

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Madhya Marg, Sector 16, Chandigarh.

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FINAL ORDER

Sukrit Sharda,
50/186, Old Shahpur Road,
Pathankot – 145 001

Versus

Public Information Officer,
o/o Executive Engineer,
Punjab Mandi Board,
Barnala – 148 101

First Appellate Authority,
o/o Chief Engineer (North) Punjab Mandi Board,
Punjab Mandi Bhawan,
Sector-65 A, SAS Nagar (Mohali) – 160 062

Appeal Case No. 3190 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

(Respondent) Absent

ORDER:

(To be read in continuity with earlier orders on 5.4.2022)

1. The RTI application is dated **3.2.2021** vide which the appellant has sought information **regarding cash books, MB, bills, vouchers etc. from 1.4.2020 to 31.1.2021**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **1.4.2021** and Second Appeal was filed in the Commission on **13.7.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **5.4.2022**.
2. Both parties are absent. At the last hearing on 5.4.2022, the appellant Sh. Sukrit Sharda, was given a final opportunity to submit a clarification pertaining to the respondent's Letter No. 512 Dated 25.2.2021. The appellant has failed to avail of the said opportunity.
3. This Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

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FINAL ORDER

Randhawa Singh,
S/o Sh. Gursewak Singh,
R/o VPO Tut,
Tehsil & District Ferozepur.

Versus

Public Information Officer,
o/o Divisional Engineer,
Punjab State Tubewell Corporation,
Canal Colony, Ferozepur.
First Appellate Authority,
o/o Superintendent Engineer,
Punjab State Tubewell Corporation,
Faridkot.

Appeal Case No. 2921 of 2022 (Video Conference Proceedings)

PRESENT:

Randhawa Singh (Appellant) 78885-45278

Deepak Kumar, Sub Divisional Engineer (for the Respondent) 94176-01276

ORDER:

1. The RTI application is dated **12.2.2021** vide which the appellant has sought information **regarding Mogha No. 29500/R Sampawali**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **10.5.2022** and Second Appeal was filed in the Commission on **21.6.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **29.7.2022**.

2. Both parties are present. The respondent PIO, represented by Deepak Kumar, Sub Divisional Engineer, has submitted a copy of reply sent to the appellant vide Letter No. 1203-04 Dated 22.5.2022, whereby most of the requested information has been supplied to the appellant except for the MBs requested. Regarding said MBs, the respondent states that these were not submitted to the department by the concerned Engineer, who retired in 2014. He states that a letter for the recovery of said MBs has now been written to the concerned engineer on 25.7.2022. The appellant has also submitted a detailed written submission dated 26.5.2022.

3. The respondent PIO is hereby directed to submit a copy of Letter written for recovery of the MBs Dated 25.7.2022, to the Commission with a copy to the appellant. The respondent PIO is also to submit a written explanation for the long delay in addressing this RTI application. A copy of said explanation is also to be supplied to the appellant. This Must be done within 14 days of receipt of this Order.

4. The appeal is accordingly **Disposed of.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
28.7.2022

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FINAL ORDER

Lajpat Rai,
S/o Harbans Lal,
H.No B-3/287, Romana Street,
Jaito, District Faridkot.

Versus

Public Information officer,
o/o Divisional Forest Officer,
Bhagat Singh Colony, Ferozepur City.
First Appellate Authority-cum-
o/o Conservator of Forests,
Near Wazidpur Gurdwara,
Moga Road, Ferozepur.

Appeal case No.778 of 2021 (Video Conference proceedings)

PRESENT

(Appellant) Absent

Chamkaur Singh, Forest Range Officer (for the Respondent) 99158-75076

ORDER

*(To be read in continuity with earlier order on **29.7.2021 and 6.5.2022**)*

1. The RTI application is dated **21.3.2020** vide which the appellant has sought information **regarding construction of new double storey buildings**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **19.12.2020** and Second Appeal was filed with the Commission on 3.2.2021 under Section 19 of the Right to Information Act 2005. The case was last heard on **6.5.2022**.
2. The appellant is absent. At the last hearing on 6.5.2022, the respondent PIO was issued a Show Cause Notice to which he has submitted a written reply vide Letter No. 253 Dated 22.7.2022, as directed by the Commission. The PIO has submitted a copy of a fresh pointwise reply to the RTI application, which was sent to the appellant vide Letter No. 256-57 Dated 2.7.2022, along with attested copies of the information as available in the record.
3. The Commission has examined the above and is of the view that this RTI application has been adequately addressed. This Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

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FINAL ORDER **REGISTERED**

Mohan Lal,
S/o Raj Kumar,
R/o 175, Military Hospital, Abohar Cantonment,
Tehsil Abohar, District Fazilka.

