

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Sh. Tejinder Singh, Advocate

Civil Court, Tehsil Complex,

Backside Sanjh Kender,

Phillaur 144410

9041004313

....Appellant

vs

Public Information Officer

o/o Deputy Commissioner,

District Ludhiana

First Appellate Authority

o/o Deputy Commissioner,

District Ludhiana

....Respondents

Appeal Case No. 3035 of 2021

(Video Conference/Telephone Proceedings)

Present:- Sh. Tejinder Singh, Advocate, on telephone.

None on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 25.8.2021.

2. The appellant has sought the following information:-

1) ਇਹ ਕਿ ਕਾਨੂੰਨਗੋ ਸ੍ਰੀ ਵਰੁਣ ਸ਼ਰਮਾ ਦੇ ਖਿਲਾਫ ਹਰਿਦਰਪਾਲ ਸਿੰਘ ਵਾਸੀ ਸਰਗੋਧਾ ਕਾਲੋਨੀ, ਲੁਧਿਆਣਾ ਅਤੇ ਹਿੰਦੂ ਸਿੱਖ ਜਾਗ੍ਰਿਤੀ ਸੈਨਾ ਦੇ ਪ੍ਰਧਾਨ ਪ੍ਰਵੀਨ ਭੰਗ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਸ਼ਿਕਾਇਤ ਦੀ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।
2) ਇਹ ਕਿ ਉਕਤ ਸ਼ਿਕਾਇਤ ਤੇ ਹੁਣ ਤੱਕ ਜੋ ਕਾਰਵਾਈ ਹੋਈ ਜਾ ਮਾਰਕ ਹੋਈ ਉਸ ਅਧਿਕਾਰੀ ਦਾ ਨਾਂ ਅਤੇ ਅਹੁਦਾ ਦੱਸਿਆ ਜਾਵੇ।

3. The appellant states that he has received the complete information in this case and is satisfied with the same. He has also requested to dispose of this case.

4. According to the submissions made by the appellant, the Commission observes that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

sd

Dated: 30.9.2021

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Ram Krishan
s/o Sh. Das Mal,
r/o House No. 68,
Murabiawali Street, Majitha Road,
District Amritsar 9815092472

..Complainant

Vs

Public Information Officer
o/o Sub District Magistrate,
Ajnala, District Amritsar

....Respondents

Complaint Case No. 974 of 2021

(Video Conference Proceedings)

Present:- Sh. Nanak Singh Bhatti, Advocate on behalf of the complainant
Sh. Harjinder Singh, Clerk _____ on behalf of the respondents.

ORDER

The RTI application is dated 26.5.2021 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 28.7.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 30.9.2021.

2. The complainant has sought the following information:-

ਵਿਸ਼ਾ : ਸੂਚਨਾ ਅਧਿਕਾਰ ਐਕਟ 2005 ਅਧੀਨ ਜੁਡੀਸੀਅਲ ਕੰਪਲੈਕਸ ਅਜਨਾਲਾ ਅਧੀਨ
ਐਕਵਾਇਰ ਹੋਈ ਜ਼ਮੀਨ ਦੇ ਕੱਟੇ TDS ਰਕਮ 2,12,938/-ਰੁਪਏ ਦਾ 16 ਨੰਬਰ ਫਾਰਮ ਦੀ
ਕਾਪੀ ਤਸਦੀਕ ਸੁਦਾ ਲੈਣ ਸਬੰਧ।

ਸ੍ਰੀ ਮਾਨ ਜੀ,

ਪ੍ਰਾਰਥਕ ਹੇਠ ਲਿਖੀ ਬੇਨਤੀ ਕਰਦਾ ਹੈ :

