
Punjab

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Sh Ajmer Singh,
#429, Housefed Colony,
Bathinda- 151005

.....Appellant

..Vs

Public Information Officer,
O/o Asstt. Registrar,
Cooperative Societies, Bathinda

First Appellate Authority
O/o Joint Registrar,
Cooperative Societies, Ferozepur

.....Respondent

AC No.1684 of 2019
Through Video-Conferencing

Present: (i) Sh. Ajmer Singh, Appellant (9872700429)
(ii) For the Respondent: Sh. Hameer Singh, A.R. Cooperative Societies (9878969907)

ORDER

This order may be read with reference to the previous order dated 10.06.2020 vide which the appellant was directed to point out deficiencies.

2. The respondent states that the amount of compensation i.e. Rs. 5000/- has already been given to the appellant in cash.
3. The appellant states that he has received amount of compensation. He further states that he is not satisfied.
4. Respondent is directed to file an affidavit stating 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 on or before the next date of hearing.
5. To come up on **15.09.2020 at 10.30 AM** through CISCO WEBEX. Copy of the order be sent to the parties.

(Usage Steps: Install Cisco Webex<click on JOIN MEETING, Write Meeting Number: 919860773)

Chandigarh
Dated: 28.07.2020

Sd/-
(PreetyChawla)
State Information Commissioner
Punjab

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Sh Ravi Kumar, S/o ShDharminder Kumar,
R/o House No.107, Near SantpurGurudwara Sahib,
Patiala Gate, Sangrur (M-93560-37575)

.....Appellant

Vs

Public Information Officer,
O/o EO, Nagar Council, Sangrur
First Appellate Authority
o/o Deputy Director Local Govt., Patiala

.....Respondent

AC.No. 1125 of 2020
Through video conference

Present : None for the parties.

ORDER

The RTI application is dated 03.12.2019 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 16.03.2020 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 28.07.2020 in the Commission

3. Today, neither the Appellant nor the Respondent is present. However, the Appellant has sent an e-mail stating that due to some personal reasons he shall not be able to attend the hearing today. Copy of the same is taken on record.

4. Since, both the parties are absent, an opportunity is given to both the parties to appear before the Commission and state their case. To come up on **01.09.2020 at 10:00AM** through Video-conferencing facility in the office of DC, Sangrur. Copy of the orders be sent to the parties.

Dated :28.07.2020
State Information Commissioner

Sd/-
(PreetyChawla)

Punjab

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ShAjayNand/Ajay Kumar Mehta,
#C-118, East Mohan Nagar,
Chamrang Road, Amritsar(M- 98146-46309)

.....Appellant

Vs

Public Information Officer,
O/o SSP, Vigilance Bureau, KitchluChowk,
Amritsar

First Appellate Authority
O/o DGP, Vigilance Bureau, Punjab
Sector-68, Vigilance Bhawan, Mohali

.....Respondent

AC.No. 1168 of 2020
Through video conference

ORDER

The Above-mentioned Appeal case could not be heard today as the Video- Conferencing facility was not working. Hence, the Above-mentioned Appeal case is adjourned to 19.08.2020 at 11:00AM through CISCO-Webex(Video-Conferencing application) . Copy of the orders be sent to the parties.

(Usage Steps: Install CISCO Webex<click on JOIN MEETING, Write Meeting Number:919860773)

Dated :28.07.2020
State Information Commissioner

Sd/-
(PreetyChawla)

Punjab

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Sh AjayNand/Ajay Kumar Mehta,
#C-118, East Mohan Nagar,
Chamrang Road, Amritsar(M- 98146-46309)

.....Appellant
Vs

Public Information Officer,
O/o SSP, Vigilance Bureau, KitchluChowk,
Amritsar

First Appellate Authority
O/o DGP, Vigilance Bureau, Punjab
Sector-68, Vigilance Bhawan, Mohali

.....Respondent

AC.No. 1212 of 2020
Through video conference

ORDER

The Above-mentioned Appeal case could not be heard today as the Video-Conferencing facility was not working. Hence, the Above-mentioned Appeal case is adjourned to 19.08.2020 at 11:00AM through CISCO-Webex(Video-Conferencing application) . Copy of the orders be sent to the parties.

(Usage Steps: Install CISCO Webex<click on JOIN MEETING, Write Meeting Number:919860773)

Dated :28.07.2020
State Information Commissioner

Sd/-
(PreetyChawla)

Punjab

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SmtRupinderKaur,W/o ShGurbinder Singh,
R/o H.No-63, Dhillon Colony,
Near Mohindra College, Patiala

.....Complainant

Vs

Public Information Officer,
O/o Principal , Govt. Mohindra College, Patiala

First Appellate Authority,
O/oDPI(Colleges) Punjab
Punjab School Education Board Complex,
Near Mohali Old Bus Stand, Phase-8, SAS Nagar

.....Respondent

AC.No. 478 of 2020

Present :(i) ShShashiBhushanGalav, Advocate for the Appellant.

(ii) For the Respondent: Sh S SRekhi, Astd. Professor (9501023423)

ORDER

This order may be read with reference to the previous order dated 22.06.2020.