Versus

Public Information Officer,
o/o Commissioner, Municipal Corporation Abohar,
Abohar.
First Appellate Authority,
Commissioner, Municipal Corporation,
Abohar.

Appeal Case No. 3168 of 2020 (Video Conference Proceedings)

PRESENT:

Mohan Lal (Appellant) 94179-65524
Ramesh Sharma, Clerk (for the Respondent) 94176-75073

ORDER:

*(To be read in continuity with earlier orders on **3.2.2021, 29.9.2021, 17.2.2022, and 18.5.2022**)*

1. The RTI application is dated **12.3.2020** vide which the appellant has sought information **regarding properties of MC Abohar that have been given on lease etc.**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **23.6.2020**, and Second Appeal was filed in the Commission on **21.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **18.5.2022**.
2. Both parties are present. The respondent PIO has still not complied with the directions issued to him vide this Commission's Order of 3.2.2022, whereon he was issued a Show Cause Notice on 18.5.2022. The respondent PIO has submitted a representation in response to said Show Cause Notice on 22.7.2022, whereon he pleads that there was no willful delay or denial of the requested information. The respondent PIO, represented by Ramesh Sharma, Clerk, has further sought an additional Four months time to comply with the Commission's Order regarding the uploading of information regarding lease and rental properties of MC, Abohar on its Website. Following from the above, the Commission grants the respondent PIO Four additional months from the date of receipt of this Order to comply with this Commission's direction at para 3 of its Order of 3.2.202.
3. Meanwhile, the appellant, who is an employee at the Military Hospital, Abohar, stated that he has made as many as Six trips to diligently attend each hearings of this Appeal Case. The Commission deems it fit to award compensation to the appellant Sh. Mohan Lal.

Contd....2

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Appeal Case No. 3168 of 2020 (Video Conference Proceedings)

4. In view of the harassment and detriment caused to the appellant, **Sh. Mohan Lal**, this Commission deems it appropriate to award a **compensation of Rupees Five Thousand (Rs. 5,000.00)**. This is to be paid vide a crossed cheque / demand draft, by the Public Authority, in this instance, the Commissioner, Municipal Corporation, Abohar, within 15 days of receiving this Order. Proof of payment is to be submitted to this Commission.

6. The payment of compensation must be implemented within 15 days of receipt of this Order. This Appeal Case is accordingly **Disposed of**. Copy of Order be conveyed to Registry Branch for follow up on compliance.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

Cc: 1. Deputy Registrar, PSIC for follow up of compliance.
2. Commissioner, Municipal Corporation, Abohar, for information and further necessary action.

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FINAL ORDER

Rajesh Kumar Thakral,
S/o Sh. Nand Lal,
E-3456, Street-I-Daan, Near Raja Cinema Road,
Tehsil & District Fazilka – 152 123

Versus

Public Information Officer,
o/o Forest Department,
Near Malout Chowk,
Fazilka.

Complaint Case No. 4 of 2022 (Video Conference Proceedings)

PRESENT:

Rajesh Kumar Thakral (Complainant) 98559-68371
Nishan Singh, Range Officer (for the Respondent) 92564-37000

ORDER:

(To be read in continuity with earlier orders on 1.6.2022)

1. The Complainant **Sh. Rajesh Kumar Thakral**, filed this RTI application is Dated **1.12.2021** and sought information, as enumerated in his RTI application, from the **PIO o/o Forest Department, Fazilka**. When no information was received, the Complainant filed a complaint under section 18 of the RTI Act.2005, to the Commission on **20.12.2021**. The case was last heard on **1.6.2022**.

2. Both parties are present. The respondent PIO has submitted a reply to the Show Cause Notice vide Letter No. 3065 Dated 22.7.2022, along with the reply sent to the complainant vide Letter No. 3065 Dated 22.7.2022 which also includes a pointwise reply from the Forest Range Officer, Fazilka vide Letter No. 173 Dated 13.7.2022.