1. ਸਾਲ 2014 - 2015 ਵਿੱਚ ਪਿੰਡ ਪੰਜ ਗਰਾਈ ਨਿੱਜਰਾਂ ਦੀ ਅਜਨਾਲਾ ਜੁਡੀਸੀਅਲ ਕੰਪਲੈਕਸ ਅਜਨਾਲਾ ਵਿੱਚ ਹੋਈ ਐਕਵਾਇਰ ਜ਼ਮੀਨ ਦੇ ਸਬੰਧ ਵਿੱਚ ਰਾਜ ਰਾਣੀ ਪਤਨੀ ਦਾਸ ਮੱਲ ਦੇ ਸਬੰਧ TDS 10% ਕਟੌਤੀ TDS ਲਈ ਕੀਤੀ ਸੀ ਅਤੇ ਕੁਲ ਰਕਮ 212938/-ਰੁਪਏ ਦਾ ਚਲਾਨ ਤਿਆਰ ਕੀਤਾ ਗਿਆ ਜੋ ਕਿ ਆਪ ਦੇ ਦਫਤਰ ਵਲੋਂ ਸਾਲ 2014 - 15 TDS ਦੇ ਸਬੰਧ ਵਿੱਚ ਕੀਤੀ ਕਟੌਤੀ ਦੀ ਰਕਮ 2,12,938/-ਰੁਪਏ ਆਪ ਦੇ ਦਫਤਰ ਵਲੋਂ ਤਿਆਰ ਕੀਤੇ ਫਾਰਮ 16 ਨੰਬਰ ਦੀ ਤਸਦੀਕ ਸੁਦਾ ਕਾਪੀ ਪ੍ਰਾਪਤ ਕਰਵਾਈ ਜਾਵੇ ਜੀ, ਮੇਹਰਬਾਨੀ ਹੋਵੇਗੀ।

3. The complainant was apprised with the decision of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) in which 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

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Complaint Case No. 974 of 2021

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providing for an access to the information. Since the complainant has approached the Commission under the provisions of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission. An alternative and efficacious remedy of first appeal is available to the complainant under Section 19(1) of the RTI Act, 2005 which has not been availed in the instant case.

3. The complainant requested that he is interested in getting the information from the respondent. Accordingly, as per the request of the complainant the case is remanded to Sh. Deepak Bhatia, PCS, Sub Divisional Magistrate-cum-First Appellate Authority, Payal, Ludhiana with the directions that his present case may be treated as first appeal and take the appropriate decision by passing a speaking order on the matter within the time frame fixed under the provisions of the RTI Act, 2005, after hearing both the parties and examining the record. A copy of the RTI application is being **sent** along with this order. With these directions, the case is disposed of and closed. However, liberty is granted to the complainant to file the 2nd appeal in this case, in case he is not satisfied with the decision of the First Appellate Authority.

Dated: 30.9.2021

sd
(Suresh Arora)
Chief Information Commissioner,
Punjab.

Dr. Deepak Bhatia, PCS **Registered**
Sub Divisional Magistrate-cum-
First Appellate Authority,
Payal,
District Ludhiana.

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Sh. Jasbir Singh,
Guru Nanak Nagar,
Village Bholapur, Jhabewal,
P.O. Ramgarh,
District Ludhiana 141123 98886296107

..Complainant

Public Information Officer
o/o Sub Registrar,
Payal,
District Ludhiana

....Respondents

Complaint Case No. 961 of 2021
(Video Conference Proceedings)

Present:- Sh. Jasbir Singh, complainant, on telephone.
None on behalf of the respondents.

ORDER

The RTI application is dated 4.3.2021 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 23.7.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 19.9.2021 but due to administrative reasons the case could not be heard and fixed for hearing today i.e. 30.9.2021.

