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Sh.Gurmukh Singh, S/o Sh.Natha Singh, VPO Hohsiarpur, Tehsil Kharar, Distt. Mohali.

... Appellant

Versus

Public Information Officer, O/o Land Acquisition Collector, GMADA, Mohali

First Appellate Authority, O/o EO, GMADA, Mohali

...Respondent

Appeal Case No. 1085 of 2019

PRESENT: Sh.Gurmukh Singh as the Appellant

Sh.Gurvinder Singh, APIO, GMADA and Sh.Jai Singh, Forest Block

Officer, Forest department for the Respondent

ORDER:

The case was first heard on 27.06.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that the PIO has not provided the assessment report of the trees standing on particular khasra numbers for which he had sought the information.

Having gone through the record, the Commission instructed the department of Forest, Punjab and the department of Horticulture to complete the assessment within 45 days and once the assessment is completed and sent to the Land acquisition department, the information be provided to the appellant.

The case was last heard on 16.10.2019. The respondent present from the office of GMADA informed that they have already written to the department of Forests for supply of information but the information has not been provided. The respondent present from Forest Department pleaded that since the information sought by the appellant relates to the assessment of fruit trees, the same had to be conducted by the Horticulture department and the information was to be provided by them. The PIO-Department of Horticulture, Punjab, was again directed to look at the RTI application and provide the information. The PIO-Department of Forest was exempted.

Hearing dated 23.12.2019:

The respondent present from the office of GMADA informed that they have already written to the Forest Department for supply of information. The respondent present from the Forest Department informed that GMADA has not identified the khasra no. and has not deposited requisite fee for assessment of trees.

Appeal Case No. 1085 of 2019

The Commission observes that it is an inter-department issue and directs the PIO-GMADA to coordinate with Forest Department and complete the requisite formalities to prepare the assessment report and to provide the complete information to the appellant.

The respondent from Horticulture department is absent. The Commission has received a letter from PIO-Horticulture department stating they are only to do assessment of fruits of fruit trees and the assessment of non-fruit trees is to be done by the Forest Department. The appellant is asking for copy of assessment of Jaman trees standing on land bearing khasra No.10//25-3. The PIO-Horticulture department is directed to relook the RTI and provide the complete information. The information be provided within 15 days.

The case is adjourned. To come up for further hearing on 15.04.2020 at 11.00 AM.

Chandigarh
Dated 23.12.2019

Sd/-(Khushwant Singh) State Information Commissioner

CC to: 1. PIO-Department of Forests, Punjab, Mohali

2.PIO-Directorate of Horticulture, Punjab, Kheti Bhawan, 3rd Floor, Near Dara Studio, Sector 56-A, Mohali.

Note: Sh.Jaspreet Singh, HDO-Mohai appeared late. A copy of RTI application was handed over by appellant to him and he was directed to provide information within 15 days.

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Sh Ravinder Singh, H No-986, Near Dev Hotel, Main Bazar, Moga.

... Appellant

Versus

Public Information Officer, O/o SSP, Moga.

First Appellate Authority, O/o IGP, Ferozepur Range, Ferozepur.

...Respondent

Appeal Case No. 1920 of 2019

PRESENT: None for the Appellant

Sh.Gurpreet Singh, HC for the Respondent

ORDER:

The appellant through RTI application dated 29.01.2019 has sought information regarding certified copy of FIR dated 23.06.2017 filed in PS Main Bazar Moga by Ravinder Singh against Sh.Manoj Kumar, Rakesh Kumar the owners of Dev Hotel Moga and its cancellation from the office of SSP Moga. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 02.03.2019, which took no decision on the appeal.

The case was last heard on 17.10.2019. The respondent present submitted reply which was taken on the file of the Commission. The appellant was absent.. A copy of the reply was sent to the appellant and the appellant was directed to send his observations to the PIO and the PIO was directed to remove the same.

