

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864115, Email: - psic25@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



Sh. Balwinder Singh, S/o

Sh. Tara Singh, Village

Jandrai Nichli,

PO Ranipur, Pathankot - 145023

.....Complainant

.Vs

Public Information Officer,

O/o Tehsildar Pathankot

First Appellate Authority

O/o SDM, Pathankot

.....Respondent

CC No. 544 of 2023

Present: (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Deepak Singh, Tehsil Assistant (7837002512)

ORDER

The RTI application is dated 08.12.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 21.08.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 27.12.2023 in the Commission.

3. The appellant is absent today. Respondent states that the information has been sent to the appellant

4. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 - 10788 of 2011 (arising out of SLP @ No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

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CC No. 544 of 2023

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

5. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

5. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) as the first appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA) , he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

6. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority , he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

7. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Dated: 27th December, 2023

Remanded back to

First Appellate Authority,
O/o SDM, Pathankot

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Balwinder Singh, S/o Sh

Tara Singh, Village Jandrai Nichli, PO

Ranipur, Pathankot – 145023

.....Complainant

.Vs

Public Information Officer,

O/o Director Rural Development and Panchayat

Department, Punjab, Phase 8, Sector 62, Mohali

First Appellate Authority

O/o Director Rural Development and Panchayat

Department, Punjab, Phase 8, Sector 62, Mohali

.....Respondent

CC No. 545 of 2023

Present: None for the parties.

ORDER

The RTI application is dated NIL whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 21.08.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 27.12.2023 in the Commission.

3. Today neither the complainant nor the respondent is present.

4. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

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CC No. 545 of 2023

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

5. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

5. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) as the first appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA) , he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

6. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority , he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

7. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Dated: 27th December, 2023

Remanded back to

First Appellate Authority
O/o Director Rural Development and Panchayat
Department, Punjab, Phase 8, Sector 62,
Mohali

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Shri Major Singh,
C/o Malwa Lok Bhalai Kender,
R/o House No. 1, Sector-1
Thalesh Bagh Colony, Sangrur.

...Complainant

Versus

Public Information Officer,
O/o Senior Superintendent of Police,
Barnala.

...Respondents

COMPLAINT CASE NO. 0546 OF 2023

PRESENT: None on behalf of the Complainant.
ASI Harpal Singh (94174 95901) on behalf of the Respondent.

ORDER:

1. The RTI application is dated 07.11.2022 whereby the Complainant has sought information as mentioned in his RTI application. He filed complaint in the Commission on 25.08.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act). The notice of hearing was issued to the parties for 27.12.2023. Accordingly, the case has been heard today.
2. The Respondent states that information/reply has already been supplied to the Complainant whereas the Complainant is absent for today's hearing in the Commission.
3. The Bench observes that the complainant has directly approached the Commission by preferring complaint in the Commission. The Bench further observes that the Complainant has not availed an alternative and efficacious remedy of first appeal available under section 19 (1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.
4. The attention of the Complainant is drawn to the judgment 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(C) No. 32768-32769/2010) - Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereby, it has been held that while entertaining a complaint case under Section 18 of the RTI Act, 2005. The Commissioners have no jurisdiction to pass an order providing for an access to the information.

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-02-

COMPLAINT CASE NO. 0546 OF 2023

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

5. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under section 19 (1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order.
6. This case is **REMANDED BACK** to the First Appellate Authority who is directed to decide the RTI application of complainant (enclosed herewith) as the First Appeal and decide the matter in accordance with the provisions of the RTI Act, 2005 after giving all concerned parties an opportunity to be heard.
7. In case, the Complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under section 19 (3) of the RTI Act, 2005.
8. In view of the above, the instant Complaint Case is hereby, **disposed off and closed**. Copies of the order be sent to the parties.

Chandigarh
27.12.2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner Punjab

Copy of above is forwarded to the following (Regd. Post):

The First Appellate Authority,
O/o Deputy Inspector General of Police,
Patiala Range, Patiala.

for information and necessary compliance. RTI application dated 07.11.2022 is enclosed.