2. The complainant has sought the following information:-

(1):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਹਾਉਸਿੰਗ ਅਤੇ ਅਰਬਨ ਡਿਵੈਲਪਮੈਂਟ ਵਿਭਾਗ, (ਹਾਉਸਿੰਗ 2 ਬ੍ਰਾਂਚ), ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਨੋਟਿਫਿਕੇਸ਼ਨ ਨੰਬਰ-12/01/2017-5 ਐਚ ਜੀ 2/1806 ਮਿਤੀ-18/10/2018 ਦੇ ਪੈਰਾ ਨੰਬਰ 13.3 ਵਿੱਚ ਇਹ ਸਪਸ਼ਟ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਕਿਸੇ ਵੀ ਅਣਅਧਿਕਾਰਤ ਕਾਲੋਨੀ ਵਿੱਚ ਪਲਾਟ/ਮਕਾਨ ਦੀ ਰਜਿਸਟਰੀ ਸਬੰਧਤ ਅਥਾਰਟੀ ਦੀ ਪ੍ਰਵਾਨਗੀ (ਐਨ.ਊ.ਸੀ) ਤੋਂ ਬਿਨਾਂ ਨਾਂ ਕੀਤੀ ਜਾਵੇ।
ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਮਿਤੀ-1/1/2021 ਤੋਂ ਲੈ ਕੇ ਹੁਣ ਤੱਕ ਕਿੰਨੀਆਂ ਐਨ.ਊ.ਸੀ ਵਾਲੀਆਂ ਰਜਿਸਟਰੀਆਂ ਹੋਇਆ, ਐਸ.ਊ.ਸੀ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਅਤੇ ਉਹਨਾਂ ਵਸੀਕਾ ਨੰਬਰ ਦੀ ਲਿਸਟ ਵੀ ਦਿੱਤੀ ਜਾਵੇ।
(2):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਆਪ ਜੀ ਦੇ ਅਧੀਨ ਆਉਂਦੇ ਏਰਿਆ ਵਿੱਚ ਕਿੰਨੀਆਂ ਅਜਿਹੀ ਅਣਅਧਿਕਾਰਤ ਕਾਲੋਨੀ ਹਨ, ਜਿਹਨਾਂ ਦੀ ਰਜਿਸਟਰੀ ਤੇ ਆਪ ਜੀ ਵੱਲੋਂ ਮੁਕੰਮਲ ਤੌਰ ਤੇ ਚੈਕ ਲਗਾਈ ਗਈ ਹੈ, ਉਹਨਾਂ ਦੀ ਲਿਸਟ ਦਿੱਤੀ ਜਾਵੇ।

3. The complainant requested that he is interested in getting the information and requested that his present case may be treated as 1st appeal and the same may be remanded back to the First Appellate Authority in accordance with the decision of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) in which 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.

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Complaint Case No. 961 of 2021

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3. Accordingly, the request of the complainant is accepted and the present complaint case is remanded to the First Appellate Authority i.e. Sub Divisional Magistrate, Sh. Mankanwal Singh, PCS to take the appropriate decision by passing a speaking order on the matter within the time frame fixed under the provisions of the RTI Act, 2005, after hearing both the parties and examining the record. A copy of the RTI application along with the response filed by the Public Information Officer is being **sent** along with this order. Also a response as has been sent by the respondent-Public Information Officer is being **sent** to the complainant. With these directions, the case is disposed of and closed. However, liberty is granted to the complainant to file the 2nd appeal in this case, in case he is not satisfied with the decision of the First Appellate Authority.

sd

Dated: 30.9.2021

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Sh. Mankanwal Singh, PCS, **Registered**
First Appellate Authority-cum-
Sub Divisional Magistrate,
Payal, Ludhiana.

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Sh. Jasbir Singh,
Guru Nanak Nagar,
Village Bholapur, Jhabewal,
P.O. Ramgarh,
District Ludhiana 141123 98886296107

..Complainant

Public Information Officer
o/o Joint Sub Registrar,
Mullanpur Dakha,
District Ludhiana

....Respondents

Complaint Case No. 943 of 2021
(Video Conference Proceedings)

Present:- Sh. Jasbir Singh, complainant, on telephone.
None on behalf of the respondents.

ORDER

The RTI application is dated 26.4.2021 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 19.7.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 19.9.2021 but due to administrative reasons the case could not be heard and fixed for hearing today i.e. 30.9.2021.

