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Sh Baldev Raj, Royal County Colony, Near Taru Da Wara, Phagwara, Distt Kapurthala..

Versus

... Appellant

Public Information Officer, O/o District Collector, Kapurthala.

First Appellate Authority, O/o DC, Kapurthala

...Respondent

Appeal Case No. 1687 of 2018

Present: None for the Appellant

Sh.Surinder Kumar, Patwari for the Respondent

Order:

The case was last heard on 24.09.2018. The respondent was absent. The order is reproduced hereunder:

"The appellant through RTI application dated 15.01.2018 has sought time and to allow him to inspect the record of mutation relating to village Hasira Hadbast No.229 Tehsil Dhilwa District Kapurthala for the year 2005-2006-2007 and to provide required documents concerning the office of District Collector, Kapurthala. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 17.03.2018 which asked the appellant vide letter dated 20.04.2018 to be present before the First Appellate Authority on 26.04.2018.

The appellant informed that he received the letter of the First Appellate Authority on 26.04.2018 in the afternoon. The appellant further informed that he has not been allowed to inspect the record. The PIO is absent without intimation to the Commission. The PIO is directed to fix the time and allow the appellant to inspect the record and provide the information as per the RTI Act. If by any chance, the inspection cannot take place due to the circumstances, the PIO is directed to bring the record at the next date of hearing."

Hearing dated 06.11.2018:

The respondent present has pleaded that the appellant was asked via telephone and letters dated 29.10.2018 & 05.11.2018 to come and inspect the record and get the information he wants, but the appellant did not turn up. As per directions, the respondent has brought the record and shown to the Commission. However, since the appellant is absent and vide letter received in the Commission on 01.11.2018, has sought adjournment, the information could not be provided. The appellant is granted one more opportunity to visit the office of PIO and inspect the record. If by any chance, the inspection cannot take place due to the circumstances, the PIO is directed to bring the record at the next date of hearing. The appellant is also directed to be present otherwise the case will be decided ex-parte.

To come up on 05.02.2019 at 11.00 AM for further proceedings to be heard through video conference facility available in the office of the Deputy Commissioner, Jalandhar. Copies of the order be sent to the parties *through registered post*.

Chandigarh Dated: 06.11.2018

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Sh Baldev Raj, Royal County Colony, Near Taru Da Wara, Phagwara, Distt Kapurthala..

... Appellant

Versus

Public Information Officer, O/o District Collector, Kapurthala.

First Appellate Authority, O/o DC,

Kapurthala ...Respondent

Appeal Case No. 1688 of 2018

Present: None for the Appellant

Sh.Surinder Kumar, Patwari for the Respondent

Order:

The case was last heard on 24.09.2018. The respondent was absent. The order is reproduced hereunder:

"The appellant through RTI application dated 20.02.2018 has sought time and to allow him to inspect the record of mutation relating to village Hasira Hadbast No.229 Tehsil Dhilwa District Kapurthala for the year 2006-2007 and to provide required documents concerning the office of District Collector, Kapurthala. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 31.03.2018 which asked the appellant vide letter dated 20.04.2018 to be present before the First Appellate Authority on 26.04.2018.

The appellant informed that he received the letter of the First Appellate Authority on 26.04.2018 in the afternoon. The appellant further informed that he has not been allowed to inspect the record. The PIO is absent without intimation to the Commission. The PIO is directed to fix the time and allow the appellant to inspect the record and provide the information as per the RTI Act. If by any chance, the inspection cannot take place due to the circumstances, the PIO is directed to bring the record at the next date of hearing"

Hearing dated 06.11.2018:

The respondent present has pleaded that the appellant was asked via telephone and letters dated 29.10.2018 & 05.11.2018 to come and inspect the record and get the information he wants, but the appellant did not turn up. As per directions, the respondent has brought the record and shown to the Commission. However, since the appellant is absent and vide letter received in the Commission on 01.11.2018, has sought adjournment, the information could not be provided. The appellant is granted one more opportunity to visit the office of PIO and inspect the record. If by any chance, the inspection cannot take place due to the circumstances, the PIO is directed to bring the record at the next date of hearing. The appellant is also directed to be present otherwise the case will be decided ex-parte.