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Sh. Charan Singh, S/o Sh. Bagh Singh
VPO Alamgir, Distt. Ludhiana - 141116

.....Complainant

.Vs

Public Information Officer,
O/o SDE, Construction Sub
Division No. 3, PWD B&R, Ludhiana

.....Respondent

CC No. 552 of 2023

Present: None for the parties.

ORDER

1. The RTI application is dated 19.09.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 23.08.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 27.12.2023 in the Commission.
3. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

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CC No. 552 of 2023

4. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

5. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) as the first appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA), he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

6. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority, he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

7. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Sd/-

(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

Dated: 27th December, 2023

Remanded back to

Secretary to GOP
Department of PWD (B&R)
Sectt. - 1, Chandigarh

PUNJAB STATE INFORMATION COMMISSION

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Sh. Kamaljit Singh, S/o Sh. Gurmail Singh,

R/o Village Devinagar (Abrawa)

PO Manakpur, Distt. Mohali - 140602

.....Complainant

.Vs

Public Information Officer,

O/o Assistant Registrar Cooperative

Societies, Mohali

.....Respondent

CC No. 555 of 2023

Present: (i) Sh. Kamalpreet Singh the appellant alongwith Sh. Ranjodh Singh
(ii) For the respondent : Smt. Jashanvir Kaur, Inspector (7986071572)

ORDER

3. The RTI application is dated 07.11.2022 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.08.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

4. Notice was issued to the parties for hearing for 27.12.2023 in the Commission.

5. The appellant states that no information has been given to him so far. The respondent states that the reply has already been provided to the appellant.

4. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

PUNJAB STATE INFORMATION COMMISSION

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CC No. 555 of 2023

5. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

6. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) as the first appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA) , he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

7. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority , he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

8. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Dated: 27th December, 2023

Remanded back to

First Appellate Authority
Joint Registrar Cooperative Societies,
Patiala Mandal, Mall Road, Patiala,

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

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Sh. Gurcahnan Singh, S/o
Sh. Bant Singh, VPO Gosala,
Tehsil Samrala, Distt. Ludhiana – 141411
(M:- 9592445840)

.....Complainant

.Vs

Public Information Officer,
O/o Food Civil Supplies and Consumer
Affairs, Samrala, Distt. Ludhiana

.....Respondent

CC No. 556 of 2023

Present: (i) None is present on behalf of the complainant
(ii) For the respondent : Sh. Deepak Singh, Tehsil Assistant (7837002512)

ORDER

The RTI application is dated 12.06.2023 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 28.08.2023 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 27.12.2023 in the Commission.
3. The appellant is absent today. Respondent states that the information has been sent to the appellant
4. After going through the file, it is observed that this is the complaint case. The attention of the Complainant is drawn to the decision of the judgment of the Hon'ble Supreme Court of India rendered on 12.12.2011 in Civil Appeal Nos. Nos.10787 – 10788 of 2011 (arising out of SLP © No.32768-32769/2010)- Chief Information Commissioner and another Vs. State of Manipur and another, in Para 31 whereof, it has been held that while entertaining a complaint case under Section 18 of the RTI Act , 2005, the Commissioners have no jurisdiction to pass an order providing for an access to the information which is as under:-

(31. We uphold the said contention and do not find any error in the impugned judgment of the High Court whereby it has been held that the Commissioner while entertaining a complaint under Section 18 of the said Act has no jurisdiction to pass an order providing for access to the information).

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CC No. 556 of 2023

As such, since the complainant has approached the Commission under the provision of Section 18 of the RTI Act, 2005, no directions for providing further information can be given by the Commission.

5. Since there is an alternative and efficacious remedy of first appeal available to the Complainant under Section 19(1) of the RTI Act, 2005, which has not been availed in the instant case and the First Appellate Authority has not had the occasion to review the decision of the PIO, as envisaged under the RTI Act by passing a detailed well reasoned speaking order. In case the complainant has any grouse, he is advised to challenge the response of the PIO before the designated First Appellate Authority, as envisaged under Section 19(1) of the RTI Act, 2005, who will decide the matter in accordance with the provisions of the RTI Act within the prescribed time limit, after giving an opportunity of hearing to all concerned, by passing a speaking order.

