

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building (Near to Rose Garden)

Sector-16, Chandigarh

Contact No. 0172-2864115, Fax No. 0172-2864125

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Sh. Gurpreet Singh (9872090755)

S/o Sh. Sampuran Singh

House No. 364/30 D, New Atam Nagar

Jagraon, Distt Ludhiana

Complainant

Versus

Public Information Officer

O/o Asian Educational Institute,

Patiala

Respondent

Complaint Case No.: 930 of 2018

Present: Sh. Gurpreet Singh, the complainant in person.

For the respondent: Sh. Gurwinder Singh (Clerk) (9592919593).

ORDER

1. The appellant filed appeal/complaint in the Commission dated 27.08.2018. Accordingly the case was fixed for hearing today.

2. Respondent, Sh. Gurwinder Singh submits a reply vide letter no. 3310 dated 18.12.2018 signed by Director cum Principal, Asian Educational Institute stating that our organization is a Private Self-Financed Institution and as per Section 2(h) of RTI Act, not covered under the Public Authorities Definition. It is taken on record.

3. On this, appellant, Sh. Gurpreet Singh submits his written submission signed by him dated 10.12.2018 along with supporting documents stating that Asian Educational Institute is substantially financed by the Central Government and college has received the grants of approximately Rs. 89,50,000/- from 2012-13 to 2015-16 from NGO Darpan a latform of NITI AAYOG and College is also receiving financial assistance from the ministry. It is taken on record. He also submits a copy of letter no. F.No. 8-306/2014 (CPP-I/C) dated 25 January 2015, which is also taken on record.

4. After hearing both the parties and examining the case file, I am of the view that an important issue is involved in this case so **this case file is sent to the Deputy Registrar to place it before the Hon'ble Chief Information Commissioner to constitute Full Bench to decide the matter whether the Respondent Institute is a Public Authority or Not.**

5. Announced in the Court, copy of the order to be sent to the parties.

Chandigarh

18.12.2018 (11:30 am)

(Dr. Pawan Kumar Singla)

State Information Commissioner

Copy to:

**The Deputy Registrar
(Along with Case File)**

PUNJAB STATE INFORMATION COMMISSION
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Sh. Gurpreet Singh (9872090755)
S/o Sh. Sampuran Singh
House No. 364/30 D, New Atam Nagar
Jagraon, Distt Ludhiana

Complainant

Versus

Public Information Officer
O/o Asian Educational Institute,
Patiala

Respondent

Complaint Case No.: 931 of 2018

Present: Sh. Gurpreet Singh, the complainant in person.
For the respondent: Sh. Gurwinder Singh (Clerk) (9592919593).

ORDER

1. The appellant filed appeal/complaint in the Commission dated 27.08.2018. Accordingly the case was fixed for hearing today.
2. Respondent, Sh. Gurwinder Singh submits a reply vide letter no. 3310 dated 18.12.2018 signed by Director cum Principal, Asian Educational Institute stating that our organization is a Private Self-Financed Institution and as per Section 2(h) of RTI Act, not covered under the Public Authorities Definition. It is taken on record.
3. On this, appellant, Sh. Gurpreet Singh states that requisite information is different from the Complaint Case No. 930 of 2018 but my submission is same in this case as I submitted in Appeal Case No. 930 of 2018. He submits his written submission signed by him dated 10.12.2018 along with supporting documents stating that Asian Educational Institute is substantially financed by the Central Government and college has received the grants of approximately Rs. 89,50,000/- from 2012-13 to 2015-16 from NGO Darpan a latform of NITI AAYOG and College is also receiving financial assistance from the ministry. It is taken on record. He also submits a copy of letter no. F.No. 8-306/2014 (CPP-I/C) dated 25 January 2015, which is also taken on record. Original Documents are taken on record in Complaint Case No. 930 of 2018. A copy of the same is taken on record in this case.
4. After hearing both the parties and examining the case file, I am of the view that an important issue is involved in this case so **this case file is sent to the Deputy Registrar to place it before the Hon'ble Chief Information Commissioner to constitute Full Bench to decide the matter whether the Respondent Institute is a Public Authority or Not.**