2. The complainant has sought the following information:-

(1):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਹਾਉਸਿੰਗ ਅਤੇ ਅਰਬਨ ਡਿਵੈਲਪਮੈਂਟ ਵਿਭਾਗ, (ਹਾਉਸਿੰਗ 2 ਬ੍ਰਾਂਚ), ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਨੋਟਿਫਿਕੇਸ਼ਨ ਨੰਬਰ-12/01/2017-5 ਐਚ ਜੀ 2/1806 ਮਿਤੀ-18/10/2018 ਦੇ ਪੈਰਾ ਨੰਬਰ 13.3 ਵਿੱਚ ਇਹ ਸਪਸ਼ਟ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਕਿਸੇ ਵੀ ਅਣਅਧਿਕਾਰਤ ਕਾਲੋਨੀ ਵਿੱਚ ਪਲਾਟ/ਮਕਾਨ ਦੀ ਰਜਿਸਟਰੀ ਸਬੰਧਤ ਅਥਾਰਟੀ ਦੀ ਪ੍ਰਵਾਨਗੀ (ਐਨ.ਊ.ਸੀ) ਤੋਂ ਬਿਨਾਂ ਨਾਂ ਕੀਤੀ ਜਾਵੇ।
ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਮਿਤੀ-1/1/2021 ਤੋਂ ਲੈ ਕੇ ਹੁਣ ਤੱਕ ਕਿੰਨੀਆਂ ਐਨ.ਊ.ਸੀ ਵਾਲੀਆਂ ਰਜਿਸਟਰੀਆਂ ਹੋਇਆ, ਐਸ.ਊ.ਸੀ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਅਤੇ ਉਹਨਾਂ ਵਸੀਕਾ ਨੰਬਰ ਦੀ ਲਿਸਟ ਵੀ ਦਿੱਤੀ ਜਾਵੇ।
(2):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਆਪ ਜੀ ਦੇ ਅਧੀਨ ਆਉਂਦੇ ਏਰਿਆ ਵਿੱਚ ਕਿੰਨੀਆਂ ਅਜਿਹੀ ਅਣਅਧਿਕਾਰਤ ਕਾਲੋਨੀ ਹਨ, ਜਿਹਨਾਂ ਦੀ ਰਜਿਸਟਰੀ ਤੇ ਆਪ ਜੀ ਵੱਲੋਂ ਮੁਕੰਮਲ ਤੌਰ ਤੇ ਰੋਕ ਲਗਾਈ ਗਈ ਹੈ, ਉਹਨਾਂ ਦੀ ਲਿਸਟ ਦਿੱਤੀ ਜਾਵੇ।

3. The complainant requested that he is interested in getting the information and requested that his present case may be treated as 1st appeal and the same may be remanded back to the First Appellate Authority in accordance with the decision of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) in which 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.

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Complaint Case No. 943 of 2021

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3. Accordingly, the request of the complainant is accepted and the present complaint case is remanded to the First Appellate Authority i.e. Sub Divisional Magistrate, Sh. Jagdeep Sehgal, PCS to take the appropriate decision by passing a speaking order on the matter within the time frame fixed under the provisions of the RTI Act, 2005, after hearing both the parties and examining the record. A copy of the RTI application along with the response filed by the Public Information Officer is being **sent** along with this order. Also a response as has been sent by the respondent-Public Information Officer is being **sent** to the complainant. With these directions, the case is disposed of and closed. However, liberty is granted to the complainant to file the 2nd appeal in this case, in case he is not satisfied with the decision of the First Appellate Authority.

sd

Dated: 30.9.2021

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Sh. Jagdeep Sehgal, PCS, **Registered**
First Appellate Authority-cum-
Sub Divisional Magistrate,
Ludhiana West, Ludhiana.

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Sh. Jasbir Singh,
Guru Nanak Nagar,
Village Bholapur, Jhabewal,
P.O. Ramgarh,
District Ludhiana 141123 98886296107

..Complainant

Public Information Officer
o/o Joint Sub Registrar,
Mullanpur Dakha,
District Ludhiana

....Respondents

Complaint Case No. 942 of 2021
(Video Conference Proceedings)

Present:- Sh. Jasbir Singh, complainant, on telephone.
None on behalf of the respondents.

ORDER

The RTI application is dated 13.4.2021 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 19.7.2021 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for 19.9.2021 but due to administrative reasons the case could not be heard and fixed for hearing today i.e. 30.9.2021.