6. The instant matter is now remanded back to the First Appellate Authority. The commission hereby directs the FAA to treat the copy of the complaint (copy enclosed) as the first appeal and decide the matter in accordance with the provisions of the RTI Act after giving all concerned parties an opportunity to be heard. He is directed to give an early date to hear the complainant and decide the matter. In case the complainant is not satisfied with the decision of the First Appellate Authority (FAA) , he is at liberty to file second appeal with the Punjab State Information Commission in accordance with the provisions of the RTI Act 2005.

7. If, however, the complainant does not feel satisfied with the decision of the First Appellate Authority , he will be at liberty to file a Second Appeal before the Commission under Section 19(3) of the RTI Act, 2005.

8. In view of the observations noted above, the instant case is **disposed of**. Copies of this decision be sent to the parties **through registered post**.

Dated: 27th December, 2023

Remanded back to

First Appellate Authority,
O/o DFSC, Ludhiana East,
Commissioner Office, Zone D,
3rd Floor, Ludhiana

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Prem Kumar Rattan,
H. No. 78/8,
Park Road, Navi Mandi,
Dhuri, Distt. – Sangrur (Punjab)
(M.-8509580002)
(9041352031)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council,
Dhuri, Distt. - Sangrur (Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
Sangrur(Punjab)

...Respondents

Appeal Case No. 4303 of 2021

Present : None on behalf of the appellant.
Sh. Bal Krishan, Executive Officer-cum-PIO(M.-9417070070), in person.

ORDER

Heard in the Commission.

2. This case was earlier heard on 18.12.2023 and the respondent sought an adjournment in this case.
3. The appellant, Sh. Prem Kumar Rattan, is not present in today's hearing.
4. Sh. Bal Krishan, Executive Officer-cum-PIO, who appeared in person in today's hearing, submits a copy of challan-receipt dated 26.12.2023 showing that the penalty amount of Rs. 10,000/- (imposed vide orders dated 04.09.2023). It is taken on record.
5. Since the orders passed by the Commission has been complied, hence, the instant appeal case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date: 27th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Bhushan Jain, RTI Activist,

392, Street No. 3, Nirmal

Nagar, Dugri, Ludhiana

(M-8146300392)

.....Appellant

.Vs

Public Information Officer,

O/o Director Health and Family Welfare

Punjab, Parivar Kalyan Bhawan,

Sector 34A, Chandigarh

First Appellate Authority,

O/o Director Health and Family Welfare

Punjab, Parivar Kalyan Bhawan,

Sector 34A, Chandigarh

.....Respondent

AC No. 4764 of 2023

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated 09.10.2023, vide which neither the appellant nor the respondent was present without any intimation .

2. Today again neither the appellant nor the respondent is present. They have not even informed the Commission about their absence. In the aforementioned circumstances, I am of the considered view that no useful purpose would be served by prolonging this matter any further. Therefore the above said appeal case filed by the appellant is **dismissed for non perusal**. Copies of the order be sent to the parties.

Sd/-

(Amrit Partap Singh Sekhon)

**State Information Commissioner
Punjab**

Dated: 27th December, 2023

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

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Rakesh Kumar
S/o Late Sh. Narota Ram,
Balmik Basti,
Sunam (Punjab)
(M.-9814576277)

....Appellant

V/s

Public Information Officer,
O/o The Executive Officer,
Nagar Council,
Sunam -148028 (Punjab)

First Appellate Authority,
O/o The Additional Deputy Commissioner
(Urban Development),
Sangrur (Punjab)

...Respondents

Appeal Case No. 4787 of 2023

Present : None on behalf of the appellant.
Sh. Bal Krishan, Executive Officer-cum-PIO(M.-9417070070), in person.

ORDER

Heard in the Commission.