Hearing dated 23.12.2019:

The respondent present informed that the information has been provided to the appellant on 21.12.2019 and the appellant is satisfied. The respondent has submitted an acknowledged of the appellant having received the information which is taken on the file of the Commission.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed.**

Chandigarh
Dated 23.12.2019

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ShSimranjit Singh, S/o ShJagdish Singh, # 93/2, Adarsh Nagar, Jalandhar.

Versus

... Appellant

Public Information Officer, O/o JDA, Jalandhar.

First Appellate Authority, O/o JDA, Jalandhar

...Respondent

Appeal Case No. 2064 of 2019

PRESENT: None for the Appellant

Sh.Sanjeev Sharma, PIO-JDA and Sh.Amardeep Singh for the Respondent

ORDER:

The appellant through RTI application dated 15.02.2019 has sought information on 16 points regarding details of tenders of new roads constructed from 2002 to 2019 alongwith the repair work carried out through contractual agency and other information concerning the office of JDA Jalandhar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 28.03.2019, which took no decision on the appeal.

The case was last heard on 22.10.2019. The respondent present pleaded that they received the RTI application on 18.02.2019 and transferred it to concerned APIO-O/o Divisional Engineer(W), JDA Jalandhar vide letter dated 22.02.2019 for providing the information and issued reminders on 18.04.2019 and 30.09.2019. The reply was sent to the appellant. The respondent further pleaded that the information is very voluminous and would disproportionately divert the resources of the department.

Having gone through the entire points of the RTI application, the Commission was agree with the view of the PIO that the information is voluminous. The Commission directed the appellant to prove that the disclosure of information has a larger public interest.

Hearing dated 23.12.2019:

At the last hearing, respondent pleaded that information is very voluminous and would disproportionately divert the resources of the department. The appellant was absent. The appellant was directed to prove that the disclosure of information has a larger public interest.

The appellant is absent nor has sent any document which establishes that the disclosure of information has a larger public interest. It appears that the appellant is not interested in the information.

Since the appellant has failed to prove that the disclosure of information has a larger public interest, I see no further course of action is required. The case is **disposed off and closed.**

Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh
Dated 23.12.2019

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Sh Anil Mittal, S/o Sh Dharam Pal, # 22121, Gali No-11/4, Power House Road, Bathinda.

... Appellant

Public Information Officer,

O/o EO, BDA, Bathinda.

First Appellate Authority,

O/o Addl, Chief Administrator, BDA, Bathinda.

...Respondent

Appeal Case No. 1943 of 2019

Versus

PRESENT: None for the Appellant

None for the Respondent

ORDER:

The case was last heard on 17.10.2019. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and informed that the information supplied is incomplete and not certified.

Having gone through the information and hearing both the parties, following was concluded:

Points-1,2,3,4,5, 7, 8, 9, 11 & 14 - Information provided.

Points-10 - Information not available in the record

Points-6, 12 & 13 - Respondent informed that the information relates to

Revenue Patwari, Patti Mehna Distt.Bathinda. The PIO is directed to transfer the RTI Application to the Concerned Patwari. The Revenue Patwari, Patti Mehna is impleaded in the case and directed to

provide the information duly certified.

Hearing dated 23.12.2019:

Both the parties are absent. At the last hearing, the Revenue Patwari, Patti Mehna was impleaded in the case and directed to provide the information duly certified. The PIO-Revenue Patwari is absent. The earlier order stands. The PIO-Revenue Patwari, Patti Mehna, is given one more opportunity to comply with the earlier order of the Commission and be present on the next date of hearing otherwise the Commission will be constrained to issue a show cause notice under section 20 of the RTI Act.

To come up for further hearing on **17.03.2020 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, Bathinda. The order be sent to both the parties through registered post.

Chandigarh
Dated 23.12.2019

Sd/-(Khushwant Singh) State Information Commissioner

CC to:Revenue Patwari,
Patti Mehna, Distt.Bhatinda.

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... Appellant

Sh.Satpal Goyal, H No 102, Model Town, Phase-1, Bathinda.

Versus

Public Information Officer, O/o EO, BDA, Bathinda.