2. The complainant has sought the following information:-

- (1):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਮਾਨਯੋਗ ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਇਕੋਰਟ ਵਿੱਚ ਦਾਇਰ ਸਿਵਲ ਰਿਟ ਪਟਿਸ਼ਨ ਨੰ:- 8209/2007 ਵਿੱਚ ਮਿੱਤੀ-10/8/2009 ਨੂੰ ਦਿੱਤੇ ਹੁਕਮਾਂ ਤੇ ਆਪ ਜੀ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਮੁਕੰਮਲ ਕਾਰਵਾਈ ਦੀ ਤਸਦੀਕਸੂਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।
- (1):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਮਾਨਯੋਗ ਸੁਪਰੀਮ ਕੋਰਟ ਵਿੱਚ ਦਾਇਰ ਸਿਵਲ ਰਿਟ ਪਟਿਸ਼ਨ ਨੰ:- 896/2014 ਵਿੱਚ ਦਿੱਤੇ ਹੁਕਮਾਂ ਤੇ ਆਪ ਜੀ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਮੁਕੰਮਲ ਕਾਰਵਾਈ ਦੀ ਤਸਦੀਕਸੂਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।
- (3):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਪ੍ਰਸ਼ਾਸਨਿਕ ਸੁਧਾਰ ਵਿਭਾਗ (ਪ੍ਰਸ਼ਾਸਨਿਕ ਸੁਧਾਰ-1 ਸਾਖਾ), ਪੰਜਾਬ ਸਿਵਲ ਸਕੱਤਰੇਤ ਚੰਡੀਗੜ੍ਹ ਦੇ ਪੱਤਰ ਨੰਬਰ-ਮੀਮੇ ਨੰ:11/10/2016-4 ਜੀ.ਆਰ.ਆਈ/795753/1 ਮਿੱਤੀ-14/7/2016 ਪੱਤਰ ਮੁਤਾਬਿਕ ਆਪ ਜੀ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਦੀ ਤਸਦੀਕਸੂਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।
- (4):- ਸ਼੍ਰੀ ਮਾਨ ਜੀ ਪ੍ਰਸ਼ਾਸਨਿਕ ਸੁਧਾਰ ਵਿਭਾਗ (ਪ੍ਰਸ਼ਾਸਨਿਕ ਸੁਧਾਰ-1 ਸਾਖਾ), ਪੰਜਾਬ ਸਿਵਲ ਸਕੱਤਰੇਤ ਚੰਡੀਗੜ੍ਹ ਦੇ ਪੱਤਰ ਨੰਬਰ: 4/54/2013-4ਪ੍ਰ.ਸ.1/550488 ਮਿੱਤੀ-29/7/2015 ਦੇ ਪੱਤਰ ਵਿੱਚ ਦਿੱਤੇ ਹੁਕਮਾਂ ਤੇ ਆਪ ਜੀ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ ਦੀ ਤਸਦੀਕਸੂਦਾ ਕਾਪੀ ਦਿੱਤੀ ਜਾਵੇ।

3. The complainant requested that he is interested in getting the information and requested that his present case may be treated as 1st appeal and the same may be remanded back to the First Appellate Authority in accordance with the decision of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010) in which 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.

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PUNJAB STATE INFORMATION COMMISSION

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3. Accordingly, the request of the complainant is accepted and the present complaint case is remanded to the First Appellate Authority i.e. Sub Divisional Magistrate, Sh. Jagdeep Sehgal, PCS to take the appropriate decision by passing a speaking order on the matter within the time frame fixed under the provisions of the RTI Act, 2005, after hearing both the parties and examining the record. A copy of the RTI application along with the response filed by the Public Information Officer is being **sent** along with this order. Also a response as has been sent by the respondent-Public Information Officer is being **sent** to the complainant. With these directions, the case is disposed of and closed. However, liberty is granted to the complainant to file the 2nd appeal in this case, in case he is not satisfied with the decision of the First Appellate Authority.

sd

Dated: 30.9.2021

(Suresh Arora)

Chief Information Commissioner,
Punjab.

Sh. Jagdeep Sehgal, PCS, **Registered**
First Appellate Authority-cum-
Sub Divisional Magistrate,
Ludhiana West, Ludhiana.