**PUNJAB STATE INFORMATION COMMISSION**

**RED CROSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGRH**

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Sh. Inderjeet Singh, Advocate

R/o Sunder Nagar, St.No.3,1st Crossing

Hanumangarh Road, Abohar.

Distt. Fazilka.

Sh. Vishal Singh Chauhan, Advocate,

H.No.127, Sector 10 – A, Chandigarh. Appellants

Versus

Public Information Officer,

O/o Special Secretary to Govt. of Punjab,

Department of Home Affairs & Justice,

Punjab Civil Sectt.- 1, Chandigarh

Public Information Officer,

O/o Judicial - 1 Branch,

Department of Home Affairs and Justice, Govt. of Punjab,

Punjab Civil Sectt. – 1, Chandigarh.

First Appellate Authority

O/o Secretary to Govt. of Punjab

Department of Home Affairs & Justice,

Punjab Civil Sectt.-1, Chandigarh. Respondents

**APPEAL CASE NOs. 2559/2017, 938 and 939 of 2018**

Date of RTI application : 03.07.2017/30.08.2017/17.07.2017

Date of First Appeal : 03.08.2027/27.10.2017/31.08.2017

Date of Order of FAA : 06.09.2017/12.01.2018Reply27.09.2017/04.08.2017

Date of 2nd Appeal/complaint :11.09.2017/12.03.2018/06.03.2018

**Present: Sh. Inderjeet Singh, Advocate, Appellant in person.**

1. **Sh. P. S. Bajwa, Additional Advocate General, Punjab,**
2. **Adv. Sehajbir Singh for Respondent No. 4,**
3. **Sh. Harmanjot Singh, Sr. Assistant, Judicial - 1 Br., Pb. Civil Sectt. – for Respondents.**

**ORDER**

This is in continuation of interim orders passed earlier on these appeals.

The following order was made by this forum on 07.08.2018:

*“As the respondents are the same and the issues involved, by and large, are identical these appeals shall be decided with a common order.*

*Having heard the issue it transpires that mandatory requirement of Section 19(4) of the RTI Act has not been met with. The Commission understands that its non-compliance shall vitiate the proceedings. Contd…page…2*

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*proceedings. To pass a valid order it shall be in the fitness of things to afford hearing to the third party concerned. The PIO is directed to inform the individuals to whom information relates well in advance as per requirement under Section 19(4) of the Act to present their cause if any.*

*Meanwhile, the appellant in appeal case No.938 and 939 of 2018 may file a rejoinder to the submissions made by the respondents which have been handed over to him on spot.”*

*“The case has come up today. Adv. Saurav Dhir, the proxy for one of the appellants is present and seeks more time to file a rejoinder to the written statements filed by the respondents. Some of the private respondents as mentioned in the head note are present in person while few have authorized others with their Power of Attorneys. The common refrain is that the copy of the appeal is not available which should be supplied to them to defend their cause. The appellants are directed to supply a copy of the appeal to the private respondents sufficiently in advance before the next date of hearing.”*

It transpires that the copies of the appeals in question have so far not been provided to the affected parties. It is once again desired that the needful be done by the appellants to meet the requirement of statute. The Commission would like to observe that these are the long standing cases and further adjournment on procedural matters shall defeat the avowed purpose of the RTI Act. The appellants shall ensure that the requisite copies are delivered on the affected parties through PIO – cum – Superintendent, Judicial – 1 Br., Department of Home Affairs & Justice, Punjab Civil Secretariat – 1 immediately who shall submit their replies/submissions, if any, before the next date of hearing positively. No adjournment on this score shall be afforded.

The matter shall be taken up for arguments on **30.10.2018 at 11.30 AM.**

**Sd/-**

**18.09.2018**  **(Yashvir Mahajan)**

**State Information Commissioner**