**STATE INFORMATION COMMISSION, PUNJAB**

**Punjab Red Cross Building (Next to Rose Garden)**

**Sector:16/B, Madhya Marg, Chandigarh**

**Contact No.0172-2864116, Fax No.0172-2864125**

**(**[**www.infocommpunjab.com**](http://www.infocommpunjab.com/) **and Email.ID** [**scic@punjabmail.com**](mailto:scic@punjabmail.com))

Sh. Jagsir Singh,

S/o Sh. Sher Singh,

VPO: Mahiraj Patti Kalan,

Tehsil: Phool, Distt: Bathinda.

Complainant.

Versus

**Public Information Officer**,

O/o Reader,

Court of Shri Suresh Kumar Goyal,

PCS, Addll. Civil Judge (Sr. Division),

Phul.

Respondent

**Complaint CASE NO. 1476 OF 2016**

**PRESENT:** (i) Sh. Darshan Singh on behalf of the complainant.

(ii) Sh. Ramesh, Reader-cum-PIO, the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 06.09.2017.

2. At today’s hearing, the representative of the complainant states that till today, complete information has not been provided to the complainant by the respondent.

3. The respondent states that the information which was available in their official record has already been provided to the complainant. He has further submitted the written reply of the concerned record keeper, which is handed over to the representative of the complainant today in the Commission.

4. After going through the reply of the concerned record keeper, the representative of the complainant states that he is satisfied with the reply of the concerned official and has given in writing that this case may please be closed.

5. After hearing both the parties and perusal of the record, it is ascertained that the information which was available in the official record of the respondent has already been supplied to the complainant and for rest of the information, the respondent has given in writing that the concerned file is not available in their office record. Copy of the reply has already been supplied to the representative of the complainant. The representative of the complainant has given

Contd…p-2

**Complaint CASE NO. 1476 OF 2016**

in writing, today in the Commission, that this case may please be closed. In view of the above, no further cause of action is left in the instant Complaint Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Surinder Singh Joshi, Advocate,

Kothi No.10, Sector:8/A,

Chandigarh.

…Appellant

Versus

**Public Information Officer**,

O/o Registrar,

Co-operative Societies, Punjab,

Chandigarh.

**First Appellate Authority,**

o/o Registrar,

Co-operative Societies, Punjab,

Chandigarh.

...Respondent

**Appeal Case No. 1744 of 2017**

**PRESENT:** (i) Sh. Surinder Singh Joshi, the appellant.

(ii)Smt. Satvinder Kaur, Steno on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 06.09.2017.

2. The appellant states that he has received the information but it has not been provided to him within the stipulated time as prescribed under the RTI Act, 2005. Therefore, the PIO should be penalized for the delay in providing the information.

3. The respondent files reply today in the Commission which is taken on record.

4. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **Smt. Baljinder Kaur Bajwa, PIO o/o Registrar, Cooperative Societies, Punjab, Chandigarh** is directed to show cause as to why penalty @ 250/-per day be not imposed upon her under Section 20 (1) of the RTI Act for not sending the information to the appellant within the statutorily period and why the appellant should not be compensated for the detriments suffered by him in getting the information.

5. The respondent-PIO is directed to file a written point-wise reply in this regard before the next date of hearing, with a copy to the appellant.

Contd…p-2

**Appeal Case No. 1744 of 2017**

6. She may also make use of the next date of hearing for her personal hearing as well under the principles of natural justice and explain her conduct and status of the complaint to enable the Commission to arrive at a reasonable/logical conclusion in the matter.

7. The matter to come up for further hearing now on **11.12.2017 at 11.30AM.** Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

***Through registered post***

**CC: Smt. Baljinder Kaur Bajwa, PIO o/o Registrar, Cooperative Societies, Punjab, Chandigarh.**

**STATE INFORMATION COMMISSION, PUNJAB**

**Punjab Red Cross Building (Next to Rose Garden)**

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Sh. Surinder Singh Joshi, Advocate,

Kothi No.10, Sector:8/A,

Chandigarh.

