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# REGISTERED SHOW CAUSE NOTICE

Nitin Sharma, S/o Sh. Vinod Sharma, 513, Sector 6, MDC Panchkula-134114

Versus

#### **Public Information Officer,**

o/o Chief Engineer, Drainage, Water Resources Department, (Punjab), Sector-18, Chandigarh.

#### First Appellate Authority,

o/o Chief Engineer, Drainage, Water Resources Department (Punjab), Sector-18, Chandigarh.

## Appeal Case No. 638 of 2021 (Video Conference Proceedings)

PRESENT:

Nitin Sharma (Appellant) 98727-40038 (for the Respondent)

#### ORDER:

- 1. The RTI application is dated **29.7.2020** vide which the appellant has sought information regarding the qualification of **26 SDOs posted in Drainage wing of the Water Resources** department, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **1.10.2020**, and second appeal was filed in the Commission on **25.1.2021** under Section 19 of the Right to Information Act, 2005. Notice was issued to the parties for first hearing in the Commission on **7.7.2021**.
- 2. The respondent PIO is absent without intimation. The appellant is present through Video Conference Facility from Mohali. The respondent PIO has sent a number of replies to the appellant but the requested information has still not been provided. The appellant has contended that the 26 officials cited in the RTI application have been promoted on the basis of "fake degrees", which is why the respondent PIO is reluctant to provide the information requested. Notably the respondent PIO has failed to respond to this Commission's Notice. Under the circumstances, this Commission deems it fit to serve him with this Show Cause Notice.
- 3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **29.7.2021**.

Contd. ...2

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## Appeal Case No. 638 of 2021 (Video Conference Proceedings)

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*." Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

5. <u>Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Mohali.</u>

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

Chandigarh 7.7.2021

Cc: Chief Engineer, Drainage,

Water Resources Department (Punjab),

Sector-18, Chandigarh, for information and further necessary action.

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Davinder Singh,

S/o Mohan Singh, # 353, Phase-2, Mohali.

Versus

**Public Information Officer.** 

o/o Greater Mohali Area Development Authority, PUDA Bhawan, Sector-62, SAS Nagar (Mohali). **First Appellate Authority,** o/o Greater Mohali Area Development Authority, PUDA Bhawan, Sector-62, SAS Nagar (Mohali).

## Appeal Case No. 1080 of 2020 (Video Conference Proceedings)

PRESENT:

(Absent) Absent

Gurvinder Singh, PIO-cum-AEO (respondent) 98786-02071

#### ORDER:

(To be read in continuity with earlier orders on 23.7.2020, 24.9.2020, 13.11.2020, and 13.1.2021)

- 1. The RTI application is dated **5.11.2019** vide which the appellant has sought <u>information</u> <u>regarding Plot No. 353 Phase-2, SAS Nagar (Mohali)</u>, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **16.12.2019**, and second appeal was filed in the Commission on **11.3.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **13.1.2021**.
- 2. The appellant is absent but has made a written submission to this Commission vide an email dated 6.7.2021. The PIO-cum-AEO, Gurvinder Singh, present through Video Conference Facility from Mohali, has submitted a copy of the enquiry conducted (on the directions of this Commission) on behalf of the Chief Administrator, GMADA by the Additional Chief Administrator, wherein responsibility was fixed for the loss of record pertaining to plot no. 353 phase-2 SAS Nagar (Mohali). As per the documents provided with the email, action has been initiated against two officials for the loss of record and an FIR has also been registered, so that the process of reconstruction of the file pertaining to plot no. 353 Phase-2, SAS Nagar (Mohali), may be started. Also, as pointed out in an earlier hearing, an affidavit submitted by the respondent PIO pertaining to the loss of record was not notarised.
- 3. The respondent PIO is directed to submit a fresh, duly notarised affidavit, to this Commission within the next 5 days.