3. This is however, a Complaint case and the Show Cause Notice issued to the respondent PIO vide this Commission's Order of 1.6.2022, was to give him / her an opportunity to explain the long delay in addressing this RTI application. The respondent PIO is hereby directed to submit a written explanation for the delay within 15 days of receipt of this Order.

4. This Complaint Case is accordingly disposed of.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

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FINAL ORDER

Jagdeep Singh,
S/o Harkewal Singh,
Vill. Karampatti, Tehsil Malout,
Sri Muktsar Sahib.

Versus

Public Information officer,
o/o Executive Engineer,
Abohar Canal Division,
Abohar, Fazilka.

Complaint Case No. 1133 of 2021 (Video Conference Proceedings)

PRESENT:

(Complainant) Absent
Sunil Kumar, Clerk (for the Respondent) 90238-35941

ORDER:

(To be read in continuity with earlier orders on 1.6.2022)

1. The Complainant **Sh. Jagdeep Singh**, filed this RTI application is Dated **25.2.2021** and sought information **regarding work of lining of the Kundal Minor by the Labour and Construction Cooperative Society Karampatti, from the PIO o/o Executive Engineer, Abohar Canal Division, Fazilka.** When no information was received, the Complainant filed a complaint under section 18 of the RTI Act.2005, to the Commission on **7.9.2021**. The case was last heard on **1.6.2022**.

2. The complainant is absent. At the last hearing on 1.6.2022, the respondent PIO was issued a Show Cause Notice to which he has submitted a reply vide email Dated 18.7.2022, along with a copy of the reply/information sent to the complainant vide Letter No. 14/RTI Dated 29.4.2022. The respondent PIO has explained the delay due to the fact that the Complainant did not provided the specific details regarding the information because of which it took additional time to address his RTI application.

3. The Commission has examined the respondent's reply to the Show Cause Notice and is of the view that there was no willful or malafide attempt to deny or delay the on the part of the respondent PIO.

4. In view of the above, this Complaint Case is accordingly **Disposed of.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

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FINAL ORDER

Chanderdeep Manggu, Advocate,
Office No. 172, District Court,
Fazilka.

Versus

Public Information Officer,
o/o District Mandi Officer,
Sri Muktsar Sahib.
First Appellate Authority,
o/o Secretary, Punjab Mandi Board,
Mohali

Appeal Case No. 1315 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Gourav Garg, District Mandi Officer (for the Respondent) 90568-38465

ORDER:

1. The RTI application is dated **15.11.2021** vide which the appellant has sought information **regarding seasonal management tender for Mandi Malout for the year of 2021-2022**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.1.2022** and Second Appeal was filed in the Commission on **15.3.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **29.7.2022**.
2. The appellant is absent but has informed the Commission vide email on 27.7.2022 that he has received the requested information. Copy of said information has also been sent, to this Commission vide Letter No 133308 Dated 22.7.2022.
3. This Appeal is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

PUNJAB STATE INFORMATION COMMISSION

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FINAL ORDER

Chanderdeep Manggu, Advocate,
Office No. 172, District Court,
Fazilka.

Versus

Public Information Officer,
o/o District Mandi Officer,
Mandi Board, Fazilka.
First Appellate Authority,
o/o Secretary, Punjab Mandi Board,
Mohali

Appeal Case No. 1316 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Davinder Singh, District Mandi Officer (for the Respondent) 98147-80245

ORDER:

1. The RTI application is dated **15.11.2021** vide which the appellant has sought information **regarding seasonal management Tender for Arniwala and Fazilka for the year of 2021-2022**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.1.2022** and Second Appeal was filed in the Commission on **15.3.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **29.7.2022**.

2. The appellant is absent but has informed the Commission of his inability to attend this hearing. The respondent PIO submitted a copy of a reply sent to the appellant vide Letter No. 2054 Dated 16.12.2021, along with a pointwise reply to the RTI application from the Secretary Market Committee vide Letter No. 665 Dated 14.12.2021. In said reply, the information pertaining to points 2, 3, and 4 has been denied as per "personal and third party information".

3. The Commission has examined the RTI application and concurs with the respondent that point No. 2 qualifies as personal and/or third party information. The PIO's contention regarding point No. 3 and 4 is however, rejected and he is directed to provide a written reply along with the attested copies of the information pertaining to points 3 and 4 of this RTI application, to the appellant with a copy to this Commission. This must be done within 15 days of receipt of the order. Copy of this Order be conveyed to Registry Branch for follow up of compliance.