5. Announced in the Court, copy of the order to be sent to the parties.

**Chandigarh
18.12.2018 (11:30 am)**

**(Dr. Pawan Kumar Singla)
State Information Commissioner**

Copy to:

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(Along with Case File)**

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Ms. Rajbir Kaur (9592476814)

(Regd. Post) W/o Sh. Sukhpreet Singh,
Near Civil Hospital, VPO Attari,
Distt. Amritsar

Complainant

Versus

Public Information Officer

O/o SCERT, Punjab,
Chandigarh

Respondent

Complaint Case No.: 934 of 2018

Present: Nobody on the behalf of complainant.
For the respondent: Sh. Gurdeep Singh (Clerk) (88721-90247).

ORDER

1. The appellant filed appeal/complaint in the Commission dated 29.08.2018.

Accordingly the case was fixed for hearing today.

2. Respondent, Sh. Gurdeep Singh states that he has brought the requisite information from point no. 1 to 3 to hand it over to the complainant but the complainant is absent. He also mentioned that a letter was sent to C-DAC, Mohali to collect the requisite information relates with point no. 4. He assures that requisite information relates with point no. 4 will be supplied to the complainant after receiving it from the C-DAC, Mohali. He submits a copy of letter vide Memo No. 8/79 dated 17.12.2018 along with a copy of letter addressed to C-DAC, Mohali, which is taken on record.

3. Neither the complainant, Ms. Rajbir Kaur is present for today's hearing nor did she file any reply in this regard.

4. After hearing the respondent and examining the case file, respondent PIO is advised to supply the brought information (point no. 01 to 03) to the complainant through registered post along with advice to supply the information relates with point no. 04 to the complainant once he received it from the concerned office.

5. Another opportunity is given to the complainant, Ms. Rajbir Kaur to represent this case in person or through her representative(s) on the next date of hearing to clear the facts of this case along with advice to go through the information, once she had received the requisite information from the respondent and point out the deficiency, if any, in the supplied information, failing to which case will be decided on merit basis. A copy of this order be sent to her through **registered post.**

6. Matter is adjourned for further hearing on **23.01.2019 at 11:30 A.M.**
7. Announced in the Court, copy of the order to be sent to the parties.

**Chandigarh
18.12.2018 (11:30 am)**

**(Dr. Pawan Kumar Singla)
State Information Commissioner**

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Capt. P.S. Sodhi (9888892626)
(Regd. Post) #20 B, Shantipur, Jalandhar

Appellant

Versus

Public Information Officer
O/o MC, Jalandhar

First Appellate Authority
O/o Commissioner, MC,
Jalandhar

Respondent

Appeal Case No.: 3033 of 2018

Present: Nobody on the behalf of appellant.
For the respondent: Sh. Gurmesh Singh (Clerk) (84273-55639).

ORDER

1. The appellant filed appeal/complaint in the Commission dated 05.09.2018. Accordingly the case was fixed for hearing today.
2. Respondent, Sh. Gurmesh Singh states that appellant was asked to supply the ID No/account numbers so that requisite information can be supplied to the appellant but till date no response from the appellant in this regard.
3. Neither the appellant, Capt. P.S. Sodhi is present for today's hearing nor did he file any reply in this regard.
4. After hearing the respondent and examining the case file, another opportunity is given to the appellant to represent this case in person or through his representative(s) on the next date of hearing to clear the facts of this case, failing to which case will be decided on merit basis. A copy of this order be sent to him through **registered post**.
5. Matter is adjourned for further hearing on **23.01.2019 at 11:30 A.M.**
6. Announced in the Court, copy of the order to be sent to the parties.

Chandigarh
18.12.2018 (11:30 am)

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Gagandeep Singh Janjua (9780643243)

Village Tura, PO Kumbh,
Tehsil Amloh, Distt Fatehgarh Sahib-147301

Appellant

Versus

Public Information Officer

O/o Tehsildar, Garhshankar,
Distt. Hoshiarpur

First Appellate Authority

O/o SDM, Garhshankar,
Distt. Hoshiarpur

Respondent

Appeal Case No.: 3043 of 2018

Date of Institution: 06.09.2018

Date of Decision: 18.12.2018

Present: Nobody present.