To come up on 05.02.2019 at 11.00 AM for further proceedings to be heard through video conference facility available in the office of the Deputy Commissioner, Jalandhar. Copies of the order be sent to the parties *through registered post*.

Chandigarh Dated: 06.11.2018

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Sh Baldev Raj, Royal County Colony, Near Taru Da Wara, Phagwara, Distt Kapurthala..

... Appellant

Versus

Public Information Officer,

O/o DC, Kapurthala.

First Appellate Authority,

O/o DC,

Kapurthala ...Respondent

Appeal Case No. 1689 of 2018

Present: None for the Appellant

Sh.Surinder Kumar, Patwari for the Respondent

Order:

The case was last heard on 24.09.2018. The respondent was absent. The order is reproduced hereunder:

"The appellant through RTI application dated 28.02.2018 has sought time and to allow him to inspect the record of mutation relating to village Hasira Hadbast No.229 Tehsil Dhilwa District Kapurthala for the year 2005-2006 and to provide required documents concerning the office of D.C., Kapurthala. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 31.03.2018 which asked the appellant vide letter dated 20.04.2018 to be present before the First Appellate Authority on 26.04.2018.

The appellant informed that he received the letter of the First Appellate Authority on 26.04.2018 in the afternoon. The appellant further informed that he has not been allowed to inspect the record. The PIO is absent without intimation to the Commission. The PIO is directed to fix the time and allow the appellant to inspect the record and provide the information as per the RTI Act. If by any chance, the inspection cannot take place due to the circumstances, the PIO is directed to bring the record at the next date of hearing."

Hearing dated 06.11.2018:

The respondent present has pleaded that the appellant was asked via telephone and letters dated 29.10.2018 & 05.11.2018 to come and inspect the record and get the information he wants, but the appellant did not turn up. As per directions, the respondent has brought the record and shown to the Commission. However, since the appellant is absent and vide letter received in the Commission on 01.11.2018, has sought adjournment, the information could not be provided. The appellant is granted one more opportunity to visit the office of PIO and inspect the record. If by any chance, the inspection cannot take place due to the circumstances, the PIO is directed to bring the record at the next date of hearing. The appellant is also directed to be present otherwise the case will be decided ex-parte.

To come up **on 05.02.2019 at 11.00 AM** for further proceedings to be heard through **video conference facility** available in the office of the Deputy Commissioner, Jalandhar. Copies of the order be sent to the parties **through registered post**.

Chandigarh Dated: 06.11.2018

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Sh Baldev Raj,

Royal County Colony, Near Taru Da Wara,

Phagwara, Distt Kapurthala.. ... Appellant

Versus

Public Information Officer, O/o Naib Tehsildar, Dhilwan,

Distt Kapurthala.

First Appellate Authority,

O/o DC,

Kapurthala ...Respondent

Appeal Case No. 1690 of 2018

Present: None for the Appellant

Sh.Surinder Kumar, Patwari for the Respondent

Order: The case was last heard on **24.09.2018**. The respondent was absent. The order is reproduced hereunder:

"The appellant through RTI application dated 26.02.2018 has sought attested copies of register containing mutation No.6271 & 6272 relating to village Hasira Hadbast No.229 Tehsil Dhilwan District Kapurthala for the year 2005-2006, mutation No.6209 for the year 2005 and mutation No.6208 & 6209 for the year 2005 concerning the office of Naib Tehsildar, Dhilwan, Distt Kapurthala. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 31.03.2018 which asked the appellant vide letter dated 20.04.2018 to be present before the First Appellate Authority on 26.04.2018.

The appellant informed that he received the letter of the First Appellate Authority on 26.04.2018 in the afternoon. The appellant further informed that he has not been provided the information. The PIO is absent without intimation to the Commission. The PIO is directed to go through the RTI application and provide the information as per the RTI Act. The PIO is also directed to be present on the next date of hearing and explain the reasons for not attending to the RTI application within the stipulated time fixed under the RTI Act."

