

Prima Facie, this reflects arbitrary handling of the RTI application as well as denial of information on flimsy grounds. The Commission having taken a serious view of this, and hereby directs the PIO 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. He/she 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 person(s) of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to sort out the discrepancies in the provided information.

To come up for further hearing on **09.01.2023** at 11.00 AM.

Chandigarh  
Dated: 19.10.2022

Sd/-  
(Khushwant Singh)  
State Information Commissioner



Sh. Sorabh Goyal S/o Sh. Ashok Kumar  
H.No.19, Sector 70,  
Mohali-160055

... Appellant

Versus

**Public Information Officer,**  
O/o The Estate Officer  
Punjab Small Industries & Export Corpn.  
Sector 17-A, Chandigarh

**First Appellate Authority**  
O/o The Chief General Manager(Estate)  
Punjab Small Industries & Export Corpn.  
Sector 17-A, Chandigarh

...Respondent

**Appeal Case No.1295 of 2022**

**PRESENT: Sh.Sorabh Goyal as the Appellant**  
**Sh.R.K.Jindal, GM-cum-PIO and Sh.Vishal,Clerk for the Respondent**

**ORDER:**

The appellant, through an RTI application dated 07.09.2021 has sought information on 06 points- that whether a division of plots of Eltop is allowed – if allowed, how many divisions are possible- is there any limit on minimum or maximum number- smallest plot size possible – can it be used for general industry – can it be used for red and orange category - if yes then how much is fee-that whether commercial or industrial projects can be initiated?

The appellant was denied the information vide letter dated 22.12.2021 after which the appellant filed a first appeal before the First Appellate Authority on 03.01.2022, which did not decide on the appeal.

The case has come up for hearing today.

As per the respondent, the information (copy of bifurcation policy dated 08.02.2005, 26.03.2021 & 07.09.2022) has been provided to the appellant vide letter dated 13.10.2022.

As per the appellant, the copy of the policy dated 08.02.2005 is not legible, the copy of the policy dated 26.03.2021 that has been provided now is neither complete nor legible. The copy of the policy dated 07.09.2022 has not been attached with the letter dated 13.10.2022.

From the hearing, the Commission observes that the sought information was first denied on the plea that it does not qualify as information as it was in question form. However, before this hearing, the PIO sent some information to the appellant in the form of policy dated 08.02.2005, 26.03.2021 & 07.09.2022. The appellant claims that partial information has been sent but some part of the information is illegible and some part of the information is incomplete.

Having gone through the reply of the PIO and the manner this RTI application has been handled, it is clear that at the first instance, the PIO denied the information blanketly without any speaking order and once the matter was to be heard before the commission, the PIO produced some information related to the RTI application.