ORDER

1. The appellant filed appeal/complaint in the Commission dated 06.09.2018. Accordingly the case was fixed for hearing today.
2. Appellant, Sh. Gagandeep Singh Janjua is not present for today's hearing but an email dated 18.12.2018 has been received by the Bench of Undersigned comprising a letter dated 18.12.2018 stating that requisite information has been received from the respondent PIO and requested to close this case. This mail is taken on record.
3. Respondent PIO is not present for today's hearing.
4. As the information stands supplied and on the request of the appellant, no further cause of action is required in this case. Therefore, the instant Appeal Case is **disposed of & closed**.
5. Announced in the Court, copy of the order to be sent to the parties.

Chandigarh
18.12.2018 (11:30 am)

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Ms. Bano Devi

(Regd. Post) W/o Sh. Tahal Singh
Village Theh Banhera, Tehsil Guhla,
District Kaithal

Appellant

Versus

Public Information Officer

O/o Commissioner, Jalandhar Division,
Jalandhar

First Appellate Authority

O/o Commissioner, Jalandhar Division,
Jalandhar

Respondent

Appeal Case No.: 3058 of 2018

Present: Nobody on the behalf of appellant.
For the respondent: Sh. Manjit Ram (Record Keeper) (99141-46602)

ORDER

1. The appellant filed appeal/complaint in the Commission dated 07.09.2018. Accordingly the case was fixed for hearing today.
2. Respondent, Sh. Manjit Ram states that requisite information has already been supplied to the appellant dated 17.07.2018 and 14.08.2018. He submits a reply vide letter no. 77 dated 13.12.2018 signed by Sh. Ashok Kumar, APIO, O/o the Commissioner, Jalandhar Division, Jalandhar along with supporting documents, which are taken on record.
3. Neither the appellant, Ms. Bano Devi is present for today's hearing nor did she file any reply in this regard.
4. After hearing the respondent and examining the case file, another opportunity is given to the appellant, Ms. Bano Devi to represent this case in person or through her representative(s) on the next date of hearing to clear the facts of this case along with advice to go through the supplied information and point out the deficiency, if any, in the supplied information, failing to which case will be decided on merit basis. A copy of this order be sent to her through **registered post.**
5. Matter is adjourned for further hearing on **23.01.2019 at 11:30 A.M.**
6. Announced in the Court, copy of the order to be sent to the parties.

Chandigarh
18.12.2018 (11:30 am)

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Swaran Singh

S/o Sh. Harbhajan Singh
Village Cheema Kalan, PO Barwala,
Tehsil Patti,
Distt. Tarn Taran

Appellant

Versus

Public Information Officer

O/o DGP Jails, Jail Department,
Punjab, Sector-17, Chandigarh

First Appellate Authority

O/o DGP Prisons, Jail Department,
Punjab, Sector-17, Chandigarh

Respondent

Appeal Case No.: 3067 of 2018

Present: Sh. Swaran Singh, the appellant along with his representative, Sh. Surendera K. Bhanot.
For the respondent: Sh. Lakhminder Singh (JE) along with Sh. Mandeep Singh (Clerk).

ORDER

1. The appellant filed appeal/complaint in the Commission dated 11.09.2018. Accordingly the case was fixed for hearing today.
2. Respondent, Sh. Lakhminder Singh states that whatever information was available in the official record has already been supplied and rest of the information relates with third party and letters were sent to the third parties to take the consent. He added that only replies from two parties have been received and rest is pending.
3. Representative of the appellant, Sh. Surendera K. Bhanot states appellant has pointed deficiencies in the supplied information dated 18.06.2018 but no response from the respondent PIO and respondent PIO has demanded the documentation fee after two months, which is not appropriate as per the RTI Act. He also mentioned that no response from First Appellate Authority after filing the First Appeal.
4. After hearing both the parties and examining the case file, I am of the view that requisite information is not a third party. Another opportunity is given to the respondent PIO to supply the complete information to the appellant **free of cost** before the next date of hearing positively.
5. Matter is adjourned for further hearing on **28.01.2019 at 11:30 A.M.**
6. Announced in the Court, copy of the order to be sent to the parties.