Hearing dated 06.11.2018:

The respondent present has pleaded that the appellant was asked via telephone and letters dated 29.10.2018 & 05.11.2018 to come and inspect the record and get the information he wants, but the appellant did not turn up. As per directions, the respondent has brought the record and shown to the Commission. However, since the appellant is absent and vide letter received in the Commission on 01.11.2018, has sought adjournment, the information could not be provided. The appellant is granted one more opportunity to visit the office of PIO and inspect the record. If by any chance, the inspection cannot take place due to the circumstances, the PIO is directed to bring the record at the next date of hearing. The appellant is also directed to be present otherwise the case will be decided ex-parte.

In the last hearing, the PIO was directed to be present personally and explain the reasons for not attending to the RTI application within the stipulated time which the respondent has not submitted. The PIO is also directed to be present personally on the next date of hearing and submit explanation for delay in attending to the RTI application as per RTI Act.

To come up **on 05.02.2019 at 11.00 AM** for further proceedings to be heard through **video conference facility** available in the office of the Deputy Commissioner, Jalandhar. Copies of the order be sent to the parties **through registered post**.

Chandigarh Dated: 06.11.2018

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Sh Baldev Raj, Royal County Colony, Near Taru Da Wara, Phagwara, Distt Kapurthala..

... Appellant

Versus

Public Information Officer, O/o Naib Tehsildar, Dhilwan, Distt Kapurthala.

First Appellate Authority, O/o DC, Kapurthala

...Respondent

Appeal Case No. 1691 of 2018

Present: None for the Appellant

Sh.Surinder Kumar, Patwari for the Respondent

Order: The case was last heard on 24.09.2018. The respondent was absent. The order is reproduced hereunder:

"The appellant through RTI application dated 22.02.2018 has sought time and to allow him to inspect the record of mutation relating to village Hasira Hadbast No.229 Tehsil Dhilwa District Kapurthala for the year 2005-2006 and to provide required documents concerning the office of Naib Tehsildar, Dhilwan District Kapurthala. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 31.03.2018 which asked the appellant vide letter dated 20.04.2018 to be present before the First Appellate Authority on 26.04.2018.

The appellant informed that he received the letter of the First Appellate Authority on 26.04.2018 in the afternoon. The appellant further informed that he has not been allowed to inspect the record. The PIO is absent without intimation to the Commission. The PIO is directed to fix the time and allow the appellant to inspect the record and provide the information as per the RTI Act. If by any chance, the inspection cannot take place due to the circumstances, the PIO is directed to bring the record at the next date of hearing."

Hearing dated 06.11.2018:

The respondent present has pleaded that the appellant was asked via telephone and letters dated 29.10.2018 & 05.11.2018 to come and inspect the record and get the information he wants, but the appellant did not turn up. As per directions, the respondent has brought the record and shown to the Commission. However, since the appellant is absent and vide letter received in the Commission on 01.11.2018, has sought adjournment, the information could not be provided. The appellant is granted one more opportunity to visit the office of PIO and inspect the record. If by any chance, the inspection cannot take place due to the circumstances, the PIO is directed to bring the record at the next date of hearing. The appellant is also directed to be present otherwise the case will be decided ex-parte.

To come up on 05.02.2019 at 11.00 AM for further proceedings to be heard through video conference facility available in the office of the Deputy Commissioner, Jalandhar. Copies of the order be sent to the parties *through registered post*.

Chandigarh Dated: 06.11.2018

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Sh Satinder Pal Singh, H No-196, Sector-21-A, Chandigarh.

Appellant.

Versus

Public Information Officer, DPI (SE), P.S.E.B, Phase-8, Mohali.

First Appellate Authority, DPI (SE), P.S.E.B, Phase-8, Mohali.

...Respondent

Appeal Case No. 1705 of 2018

Present: None for the Appellant

Smt.Jaskirat Kaur, Asstt.Director, DPI (SE) for the Respondent

ORDER:

Chandigarh

Dated: 06.11.2018

The case was last heard on **25.09.2018**. Since both the parties were absent, the case was adjourned.

The appellant through RTI application dated 12.12.2018 has sought information regarding criminal cases filed against the employees of the secondary education department from 2000 to 2016 and other information concerning the office of DPI(SE) PSEB Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 25.02.2018 which took no decision on the appeal.