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## Appeal Case No. 1080 of 2020 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority

5. <u>Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Mohali.</u>

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

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Karnail Singh,

s/o Late Sarwan Singh, # 106, Street No. 4, Sidhu Colony Bhadson Road, District Patiala.

Versus

Public Information Officer, o/o Director General of Police, Punjab Police Headquarters, Sector- 9 C, Chandigarh. First Appellate Authority, o/o Director General of Police, Punjab Police Headquarters, Sector- 9 C, Chandigarh.

## Appeal Case No. 3922 of 2019 (Video Conference Proceedings)

#### PRESENT:

Sukhwinder Singh (for the Respondent) 95929-13178 (Respondent) Absent

#### ORDER:

(To be read in continuity with earlier orders on **26.12.19 and 14.2.2020, 24.7.2020, 25.9.2020, 13.11.2020, and 13.1.2021**)

- 1. The RTI application is dated **14.5.19** vide which the appellant has sought <u>information by way of copies of original promotion letters of DSPs mentioned in Letter No. 1/34/2016-311/dsp dated 21.4.16</u>, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) and second appeal was filed in the Commission on **18.10.19** under Section 19 of the Right to Information Act, 2005. The case was last heard on **13.1.2021**.
- 2. The respondent PIO is absent. At the last hearing on 13.1.2021, the Commission had directed the respondent PIO to submit an affidavit. The PIO has emailed a copy of the said affidavit which is not at all readable. The respondent PIO is directed to submit the afore- mentioned affidavit as a hard copy to this Commission.
- 3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

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Appeal Case No. 3922 of 2019 (Video Conference Proceedings)

4. <u>Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Mohali.</u>

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

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Amar Jit Kalra, # 169 A, Sector 51 A, Chandigarh-160047

Versus

Public Information Officer, o/o Senior Superintendent of Police, District Sri Mukatsar Sahib. First Appellate Authority, o/o Inspector General of Police, Faridkot Range, District Faridkot.

#### Appeal Case No. 2976 of 2020 (Video Conference Proceedings)

PRESENT:

Amar Jit Kalra (Appellant) 94635-42520 ASI Manjeet Singh (for the Respondent) 80549-23494

ORDER:

(To be read in continuity with earlier orders on 3.3.2021)

- 1. The RTI application is dated 29.5.2020 vide which the appellant has sought information regarding his applications against dismissed patwari Tejinder Pal Singh dated 2.7.19 and 16.12.19, including statements recorded; records sought from the kanugo; Order No. 53 of 6.8.19 by DC Muktsar etc. in nine points, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on 24.7.2020, and second appeal was filed in the Commission on 7.10.2020 under Section 19 of the Right to Information Act, 2005. The case was last heard on 3.3.2021.
- 2. Both parties are present through Video Conference Facility. The appellant attended the hearing via video-conference from the DC Office at Mohali. The respondent PIO, represented by ASI Manjeet Singh, who attended the hearing at DC Office from Sri Muktsar Sahib, stated that a reply was sent to the appellant on 10.5.2021 as well as before that on 28.6.2020. The appellant however had pointed out in an email dated 19.4.2021 that he has not received any information from point no. 4 to 9 of his RTI application.
- 3. The respondent PIO is given one final opportunity to submit a point-wise reply to the RTI application alongwith all the information requested including that claimed to have been already sent to the appellant. This must be submitted to the Commission within the next 15 days.
- 4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

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## Appeal Case No. 2976 of 2020 (Video Conference Proceedings)

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

5. Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility. (The appellant will attend the hearing at D.C. Office, Mohali and the respondent PIO will attend the hearing D.C Office, Sri Muktsar Sahib.)

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

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# REGISTERED SHOW CAUSE NOTICE

Amar Jit Kalra, # 169 A, Sector 51 A, Chandigarh – 160 047

Versus

Public Information Officer, o/o Senior Superintendent of Police, District Sri Mukatsar Sahib. First Appellate Authority, o/o Inspector General of Police, Faridkot Range, Faridkot.