4. This Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

Cc: Deputy Registrar, for follow up of compliance.

PUNJAB STATE INFORMATION COMMISSION

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FINAL ORDER

Manoj Nagpal,
S/o Sh. Rakesh Nagpal,
Sarhad Kesari Newspaper,
Panchayat Samiti Market,
Fazilka – 152 123

Versus

Public Information Officer,
o/o XEN, Mandi Board,
Fazilka.
First Appellate Authority,
o/o XEN, Mandi Board,
Fazilka.

Appeal Case No. 1354 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Sourabh Jhorar, Senior Assistant (for the Respondent) 98844-00040

ORDER:

1. The RTI application is dated **27.10.2021** vide which the appellant has sought information **regarding repair of Link Road Phase 1 and 2**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **21.1.2022** and Second Appeal was filed in the Commission on **16.3.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **29.7.2022**.

2. The appellant is absent without intimation. The respondent PIO in a reply to this Commission's Notice of hearing vide Letter No. 137890 Dated 27.7.2022, has submitted a copy of a pointwise reply sent to the appellant vide Letter No. PMB/22/307/05/79/1/038275 Dated 24.5.2022 from the XEN(C), Punjab Mandi Board, Fazilka along with the information requested.

3. It is notable here that vide his Letter to the appellant No. 6235 Dated 8.11.2021, the respondent PIO had raised demand for Rs. 1,072/- as copying charges for 536 pages which was duly deposited by the appellant. Despite this, the respondent PIO has most callously taken some seven to eight months to supply the information.

4. The Commission views the respondent PIO's conduct very seriously and hereby cautions him to be more proactive in addressing RTI applications, particularly where appellant has already deposited the cost of copying the requested information. This Appeal Case is accordingly **Disposed of.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

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FINAL ORDER

Hardeep Singh,
S/o Shri Harnam Singh,
R/o Village Mandi Hazoor Singh,
PO Karni Khera,
Tehsil & District Fazilka.

Versus

Public Information Officer,
o/o District Mandi Officer,
Fazilka.
First Appellate Authority,
o/o Secretary, Punjab Mandi Board,
Mohali.

Appeal Case No. 628 of 2022 (Video Conference Proceedings)

PRESENT:

Hardeep Singh (Appellant) 94651-22154

Davinder Singh, District Mandi Officer (for the Respondent) 98147-80245

ORDER:

(To be read in continuity with earlier orders on 18.5.2022)

1. The RTI application is dated **22.6.2021** vide which the appellant has sought information **regarding firms registered for purchase of wood from March 2014 to date**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **2.8.2021** and Second Appeal was filed in the Commission on **27.1.2022** under Section 19 of the Right to Information Act, 2005. The case was last heard on **18.5.2022**.
2. Both parties are present. At the last hearing on 18.5.2022, the respondent PIO had agreed to make a fresh search for the pending information, listed by the appellant as deficient.
3. The respondent PIO was to submit a notarized affidavit in the event that said were not available in the record. The PIO has failed to comply with this Commission's directions. The respondent PIO is given 10 days from the date of receipt of this Order to comply and submit a duly notarized affidavit clearly stating that the information listed as deficient by the appellant is not available in the record. The original affidavit is to be sent to the appellant by registered post and the copy be sent to this Commission.
4. This Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

PUNJAB STATE INFORMATION COMMISSION

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FINAL ORDER

Rajan Loona,

S/o Sh. Som Parkash, Loona,
Mehria Bazzar, Sabzi Mandi,
Fazilka.

Versus

Public Information Officer,

o/o Executive Engineer,
Mandi Board, Fazilka.

First Appellate Authority,

o/o Executive Engineer,
Mandi Board, Fazilka.

Appeal Case No. 2176 of 2022 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Sourabh Jhorar, Senior Assistant (for the Respondent) 98844-00040

ORDER:

1. The RTI application is dated **23.12.2021** vide which the appellant has sought information **regarding work in the new bus stand in Fazilka**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **17.3.2022** and Second Appeal was filed in the Commission on **5.5.2022** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **29.7.2022**.