2. The Respondent states that the information, as available, in the record has been provided to the Appellant.

3. Today, Sh. ShashiBhushanGalav Advocate is appearing on behalf of the Appellant and states that, as directed in the previous hearing, they have filed their rejoinder.

4. After hearing both the parties and perusing the documents placed on record, it is ascertained that Sh. ShashiBhushanGalav Advocate,(Counsel for the appellant) has filed his rejoinder. He also hands over a copy of the same to the Respondent today. Hence, the Respondent is directed to file his reply to the rejoinder within 10 days. Further, **PIO-Ms. SimratKaur, Principal** O/o Respondent is directed to be present personally on the next date of hearing alongwith the complete information.

5. To come up on 24.08.2020 at 11:00AM through CISCO-Webex(Video-Conferencing application) . Copy of the orders be sent to the parties.

(Usage Steps: Install CISCO Webex<click on JOIN MEETING, Write Meeting Number:919860773)

Chandigarh
Dated: 28.07.2020

Sd/-
(PreetyChawla)
State Information Commissioner
Punjab

CC: PIO-Ms SimratKaur, Principal O/o Govt. Mahindra College, Patiala(through Registered Post)

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Helpline no. 0172-2864100



Sh. Mohammad Hanif, Baldev Colony, Nabha,
Distt Patiala-147201

.....Appellant

Vs

Public Information Officer,
O/o Civil Surgeon, Patiala
First Appellate Authority,
O/o Civil Surgeon, Patiala

.....Respondent

AC.No.127 of 2020

Present: (i) None for the Appellant.
(ii) For the respondent :Sh.Gurpreet, SrAsstt.(98038-56564)

ORDER

This order may be read with reference to the previous order dated 19.03.2020, vide which the above-mentioned Appeal case was disposed off and closed on the assurance of the Respondent to provide the information to the Appellant. However, the Appellant filed an e-mail in the Commission office mentioning therein that no information has been provided to him so far. Hence, the appeal case has been fixed for today, i.e 28.07.2020 for re-hearing.

2. Today, the Appellant is not present. However, he has sent an e-mail stating as under:-
"But due to some prior engagement in an important work, I'm unable to attend the hearing."
Copy of the same is taken on record.
3. The Respondent states that the information, as exists, in the record has been sent to the Appellant.
4. Since, the appellant is absent, one more opportunity is given to him to appear before the Commission and state his case.
5. To come up on **24.08.2020 at 11:00AM through CISCO-Webex(Video-Conferencing application)** . Copy of the orders be sent to the parties.

(Usage Steps: Install CISCO Webex<click on JOIN MEETING, Write Meeting Number:919860773)

Sd/-

Dated: 28.07.2020
State Information Commissioner

(PreetyChawla)

Punjab

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

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com
Helpline no. 0172-2864100



Sh. AnilKhanna, (M-81968-11008)
#T-131135/, Garden Street,
KatraMoti Ram, Amritsar-143006

.....Appellant

Vs

Public Information Officer,
O/o Guru Nanak Dev University, Amritsar

First Appellate Authority
O/o Guru Nanak Dev University, Amritsar

.....Respondent

AC.No. 1378 of 2020
Through video conference

ORDER

The Above-mentioned Appeal case could not be heard today as the Video-Conferencing facility was not working. Hence, the Above-mentioned Appeal case is adjourned to 19.08.2020 at 11:00AM through CISCO-Webex(Video-Conferencing application) . Copy of the orders be sent to the parties.

(Usage Steps: Install CISCO Webex<click on JOIN MEETING, Write Meeting Number:919860773)

Dated :28.07.2020
State Information Commissioner

Sd/-
(PreetyChawla)

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Sh. KarnailSingh Neelowal, Conveenor(M: 9814140915)
AmbedkarChetnaManch, Punjab
Head office, VillageNeelowal,
Tehsil Sunam, Distt: Sangrur

.....Appellant

..Vs

Public Information Officer,
O/o CDPO, Sunam-I, Distt: Sangrur
First Appellate Authority
O/o District Program Officer, Sangrur

.....Respondent

AC No. 4315 of 2019
Through video conference

Present: (i) None for the Appellant

(ii) For the Respondent: Sh.ShubhamBhardwaj, CDPO (9646666686)

ORDER

This order may be read with reference to the previous order dated 09.06.2020

2. The Appellant is not present today.

3. The Respondent states that the information sought by the Appellant is very voluminous. He further states that the Appellant had also pointed out specific information but the same is also voluminous.

4. After hearing the respondent and examining the case file, it is observed that the Appellant had pointed out specific information, but the same was not clear. Hence, on the previous date of hearing, the Appellant was directed to send a clear copy of the same but it has not been received till date in the Commission office.

5. In view of the above, last opportunity is given to the Appellant to send a clear copy of the deficiencies/specific information to the Commission office, otherwise appropriate order shall be passed.

6. To come up on **01.09.2020 at 10:00AM through Video-conferencing facility in the office of DC, Sangrur.** Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 28.07.2020

(PreetyChawla)
State Information Commissioner
Punjab