…Appellant

Versus

**Public Information Officer**,

O/o Registrar,

Co-operative Societies, Punjab,

Chandigarh.

**First Appellate Authority,**

o/o Registrar,

Co-operative Societies, Punjab,

Chandigarh.

...Respondent

**Appeal Case No. 1870 of 2017**

**PRESENT:** (i) Sh. Surinder Singh Joshi, the appellant.

(ii)Smt. Jaspreet Kaur, Suptd., o/o J.R, Patiala and Sh. Bhupinder Singh, Sr. Assistant on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 12.10.2017.

2. The appellant states that till today, complete information has not been provided to him by the respondent. Therefore, the PIO should be penalized for the delay in providing the information. He has pointed out deficiency in the information provided. Copy of the same is handed over to the respondent.

3. The respondent states that some more time be given to him to provide the complete information to the appellant, which is pointed out by him today in the Commission.

4. The respondent is directed to provide the complete information to the appellant, before the next date of hearing. The respondent-PIO is also directed to appear personally on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

5. The matter to come up for further hearing now on **11.12.2017 at 11.30AM.** Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Arun Kumar,

S/o Sh. Kulveer Singh,

R/o Village:Bhogla, Tehsil:Rajpura,

Distt: Patiala.

Complainant

Versus

**Public Information Officer**,

O/o Manager,

Nahar Spinning, Mills Pvt. Ltd.,

Lalru, Distt:Mohali.

Respondent

**Complaint CASE NO. 932 OF 2017**

**PRESENT:** Sh. Arun Kumar, the complainant.

None is present on behalf of the respondent.

**ORDER**

The RTI application is dated 28.03.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 11.09.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 02.11.2017 in the Commission.

3. The complainant states that he filed an RTI application dated 08.04.2017 and a reply has been given to him by the respondent vide letter dated 24.04.2017, which was incomplete and again he had written to the respondent but till today, no reply has been supplied to him by the respondent.

4. The perusal of the file reveals that the respondent has replied to the RTI application well in time but the Complainant has not availed the provision of the Section 19(1) of the RTI Act by filing an appeal with the First Appellate Authority (FAA). As such the FAA has not been able to address the grievances of the Complainant.

5. It must be noted that there is an alternate and efficacious remedy of First Appeal available under Section 19(1) of the RTI Act. It appears that the Complainant has failed to avail the same in the instant case. Consequently, the First Appellate Authority (FAA) has not had the chance to review the PIO’s decision as envisaged under the RTI Act.

Contd…p-2

**Complaint CASE NO. 932 OF 2017**

5.In view of the aforesaid, the instant matter is remanded to the FAA. The Commission hereby directs the FAA to treat the copy of the Complaint (enclosed herewith) 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.

6. The FAA is directed to peruse all the relevant documents during the hearing and examine whether the information provided by the PIO is complete, relevant and correct. Where the FAA is satisfied that the information provided by the PIO is as per the records, the First Appeal shall be disposed of. In the event, there are any deficiencies in the information provided by the PIO, the FAA shall direct the PIO to provide the complete information in reply to the RTI application dated 08/06/2011 to the Complainant.

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

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Surinder Kumar,

S/o Sh. Diwan Singh,

Village Andana, Tehsil: Munak,

Distt: Sangrur.

Complainant

Versus

**Public Information Officer**,

O/o Deputy Registrar,

Cooperative Societies, Sangrur.

Respondent

**Complaint CASE NO. 933 OF 2017**

**PRESENT:** None is present on behalf of the complainant.

Sh. Rakesh Kumar, Clerk on behalf of the respondent.

**ORDER**

The RTI application is dated 08.04.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 24.08.2017 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice was issued to the parties for hearing for 02.11.2017 in the Commission.

3. The complainant is absent for today’s hearing without any intimation to the Commission.

4. The respondent states that the information relating to point nos. 1 to 5 has already been supplied to the complainant and information relating to point no. 6 is very voluminous and has requested that complainant can visit their office on any working day for inspection of the record.