2. This case was earlier heard on 06.10.2023.
3. The appellant, Sh. Rakesh Kumar , is not present in today's hearing.
4. Sh. Bal Krishan, Executive Officer-cum-PIO(M.-9417070070), who appeared in person in today's hearing, submits a written-submission dated 27.12.2023 intimating that through a letter dated 22.12.2023, an opportunity was given to the appellant to visit the office and inspect the relevant official record to get the required information but he did not visit the office. It, alongwith a copy of reply dated 22.12.2023 is taken on record.
5. Nevertheless, the appellant is advised to visit the office of the respondent PIO during working hours with prior intimation to respondent PIO and inspect the relevant official-record.
6. The respondent PIO concerned is directed to facilitate the appellant during his visit to the office and supply the certified copies of the information to the appellant, which would be identified by him after inspection.
7. With the above-announced directions, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date :27th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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Iqbal Singh Rasulpur
C/o Sh. Satinder Pal Singh Dhaliwal, Advocate,
Street No. -4, Guru Nanak Nagar,
Kacha Malk Road,
Jagraon,
Distt. – Ludhiana – 142026(Punjab)
(M.-88722-00515)

....Appellant

V/s

Public Information Officer,
O/o The Secretary
to Government of Punjab,
Deptt. of Home Affairs & Justice,
Pb. Civil Secretariat, Sector-1, Chandigarh

First Appellate Authority,
O/o The Secretary
to Government of Punjab,
Deptt. of Home Affairs & Justice,
Pb. Civil Secretariat, Sector-1, Chandigarh

...Respondents

Appeal Case No. 5407 of 2023

Present : Sh. Iqbal Singh Rasulpur , the appellant in person.
Sh. Sahil Sharma, Senior Assistant-cum-APIO(M.-8837835239), for respondent.

ORDER

Heard in the Commission.

2. This case was earlier heard on 15.11.2023, the appellant through a letter dated 15.11.2023 has identified the required information (i.e. Page no. 82, 127, 130, 146, 147, 131 and 148) from the concerned file during the hearing. An opportunity was given to the respondent PIO to supply the certified copies of the required information as identified by the appellant.

3. Sh. Sahil Sharma, Senior Assistant-cum-APIO, who appeared on behalf of the respondent PIO in today's hearing, states that complete information has been given to the appellant vide letter dated 12.12.2023. It, alongwith a copy of supplied information/ annexure with a copy of postal-receipt, is taken on record.

4. The appellant, Sh. Iqbal Singh Rasulpur , who appeared in person, orally states that he has received the required information and the case be closed.

5. Since complete information has been supplied by the respondent PIO and the appellant has also given his consent to close the case, hence, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date :27th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Amarjit Singh Dhamotia,
1331-5, Street No. 05,
Vishwakarma Bhawan,
Down Canal Road,
Shimlapuri, Distt. - Ludhiana - 141003 (Punjab)
(M.- 98884-90031)

....Appellant

V/s

Public Information Officer,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 5589 of 2023

Present : None on behalf of the appellant.
Sh. Jaswinder Singh, Senior Assistant(M.-9417885069) of Municipal Service Cell, for the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 01.06.2023. First appeal is dated 01.07.2023. Second appeal has been received in the Commission on 25.08.2023.
3. The appellant, Sh. Amarjit Singh Dhamotia, through an e-mail dated 27.12.2023 has sought exemption from personnel appearance in today's hearing. It is taken on record.
4. Sh. Jaswinder Singh, Senior Assistant of Municipal Service Cell, who appeared on behalf of the respondent PIO in today's hearing, submits a reply dated 22.12.2023 intimating that the RTI request of the appellant has not been received in the office. Further, the RTI request was received in the Branch from LG – 1 Branch and the information demanded through RYI request relates with office of Municipal Corporation, Ludhiana, hence, the same was forwarded to that office vide letter dated 26.10.2023 under intimation to the appellant. It, alongwith annexure, is taken on record.
5. In view of the above, the instant appeal-case is announced as **disposed of and closed** with the advice to the appellant to file a fresh application by seeking specific information from the respondent PIO concerned.