Chandigarh
18.12.2018 (11:30 am)

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Parveen Kumar Budhia (98552-44878)

Atma Niwas, Near DAV College,
Seth Hukum Chand Colony,
Jalandhar

Complainant

Versus

Public Information Officer

O/o Principal, Devi Sahai Sanatan Dharam
Sr. Sec. School, Jalandhar

Respondent

Complaint Case No.: 945 of 2018

Present: Nobody on the behalf of complainant.
For the respondent: Advocate, Mohan Singh Sachdeva.

ORDER

1. The appellant filed appeal/complaint in the Commission dated 31.08.2018. Accordingly the case was fixed for hearing today.
2. Respondent, Advocate, Mohan Singh Sachdeva states that requisite information has already been supplied to the complainant through registered post. He submits a reply dated 14.12.2018 signed by the Principal cum PIO, Devi Sahai Sanatan Dharam Senior Secondary School, Jalandhar and President, Devi Sahai Sanatan Dharam Education Board, Jalandhar along with supporting documents, which are taken on record.
3. Complainant, Sh. Parveen Kumar Budhia is not present for today's hearing but an email dated 10.12.2018 has been received from the complainant by the Bench of Undersigned stating that he is unable to attend today's hearing and requested to fix hearing through Video Conferencing Facility at Jalandhar. This mail is taken on record.
4. After hearing the respondent and on the request of the complainant, matter is fixed for further hearing on **21.01.2019 at 12:00 Noon through Video Conference NIC Facility available at the Deputy Commissioner Office, Jalandhar** along with advice to the complainant to go through the supplied information and point out the deficiency, if any, in written to the respondent PIO with a copy to the Commission, failing to which case will be decided on merit basis.
5. Announced in the Court, copy of the order to be sent to the parties.

Chandigarh
18.12.2018 (11:30 am)

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Dr. Sandeep Kumar Gupta (9992931181)

House No. 1722, Sector-14,
Hisar-125001

Complainant

Versus

Public Information Officer

O/o Addl. Chief Secretary,
Department of Animal Husbandry,
Fisheries and Dairy Department,
Punjab, Chandigarh

Respondent

Complaint Case No.: 964 of 2018

Present: Nobody on the behalf of complainant.
For the respondent: Sh. K.P.S. Pasricha (APIO) (98140-14860), Sh. Kulbir Singh (SA) along with Sh. Jasvir Singh (Clerk).

ORDER

1. The appellant filed appeal/complaint in the Commission dated 11.09.2018.

Accordingly the case was fixed for hearing today.

2. Respondent, Sh. K.P.S. Pasricha states that requisite information relates with third party and letters are issued to third party for their consent. He submits a letter no. 6007 dated 18.12.2018 signed by the Superintendent Grade-1 cum PIO, which is taken on record. He also mentioned that same has already been intimated to the complainant.

3. Complainant, Dr. Sandeep Kumar Gupta is not present for today's hearing but an email dated 18.12.2018 has been received from the complainant by the Bench of Undersigned stating that he is unable to attend today's hearing. In that email he also mentioned that requisite information is still pending even after depositing the documentation fee. This mail is taken on record.

4. After hearing the respondent and on the request of the complainant, matter is fixed for further hearing on **23.01.2019 at 11:30 AM** along with advice to both the parties to represent this case further to clear the facts of this case positively, failing to which case will be decided on merit basis.

5. Announced in the Court, copy of the order to be sent to the parties.

Chandigarh
18.12.2018 (11:30 am)

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Harinder Pal Singh (98153-44250)

Sr. Vice President,
Private School Association,
Nabha-147201

Appellant

Versus

Public Information Officer

(Regd. Post) O/o DEO (SE), Patiala

First Appellate Authority

O/o DPI, SAS Nagar (Mohali)

Respondent

Appeal Case No.: 3098 of 2018

Present: Sh. Harinder Pal Singh, the appellant in person.
For the respondent: Sh. Sukhbir Singh (JA) (99151-51600).

ORDER

1. The appellant filed appeal/complaint in the Commission dated 12.09.2018.

Accordingly the case was fixed for hearing today.

