

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh. Harbans Lal, S/o Sh. Tara Chand,
New Air Tel Tower, Ward No. 28, Hargobind Nagar
Backside Chabra Hospital, Malout,
Distt. Mukatsar Sahib

-----Complainant

Vs.

Public Information Officer,
O/o Assistant Registrar,
Cooperative Societies, Malout,
Sri Mukatsar Sahib

-----Respondent

Complaint Case No. 833 of 2019

Present: None for the parties.

ORDER

This order may be read with reference to the previous order dated 27.11.2019 vide which neither the complainant nor the respondent was present.

2. Today, again neither the complainant nor the respondent is present. The complainant has sent a letter mentioning therein that he is handicapped and therefore he wants video conference.
3. Respondent is again absent today. One last opportunity is given to the respondent to appear before the Commission and state his case, failing which action under Section 20 (1) of the RTI Act will be initiated.
4. To come up on **19.02.2020 at 11.00 AM** through video conference facility in the office of Deputy Commissioner, Mukatsar Sahib. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh.Dhana Singh, S/o Shri Gurbax singh
(Former Secretary of the Hero Khurd Multipurpose Agricultural Service Societies)
Present Address Village Kanakwal Chahaln,
PO Alampur Bodla, Tehsil Budhlada,
Distt. Mansa

.....Appellant

..Vs

Public Information Officer,
O/o Secretary The Hero Khurd Multipurpose Agricultural Services Societies Ltd
Village Hero Khurd Tehsil Budhlada, Distt Mansa
First Appellate Authority
Assistant Registrar, Cooperative societies, Budhlada,
Distt. Mansa

.....Respondent

AC No.4220 of 2019

Present: None is present on behalf of the appellant
For the respondent: Sh. Jagmeet singh, Secretary

ORDER

1. The RTI application is dated 11.05.2019 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 11.07.2019 and second appeal was filed in the Commission on 13.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission.
3. The appellant is absent today. Respondent states that their Society "*The Hero Khurd Multipurpose Agricultural Services Societies Ltd*" is not covered under the RTI Act. He has also filed his reply as envisaged under Section 2 (h) RTI Act 2005.
4. The Respondent, therefore, is not under any obligation to supply the information as demanded.
5. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh.Sarabjit Singh, S/o Gurdeep Singh
R/o VPO Gumanpura, Tehsil and Distt. Amritsar

.....Appellant

..Vs

Public Information Officer,
O/o Assistant Registrar II, Cooperative Societies,
Amritsar

First Appellate Authority
O/o Deputy Registrar Cooperative Labour and
Construction Societies, Amritsar

.....Respondent

AC No. 4216 of 2019

Present: Sh. Sarabjit Singh the appellant
None is present on behalf of the respondent

ORDER

The RTI application is dated NIL 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 20.09.2019 and second appeal was filed in the Commission on 13.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission.

3. Sh. Sarabjit Singh stated that no response whatsoever has been received from the respondents till date. No one has put in appearance on behalf of the respondents nor has any communication been received from them. In the interest of justice, Respondent PIO is afforded one more opportunity to provide the appellant point-wise complete specific information, duly attested, free of cost, by registered post, in accordance with his RTI application and present a photocopy of the relevant postal receipt along with a copy of the information provided, before the Commission on the next date fixed, for its perusal and records. Respondents to note that in case no one comes present on their behalf on the next date fixed, punitive provisions of the RTI Act, 2005 may be invoked against the erring officer(s).

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AC No. 4216 of 2019

4. To come up on **19.02.2020 at 11.00 AM** through video conference facility in the office of Deputy Commissioner, Mukatsar Sahib. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh.Parminder Singh, S/o Sh. Jarnail Singh
Village Kila Barun, PO Ram Colony Camp,
Hoshiarpur-146001

.....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. 4210 of 2019

Present : (i) None is present on behalf of the appellant
(ii) For the respondent : Dr. Mukesh Sondhi, Deputy Director, Sh. Raj Kumar, Sr.
Assistant

ORDER

The RTI application is dated 11.06.2019 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 02.09.2019 and second appeal was filed in the Commission on 13.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission.
3. Respondent states that the appellant has demanded information on four points. He further states that the information of 51 pages regarding point nos. 1 and 2 has already been sent to the appellant. He adds that the information regarding point nos. 3 and 4 is exempted under Section 8 of the RTI Act 2005 , which cannot be provided to the appellant.
4. After hearing the respondent and examining the case file, it is observed that the information, as exists, in the record has been provided to the appellant. The appellant may take note that the information exempted under Section 8 ,cannot be provided to him.