Copies of the orders be sent to the parties.

Date :27th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Sh. Sat Pal Goyal,

S/o Sh. Sohan Lal, Near Post

Office, Tapa Mandi- 148108

(M:- 9417592432)

.....Appellant

.Vs

Public Information Officer,

O/o SE, PWD, Sangrur

First Appellate Authority,

O/o SE, Construction Division,

PWD B&R, Sangrur

.....Respondent

AC No. 5590 of 2023

Present: None for the parties.

ORDER

1. The RTI application is dated 29.04.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 25.08.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 27.12.2023 in the Commission.
3. Today neither the appellant nor the respondent is present. An email has been received from the respondent which shows that the appellant has received the information. He has also sent the acknowledgment given by the Appellant in token of having received the information.
4. Since, the appellant has received the information, no further cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copies of the order be sent to the parties.

Dated: 27th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Ravinder Kumar
S/o Sh. Mahar Chand,
H. No. 8497, Street – 1,
Maha Singh Nagar,
Daba Lohar Road,
Ludhiana (East) - 141012(Punjab)
(M. 9914580204)

....Appellant

V/s

Public Information Officer,
O/o The Deputy Commissioner of Police,
Ludhiana (Punjab)

First Appellate Authority,
O/o The Commissioner of Police,
Ludhiana (Punjab)

...Respondents

Appeal Case No. 5591 of 2023

Present : None on behalf of the appellant.
Sh. Bikram Singh, S. I. (M.-9417627284), on behalf of the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 24.02.2023. First appeal is dated 28.02.2023. Second appeal has been received in the Commission on 25.08.2023.
3. The appellant, Sh. Ravinder Kumar, is not present in today's hearing.
4. Sh. Bikram Singh, S. I., who appeared on behalf of the respondent PIO in today's hearing, submits a reply dated 25.12.2023 intimating that the information sought is regarding an action taken report on a complaint dated 26.11.2022 is still under enquiry and exempted from disclosure under clause of Section 8 (i) (h) of the RTI Act. It is taken on record.
5. A scanned copy of the same reply is placed herewith for reference.

Contd...2/-

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OFFICE OF THE
COMMISSIONER OF POLICE
LUDHIANA.



ਦਫਤਰ,
ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ,
ਲੁਧਿਆਣਾ।

ਆਰ.ਟੀ.ਆਈ. ਸ਼ਾਖਾ
(RTI Branch)

ਸੇਵਾ ਵਿਖੇ,

ਮਾਨਯੋਗ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ,
ਰੈਡ ਕਰਾਸ ਭਵਨ, ਨੇੜੇ ਰੋਜ਼ ਗਾਰਡਨ, ਸੈਕਟਰ-16,
ਚੰਡੀਗੜ੍ਹ।

ਨੰਬਰ 576-D ਆਰ.ਟੀ.ਆਈ/ ਮਿਤੀ 25-12-2023

ਵਿਸ਼ਾ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 5591/2023 ਵੱਲੋਂ SHRI RAVINDER KUMAR।

ਯਾਦ ਪੱਤਰ ਹਵਾਲਾ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰਬਰ 34568 ਮਿਤੀ 03-11-2023 ਦੀ ਪਾਲਣਾ ਹਿੱਤ:-