First Appellate Authority, O/o Addl, Chief Administrator, BDA, Bathinda.

...Respondent

Appeal Case No. 2102 of 2019

PRESENT: Sh.Satpal Goyal as the Appellant

None for the Respondent

ORDER:

The appellant through RTI application dated 18.12.2017 has sought information on 8 points regarding enhancement of cost of plot in phage-1 Urban Estate Bhatindaand other information concerning the office of EO BDA Bhatinda. The appellant was not satisfied with the reply of the PIO dated 06.02.2019 vide which the PIO asked to the appellant to specify the khasra numberafter which the appellant filed a first appeal before the First Appellate Authority on 19.03.2019 which took no decision on the appeal.

The case was last heard on 22.10.2019. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information to the appellant as per RTI Act within 15 days and send a compliance report to the Commission. The PIO was also directed to explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act.

Hearing dated 23.12.2019:

The appellant informed that the PIO has not provided the information. The respondent is absent on 2nd consecutive hearing. The Commission observes that there has been an enormous delay in attending to the RTI application.. The Commission has taken a serious view of this and hereby directs the PIO to **show cause why penalty be not imposed on him under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time.** He/she should file an affidavit in this regard. If there are other persons responsible for the delay in providing the information, the PIO is directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide the information to the appellant within 10 days of the receipt of this order.

To come up for further hearing on 16.03.2020 at 01.00 PM.

Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh
Dated 23.12.2019

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Sh Tejinder Singh, Village Bholapur, P.O Ramgarh, Chandigarh Road, Ludhiana.

... Appellant

Versus

Public Information Officer,

O/o SDM-Cum- Licensing and Registration Authority, Fazlka

First Appellate Authority,

O/o SDM-Cum- Licensing and Registration Authority, Fazlka.

...Respondent

Appeal Case No. 1815 of 2019

PRESENT: None for the Appellant

Sh.Sunil Kumar O/o SDM Fazilka

ORDER:

The appellant through RTI application dated 02.01.2019 has sought information regarding re-assignment of vehicles from year 2016 to 31.12.2018 alongwith NOC issued to non-commercial vehicles as well as tests cleared by the appellant for regular license and other information concerning the office of SDM-cum-Licensing and Registering Authority, Fazilka. The appellant was not satisfied with the reply of the PIO dated 26.03.2019 wherebby the PIO denied the information stating that the information relates to 3rd party, after which the appellant filed first appeal before the First Appellate Authority on 07.04.2019 which took no decision on the appeal.

The case was last heard on 09.09.2019. The respondent present pleaded that without the availability of registration number or chassis number of the vehicle, the information cannot be provided. The appellant was absent. The case was adjourned.

Hearing dated 23.12.2019:

The respondent present pleaded that the appellant has not specified the registration number or chassis number of the vehicles. The appellant is absent nor has sent any communication.

If the appellant is still interested in the information, he is directed to provide registration number or chassis number of vehicles to the PIO and get the relevant information. The PIO is directed to provide the information as per order of the Commission.

With the above order, the case is disposed off and closed.

Chandigarh
Dated 23.12.2019

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Versus



Sh Tejinder Singh, R/o village Bholapur, P.O Ramgarh, Chandigarh Road, Ludhiana.

... Appellant

Public Information Officer,

O/o SDM-Cum- Licensing & Registration Authority, Abohar, Distt Fazilka.

First Appellate Authority,

O/o SDM-Cum- Licensing & Registration Authority, Abohar, Distt Fazilka.

...Respondent

Appeal Case No. 1707 of 2019

PRESENT: None for the Appellant

None for the Respondent

ORDER:

The appellant through RTI application dated 14.02.2019 has sought information regarding ID provided to the clerks o/o Licensing & Registratin Authority, details of reassignment to non-commercial vehicles from 2018 to 15.02.2019 and other information concerning the office of SDM-Cum- Licensing & Registration Authority, Abohar. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 14.03.2019 which took no decision on the appeal.