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AC No. 4210 of 2019

6. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Chandigarh
Dated: 16.01.2020

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh.Shiv Naryan Jangra (Press Reporter)
S/o Shri Ramji Dass, Raftar News Channel,
Press Complex, Near Arna Barna Chowk,
Patiala

.....Appellant

..Vs

Public Information Officer,
O/o Civil Surgeon, Patiala
First Appellate Authority
o/o Principal Medical College, Patiala

.....Respondent

AC No.4248 of 2019

Present: Sh. Ashok Kumar is appearing on behalf of the appellant
For the respondent : Dr. Sukhwinder Singh,PIO, Sh. Jashandeep Singh, Jr.
Assistant and sh. Gurpreet singh, Sr. Assistant

ORDER

The RTI application is dated 31.07.2019 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 24.09.20169 and second appeal was filed in the Commission on 15.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission.
3. Sh. Ashok Kumar is appearing on behalf of the appellant. He states that he has received the information today, but the information is not attested.
4. Respondent has given assurance that the information will be attested. Sh.Ashok Kumar expressed his satisfaction over the same.
5. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh.Shiv Naryan Jangra (Press Reporter)
S/o Shri Ramji Dass, Raftar News Channel,
Press Complex, Near Arna Barna Chowk,
Patiala

.....Appellant

..Vs

Public Information Officer,
O/o Civil Surgeon, Patiala
First Appellate Authority
o/o Director Health and Family Welfare,
Parivar Kalyan Bhawan, Sector 34A
Chandigarh

.....Respondent

AC No.4249 of 2019

Present: Sh. Ashok Kumar is appearing on behalf of the appellant
For the respondent : Dr. Sukhwinder Singh,PIO, Sh. Jashandeep Singh, Jr.
Assistant and sh. Gurpreet singh, Sr. Assistant

ORDER

The RTI application is dated 31.07.2019 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 24.09.20169 and second appeal was filed in the Commission on 15.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission.
3. Sh. Ashok Kumar is appearing on behalf of the appellant. He states that he has received the information today, but the information is not attested.
4. Respondent has given assurance that the information will be attested. Sh.Ashok Kumar expressed his satisfaction over the same.
5. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is therefore **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh. Ramandeep Singh Ahluwalia,
RTI Activists, Ward No. 18, Street No. 2,
Kartar Nagar, Amlah Road,
Khanna - 141401

-----Appellant

Vs.

Public Information Officer,
O/o Deputy Registrar Cooperative Societies,
Ludhiana

First Appellate Authority
O/o Deputy Registrar Cooperative Societies,
Ludhiana

-----Respondent

Appeal Case No. 3298 of 2019

Present: (i) None is present on behalf of the appellant
(ii) For the respondent : Sh Kamaljit Singh, ARCS and Sh Satwinder Singh, Clerk, Sh. Sushil Kumar, Inspector and Sh. Manish

ORDER

This order may be read with reference to the previous order dated 06.11.2019 vide which Sh. Sushil Kumar was directed to present.

2. Today, the appellant is absent. He has sent a letter.
3. As directed during the last hearing, Sh. Sushil Kumar, Inspector is appearing and states that the information, as exists, in the record has been provided to the appellant. He has also given in writing that no other information is available in their office record.

Sh. Kamaljit Singh, ARCS files an affidavit mentioning therein that the information, as available, in their office record has been provided and no other information is available in their office record. He also adds that the remaining information is related with the Sabha and the Sabha is not covered under the RTI Act.

4. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is, therefore, disposed of and closed. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
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Sh. Jaspreet Singh Bhatia,
S/o Shri Har Charan Singh Bhatia,
R/o House No. 802, Street No. 8, Gurbax Colony
Patiala

-----Appellant

Vs.

Public Information Officer,
O/o Municipal Corporation, Patiala

First Appellate Authority
o/o Municipal Corporation, Patiala

-----Respondent

Appeal Case No. 3287 of 2019

Present: None is present on behalf of the appellant
For the respondent : Sh. Naresh Kumar, ATP-cum-APIO

ORDER

This order may be read with reference to the previous order dated 28.11.2019 vide which the respondent was directed to file an affidavit.