5. The complainant is advised to visit the office of the respondent to inspect the record and the respondent is directed to allow the complainant for inspection and provide the information to the complainant not more than fifty pages, before the next date of hearing.

6. The matter to come up for further hearing now on **11.12.2017 at 11.30AM.** Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Rakesh Kumar Gupta,

Advocate, 8/237, Jagraon,

Road, Mandi Mullanpur,

Distt: Ludhiana. …Appellant

Versus

**Public Information Officer**,

O/o DFSC (East),

Zone-D, Municipal Corporation,

Ludhiana.

**First Appellate Authority**,

o/o DFSC,

Punjab, Sector:39/C,

Chandigarh.

...Respondent

**Appeal Case No. 1694 of 2017**

**PRESENT:** (i) Sh. Rakesh Kumar Gupta, the appellant.

(ii)None is present on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 06.09.2017.

2. The appellant states that he has sent the copy of the deficiency in the Commission which is received vide diary no.24890 dated 02.11.2017.

3. Neither the respondent nor his representative is present for today’s hearing.

4. During the last hearing, the appellant was advised to point out the deficiencies within fifteen days to the respondent with a copy to the Commission but he has not turned up for the same. The perusal of the RTI reveals that the appellant has sought very voluminous information, which is the sheer wastage of the department. He is again advised to visit the office of the respondent on any working day and insect the record.

5. The respondent is directed to allow the appellant for inspection the record and provide the information to him not more than fifty pages, before the next date of hearing and should personally appear on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **11.12.2017 at 11.30AM.** Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Surinder Kumar Sethi,

S/o Sh. Mulakh Raj Sethi,

Ghasita Mal Gali,

Kotakpura.

Appellant

Versus

**Public Information Officer**,

O/o D.M,

PUNSUP, Faridkot.

**First Appellate Authority**

o/o PUNSUP,

Sector:34, Chandigarh.

Respondent

**Appeal CASE NO. 1718 OF 2017**

**PRESENT:** (I) Sh. Vijay Gupta on behalf of the appellant.

(ii) Sh. Sukhjinder Singh, Clerk on behalf of the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 06.09.2017.

2. The appellant has authorized Sh. Vijay Gupta to appear on his behalf for today’s hearing. The representative of the appellant states that till today, no information has been provided to the appellant by the respondent.

3. The respondent states that the same matter has already been decided by the Hon’ble SIC Sh. N.S.Brar vide order dated 20.01.2016. He further states that the information which was available in their office record has been provided to the appellant two times but the appellant is not satisfied.

4. The PIO or APIO is directed to personally appear on the next date of hearing alongwith the record relating to the RTI application of the appellant dated 18.12.2014 on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

5. The matter to come up for further hearing now on 11**.12.2017 at 11.30AM.** Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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**Sector:16/B, Madhya Marg, Chandigarh**

**Contact No.0172-2864116, Fax No.0712-2864125**

**(**[**www.infocommpunjab.com**](http://www.infocommpunjab.com/) **and Email.ID scic@punjabmail.com**

Sh. D.P.Sharda,

Joint Chief Auditor Cooperative Societies,

o/o Chief Auditor Cooperative Societies,

Sector:34/A, Chandigarh.

…Appellant.

Versus

**Public Information Officer,**

O/o Audit Officer,

Cooperative Societies,

Patiala.

**First Appellate Authority**

o/o Chief Auditor,

Cooperative Societies,

Chandigarh.

...Respondent

**Appeal Case No. 2449 of 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Nardeep Singh, PIO the respondent.

**ORDER**

The RTI application is dated 11.05.2017 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 22.06.2017 and second appeal was filed in the Commission on 01.09.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.11.2017 in the Commission.

3. A letter has been received from the appellant that in this case he has received the information from respondent vide letter dated 31.10.2017 and has sought another date to file his reply in this regard.

4. The respondent files reply to the Notice of the Commission today in the Commission that the information which has sought by the appellant is third party information.