The case was last heard on 18.09.2019. The respondent present pleaded that the information has been sent to the appellant vide letter dated 14.03.2019 and a copy of the same submitted to the Commission. The appellant was absent. Having gone through the RTI application and the information provided by the PIO, the PIO was directed for the following:

Point-1 - Not to be provided

- Point-2 - To provide total number of vehicles re-assigned

Regarding point-3,4 & 5, the appellant was directed to send his observations to the PIO and the PIO was directed to give reply on the observations of the appellant. A copy of the reply was attached with the order for the appellant.

Hearing dated 23.12.2019:

Both the parties are absent. The earlier order stands. The case is adjourned.

To come up for further hearing on **17.03.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka. Copies of order be sent to both the parties through registered post. The appellant to appear at Chandigarh.

Chandigarh
Dated 23.12.2019

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Sh Mohan Lal, S/o Sh Raj Kumar,

175, Military Hospital, Cantt Abohar, Distt Fazilka.

... Appellant

Versus

Public Information Officer, O/o EO, Nagar Council, Abohar, Distt Fazilka.

First Appellate Authority, Deputy Director, Local Govt, Ferozepur.

...Respondent

Appeal Case No. 1970 of 2019

PRESENT: Sh.Mohan Lal as the Appellant

Sh.Raj Kumar for the Respondent

ORDER:

The appellant through RTI application dated 12.02.2019 has sought information on 8 points regarding details of parking stands constructed on public places in Abohar and other information concerning the office of EO Nagar Council, Abohar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 29.03.2019, which took no decision on the appeal. After filing appeal, the PIO sent reply to the appellant vide letter dated 01.05.2019 stating that the NC has not provided any contract for parking place in the city.

The case was last heard on 21.10.2019. Since both the parties were absent, in the interest of justice, one more opportunity was granted and the case was adjourned.

Hearing dated 23.12.2019:

The respondent present pleaded that the information has been provided to the appellant. The appellant is not satisfied and stated the PIO has only sent a reply vide letter dated 17.10.2019 stating that the NC Abohar has not awarded any contract for parking.

The Commission observes that the PIO's reply is absolutely ambiguous and PIO is trying to use delaying tactics. The PIO is directed to relook at the RTI application and provide pointwise information to the appellant. The information be provided within 15 days of the receipt of the order, otherwise the Commission will be constrained to issue a show cause notice under section 20 of the RTI Act.

To come up for further hearing on **17.03.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Fazilka. Copies of order be sent to both the parties through registered post. The appellant to appear at Chandigarh.

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Sd/-(Khushwant Singh) State Information Commissioner

Chandigarh
Dated 23.12.2019

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Sh.Amandeep Singh, S/o Sh P.S Manaise, H No- 26, HM, Sec-59, Phase-4, Mohali.

... Appellant

Versus

Public Information Officer, O/o NaibTehsildar, Lambi, Tehsil Malout, Distt Sri Mukatsar Sahib.

...Respondent

Complaint Case No. 448 of 2019

PRESENT: None for the Complainant

Sh.Darshan Singh, O/o FCR, Pb Chandigarh, Sh.Jatinder Pal Singh NaibTehsildar, Lambi and Sh.Chand Singh, Sadar Kanongo for the

Respondent

ORDER:

The case was last heard on 10.09.2019. The respondent present pleaded that the information does not pertain to them and they have already sent reply to the complainant vide letter dated 24.04.2019. The respondent further informed that the information regarding point 4(a) relates to FCR office, point-4(b) relates to Rehabilitation department and points 4(c) & 4(d) relates to the office of Sadar Kanungo, Sri Mukatsar Sahib.

The appellant was absent and vide letter received in the Commission through a counsel, sought adjournment. The PIO-FCR Punjab, PIO-Rehabilitation department, Punjab and PIO-Sadar Kanungo Sri Mukatsar Sahib were impleaded in the case and directed to provide the information as per the RTI application, a copy of which was enclosed with the order.