2. The appellant is absent today.
3. Respondent states that the information, as exists, in their record has been provided to the appellant. He has shown the acknowledgment given by the appellant in token of having received the information.
4. In view of the foregoing, no cause of action is left, the appeal filed by the appellant is, therefore, **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh.Jasbir Singh, Village Bolapur
Jhabewal, Post Office Ramgarh, Distt. Ludhiana

.....Appellant

..Vs

Public Information Officer,
O/o District Controller, Food and Civil Supplies and
Consumer Affairs Department, Ludhiana

First Appellate Authority
O/o District Controller, Food and Civil Supplies and
Consumer Affairs Department, Ludhiana

.....Respondent

AC No. 4254 of 2019

Present: (i) None for the Appellant.
(ii) For the Respondent: Sh Nitin Kumar, Inspector

ORDER

The RTI application is dated 08.07.2019 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 15.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission

3. The Appellant is not present today. However, an e-mail has been received from the Appellant, which is taken on record.

4. The Respondent states that the complete information has been provided to the Appellant two times. He has given the same in writing. Copy of the same is taken on record.

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AC No. 4254 of 2019

5. Since the information has been provided to the Appellant, therefore, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh.Amrik Lal, S.i Shri Bas Dev
VPO Banbhora, Distt Sangrur- 148022

.....Appellant

..Vs

Public Information Officer,
O/o District Social Security Officer,
Sangrur

First Appellate Authority
O/o District Social Security Officer,
Sangrur

.....Respondent

AC No. 4221 of 2019

Present: (i) None for the Appellant.
(ii) For the Respondent: Sh Kuljeet Singh, Jr Assistant

ORDER

1. The RTI application is dated 23.05.2017 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 06.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission
3. The Appellant is not present today.
4. The Respondent states that the complete information has already been provided to the Appellant. A copy of the same has been received in the Commission vide diary no.24838 dated 30.12.2019. Further, he has also given in writing that the complete information has been provided to the Appellant and that there is nothing pending in this regard. Copy of the same is taken on record.

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AC No. 4221 of 2019

5. After perusal of the record available on the case file, it is ascertained that the complete information has been provided to the Appellant. Hence, no further cause of action is left. Therefore, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh.Sukhwant Singh,
House No. 113 Dhanas, Chandigarh

.....Appellant

..Vs

Public Information Officer,
O/o Director Food and Civil Supplies, Punjab
Annaj Mandi, Sector 39, Chandigarh

First Appellate Authority
O/o Director Food and Civil Supplies, Punjab
Annaj Mandi, Sector 39, Chandigarh

.....Respondent

AC No. 4266 of 2019

Present: (i) Sh Sukhwant Singh, the Appellant.
(ii) None for the Respondent.

ORDER

1. The RTI application is dated 08.07.2019 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 15.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission.
3. No one has appeared on behalf of the Respondent today .
4. The Appellant states that no information has been provided to him.
5. This is the first date of hearing and no one has appeared on behalf of the Respondent today.
Hence, one opportunity is given to the Respondent to appear before the Commission and state their case. To come up on **06.02.2020 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sector 16, Chandigarh.

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Smt. Balwinder Kaur, W/o Late Shri Gурpal Singh
Village Chanalo, PO Malok Majra,
Tehsil and Distt. Fatehgarh Sahib

.....Complainant

..Vs

Public Information Officer,
O/o Civil Surgeon, Patiala

.....Respondent

CC No.982 of 2019

Present: (i) Smt Balwinder Kaur, the Appellant.
(ii) None for the Respondent.

ORDER

1. The RTI application is dated 26.09.2019 vide which the appellant has sought information as enumerated in his RTI application. The second appeal was filed in the Commission on 01.10.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission.
3. No one has appeared on behalf of the Respondent today .
4. The Appellant states that no information has been provided to her so far.
5. This is the first date of hearing and no one has appeared on behalf of the Respondent today. Hence, one opportunity is given to the Respondent to appear before the Commission and state their case. To come up on **06.02.2020 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh.Ram Lal, S/o Shri Bant Singh (registered)
House No. BO-15/1640, Street No. 7
Anand Nagar, Near Shiv Mandir, Khanna-141401

.....Complainant

..Vs

Public Information Officer, (registered)
O/o DM, PUNSUP, Ludhiana

Registered post: **Remanded Back to**
First Appellate Authority,
O/o DM, PUNSUP, Ludhiana

.....Respondent

CC No. 979 of 2019

Present: (i) Sh Ram Lal, Complainant.