The respondent present has pleaded that the information is voluminous and will involve diversion of resources as there are 9 branches and 22 sub-branches from which the information shall has to be collected. So the information cannot be provided. The respondent has also cited a decision of the Hon'ble Punjab and Haryana Court dated 28.11.2016 on a CWP No.2175 of 2014 – Mahinder Singh v/s Govt of Punjab

The appellant is absent on second consecutive hearing to put forth his view and to point out any discrepancy. The Commission sees no further course of action required in this case.

The case is disposed off and closed.

Sd/-

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Sh Iqbal Singh, VPO Rasulpur, Tehsil Jagraon, Ludhiana.

..... Appellant.

Versus

Public Information Officer, DEO (SE), Ludhiana.

First Appellate Authority, DPI (SE), P.S.E.B, Phase-8, Mohali

...Respondent

Appeal Case No. 1706 of 2018

Present: None for the Appellant

None for the Respondent

ORDER:

The case was last heard **on 25.09.2018**. Since both the parties were absent, the case was adjourned.

The appellant through RTI application dated 31.12.2018 has sought time to inspect the complete file of letter No.5/60-06 Estt.Off (5)/4526 dated 22.04.2015 of DPI(SE) relating to his suspension period concerning the office of DPI(SE) Ludhiana. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 28.02.2018 which took no decision on the appeal.

The case has come up **for hearing today**. Both the parties are absent without intimation to the Commission. The Commission has taken a serious view of this and hereby directs the PIO to be present personally on the next date of hearing and submit explanation for delay in attending to the RTI Application under the RTI Act. The appellant is also directed to be present on the next date of hearing otherwise the case will be decided ex-parte.

Both the parties to be present on **08.01.2019** at **11.00** AM for further hearing.

Sd/-

Chandigarh (Khushwant Singh)
Dated: 06.11.2018 State Information Commissioner

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Sh. Abhishek Garg, S/o Sh. Rakesh Kuamr, # 49/13, Street No-1, Lalheri Road, Gurbachan Colony, Khanna, Distt Ludhiana

... Appellant

Versus

Public Information Officer, Labour Welfare Commissioner, Pb, Chandigarh.

First Appellate Authority, Labour Welfare Commissioner, Pb, Chandigarh.

...Respondent

Appeal Case No. 1717 of 2018

Present: None for the Appellant

None for the Respondent

ORDER:

The case was first heard on 30.08.2018.

The respondent Sh.Deepak Kumar from the office of ALC Khanna pleaded that the information has been sent to the appellant on 19.06.2018 relating to their office. The appellant pleaded that he has not received the same. The respondent provided a copy of the same information, which however, was not a certified copy. The respondent was directed to provide.

The respondent Ms.Neelam from Labour Welfare Board, Chandigarh, pleaded that the information is not available with them and the same is available and has to be provided by ALC, Circle-6, Ludhiana.

The respondent Ms.Harpreet Kaur from ALC-Ludhiana-6 informed that the reply has been sent to the appellant on 29.05.2018. The appellant however informed that he has not received the same. The respondent again handed over the information to the appellant at the hearing.

The appellant pleaded that the information has been delayed as it was required by them for claiming labour welfare fund under Factories Act. The delay in information may cause a hindrance in availing the benefits.

The PIO was directed to explain the reasons for delay in providing the information and be present on the next date of hearing."

The case was last heard on **25.09.2018:** The order is reproduced hereunder:

The respondent Ms.Harpreet Kaur pleaded that the certified copy of the information that was sent to the appellant on 19.06.2018, was again provided to the appellant at the last hearing. The appellant is absent and vide email has sought adjournment. The appellant has informed that he has not received the certified copy of the information as per previous orders dated 30.08.2018. The respondent further pleaded that if the same is not received by the appellant, she will send again by registered post. The PIO is directed to send the certified copy of the information through registered post to the appellant within 3 days.