2. Respondent, Sh. Sukhbir Singh states that point no. 1 of the RTI application is compulsory by the notification of the Government. He handed over a reply to the appellant during the hearing and submits the same reply to the Commission, signed by PIO, O/o DEO (SE) stating as follows:

- “ਮੱਦ ਨੰ: 1 ਫੀਸ ਐਕਟ 2016 ਵਿੱਚ ਪ੍ਰਾਈਵੇਟ ਅਨਏਡਿਡ ਸੂਚਨਾ ਦੀਆਂ ਬੈਲੋਸ ਸ਼ੀਟਾਂ ਦੀ ਪ੍ਰਾਪਤੀ ਲਈ ਪੱਤਰ ਭੇਜੇ ਜਾਣਾ ਲਾਜ਼ਮੀ ਨਹੀਂ ਹੈ, ਹਰੇਕ ਅਨਏਡਿਡ ਪ੍ਰਾਈਵੇਟ ਸਕੂਲ ਫੀਸ ਐਕਟ 2016 ਦੀ ਪਾਲਣਾ ਹਿੱਤ ਭੇਜਣ ਦਾ ਪਾਬੰਦ ਹੈ।
- ਮੱਦ ਨੰ: 2 ਇਸ ਮੱਦ ਵਿੱਚ ਦਰਜ ਦਿਆਨੰਦ ਪਬਲਿਕ ਸਕੂਲ, ਜੀ ਬੀ ਇੰਟਰਨੈਸ਼ਨਲ ਸਕੂਲ, ਦੀ ਇੰਡੋ ਬ੍ਰਿਟਿਸ਼ ਸਕੂਲ, ਡੀ ਏ ਪੀ ਸੈਨਟਰੀ ਪਬਲਿਕ ਸਕੂਲ ਨਾਭਾ, ਦਿਆਨੰਦ ਪਬਲਿਕ ਸਕੂਲ, ਮਾਡਰਨ ਨਾਭਾ ਪਬਲਿਕ ਸਕੂਲ ਦੇ ਫਾਰਮ ਏ ਬੀ ਸੀ ਦੀ ਡੀ ਇਸ ਦਫਤਰ ਨੂੰ ਪ੍ਰਾਪਤ ਨਹੀਂ ਹੋਏ।

3. On this, appellant, Sh. Harinder Pal Singh shows his dissatisfaction and pointed out deficiencies in the supplied reply.

4. Respondent, Sh. Sukhbir Singh states that requisite information has not been received from the concerned schools.

5. After hearing both the parties and examining the case file, I am of view that respondent, Sh. Sukhbir Singh is not well aware about this case as contradictory reply is given by him. Another opportunity is given to the respondent PIO to supply the reply/information as per the RTI application of the appellant before the next date of hearing along with directions to bring a copy of the same on the next date of hearing to present before the Commission. Respondent PIO is also directed to represent this case in person on the next date of hearing. A copy of this order be sent to him through **registered post** for his ready reference.

6. Matter is adjourned for further hearing on **23.01.2019 at 11:30 A.M.**

7. Announced in the Court, copy of the order to be sent to the parties.

**Chandigarh
18.12.2018 (11:30 am)**

**(Dr. Pawan Kumar Singla)
State Information Commissioner**

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Sh. Simranjit Singh

S/o Sh. Jagdish Singh
93/2, Adarsh Nagar
Jalandhar

Appellant

Versus

Public Information Officer

O/o MC, Jalandhar

First Appellate Authority

O/o Addl. Commissioner,
MC, Jalandhar

Respondent

Appeal Case No.: 3101 of 2018

Present: Sh. Simranjit Singh, the appellant with his representative, Sh. Surendera K. Bhanot

For the respondent: Sh. Krishan K. Babbar (SDO) (98551-10571)

ORDER

1. The appellant filed appeal/complaint in the Commission dated 12.09.2018.

Accordingly the case was fixed for hearing today.

2. Appellant, Sh. Simranjit Singh states that no information has been received from the respondent PIO till date.

3. Respondent, Sh. Krishan K. Babbar states that requisite information is huge as demanded by the appellant. He requested the appellant to specify the particular information.

4. After hearing both the parties and examining the case file, I am of the view that requisite information is voluminous in nature and appellant, Sh. Simranjit Singh is advised to specify the particular information in written, required by him and send this to the respondent PIO with a copy to the Commission. Respondent PIO is advised to supply the requisite information to the appellant, once he received letter from the appellant in connection with specified particular information.