5. After hearing the respondent and perusal of the record as available in the file, it is ascertained that the appellant has not shown his public interest in seeking this information. Appellant is directed to justify what public interest is involved in the

Contd….p-2

**Appeal Case No. 2449 of 2017**

information asked for, before the next date of hearing and should personally appear on the next date of hearing, failing which decision shall be taken on merit basis.

6. The matter to come up for further hearing now on 11**.12.2017 at 11.30AM.** Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. D.P.Sharda,

Joint Chief Auditor Cooperative Societies,

o/o Chief Auditor Cooperative Societies,

Sector:34/A, Chandigarh.

…Appellant.

Versus

**Public Information Officer,**

O/o Chief Auditor,

Cooperative Societies,

Chandigarh.

**First Appellate Authority**

o/o Chief Auditor,

Cooperative Societies,

Chandigarh.

...Respondent

**Appeal Case No. 1769 of 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Sarabjit Singh, APIO on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 06.09.2017.

2. A letter has been received from the appellant that in this case he has received copies of the orders from respondent and wants to go through the same and has sought another date to file his reply in this regard.

3. The respondent states that the information which has sought by the appellant is third party information.

4. After hearing the respondent and perusal of the record as available in the file, it is ascertained that the respondent has not provided the complete information to the appellant. The respondent is directed to provide the information to the appellant which is available in their office record, before the next date of hearing with a copy to the Commission, failing which action under section 20(1) of the RTI Act, 2005 will be initiated. Appellant is directed to justify what public interest is involved in the information asked for, before the next date of hearing and should personally appear on the next date of hearing, failing which decision shall be taken on merit basis.

5. The matter to come up for further hearing now on 11**.12.2017 at 11.30AM.** Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

**Punjab Red Cross Building (Next to Rose Garden)**

**Sector:16/B, Madhya Marg, Chandigarh**

**Contact No.0172-2864116, Fax No.0712-2864125**

Sh. D.P.Sharda,

Joint Chief Auditor Cooperative Societies,

o/o Chief Auditor Cooperative Societies,

Sector:34/A, Chandigarh.

…Appellant.

Versus

**Public Information Officer,**

O/o Audit Officer,

Cooperative Societies,

Patiala.

**First Appellate Authority**

o/o Chief Auditor,

Cooperative Societies,

Chandigarh.

...Respondent

**Appeal Case No. 2450 of 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Sarabjit Singh, APIO on behalf of the respondent.

**ORDER**

The RTI application is dated 10.05.2017 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 12.06.2017 and second appeal was filed in the Commission on 01.09.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.11.2017 in the Commission.

3. A letter has been received from the appellant that in this case he has received the information from respondent vide letter dated 26.10.2017 and has sought another date to file his reply in this regard.

4. The respondent files reply to the Notice of the Commission today in the Commission, which is taken on record.

5. Last opportunity is given to the appellant to follow up his case in the Commission and file his written submission, before the next date of hearing, failing which action in his absence shall be passed on merit basis.

6. The matter to come up for further hearing now on **11.12.2017 at 11.30AM.** Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Harish Chander Goyal,

Ayurvedic, Store Chena Bazar,

Jaiton.

Appellant

Versus

**Public Information Officer**,

O/o District Food Supply Officer,

Faridkot.

**First Appellate Authority**

o/o Director,

Food and Supply Deptt.,

Punjab, Chandigarh.

Respondent

**Appeal CASE NO. 2350 OF 2017**

**PRESENT:** (i) Sh. Madan Lal, on behalf of the appellant

(ii) None is present on behalf of the respondent.

**ORDER:**

The RTI application is dated 06.05.2017 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 14.06.2017 and second appeal was filed in the Commission on 24.08.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.11.2017 in the Commission.

3. The appellant has authorized Sh. Madan Lal to appear on his behalf for today’s hearing. The representative of the appellant states that till today, no information has been provided to the appellant by the respondent.