Appeal Case No. 1717 of 2018

The respondent present from ALC-Ludhiana-6 pleaded that the information was sent to the appellant in time on 29.05.2018. In the last hearing, the PIO was asked to explain the reasons for delay in providing the information which the PIO has not brought at the hearing. The PIO ALC-Ludhiana-6 is given last opportunity to be personally present on the next date of hearing and explain the reasons for delay in providing the information within the prescribed time under the RTI Act. The reply be filed on an affidavit.

Hearing dated 06.11.2018:

The appellant is absent and vide email has sought adjournment. The appellant has further informed that he has not received the certified copy of the information. The PIO is directed to send certified copy of the information as per directions of the Commission.

The respondent is absent without intimation to the Commission. In the last hearing, the PIO was given last opportunity to be present and submit explanation for delay in providing the information which has not been submitted. The Commission has taken a serious view of this and the PIO is directed 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 and for not complying with the orders of the Commission, he 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 case is adjourned. The case is adjourned. To come up on 08.01.2019 at 11.00 AM.

Chandigarh Dated:06.11.2018

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Sh Rajesh Gupta, HNo-5326-A, Sec38-W, Chandigarh.

... Appellant

Versus

Public Information Officer, O/o Chief Administrator, GMADA, Mohali.

First Appellate Authority, O/o Chief Administrator, GMADA, Mohali.

...Respondent

Appeal Case No. 1718 of 2018

Present: None for the Appellant

Ms.Suman Bala, AEO-cum-PIO GAMADA for the Respondent

ORDER:

The case was first heard on **14.08.2018**. The appellant was absent. The respondent present sought adjournment and the case was adjourned. The PIO was 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, 2005."

The case was last heard on **25.09.2018**. The order is reproduced hereunder:

"The appellant is absent. Vide letter received in the Commission on 24.09.2018, the appellant has shown inability to attend the hearing due to certain unavoidable circumstances. He has further informed that the PIO has not provided complete information.

In the last hearing, the PIO was directed to be present on the next date of hearing and explain the reasons for not providing the information within the prescribed time under the RTI Act, 2005. The respondent is absent without intimation to the Commission. The PIO is granted one more opportunity to be present personally on the next date of hearing with valid explanation for not complying with the orders of the Commission."

Hearing dated 06.11.2018:

The respondent present has pleaded that since she was on ex-India leave from 04.09.2018 to 05.10.2018, she could not appear on 25.09.2018. Regarding delay in providing the information, the respondent informed that the GAMADA does not have dedicated RTI cell to handle the RTI applications due to which the RTI applications get delayed. The Commission recommends that the Chief Administrator, GAMADA to take note of this inadequacy and create a system to handle the RTI applications as per RTI Act.

The respondent further informed that they have already sent the information to the appellant and a copy is submitted to the Commission. The appellant is absent on 3rd consecutive hearing to point out the discrepancies if any. The Commission is of the view that the information is provided as per RTI application and no further course of action is required.

The case is **disposed off and closed.**

Chandigarh (Kr Dated: 06.11.2018 State Info

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Sh Rajinder Singh, S/o Sh Nikka Singh, Village Lohgarh, P.O Tanda Ram Sahai, Tehsil Mukheria, Distt Hoshiarpur.

..... Appellant.

Versus

Public Information Officer,

O/o Director, Rural Development and Panchayat, Pension Wing, Sector-62, Mohali.

First Appellate Authority,

O/o Director, Rural Development and Panchayat, Pension Wing, Sector-62, Mohali.

...Respondent

Appeal Case No. 1783/2018

Present: Sh.Rajinder Singh as Appellant

Ms. Asha Rani Suptd. O/o Director Rural Development and Panchayat, Pb. for the

Respondent

ORDER: The case was first heard on 14.08.2018. The respondent pleaded that the information has been provided to the appellant and the appellant has received the same. The Commission received an email on 08.08.2018 from the appellant stating that he has not been provided the information relating to points 2 to 9. As the appellant was absent to point out any discrepancy, the case was adjourned.

The case was last heard on **24.09.2018**. The order is reproduced hereunder:

"The respondent present has pleaded that the information was sent to the appellant but the appellant was not satisfied. The respondent further pleaded that the appellant was asked to deposit requisite fee of Rs.1000/- to get the required information but he has not deposited the same.