(ii) for the Respondent: Sh Gurjeet Singh, Sr Asstt and Ms Nancy, clerk

ORDER

1. The RTI application is dated 31.05.2019 vide which the complainant has sought information as enumerated in his RTI application. The second appeal was filed in the Commission on 13.11.2019 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission.
3. The complainant states that no information has been provided to him so far.
4. The Respondent states that the matter sought under RTI cannot be provided to the Complainant. She files her reply as under:-

“ਇਸ ਸਬੰਧੀ ਆਪ ਨੂੰ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ, ਕਿ ਇਹ ਸੂਚਨਾ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ ਰੁਲ ਨੰ : 8 ਸੈਕਸ਼ਨ (1) ਸਬ ਸੈਕਸ਼ਨ (h) “ Information which would impede that process of investigation or apprehension or prosecution of offenders” ਅਨੁਸਾਰ ਇਹ ਆਪ ਨੂੰ ਮਹੱਈਆ ਨਹੀਂ ਕਰਵਾਈ ਜਾ ਸਕਦੀ”

5. The complainant states that he is not satisfied with the reply of the Respondent. 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

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CC No. 979 of 2019

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.

6. 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. 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. Hence, the present Complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 16.01.2020

Sd/-
(Preety Chawla)
State Information Commissioner

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Sh Ashok Kumar,
H.No 214, Pine Homes,
Dhakoli, Zirakpur-160104

.....Appellant

Vs

Public Information Officer,
O/o Commissioner, MC,
Patiala
First Appellate Authority,
O/o Commissioner, MC,
Patiala

.....Respondent

AC.No. 2234 of 2019

alongwith

AC.No. 2235 of 2019

Present: (i) Sh Ashok Kumar, Appellant and Sh Kabul Singh, Advocate
(ii) For the Respondent: Sh Gaurav Thakur, Building Inspector and Sh Naresh Kumar, ATP

ORDER

This order may be read with reference to the previous order 28.11.2019.

2. The Respondent states that, as directed in the previous hearing, the Appellant had inspected the record in their office.
3. The Appellant states that he has inspected the same but not got the complete information. He points out the deficiencies, to the Respondent.
4. Hence, the Respondent is directed to provide complete information to the Appellant, after the removal of deficiencies. Further, if the information is not available in the official record of the Respondent then to file an affidavit for the same.
5. To come up on **03.02.2020 at 11:00AM**. Copy of the orders be sent to the parties.

Sd/-

Chandigarh
Dated: 16.01.2020

(Preety Chawla)
State Information Commissioner

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Sh.Shiv Naryan Jangra (Press Reporter)
S/o Shri Ramji Dass, Raftar News Channel,
Press Complex, Near Arna Barna Chowk,
Patiala

.....Appellant

..Vs

Public Information Officer,
O/o Civil Surgeon, Patiala

First Appellate Authority
o/o Director Health and Family Welfare,
Parivar Kalyan Bhawan, Sector 34A
Chandigarh

.....Respondent

AC No.4250 of 2019

Present: (i) Sh Ashok Verma, on behalf of the Appellant..
(ii) For the Respondent: Sh Sukhwant Singh, DHO, Sh Jashandeep Singh,
Jr Asstt and Sh Manpreet Singh, Sr Asstt.

ORDER

The RTI application is dated 31.07.2019 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 15.11.2019 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 16.01.2020 in the Commission.
3. Sh Ashok Verma is appearing on behalf of the Appellant with authority letter.
4. The Respondent states they have brought the complete information today to be handed over to the Appellant. Copy of the same is handed over to the Representative for the Appellant. He has gone through the same and states that the information is complete and he is satisfied with it. He has given the same in writing, which is taken on record.

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



AC No. 4250 of 2019

5. Since the information has been provided, therefore, no further cause of action is left. Hence, the Appeal case filed by the Appellant is **disposed off and closed**. Copy of the orders be sent to the parties.

Chandigarh
Dated: 16.01.2020

Sd/-
(Preety Chawla)
State Information Commissioner