4. A letter has been received from the respondent in the Commission vide diary no. 24893 dated 02.11.2017 mentioning therein that due to bad health, he cannot attend today’s hearing and has sought another date.

5. Last opportunity is given to the respondent to appear, on the next date of hearing and provide the complete information to the appellant, before the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The matter to come up for further hearing now on **11.12.2017 at 11.30AM.** Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Sukhdev Singh,

S/o SH. Inder Singh,

VPO Kot Dharam Chand Kala,

Tehsil & Distt: Tarn Taran.

Appellant

Versus

**Public Information Officer**,

O/o District Food & Supply Controller,

Tarn Taran.

**First Appellate authority,**

o/o Director,

Food & Civil Supply and Consumer Affairs, Punjab,

Anaz Bhawan, Sector:39/C, Chandigarh.

Respondent

**Appeal CASE NO. 2427 OF 2017**

**PRESENT:** None is present on behalf of the appellant.

Sh. Nishan Singh, Inspector on behalf of the respondent.

**ORDER**

The RTI application is dated 25.04.2017 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 11.06.2017 and second appeal was filed in the Commission on 31.08.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 02.11.2017 in the Commission.

3. A letter has been received from the appellant in the Commission vide diary no. 24773 dated 01.11.2014 mentioning therein that due to ill health, he is unable to attend today’s hearing and has sought another date.

4. The respondent states that he has brought the information to deliver it personally to the appellant but he is absent. Copy of the same is taken on record.

5. The respondent is directed to send the same by registered post to the appellant by tomorrow. The appellant is advised to revert back to the authorities, in case he finds any deficiency and the respondent is directed to remove the same, before the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. On the request of the appellant, the case is adjourned for further hearing now on **11.12.2017 at 11.30AM**. Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. N.K.Sayal,

Member RTI Activist,

Sayal Street, Sirhind.

Appellant

Versus

**Public Information Officer**,

O/o Principal Secretary,

Local Govt., Punjab,

Municipal Bhawan, Plot NO.3,

Sector:35/B, Chandigarh.

**First Appellate authority**

o/o Principal Secretary,

Local Govt., Punjab,

Municipal Bhawan, Plot NO.3,

Sector:35/B, Chandigarh.

Respondent

**Appeal CASE NO. 3804 OF 2016**

**PRESENT:** (I) Sh. N.K.Sayal, the appellant.

(ii) None is present on behalf of the respondent.

**ORDER:**

This order may be read with reference to the previous order dated 04.09.2017.

2. The appellant states that till today, neither the respondent has given the compensation amount of Rs. 5000/- to him which was awarded to him by the Commission during the last hearing nor has provided complete information.

3. The respondent is absent for today’s hearing without any intimation to the Commission.

4. Neither the PIO is present for today’s hearing nor has paid any compensation to the appellant, which shows that he has no regard for the orders of the Commission. The Commission takes a serious view of this matter and is constrained to enhance the amount of compensation from Rs. 5000/- to Rs. 7000/- (Rs. Seven Thousand only). Besides, the Commission would also consider invoking of penalty provisions against the respondent-PIO in case he fails to provide the required information and payment of the awarded compensation. The respondent may provide the information to the appellant and make the payment of compensation to him before the next date of hearing by way of Demand Draft. A compliance report in this regard be sent to the Commission accordingly.

Contd….P-2

**Appeal CASE NO. 3804 OF 2016**

5. The matter to come up for further hearing now on **11.12.2017 at 11.30AM.**  Copies of the order be sent to the parties.

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**

***Note: After the hearing was over, Sh. Sanjeev Kumar, Suptd., appeared and stated that the delay has been occurred to receiving the file from the concerned branch. He further stated that he had brought the demanded draft of Rs. 5000/- as compensation. The respondent is directed to bring the same, on the next date of hearing and also bring the original file related to the RTI application of the appellant, on the next date of hearing, failing which penalty will be initiated against the PIO for not complying the orders of the Commission.***

**Chandigarh (Prof. Viney Kapoor Mehra)**

**02.11.2017 State Information Commissioner**