ਉਪਰੋਕਤ ਵਿਸ਼ਾ/ਹਵਾਲਾ ਅਧੀਨ ਦੇ ਸਬੰਧ ਵਿੱਚ ਬੇਨਤੀ ਹੈ, ਕਿ ਅਪੀਲ ਕਰਤਾ ਵੱਲੋਂ ਮੰਗ ਪੱਤਰ ਵਿੱਚ ਪ੍ਰਾਰਥੀ SHRI RAVINDER KUMAR ਵੱਲੋਂ ਦਰਖਾਸਤ ਨੰਬਰ-20220143209 ਮਿਤੀ 26-11-22 ਸਬੰਧੀ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਸੀ, ਜਿਸ ਸਬੰਧੀ ਸ਼ਿਕਾਇਤ ਸ਼ਾਖਾ ਪਾਸੋਂ ਰਿਪੋਰਟ ਹਾਸਲ ਕੀਤੀ ਗਈ, ਜਿਹਨਾਂ ਦੀ ਰਿਪੋਰਟ ਮੁਤਾਬਕ ਦਰਖਾਸਤ ਨੰਬਰ 20220143209 ਮਿਤੀ 26-11-22 IND AREA- (B) ਲੁਧਿਆਣਾ ਪਾਸ ਪੈਡਿੰਗ ਹੈ, ਦਰਖਾਸਤ ਪੜਤਾਲ ਅਧੀਨ ਹੋਣ ਕਰਕੇ ਆਰ.ਟੀ.ਆਈ.ਐਕਟ 2005 ਦੀ ਧਾਰਾ 8(1) ਐਚ ਤਹਿਤ ਦਸਤਾਵੇਜ਼ੀ ਸੂਚਨਾ ਨਹੀਂ ਦਿੱਤੀ ਜਾ ਸਕਦੀ। ਦਰਖਾਸਤ ਦੀ ਪੜਤਾਲ ਮੁਕੰਮਲ ਹੋਣ ਪਰ ਆਪ ਲੋੜੀਂਦੀ ਸੂਚਨਾ ਹਾਸਲ ਕਰ ਸਕਦੇ ਹੋ। ਜਿਨ੍ਹਾਂ ਦੀ ਮਾਨਯੋਗ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ ਜੀ ਪਾਸ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 5591/2023 ਤਰੀਕ ਪੇਸ਼ੀ 27-12-2023 ਸਮਾਂ 12.00 ਪੀ.ਐਮ ਪਰ ਲੱਗੀ ਹੈ। (ਚੰਡੀਗੜ੍ਹ ਪੁਰੰਚ ਕੇ ਤਰੀਕ ਪੇਸ਼ੀ)

ਯੋਗ ਹੁਕਮ ਲਈ ਰਿਪੋਰਟ ਸੇਵਾ ਵਿੱਚ ਪੇਸ਼ ਹੈ ਜੀ।

B. S. S.
ਲੋਕ ਸੂਚਨਾ ਅਫਸਰ-ਕਮ,
ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ,
ਸਥਾਨਕ, ਲੁਧਿਆਣਾ।

PUNJAB STATE INFORMATION COMMISSION

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Appeal Case No. 5591 of 2023

-3-

6. Accordingly, the case is **disposed of and closed** with the directions to the respondent PIO that as and when the enquiry would be completed, report shall be given to the appellant positively.

Copies of the orders be sent to the parties.

Date :27th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

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Ravinder Kumar
S/o Sh. Mahar Chand,
H. No. 8497, Street – 1,
Maha Singh Nagar,
Daba Lohar Road,
Ludhiana (East) - 141012(Punjab)
(M. 9914580204)

....Appellant

V/s

Public Information Officer,
O/o The Deputy Commissioner of Police,
Ludhiana (Punjab)

First Appellate Authority,
O/o The Commissioner of Police,
Ludhiana (Punjab)

...Respondents

Appeal Case No. 5592 of 2023

Present : None on behalf of the appellant.
Sh. Bikram Singh, S. I. (M.-9417627284), on behalf of the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 04.05.2023. First appeal is dated 20.05.2023. Second appeal has been received in the Commission on 25.08.2023.
3. The appellant, Sh. Ravinder Kumar, is not present in today's hearing.
4. Sh. Bikram Singh, S. I., who appeared on behalf of the respondent PIO in today's hearing, submits a reply dated 25.12.2023 intimating that the information sought is regarding an action taken report on a complaint dated 20.04.2023 is still under enquiry and exempted from disclosure under clause of Section 8 (i) (h) of the RTI Act. It is taken on record.
5. A scanned copy of the same reply is placed herewith for reference.

Contd...2/-

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LUDHIANA.