Hearing dated 23.12.2019:

The respondent present from the office of Tehsildar Lambi informed that the information does not pertain to them and they have already sent reply to the complainant.

The respondent present from the office of FCR, Punjab pleaded that the record relating to the information on points-4(a)& (b) is not traceable. The Commission however, does not consider the record missing until an enquiry is conducted and a complete enquiry report is submitted to the Commission which establishes that the record is missing and the responsibility has been fixed for the person responsible. If the record is not traceable or missing, the PIO-FCR, Pb is directed to conduct an enquiry into the matter and submit a complete enquiry report.

The respondent PIO-Sadar Kanoongo Sri Mukatsar Sahib pleaded that the information regarding points 4 (c) &(d) is voluminous and would divert the sufficient resources. The appellant is absent.

Complaint Case No. 448 of 2019

If there is any specific information the appellant wants, he is directed to inspect the record by fixing a mutually convenient date and time and get the relevant information. The PIO is directed to allow inspection to the appellant and provide the relevant information.

To come up for further hearing **on 17.03.2020** at **11.00 AM** through video conference facility available in the office of Sri Mukatsar Sahib. Copies of order be sent all the parties through Registered Post. Appellant to appear at Chandigarh.

Chandigarh
Dated 23.12.2019

- CC to 1. PIO-Financial Commissioner Revenue, Pb Chandigarh.
 - 2. Director Land Records, Punjab Kaputhala Road, Jalandhar
 - 3. PIO-Sadar Kanungo, Sri Mukatsar Sahib.

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Sh. Devan Munjal, Ward No-13, Near Usha Nursing Home, Gidderbaha.

... Complainant

Versus

Public Information Officer, O/o Tehsildar, Gidderbaha, Distt Sri Mukatsar Sahib.

First Appellate Authority, O/o SDM, Gidderbaha, Sri Mukatsar Sahib.

...Respondent

Complaint Case No. 1099 of 2018

Present: Sh.Devan Munjal as the Complainant

Sh.Gurmail Singh, Tehsildar, Gidderbaha for the Respondent

ORDER:

The case was first heard on **09.01.2019**. The complainant stated that since the PIO provided the information only on point No.4 out of 9 points, he filed first appeal with the First Appellate Authority which marked the same to the Tehsildar Gidderbaha to adjudicate the appeal. The Tehsildar denied the information stating that it is in question form. The appellant further stated that the information has been delayed intentionally and with malafide and the First Appellate Authority had not properly handled the RTI application, for the decision cannot be taken by the PIO when the case has come to the First Appellate Authority.

The respondent was absent. The PIO was directed to relook at the RTI application and provide all the information which is available with the public authority, even it had been raised in question form. The PIO was also directed to be present on the next date of hearing alongwith the reasons for delay in providing the information.

The case was again heard on **26.02.2019.** The appellant informed that he has not received the information. The respondent was absent and vide email, sought exemption stating that as per order of the DC, Mukatsar Sahib, the respondent has to remain at the station during the leave period of SDM Giddarbaha from 26.02.2019 to 01.03.2019. The PIO further informed that the information has been sent to the complaint vide letter dated 25.02.2019 and a copy of the same sent to the Commission.

A copy of the information was provided to the complainant. The complainant was not satisfied with the information regarding points 6 & 7. The PIO was directed to allow the inspection of the concerned record regarding points 6 & 7 by fixing a mutually convenient date and time and provide the information before the next date of hearing. The PIO was also directed to be present on the next date of hearing and explain the reasons for not providing the information within the time prescribed under the RTI Act.

The case again came up for hearing on **02.04.2019**. The appellant was absent and vide email informed that he visited the office of the PIO on 15.03.2019 and 20.03.2019 but the Tehsildar was not available in the office and nobody showed any concern. The respondent was absent. The PIO was directed to contact the appellant and fix a mutually convenient date & time for inspection within 10 days and provide the information to the appellant as per previous order which still stands.