#### Appeal Case No. 2977 of 2020 (Video Conference Proceedings)

PRESENT:

Amar Jit Kalra (Appellant) 94635-42520 ASI Manjeet Singh (for the Respondent) 80549-23494

#### ORDER:

(To be read in continuity with earlier orders on 3.3.2021)

- 1. The RTI application is dated **3.6.2020** vide which the appellant has sought information <u>on</u> <u>whether any departmental inquiry was ordered / held regarding the DSP (SD)'s decision to return appellant's application without his (appellant's) consent etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **22.7.2020**, and Second Appeal was filed in the Commission on **7.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **3.3.2021**.</u>
- 2. Both parties are present through Video Conference Facility. The respondent PIO, represented by ASI Manjeet Singh, is attended the hearing from D.C. Office, Sri Muktsar Sahib. The appellant attended the hearing from DC Office, Mohali. The appellant in his email of 18.4.2021, had informed the Commission that he has received the information vide Letter No. 170-171/RTI dated 12.3.2021. He has however, pointed out that the information has been given to him after nearly 10 months. The Commission notes that the information requested by the appellant in his RTI application was very simple and should not have been so delayed. Under the circumstances, this Commission deems it fit to issue this **Show Cause Notice** to the respondent PIO.
- 3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **3.6.2020**.

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## Appeal Case No. 2977 of 2020 (Video Conference Proceedings)

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex parte." Copies of this order be sent to the parties through registered post.

- 4. The respondent PIO is directed to explain in writing what it has taken so long by him to address the simple request for information as requested in this RTI application.
- 5. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

5. <u>Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility.</u> (The appellant will attend the hearing at D.C. Office, Mohali and the respondent PIO will attend the hearing D.C Office, Sri Muktsar Sahib.)

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

Chandigarh 7.7.2021

**Cc:** Inspector General of Police,

Faridkot Range, Faridkot, for information and further necessary action.

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REGISTERED SHOW CAUSE NOTICE

Amar Jit Kalra, # 169 A, Sector 51 A, Chandigarh – 160 047

Versus

Public Information Officer, o/o Tehsildar, District Sri Mukatsar Sahib. First Appellate Authority, o/o Commissioner, District Ferozepur.

#### Appeal Case No. 3061 of 2020 (Video Conference Proceedings)

PRESENT:

Amar Jit Kalra (Appellant) 94635-42520 (Respondent) Absent

#### ORDER:

(To be read in continuity with earlier orders on 3.3.2021)

- 1. The RTI application is dated 27.5.2020 vide which the appellant has sought information in six points regarding Integal No. 11542 of Abadi Zahid One Muktsar on 28.2.2017 in favour of dismissed patwari Tejinder Pal Singh; Office Order No. 53 of 6.8.2019; his (appellant's) complaint dated 16.12.2019; correspondence with police authoprities regarding the said Integal; Action against retired patwari Harbans Singh, retired kanugo Mohar Singh and Tehsildar Muktsar who approved the said Integal; and, action against dismissed patwari Tejinder Pal Singh etc., as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on 24.7.2020, and second appeal was filed in the Commission on 14.10.2020 under Section 19 of the Right to Information Act, 2005. The case was last heard on 3.3.2021.
- 2. The respondent PIO is absent without intimation. At the last hearing on 3.3.2021, the PIO, office of Tehsildar Muktsar was directed to submit a written point-wise reply to this RTI application along with duly attested copies of the requested information. There has since been no communication from the respondent PIO. This is despite the passage of some 3 months. Under the circumstances, the Commission deems it fit to serve the respondent PIO office of Tehsildar Muktsar with a **Show Cause Notice**.
- 3. The respondent PIO is herewith ordered to **SHOW CAUSE** as to why a penalty should not be imposed upon him under Section 20 (1) of RTI Act, 2005, for causing willful delay/denial of the information requested by the appellant as far back as on **27.5.2020**.