The case has come up for hearing. The respondent has brought two letters dated 21.12.2017 and 31.01.2018 whereby the PIO has explained that the appellant was asked to deposit Rs.1000/- in letter dated 27.12.2017 and Rs.924/- in letter dated 31.01.2018 to get the information which was not brought on record at the previous hearing. However, both the letters which incidentally demand different amounts are void of the breakup of the fee that has been sought in order to provide the information.

In view of the above circumstances, the PIO is directed to provide the information to the appellant free of cost regarding points 3, 5, 6, 7, 8 & 9. The point No.2 to be discussed at the next hearing. Regarding point No.6, the PIO to provide copy of rule available and give in writing that there are no other rules. Regarding point No.7, the PIO to provide information about ongoing cases. "

Hearing dated 06.11.2018:

The respondent present informed that as per directions of the Commission, the information has been provided to the appellant. The appellant is not satisfied with the information regarding Points 2 & 8. The point No.2 has been discussed. After hearing both the parties, the Commission directs the PIO to provide the information regarding point No.2 as per RTI application. Regarding the information relating to point No.8, the PIO is directed to collect the information and send it to the appellant. The information be provided within 15 days.

The case is disposed off and closed.

Chandigarh Dated: 06.112018

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Regd Post

Er. Sohan Lal Sharma, Astt Er.(Retd), H No-677, MIG, Phase-1, Urban Estate, Patiala.

Appellant.

Versus

Public Information Officer,

O/o Secretary, Rural Development & Panchayat, Pb, Mohali.

First Appellate Authority,

O/o Chief Engineer, Panchayati Raj, Vikas Bhawan, Sector-62, Mohali.

...Respondent

Appeal Case No. 1791 of 2018

Present: Sh.Sohan Lal as Appellant

Sh.Jagjit Singh, Jr Assistant on behalf of the Respondent

ORDER: The case was first heard on 18.07.**2018**. The respondent submitted a letter No.1864 dated 17.07.2018 mentioning that the appellant was asked to deposit the requisite fee of Rs.7012/- within ten days vide letter dated 24.10.2017 but the appellant has not deposited the same and so the information was not provided. The appellant pleaded that he has not received the letter dated 24.10.2017.

The PIO was directed to submit proof of dispatch of the letter and bring a break up of Rs.7012/- on the next date of hearing

The case was again heard on **14.08.2018**: The respondent produced a copy of the official *Dak* register as a proof of the dispatch of the letter dated 24.10.2017 by the PIO which was sent via regular post to the appellant asking him to deposit the requisite fee of Rs.7012/ for the information he had sought. The respondent also brought a break-up of the estimate of Rs.7012, which was handed over to the appellant.

The appellant again pleaded that since he did not receive any reply within 30 days of his RTI application, he be provided the information free of cost. The matter before the Commission was to ascertain that whether the PIO raised the fee within the prescribed time under RTI Act and whether the contention of the appellant has any merit or not? Based on the findings, the commission is to adjudicate the matter for which the PIO is directed to provide further proof of the dispatch of the letter dated 24.10.2017. The PIO was directed to bring the 'Post Register' to ascertain further the claim that the appellant's RTI was responded to within time, whereby he was asked to deposit the requisite fee to obtain the information that he sought.

The case was last heard on 24.09.2018. The order is reproduced hereunder:

"The respondent has brought post register as a proof of dispatch of the letter dated 24.10.2017 and having gone through the entire record and the dak register, I see no reasons to fault the PIO. The Commission also observed that the nature of the information sought is voluminous, and the compiling of which will involve the diversion of resources. Keeping all the factors in mind, I direct the appellant to inspect the record and take relevant information to a maximum of 200 pages which will be provided free of cost to him. The PIO is directed to allow the inspection of record and provide with the information to the appellant."

Appeal Case No. 1791 of 2018

Hearing dated 06.11.2018:

The respondent present has informed that as per directions of the Commission, the information has been provided to the appellant free of cost. The appellant informed that he has been provided information of 194 pages. The PIO is directed to provide remaining information of 6 pages to the appellant.

To come up on 21.11.2018 at 11.00 AM for further hearing.

Chandigarh Dated: 06.11.2018