The case was again heard on **21.05.2019**. The appellant claimd that despite order of the Commission, the PIO has not provided the information, nor cooperated to inspect the record. The respondent was absent. The PIO was issued a show cause notice under section **20** of the RTI Act and directed to file reply on an affidavit. The PIO was also directed to bring the record regarding information relating to points 6 & 7 to the Commission on the next date of hearing.

The case was further heard on **17.07.2019.** The appellant was absent and vide email sought exemption. The respondent present from the office of Warehousing Corporation pleaded that the matter does not relate to them and he has been ordered to attend the hearing only.

The PIO was absent nor had sent any reply to the **show cause notice**. The Commission observed that the appellant has sought information from the revenue department whereas the PIO instead of complying with the order of the Commission had preferred to send an official from the office of Warehousing Corporation who knew nothing about the case. The PIO was however, granted one last opportunity to comply with the earlier order of the Commission and appear personally before the Commission on the next date of hearing alongwith written reply to the show cause on an affidavit, otherwise the Commission will be constrained to take action as per provision of the RTI Act.

The case was last heard on **29.10.2019.** The respondent present pleaded that the information has already been sent to the complainant. The PIO however, did not submit reply to the show cause notice issued on 21.05.2019. The complainant was absent.

Hearing dated 23.12.2019:

The respondent present pleaded that the information has been provided to the appellant. The appellant is not satisfied and stated that the PIO has not provided copy of mortgage deed regarding point-6. The PIO is directed to provide the copy of mortgage deed and if not available to give in writing on an affidavit. Rest of the information stands provided.

The PIO has however, not submitted reply to the show cause notice issued on 21.05.2019. The PIO is directed to submit reply to the show cause notice on an affidavit.

The case is adjourned. To come up for compliance on **17.03.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sri Mukatsar Sahib. Copy of order be sent to both the parties though **registered post.**

Chandigarh Dated: 23.12.2019

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Ms. Kadambini, # 4124, Abohar Road, Sri Mukatsar Sahib.

Versus

Public Information Officer,

O/o DC,

Sri Mukatsar Sahib.

First Appellate Authority,

DC,

Sri Mukatsar Sahib.

...Respondent

... Appellant

Appeal Case No. 1919 of 2019

PRESENT: Ms.Kadambini as the Appellant

Mrs. Adarshpal Kaur, Suptd. and Sh. Chand Singh, Sadar Kanoongo for the

Respondent

ORDER: The appellant through RTI application dated 03.01.2019 has sought information regarding details of income and expenditure of Gaushala Ratta Tibba comprising cash book/ledger/vouchers, employees and other information concerning the office of DC Mukatsar. The appellant was not provided the information after which the appellant filed a first appeal before the First Appellate Authority on 14.03.2019, which took no decision on the appeal.

The case was last heard on 17.10.2019. The respondent present pleaded that since the information is voluminous, the appellant was called for inspection and after inspection, the appellant was asked to deposit a sum of Rs.390/- for 195 pages which the appellant did not deposit. However, the available information was provided to the appellant by the SDM office Malout. The appellant stated that the PIO has provided the information regarding point-2 only.

Hearing both the parties, the Commission observed that there has been delay in attending to the RTI application and directed the PIO to provide the information on points 1,3,4,5,& 6 free of cost. The information regarding point-2 stands provided. The information be provided within 3 weeks.

Hearing dated 23.12.2019:

The respondent present pleaded that the information has been provided to the appellant vide letter dated 15.11.2019 and a copy of the same submitted to the Commission. The appellant is not satisfied with the information on points 3 &4.

Hearing both the parties, the appellant is directed to inspect the record for the remaining information on 30.12.2019 at 11.00 AM in the office of DC Sri Mukatsar Sahib and get the relevant information. The PIO is directed to allow inspection to the appellant and provide the remaining information whatever available on record. If the information is not available, to transfer the RTI application to the concerned PIO.

To come up for further hearing on **17.03.2020 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Sri Mukatsar Sahib. The order be sent to both the parties through registered post.

Chandigarh
Dated 23.12.2019