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## Appeal Case No. 3061 of 2020 (Video Conference Proceedings)

"In addition to the written reply, the respondent PIO is also given an opportunity under Section 20 (1) provision there to, for a personal hearing before the imposition of such penalty on the next date of hearing. He may take note that in case he does not file his written reply and does not avail himself of the opportunity of personal hearing on the date fixed, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him *ex parte*." Copies of this order be sent to the parties through registered post.

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

5. <u>Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility.</u> (The appellant will attend the hearing at D.C. Office, Mohali and the respondent PIO will attend the hearing D.C Office, Sri Muktsar Sahib.)

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

Chandigarh 7.7.2021

Cc: Deputy Commissioner,

District Sri Muktsar Sahib, for information and further necessary action.

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**Gurpreet Singh,** 

S/o Sh. Chinderpal Singh, Village Abul Khurana, Tehsil Malout, District Sri Muktsar Sahib-152114

Versus

**Public Information officer,** 

o/o Superintendent Engineer, Water Drainage Division, Gidderbaha, District Sri Muktsar Sahib.

#### Complaint Case No. 291 of 2021(Video Conference Proceedings)

PRESENT:

Gurpreet Singh (Complainant) 97800-99052 Parambir Singh Sekhon, XEN (for the Respondent) 98881-30222 Sukhjinder Singh, Senior Assistant (for the Respondent) 88721-54055

#### ORDER:

- 1. The complainant, Gurpreet Singh, filed this RTI application dated **29.1.2021** and sought information <u>regarding computer operators since 2008</u>, from the PIO o/o <u>Superintendent Engineer</u>, <u>Water Drainage Division</u>, <u>Sri Muktsar Sahib</u>. When no information was received, the Complainant filed a Complaint under Section 18 of the RTI Act, 2005 to the Commission on **8.3.2021**. Notice to the parties for first hearing was issued on **7.7.2021**.
- 2. Both parties are present through Video Conference Facility from Sri Muktsar Sahib. The respondent PIO, represented by Parambir Singh Sekhon, XEN and Sukhjinder Singh, Senior Assistant, have stated that a reply along with information was sent vide Letter No. 1345 dated 31.5.2021, following which, the complainant has listed some deficiencies. The respondent PIO stated that the deficiencies will be removed as soon as possible.
- 3. The respondent PIO is directed to submit a copy of his reply to the complainant alongwith all the information, to this Commission at the earliest.
- 4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

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## Complaint Case No. 291 of 2021(Video Conference Proceedings)

5. <u>Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Sri Muktsar Sahib.</u>

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

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## Paramjeet Singh,

S/o Sh. Balveer Singh, Village Gurusar Jodha, Tehsil Malout, District Sri Muktsar Sahib.

Versus

#### **Public Information officer,**

o/o Executive Engineer, Punjab Mandi Board, District Sri Muktsar Sahib. First Appellate Authority, o/o S.C., Punjab Mandi, District Ferozepur.

### Appeal Case No. 1068 of 2021 (Video Conference Proceedings)

## PRESENT:

Paramjit Singh (Appellant) 80544-81890 Jasbir Singh, Superintendent (for the Respondent) 97800-07674

#### ORDER:

- 1. The RTI application is dated **23.10.2020** vide which the appellant has sought information regarding the stadium in village Gurusar Jodha, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **23.11.2020**, and second appeal was filed in the Commission on **24.2.2021** under Section 19 of the Right to Information Act, 2005. Notice to the parties for first hearing was issued on **7.7.2021**.
- 2. Both parties are present through Video Conference Facility from Sri Muktsar Sahib. The respondent PIO, represented by Jasbir Singh, Superintendent, stated that a reply was sent to the appellant on 17.2.2021 vide letter No. 1196 along with 15 pages by way of requested information. The appellant admitted that he received the said reply but insists that there was no information appended to it.
- 3. The respondent PIO is directed to submit a fresh point-wise reply to the RTI application along with all the relevant informant. All copies must be duly attested in the format given below. One set is to be sent to the appellant by registered post and a copy of the same is to be submitted to this Commission.