2. The appellant is absent without intimation. The respondent PIO, represented by Sourabh Jhorar, Senior Assistant, has submitted copy of a pointwise reply sent to the appellant vide Letter No. PMB/22/307/05179/1/024765 Dated 17.5.2022, along with 7 pages of information. Said letter was sent to the appellant by registered post. As per the respondent PIO, there has been no further communication from the appellant since the reply was sent to him.

3. In view of the above, this Appeal is accordingly **Disposed of**.

Sd/-

(ASIT JOLLY)

State Information Commissioner, Punjab.

Chandigarh

28.7.2022

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FINAL ORDER

Yogesh Mahajan,
S/o Late Kuldip Raj Mahajan,
Opp. Water Tank, Municipal Market,
Mission Road, Pathankot.

Versus

Public Information officer,
o/o Executive Engineer-I,
Mandi Board Division, Fazilka.
First Appellate Authority,
o/o Deputy Commissioner,
Patiala.

Appeal Case No. 5174 of 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Sourabh Jhorar, Senior Assistant (for the Respondent) 98844-00040

ORDER:

(To be read in continuity with earlier orders on 1.6.2022)

1. The RTI application is dated **2.8.2021** vide which the appellant has sought information **regarding financial/comparative statements**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **6.9.2021** and Second Appeal was filed in the Commission on **16.11.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.6.2022**.

2. The appellant is absent but has informed the Commission that he has received the requested information.

3. This Appeal is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

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FINAL ORDER

Raju Singh,
S/o Bikram Singh,
VPO Amarpura, Tehsil Abohar,
Fazilka.

Versus

Public Information officer,
o/o Executive Engineer-I,
Irrigation Canal Division,
Canal Colony, Abohar,
District Fazilka.
First Appellate Authority,
Superintendent Engineer,
Irrigation Canal Circle, Canal Colony,
Ferozepur.

Appeal Case No. 4696 of 2021 (Video Conference Proceedings)

PRESENT:
(Appellant) Absent
Kuldeep Kumar, Clerk (for the Respondent) 78371-38850

ORDER:
(To be read in continuity with earlier orders on **1.6.2022**)

1. The RTI application is dated **7.6.2021** vide which the appellant has sought information **regarding employees working in the office of Executive Engineer Irrigation Canal Division, Canal Colony, Abohar,** as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **7.7.2021** and Second Appeal was filed in the Commission on **13.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.6.2022**.
2. At the last hearing on 1.6.2022, the respondent PIO was directed to send another copy of his reply and information to the appellant by registered post under intimation to the Commission. As per the respondent PIO, represented by Kuldeep Kumar, Clerk, the Commission's Order was complied with vide Letter No. 38 Dated 6.6.2022. There is since been no further communication from the appellant.
3. This Appeal Case is accordingly **Disposed of.**

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022

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Madhya Marg, Sector 16, Chandigarh.

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FINAL ORDER

Raju Singh,
S/o Bikram Singh,
VPO Amarpura, Tehsil Abohar,
Fazilka.

Versus

Public Information officer,
o/o Executive Engineer-I,
Irrigation Canal Division,
Canal Colony, Abohar, Fazilka.
First Appellate Authority,
Superintendent Engineer,
Irrigation Canal Circle,
Canal Colony, Ferozepur.

Appeal Case No. 4724 OF 2021 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent
Kuldeep Kumar, Clerk (for the Respondent) 78371-38850

ORDER:

(To be read in continuity with earlier orders on 1.6.2022)

1. The RTI application is dated **16.6.2021** vide which the appellant has sought information **regarding funds of the Executive Engineer, Canal Division, Abohar**, as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (FAA) on **16.7.2021** and Second Appeal was filed in the Commission on **13.10.2021** under Section 19 of the Right to Information Act, 2005. The case was last heard on **1.6.2022**.
2. The appellant is absent. At the last hearing on 1.6.2022, the respondent PIO was directed to re-send his reply along with duly attested copies of the information, to the appellant with a copy to this Commission. The respondent PIO has complied vide Letter No. 35 Dated 2.6.2022, wherein he has also appended the postal receipt for the earlier letter sent to the appellant on 21.3.2022. There is since been no further communication from the appellant.
3. This Appeal Case is accordingly **Disposed of**.

Sd/-
(ASIT JOLLY)
State Information Commissioner, Punjab.

Chandigarh
28.7.2022