ਦਫਤਰ,
ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ,
ਲੁਧਿਆਣਾ।

ਆਰ.ਟੀ.ਆਈ. ਸ਼ਾਖਾ
(RTI Branch)

ਸੇਵਾ ਵਿਖੇ,

ਮਾਨਯੋਗ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ,
ਰੈਡ ਕਰਾਸ ਭਵਨ, ਨੇੜੇ ਰੋਜ ਗਾਰਡਨ, ਸੈਕਟਰ-16,
ਚੰਡੀਗੜ੍ਹ।

ਨੰਬਰ 575-D ਆਰ.ਟੀ.ਆਈ/ ਮਿਤੀ 25-12-2023

ਵਿਸ਼ਾ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 5592/2023 ਵੱਲੋਂ SHRI RAVINDER KUMAR।

ਯਾਦ ਪੱਤਰ ਹਵਾਲਾ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰਬਰ 34570 ਮਿਤੀ 03-11-2023 ਦੀ ਪਾਲਣਾ
ਹਿੱਤ:-

ਉਪਰੋਕਤ ਵਿਸ਼ਾ/ਹਵਾਲਾ ਅਧੀਨ ਦੇ ਸਬੰਧ ਵਿੱਚ ਬੇਨਤੀ ਹੈ, ਕਿ ਅਪੀਲ ਕਰਤਾ ਵੱਲੋਂ ਮੰਗ ਪੱਤਰ ਵਿੱਚ ਪ੍ਰਾਰਥੀ SHRI RAVINDER KUMAR ਵੱਲੋਂ ਦਰਖਾਸਤ ਨੰਬਰ-149740 ਮਿਤੀ 20-04-23 ਸੰਬੰਧੀ ਸੂਚਨਾ ਦੀ ਮੰਗ ਕੀਤੀ ਸੀ, ਜਿਸ ਸਬੰਧੀ ਸ਼ਿਕਾਇਤ ਸ਼ਾਖਾ ਪਾਸੋਂ ਰਿਪੋਰਟ ਹਾਸਲ ਕੀਤੀ ਗਈ, ਜਿਹਨਾਂ ਦੀ ਰਿਪੋਰਟ ਮੁਤਾਬਕ ਦਰਖਾਸਤ ਨੰਬਰ 149740 ਮਿਤੀ 20-04-23 IND AREA- (B) ਲੁਧਿਆਣਾ ਪਾਸ ਪੈਡਿੰਗ ਹੈ, ਦਰਖਾਸਤ ਪੜਤਾਲ ਅਧੀਨ ਹੋਣ ਕਰਕੇ ਆਰ.ਟੀ.ਆਈ.ਐਕਟ 2005 ਦੀ ਧਾਰਾ 8(1) ਐਚ ਤਹਿਤ ਦਸਤਾਵੇਜ਼ੀ ਸੂਚਨਾ ਨਹੀਂ ਦਿੱਤੀ ਜਾ ਸਕਦੀ। ਦਰਖਾਸਤ ਦੀ ਪੜਤਾਲ ਮੁਕੰਮਲ ਹੋਣ ਪਰ ਆਪ ਲੋੜੀਂਦੀ ਸੂਚਨਾ ਹਾਸਲ ਕਰ ਸਕਦੇ ਹੋ। ਜਿਨ੍ਹਾਂ ਦੀ ਮਾਨਯੋਗ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ ਜੀ ਪਾਸ ਅਪੀਲ ਕੇਸ ਨੰਬਰ 5592/2023 ਤਰੀਕ ਪੇਸ਼ੀ 27-12-2023 ਸਮਾਂ 12.00 ਪੀ.ਐਮ ਪਰ ਲੱਗੀ ਹੈ। (ਚੰਡੀਗੜ੍ਹ ਪੁਰੰਚ ਕੇ ਤਰੀਕ ਪੇਸ਼ੀ)

ਯੋਗ ਹੁਕਮ ਲਈ ਰਿਪੋਰਟ ਸੇਵਾ ਵਿੱਚ ਪੇਸ਼ ਹੈ ਜੀ।

Bilal Singh
ਲੋਕ ਸੂਚਨਾ ਅਫਸਰ-ਕਮ,
ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ ਪੁਲਿਸ,
ਸਥਾਨਕ, ਲੁਧਿਆਣਾ।

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Appeal Case No. 5592 of 2023

-3-

6. Accordingly, the case is **disposed of and closed** with the directions to the respondent PIO that as and when the enquiry would be completed, report shall be given to the appellant positively.