Contd. ...2

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## Appeal Case No. 1068 of 2021 (Video Conference Proceedings)

4. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

5. <u>Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Sri Muktsar Sahib.</u>

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

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**Trilochan Singh,** S/o Gurbachan Singh, # 848 A, M.I.G., Jamalpur, District Ludhiana.

Versus

**Public Information Officer,** 

o/o Sub Divisional Magistrate-cum-Licensing & Registration Authority, District Sri Muktsar Sahib

First Appellate Authority,
o/o Sub Divisional Magistrate
District Sri Muktsar Sahib

## Appeal Case No. 2985 of 2020 (Video Conference Proceedings)

PRESENT:

(Appellant) Absent

Rajwinder Singh, PIO-cum-Superintendent (for the Respondent) 99150-05556

#### ORDER:

(To be read in continuity with earlier orders on 3.3.2021)

- 1. The RTI application is dated **10.5.2020** vide which the appellant has sought information **regarding vehicle registration of a particular series; commercial vehicles, outside vehicles etc.**, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on **21.6.2020**, and second appeal was filed in the Commission on **8.10.2020** under Section 19 of the Right to Information Act, 2005. The case was last heard on **3.3.2021**.
- 2. The appellant is absent but has informed the Commission of his inability to attend this hearing. The respondent PIO-cum-Superintendent, Rajwinder Singh, is present through Video Conference Facility from Sri Muktsar Sahib, has submitted that he has no intimation that this case was listed for today. He is given one more opportunity to comply with the directions of the Commission given at point No. 3 in its Order of 3.3.2021.
- 3. IMPORTANT! All documents / information supplied to appellants / complainants must mandatorily be attested as under:

Information supplied under the RTI Act, 2005 Signature of the PIO Name of the PIO Name of the Public Authority Date

4. Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Sri Muktsar Sahib.

Sd/(ASIT JOLLY)
State Information Commissioner, Punjab.
Chandigarh
7.7.2021

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## Som Parkash,

S/o Tej Ram, Peer Khane Wali Gali, Near Baba Chajju Ram Ashram, Gidderbaha, Tehsil Gidderbaha, District Sri Muktsar Sahib.

Versus

#### **Public Information Officer.**

o/o Municipal Counsel, Gidderbaha, District Sri Mukatsar Sahib First Appellate Authority, o/o Regional Deputy Director Local Government, District Bathinda.

## Appeal Case No. 3331 of 2020 (Video Conference Proceedings)

#### PRESENT:

Prince Goyal Advocate (for the Appellant) 78889-10080 Jagshir Singh, PIO-cum-E.O (Respondent) 94171-72653

#### ORDER:

(To be read in continuity with earlier orders on 3.3.2021)

- 1. The RTI application is dated 17.7.2020 vide which the appellant has sought information regarding a colony, DD Chandigarh Enclave being promoted by one Jatinder Kumar s/o Yashpal at Hunser Road Gidderbaha, in four points, as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (FAA) on 31.8.2020, and Second Appeal was filed in the Commission on 2.11.2020 under Section 19 of the Right to Information Act, 2005. The case was last heard on 3.3.2021.
- 2. Both parties are present through Video Conference Facility from Sri Muktsar Sahib. The appellant is represented by his lawyer Prince Goyal. The respondent PIO-cum-E.O, Jagshir Singh, has, as directed by this Commission sent a copy of the information (243 pages) vide letter No. 3158 dated 18.3.2021. As per his contention a copy has also sent to the appellant. The appellant however, says that he has received nothing. The appellant is advised to collect the said information/reply from the Commission, after duly seeking an appointment on telephone. The appellant is further advised to examine the information and list deficiencies, if any to the respondent PIO with a copy to this Commission.
- 4. <u>Next hearing on 9.12.2021 at 11.00 am through Video Conference Facility at D.C. Office, Sri Muktsar Sahib.</u>

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