5. Both the parties are advised to represent this case in person or through their representative(s) who is well aware about this case on the next date of hearing to clear the facts of this case positively, failing to which case will be decided on merit basis.

6. Matter is adjourned for further hearing on **23.01.2019 at 11:30 A.M.**

7. Announced in the Court, copy of the order to be sent to the parties.

Chandigarh
18.12.2018 (11:30 am)

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Simranjit Singh

S/o Sh. Jagdish Singh
93/2, Adarsh Nagar
Jalandhar

Appellant

Versus

Public Information Officer

O/o MC, Jalandhar

First Appellate Authority

O/o Addl. Commissioner,
MC, Jalandhar

Respondent

Appeal Case No.: 3102 of 2018

Present: Sh. Simranjit Singh, the appellant with his representative, Sh. Surendera K. Bhanot
For the respondent: Sh. Satish Kumar (Head Dratsman cum ATP, Additional Charge)

ORDER

1. The appellant filed appeal/complaint in the Commission dated 12.09.2018. Accordingly the case was fixed for hearing today.
2. Respondent, Sh Satish Kumar handed over the requisite information to the appellant during the hearing. He submits a reply vide letter no. 2648 dated 14.12.2018 signed by PIO, MTP Department, Nagar Nigam, Jalandhar, which is taken on record.
3. After going through the supplied information, appellant, Sh. Simranjit Singh pointed out that deficiency by stating that photographs are pending from the respondent PIO and requested for an adjournment to go through the supplied information.
4. After hearing both the parties and examining the case file, appellant, Sh. Simranjit Singh is advised to go through the supplied information and point out deficiency, if any, in written to the respondent PIO with a copy to the Commission.

Respondent PIO is advised to remove the deficiency, if any, pointed out by the appellant before the next date of hearing.

5. Matter is adjourned for further hearing on **23.01.2019 at 11:30 A.M.**
6. Announced in the Court, copy of the order to be sent to the parties.

Chandigarh
18.12.2018 (11:30 am)

(Dr. Pawan Kumar Singla)
State Information Commissioner

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Sh. Simranjit Singh

S/o Sh. Jagdish Singh
93/2, Adarsh Nagar
Jalandhar

Appellant

Versus

Public Information Officer

O/o MC, Jalandhar

First Appellate Authority

O/o Addl. Commissioner,
MC, Jalandhar

Respondent

Appeal Case No.: 3103 of 2018

Present: Sh. Simranjit Singh, the appellant with his representative, Sh. Surendera K. Bhanot
For the respondent: Sh. Satish Kumar (Head Dratsman cum ATP, Additional Charge)

ORDER

1. The appellant filed appeal/complaint in the Commission dated 12.09.2018. Accordingly the case was fixed for hearing today.
2. Respondent, Sh Satish Kumar handed over the requisite information to the appellant during the hearing. He submits a reply vide letter no. 2651/MTP dated 14.12.2018 signed by PIO, MTP Department, Nagar Nigam, Jalandhar along with supporting documents, which is taken on record.
3. After going through the supplied information, appellant, Sh. Simranjit Singh pointed out that deficiency by stating that photographs are pending in the supplied information. He also added that requisite information in connection with point no. 2 and 5 is also pending from the respondent PIO.
4. On this, respondent, Sh. Satish Kumar handed over the photographs to the appellant during the hearing. He also mentioned that information in connection with point no. 2 and 5 relates with other branch and PIO is different.
5. After discussing with both the parties and examining the case file, respondent PIO, Sh. Ravinder Kumar may called on the next hearing to clear the facts in connection with point no. 2 and 5 of the RTI application. A copy of this order be sent to him along with RTI Request through **registered post** for his ready reference.

6. Matter is adjourned for further hearing on **23.01.2019 at 11:30 A.M.**
7. Announced in the Court, copy of the order to be sent to the parties.

**Chandigarh
18.12.2018 (11:30 am)**

**(Dr. Pawan Kumar Singla)
State Information Commissioner**

(Regd. Post)

Sh. Ravinder Kumar (Public Information Officer)
O/o Municipal Corporation,
Jalandhar

Encl. RTI Request.