Copies of the orders be sent to the parties.

Date :27th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab

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Shri Nitin Kumar Garg, (78143 22100)
C/o Police Public Dairy,
15-A, Shastri Nagar, Model Town, Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o XEN/Executive Engineer,
Construction Division No. 1,
Public Works Department (B&R), Kapurthala.

First Appellate Authority,
O/o Superintending Engineer,
Construction Circle No. 2, Public Works Department (B&R),
Jalandhar.

...Respondents

APPEAL CASE No. 5601 OF 2023

PRESENT: Shri Nitin Kumar Garg, Appellant.
None on behalf of the Respondents.

ORDER:

The RTI application is dated 01.06.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 08.07.2023 and Second Appeal was filed in the Commission on 25.08.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 27.12.2023 in the Commission.

2. The Appellant appears in person and confirms the receipt of complete information to his satisfaction and also gives his consent to close the case.

3. In view of the above, no cause of action is left in this matter. Hence, the instant Appeal Case is **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

(Amrit Partap Singh Sekhon)
State Information Commissioner Punjab

Dated: 27.12.2023

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Shri Nitin Kumar Garg, (78143 22100)
C/o Police Public Dairy,
15-A, Shastri Nagar, Model Town, Ludhiana.

...Appellant

Versus

Public Information Officer,
O/o Medical Superintendent,
Civil Hospital, Jalandhar.

First Appellate Authority,
O/o Director,
Department of Health & Family Welfare,
Sector – 34, Chandigarh.

...Respondents

APPEAL CASE No. 5606 OF 2023

PRESENT: Shri Nitin Kumar Garg, Appellant.
None on behalf of the Respondents.

ORDER:

The RTI application is dated 01.06.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 08.07.2023 and Second Appeal was filed in the Commission on 25.08.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act). Notice of hearing was issued to the parties for 27.12.2023 in the Commission.

2. The Appellant appears in person and confirms the receipt of complete information to his satisfaction and also gives his consent to close the case.

3. In view of the above, no cause of action is left in this matter. Hence, the instant Appeal Case is **disposed of and closed**. Copies of the order be sent to the parties.

Sd/-

(Amrit Partap Singh Sekhon)

State Information Commissioner Punjab

Dated: 27.12.2023

PUNJAB STATE INFORMATION COMMISSION

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SECTOR 16, CHANDIGARH.

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Gurmeet Singh,
138-B, Red MIG Flats,
Rajouri Garden(West)
New Delhi - 110027(Punjab)
(M. 9868320699)

....Appellant

V/s

Public Information Officer,
O/o The Commissioner of Police,
Ludhiana (Punjab)

First Appellate Authority,
O/o The Commissioner of Police,
Ludhiana (Punjab)

...Respondents

Appeal Case No. 5621 of 2023

Present : Sh. Gurmeet Singh, the appellant in person.
Sh. Bikram Singh, S. I. (M.-9417627284) on behalf of the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 02.05.2023. First appeal is dated 21.06.2023. Second appeal has been received in the Commission on 25.08.2023.

3. Sh. Bikram Singh, S. I., who appeared on behalf of the respondent PIO in today's hearing, hands over the requisite information to the appellant during the hearing. He also submits a copy of the same to the Commission. It is taken on record.

4. The appellant, Sh. Gurmeet Singh, who appeared in person in today's hearing, orally states that he has received the required information and the case be closed.

5. Since complete information has been supplied by the respondent PIO and the appellant has also given his consent to close the case, hence, the instant appeal-case is announced as **disposed of and closed.**

Copies of the orders be sent to the parties.

Date :27th December, 2023

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab