

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1564 of 2019

PRESENT: Sh. Y.V. Chawla for the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER:

The case was first heard on 25.11.2019. The representative appeared on behalf of the appellant and informed that the appellant had inspected some of the files produced by the PIO on 01.11.2019 and specified the required documents. The representative, however, sought adjournment for further hearing in the month of Feb.2020. The case was adjourned.

The case was again heard on **25.02.2020**. The appellant informed that he had inspected the record and specified the information to the PIO but the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information as specified by the appellant within 15 days and send a compliance report to the Commission.

On the date of the hearing on **18.06.2020**, the appellant informed that the PIO has not provided the information.

The respondent was absent nor had complied with the order of the Commission. The PIO was given one more opportunity to comply with the earlier order of the Commission and provide the information within 10 days. The PIO was also directed to appear personally before the Commission on the next date of hearing and explain the reasons for not providing the information within the time prescribed under the RTI Act.

On the date of the hearing on **10.03.2021**, the appellant claimed that despite the order of the Commission to provide the information within 10 days, the PIO has not provided the correct and complete information.

Since there was a delay of more than two years in providing the information, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit**. The PIO was directed to sort out the matter and provide the complete information to the appellant within 15 days and send a compliance report to the Commission.

A copy of the order was sent to the Administrator, GMADA with the direction to enquire into the matter and ensure that the information is provided to the appellant as per the RTI Act in this case, as well as in appeal cases No.1565/2019, 1566/2019, 1567/2019, 1568/2019, 1569/2019 and 1570/2019 which are lying pending for more than two years. It was also brought to the notice of the Administrator GMADA that the RTI Act is not being implemented with earnestness in the organization and there is a casual approach while dealing with RTI Applications.

On the date of hearing on 25.06.2021, as per appellant, despite the order of the Commission to provide the information within 15 days, the PIO had not supplied the information.

Appeal Case No. 1564 of 2019

At the hearing on 10.03.2021, the Commission observed that there has been an enormous delay of more than two years in providing the information in this case, as well as in appeal cases No.1565/2019, 1566/2019, 1567/2019, 1568/2019, 1569/2019 and 1570/2019, the PIO was issued a show-cause in all the cases and directed to file reply on an affidavit. The PIO was again directed to sort out the matter and provide complete information within 15 days of the receipt of the order.

The PIO however, failed to comply with the order of the Commission since the PIO neither provided the information nor had filed a reply to the show-cause notice. The PIO was given one last opportunity to file a reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

Further, since the appellant had to suffer undue inconvenience to get the information, the Commission found it a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act. The PIO-GMADA Mohali was directed to pay an amount of **Rs.10000/-** via demand draft as compensation to the appellant for the loss and detriment suffered by him of having to file the appeals and not getting information in time in the present case as well as in appeal cases No.1565/2019, 1566/2019, 1567/2019, 1568/2019, 1569/2019 and 1570/2019. The PIO was directed to submit proof of having compensated the appellant.

To settle the matter, which had taken undue delay, the PIO was directed to bring the entire record to the Commission on the next date of hearing (Case nos -No.1565/2019, 1566/2019, 1567/2019, 1568/2019, 1569/2019 and 1570/2019.) PIO to reach the Commission's office at 9.00 AM along with a complete record for inspection of the appellant) The appellant was also directed to reach Commission's office at 9.00 AM to inspect the record. This would also be the final opportunity being provided to the appellant to inspect the record.

On the date of hearing on **27.10.2021**, the respondent brought the record at the Commission's office. The appellant had inspected the record.

The respondent claimed that the information that has been sought does not exist. Inspections have happened many times over, including at the Commission's office. The respondent claimed that the information that is being sought does not exist, however, files were brought to the appellant to inspect for himself.

The appellant was not convinced and claimed the files that were brought were not in accordance with the RTI application.

Since the matter was pending for a long and there was a constant disagreement on the information sought and the reply of the PIO, to remove this logjam the commission made all efforts, including the summoning of the records. In finality, the commission concluded that the PIO relook at the RTI application and file a pointwise reply on an affidavit stating all that that has been stated at the hearing i.e that the sought information does not exist.

The PIO was also directed to provide compensation amount to the appellant as per the order dated 25.06.2021. The PIO was also directed to file a reply to the show-cause notice.

On the date of last hearing on 14.03.2022 the respondent present has filed/brought an affidavit collectively in appeal cases No.1564, 1565, 1566, 1567, 1568, 1569 & 1570 of 2019 in stating therein that the documents as pointed out by the appellant after inspecting the record at the Commission office during last hearing have been sent to the appellant vide letter dated 04.03.2022 (162 pages) with a copy of the policy containing 23 pages (in appeal case No.1569). As per the respondent, no further information is available in the record.

Regarding compensation amount, the respondent informed that the amount has inadvertently been deposited in Govt. treasury whereas it was to be paid to the appellant by way

of the demand draft. The respondent assured to provide the compensation amount to the appellant by way of a demand draft within a week.

The appellant claimed that he had received the information only on 09.03.2020 and he had not been provided sufficient time to go through the same. The time was granted and the case is adjourned.

Hearing dated 08.08.2022:

The case has come up for hearing today. The representative of the appellant informed that the appellant is away to Canada, and the appellant has requested the case be adjourned to the second week of October 2022 as the appellant will be able to appear in person to attend the hearing.

Facts of the Case-

That this matter has been pending for an extended period as there has been a constant disagreement on the information sought and the reply of the PIO.

That the commission, to remove the logjam, made all efforts, including allowing inspection of records,.

That when the appellant was dissatisfied with the inspection, the commission summoned the records to the commission for the appellant to inspect.

That there still a disagreement, even after the records were inspected at the commission,

That the commission even awarded a compensation of Rs.10000/- for the delay and harassment caused in procuring the sought information.

That the PIO stated that all information as per record had been provided, and there is no further information available in their records.

That after exhausting all options, the commission directed the PIO to relook at the RTI application and file a pointwise reply on an affidavit stating that the information has been provided was complete, true and no further information was available in their record.

At the hearing of today, the respondent present pleaded that in pursuance of the previous order of the Commission, the PIO has filed an affidavit mentioning therein that the compensation amount of Rs.10,000/- has been paid to the appellant through demand draft vide their letter dated 05.04.2022 and also mentioned in para 7 of the affidavit that available information as per the RTI application has been provided and no more information is available in their record.

The respondent has produced before the Bench the original affidavit, which is handed over to the representative of the appellant in the court itself.

Decision:-

Since an affidavit has been filed and all efforts to procure the sought information have been availed, no further interference of the bench is called for. **The case is disposed of and closed.**

**Chandigarh
Dated 08.08.2022**

**Sd/-
(Khushwant Singh)
State Information Commissioner**

**CC to :The Chief Administrator,
GMADA, Mohali.**

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1565 of 2019

PRESENT: Sh. Y.V. Chawla for the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER:

The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020, 10.03.2021, 25.06.2021, 27.10.2021 & 14.03.2022.

On the date of the hearing on **10.03.2021**, the appellant claimed that despite the order of the Commission to provide the information within 10 days, the PIO had not provided the information. The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there had been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of hearing on **25.06.2021**, as per the appellant, the PIO had not provided the information.

The PIO also failed to comply with the order of the Commission. The PIO had not provided the information nor had filed a reply to the show-cause notice.

The PIO was given one last opportunity to file a reply to the show-cause notice, otherwise, it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO was directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with the complete record for inspection of the appellant). The appellant was also directed to reach Commission's office at 9.00 AM to inspect the record. This would also be the final opportunity being provided to the appellant to inspect the record.

On the date of the hearing on **27.10.2021**, the respondent brought the record at the Commission's office. The appellant had inspected the record.

The respondent claimed that the information that has been sought does not exist. Inspections have happened many times over, including at the Commission's office. The respondent claimed that the information that is being sought does not exist, however, files were brought to the appellant to inspect for himself.

The appellant was not convinced and has claimed the files that were brought were not in accordance with the RTI application.

Since the matter was pending for long and there was a constant disagreement on the information sought and the reply of the PIO. To remove this logjam the commission made all efforts including the summoning of the records. In finality, the commission concluded that the PIO relook at the RTI application and file a pointwise reply on an affidavit stating all that what has been stated at the hearing i.e that the sought information does not exist.

The PIO was also directed to file reply to the show-cause notice.

On the date of last hearing on 14.03.2022 the respondent present filed/brought an affidavit collectively in appeal case No.1564,1565,1566,1567,1568,1569 & 1570 of 2019 in stating therein that the documents as pointed out by the appellant after inspecting the record at the Commission office during last hearing has been sent to the appellant vide letter dated 04.03.2022 (162 pages) and copy of policy containing 23 pages in appeal case No.1569) and no further information is available in the record.

The appellant claimed that he has received the information only on 09.03.2020 but he has not been provided sufficient time to go through the same. The time was granted and the case was adjourned.

Hearing dated 08.08.2022:

The case has come up for hearing today. The representative of the appellant informed that the appellant is away to Canada, and the appellant has requested the case be adjourned to the second week of October 2022 as the appellant will be able to appear in person to attend the hearing.

Facts of the Case-

That this matter has been pending for an extended period as there has been a constant disagreement on the information sought and the reply of the PIO.

That the commission, to remove the logjam, made all efforts, including allowing inspection of records,.

That when the appellant was dissatisfied with the inspection, the commission summoned the records to the commission for the appellant to inspect.

That there still a disagreement, even after the records were inspected at the commission,

That the commission even awarded a compensation of Rs.10000/- for the delay and harassment caused in procuring the sought information.

That the PIO stated that all information as per record had been provided, and there is no further information available in their records.

That after exhausting all options, the commission directed the PIO to relook at the RTI application and file a pointwise reply on an affidavit stating that the information has been provided was complete, true and no further information was available in their record.

At the hearing of today, the respondent present pleaded that in pursuance of the previous order of the Commission, the PIO has filed an affidavit mentioning therein that the compensation amount of Rs.10,000/- has been paid to the appellant through demand draft vide their letter dated 05.04.2022 and also mentioned in para 7 of the affidavit that available information as per the RTI application has been provided and no more information is available in their record.

Appeal Case No. 1565 of 2019

The respondent has produced before the Bench the original affidavit, which is handed over to the representative of the appellant in the court itself.

Decision:-

Since an affidavit has been filed and all efforts to procure the sought information have been availed, no further interference of the bench is called for. **The case is disposed of and closed.**

**Chandigarh
Dated 08.08.2022**

**Sd/-
(Khushwant Singh)
State Information Commissioner**

Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1566 of 2019

PRESENT: Sh. Y.V. Chawla for the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER: The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020, 10.03.2021, 25.06.2021, 27.10.2021 & 14.03.2022.

On the date of the hearing on **10.03.2021**, the appellant claimed that despite the order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there had been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of last hearing on 25.06.2021, as per the appellant, the PIO had not provided the information.

The PIO also failed to comply with the order of the Commission. The PIO had not provided the information nor had filed a reply to the show-cause notice.

The PIO was given one last opportunity to file a reply to the show-cause notice, otherwise, it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO was directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach the Commission's office positively at 9.00 AM along with a complete record for inspection of the appellant). The appellant was also directed to reach the Commission's office at 9.00 AM to inspect the record. This would also be the final opportunity being provided to the appellant to inspect the record.

On the date of hearing on **27.10.2021**, the respondent had brought the record at the Commission's office. The appellant had inspected the record.

The respondent claimed that the information that has been sought does not exist. Inspections have happened many times over, including at the Commission's office. The respondent claimed that the information that is being sought does not exist, however, files were brought to the appellant to inspect for himself.

The appellant was not convinced and claimed that the files that were brought were not in accordance with the RTI application.

Since the matter was pending for long and there was a constant disagreement on the information sought and the reply of the PIO, to remove this logjam the commission made all efforts including the summoning of the records. In finality, the commission concluded that the PIO relook at the RTI application and file a point wise reply on an affidavit stating all that what has been stated at the hearing i.e that the sought information does not exist.

The PIO was also directed to file a reply to the show-cause notice.

On the date of last hearing on 14.03.2022 the respondent present has filed/brought an affidavit collectively in appeal case No.1564,1565,1566,1567,1568,1569 & 1570 of 2019 in stating therein that the documents as pointed out by the appellant after inspecting the record at the Commission office during last hearing has been sent to the appellant vide letter dated 04.03.2022 (162 pages) and copy of policy containing 23 pages in appeal case o.1569) and no further information is available in the record.

The appellant claimed that he has received the information only on 09.03.2020 but he has not been provided sufficient time to go through the same.

The time was granted and the case was adjourned.

Hearing dated 08.08.2022:

The case has come up for hearing today. The representative of the appellant informed that the appellant is away to Canada, and the appellant has requested the case be adjourned to the second week of October 2022 as the appellant will be able to appear in person to attend the hearing.

Facts of the Case-

That this matter has been pending for an extended period as there has been a constant disagreement on the information sought and the reply of the PIO.

That the commission, to remove the logjam, made all efforts, including allowing inspection of records,.

That when the appellant was dissatisfied with the inspection, the commission summoned the records to the commission for the appellant to inspect.

That there still a disagreement, even after the records were inspected at the commission,

That the commission even awarded a compensation of Rs.10000/- for the delay and harassment caused in procuring the sought information.

That the PIO stated that all information as per record had been provided, and there is no further information available in their records.

That after exhausting all options, the commission directed the PIO to relook at the RTI application and file a pointwise reply on an affidavit stating that the information has been provided was complete, true and no further information was available in their record.

At the hearing of today, the respondent present pleaded that in pursuance of the previous order of the Commission, the PIO has filed an affidavit mentioning therein that the compensation amount of Rs.10,000/- has been paid to the appellant through demand draft vide their letter dated 05.04.2022 and also mentioned in para 7 of the affidavit that available information as per the RTI application has been provided and no more information is available in their record.

Appeal Case No. 1566 of 2019

The respondent has produced before the Bench the original affidavit, which is handed over to the representative of the appellant in the court itself.

Decision:-

Since an affidavit has been filed and all efforts to procure the sought information have been availed, no further interference of the bench is called for. **The case is disposed of and closed.**

Chandigarh
Dated 08.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1567 of 2019

PRESENT: Sh. Y.V. Chawla for the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER: The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020, 10.03.2021, 25.06.2021, 27.10.2021 & 14.03.2022.

On the date of hearing on **10.03.2021**, the appellant claimed that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of hearing on 25.06.2021, as per the appellant, the PIO had not provided the information.

The PIO also failed to comply with the order of the Commission. The PIO had not provided the information nor had filed a reply to the show-cause notice.

The PIO was given one last opportunity to file a reply to the show-cause notice, otherwise, it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO was directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with the complete record for inspection of the appellant). The appellant was also directed to reach Commission's office at 9.00 AM to inspect the record. This would also be the final opportunity being provided to the appellant to inspect the record.

On the date of hearing on **27.10.2021**, the respondent brought the record at the Commission's office. The appellant had inspected the record.

The respondent claimed that the information that has been sought does not exist. Inspections have happened many times over, including at the Commission's office. The respondent claimed that the information that is being sought does not exist, however, files were brought to the appellant to inspect for himself.

The appellant was not convinced and claimed the files that were brought were not in accordance with the RTI application.

Since the matter was pending for long and there was a constant disagreement on the information sought and the reply of the PIO, to remove this logjam the commission made all efforts including the summoning of the records. In finality, the commission concluded that the PIO relook at the RTI application and file a pointwise reply on an affidavit stating all that what has been stated at the hearing i.e that the sought information does not exist.

The PIO was also directed to file a reply to the show-cause notice.

On the date of last hearing on 14.03.2022 the respondent present has filed/brought an affidavit collectively in appeal case No.1564,1565,1566,1567,1568,1569 & 1570 of 2019 in stating therein that the documents as pointed out by the appellant after inspecting the record at the Commission office during last hearing has been sent to the appellant vide letter dated 04.03.2022 (162 pages) and copy of policy containing 23 pages in appeal case o.1569) and no further information is available in the record.

The appellant claimed that he has received the information only on 09.03.2020 but he has not been provided sufficient time to go through the same.

The time was granted and the case was adjourned.

Hearing dated 08.08.2022:

The case has come up for hearing today. The representative of the appellant informed that the appellant is away to Canada, and the appellant has requested the case be adjourned to the second week of October 2022 as the appellant will be able to appear in person to attend the hearing.

Facts of the Case-

That this matter has been pending for an extended period as there has been a constant disagreement on the information sought and the reply of the PIO.

That the commission, to remove the logjam, made all efforts, including allowing inspection of records,.

That when the appellant was dissatisfied with the inspection, the commission summoned the records to the commission for the appellant to inspect.

That there still a disagreement, even after the records were inspected at the commission,

That the commission even awarded a compensation of Rs.10000/- for the delay and harassment caused in procuring the sought information.

That the PIO stated that all information as per record had been provided, and there is no further information available in their records.

That after exhausting all options, the commission directed the PIO to relook at the RTI application and file a pointwise reply on an affidavit stating that the information has been provided was complete, true and no further information was available in their record.

At the hearing of today, the respondent present pleaded that in pursuance of the previous order of the Commission, the PIO has filed an affidavit mentioning therein that the compensation amount of Rs.10,000/- has been paid to the appellant through demand draft vide their letter dated 05.04.2022 and also mentioned in para 7 of the affidavit that available information as per the RTI application has been provided and no more information is available in their record.

The respondent has produced before the Bench the original affidavit, which is handed over to the representative of the appellant in the court itself.

Decision:-

Since an affidavit has been filed and all efforts to procure the sought information have been availed, no further interference of the bench is called for. **The case is disposed of and closed.**

Chandigarh
Dated 08.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1568 of 2019

PRESENT: Sh. Y.V. Chawla for the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER: The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020, 10.03.2021, 25.06.2021, 27.10.2021 & 14.03.2022.

On the date of the hearing on **10.03.2021**, the appellant claimed that despite the order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of hearing on 25.06.2021, as per the appellant, the PIO had not provided the information.

The PIO also failed to comply with the order of the Commission. The PIO had not provided the information nor had filed a reply to the show-cause notice.

The PIO was given one last opportunity to file a reply to the show-cause notice, otherwise, it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO was directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with the complete record for inspection of the appellant). The appellant was also directed to reach Commission's office at 9.00 AM to inspect the record. This would also be the final opportunity being provided to the appellant to inspect the record.

On the date of the hearing on **27.10.2021**, the respondent brought the record at the Commission's office. The appellant had inspected the record.

The respondent claimed that the information that has been sought does not exist. Inspections have happened many times over, including at the Commission's office. The respondent claimed that the information that is being sought does not exist, however, files were brought to the appellant to inspect for himself.

The appellant was not convinced and claimed the files that were brought were not in accordance with the RTI application.

Since the matter was pending for long and there was a constant disagreement on the information sought and the reply of the PIO, to remove this logjam the commission had made all efforts including the summoning of the records. In finality, the commission concluded that the PIO relook at the RTI application and file a pointwise reply on an affidavit stating all that what has been stated at the hearing i.e that the sought information does not exist.

The PIO was also directed to file a reply to the show-cause notice.

On the date of last hearing on 14.03.2022 the respondent present has filed/brought an affidavit collectively in appeal case No.1564,1565,1566,1567,1568,1569 & 1570 of 2019 in stating therein that the documents as pointed out by the appellant after inspecting the record at the Commission office during last hearing has been sent to the appellant vide letter dated 04.03.2022 (162 pages) and copy of policy containing 23 pages in appeal case o.1569) and no further information is available in the record.

The appellant claimed that he has received the information only on 09.03.2020 but he has not been provided sufficient time to go through the same.

The time was granted and the case was adjourned.

Hearing dated 08.08.2022:

The case has come up for hearing today. The representative of the appellant informed that the appellant is away to Canada, and the appellant has requested the case be adjourned to the second week of October 2022 as the appellant will be able to appear in person to attend the hearing.

Facts of the Case-

That this matter has been pending for an extended period as there has been a constant disagreement on the information sought and the reply of the PIO.

That the commission, to remove the logjam, made all efforts, including allowing inspection of records,.

That when the appellant was dissatisfied with the inspection, the commission summoned the records to the commission for the appellant to inspect.

That there still a disagreement, even after the records were inspected at the commission,

That the commission even awarded a compensation of Rs.10000/- for the delay and harassment caused in procuring the sought information.

That the PIO stated that all information as per record had been provided, and there is no further information available in their records.

That after exhausting all options, the commission directed the PIO to relook at the RTI application and file a pointwise reply on an affidavit stating that the information has been provided was complete, true and no further information was available in their record.

Appeal Case No. 1568 of 2019

At the hearing of today, the respondent present pleaded that in pursuance of the previous order of the Commission, the PIO has filed an affidavit mentioning therein that the compensation amount of Rs.10,000/- has been paid to the appellant through demand draft vide their letter dated 05.04.2022 and also mentioned in para 7 of the affidavit that available information as per the RTI application has been provided and no more information is available in their record.

The respondent has produced before the Bench the original affidavit, which is handed over to the representative of the appellant in the court itself.

Decision:-

Since an affidavit has been filed and all efforts to procure the sought information have been availed, no further interference of the bench is called for. **The case is disposed of and closed.**

Chandigarh
Dated 08.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1569 of 2019

PRESENT: Sh. Y.V. Chawla for the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER:

The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020, 10.03.2021, 25.06.2021, 27.10.2021 & 14.03.2022.

On the date of hearing on **10.03.2021**, the appellant claimed that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of the hearing on 25.06.2021, as per the appellant, the PIO had not provided the information.

The PIO also failed to comply with the order of the Commission. The PIO had not provided the information nor had filed a reply to the show-cause notice.

The PIO was given one last opportunity to file a reply to the show-cause notice, otherwise, it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO was directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach the Commission's office positively at 9.00 AM along with a complete record for inspection of the appellant). The appellant was also directed to reach the Commission's office at 9.00 AM to inspect the record. This would also be the final opportunity being provided to the appellant to inspect the record.

On the date of the hearing on **27.10.2021**, the respondent had brought the record to the Commission's office. The appellant had inspected the record.

The respondent present informed that the matter has been sorted out with the appellant and the available information (copy of the institutional land policy) is being provided to the appellant along with a forwarding letter as asked by the appellant and the same shall be provided within a week.

The PIO was directed to provide whatever information is available in the record to the appellant within a week as assured and send a compliance report to the Commission.

The PIO, however, did not file a reply to the show-cause notice. The PIO was given one last opportunity to file a reply to the show-cause notice

On the date of last hearing on 14.03.2022 the respondent present informed that in compliance with the order of the Commission, a copy of institutional land policy has been provided to the appellant.

The PIO has, however, not filed a reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say on the matter and the Commission will take penal action under section 20 of the RTI Act.

Hearing dated 08.08.2022:

The case has come up for hearing today. The representative of the appellant informed that the appellant is away to Canada, and the appellant has requested the case be adjourned to the second week of October 2022 as the appellant will be able to appear in person to attend the hearing.

Facts of the Case-

That this matter has been pending for an extended period as there has been a constant disagreement on the information sought and the reply of the PIO.

That the commission, to remove the logjam, made all efforts, including allowing inspection of records,.

That when the appellant was dissatisfied with the inspection, the commission summoned the records to the commission for the appellant to inspect.

That there still a disagreement, even after the records were inspected at the commission,

That the commission even awarded a compensation of Rs.10000/- for the delay and harassment caused in procuring the sought information.

That the PIO stated that all information as per record had been provided, and there is no further information available in their records.

That after exhausting all options, the commission directed the PIO to relook at the RTI application and file a pointwise reply on an affidavit stating that the information has been provided was complete, true and no further information was available in their record.

At the hearing of today, the respondent present pleaded that in pursuance of the previous order of the Commission, the PIO has filed an affidavit mentioning therein that the compensation amount of Rs.10,000/- has been paid to the appellant through demand draft vide their letter dated 05.04.2022 and also mentioned in para 7 of the affidavit that available information as per the RTI application has been provided and no more information is available in their record.

The respondent has produced before the Bench the original affidavit, which is handed over to the representative of the appellant in the court itself.

Decision:-

Since an affidavit has been filed and all efforts to procure the sought information have been availed, no further interference of the bench is called for. **The case is disposed of and closed.**

Chandigarh
Dated 08.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

Sh K.N.S Sodhi,
1634, Sector-70, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA, Sector-62,
Mohali.

First Appellate Authority,
O/o GMADA, Sector-62,
Mohali.

...Respondent

Appeal Case No. 1570 of 2019

PRESENT: Sh. Y.V. Chawla for the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER:

The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020, 10.03.2021, 25.06.2021, 27.10.2021 & 14.03.2022.

On the date of hearing on **10.03.2021**, the appellant claimed that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

On the date of hearing on 25.06.2021, as per the appellant, the PIO had not provided the information.

The PIO also failed to comply with the order of the Commission. The PIO had not provided the information nor had filed a reply to the show-cause notice.

The PIO was given one last opportunity to file a reply to the show-cause notice, otherwise, it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO was directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with the complete record for inspection of the appellant). The appellant was also directed to reach Commission's office at 9.00 AM to inspect the record. This would also be the final opportunity being provided to the appellant to inspect the record.

On the date of the hearing on **27.10.2021**, the respondent brought the record at the Commission's office. The appellant had inspected the record.

The respondent claimed that the information that has been sought does not exist. Inspections have happened many times over, including at the Commission's office. The respondent claimed that the information that is being sought does not exist, however, files were brought to the appellant to inspect for himself.

The appellant was not convinced and claimed the files that were brought were not in accordance with the RTI application.

Since the matter was pending for long and there was a constant disagreement on the information sought and the reply of the PIO, to remove this logjam the commission had made all efforts including the summoning of the records. In finality, the commission concluded that the PIO relook at the RTI application and file a pointwise reply on an affidavit stating all that what has been stated at the hearing i.e that the sought information does not exist.

The PIO was also directed to file a reply to the show-cause notice.

On the date of last hearing on 14.03.2022 the respondent present has filed/brought an affidavit collectively in appeal case No.1564,1565,1566,1567,1568,1569 & 1570 of 2019 in stating therein that the documents as pointed out by the appellant after inspecting the record at the Commission office during last hearing has been sent to the appellant vide letter dated 04.03.2022 (162 pages) and copy of policy containing 23 pages in appeal case o.1569) and no further information is available in the record.

The appellant claimed that he has received the information only on 09.03.2020 but he has not been provided sufficient time to go through the same.

The time was granted and the case was adjourned.

Hearing dated 08.08.2022:

The case has come up for hearing today. The representative of the appellant informed that the appellant is away to Canada, and the appellant has requested the case be adjourned to the second week of October 2022 as the appellant will be able to appear in person to attend the hearing.

Facts of the Case-

That this matter has been pending for an extended period as there has been a constant disagreement on the information sought and the reply of the PIO.

That the commission, to remove the logjam, made all efforts, including allowing inspection of records,.

That when the appellant was dissatisfied with the inspection, the commission summoned the records to the commission for the appellant to inspect.

That there still a disagreement, even after the records were inspected at the commission,

That the commission even awarded a compensation of Rs.10000/- for the delay and harassment caused in procuring the sought information.

That the PIO stated that all information as per record had been provided, and there is no further information available in their records.

That after exhausting all options, the commission directed the PIO to relook at the RTI application and file a pointwise reply on an affidavit stating that the information has been provided was complete, true and no further information was available in their record.

At the hearing of today, the respondent present pleaded that in pursuance of the previous order of the Commission, the PIO has filed an affidavit mentioning therein that the compensation amount of Rs.10,000/- has been paid to the appellant through demand draft vide their letter dated 05.04.2022 and also mentioned in para 7 of the affidavit that available information as per the RTI application has been provided and no more information is available in their record.

The respondent has produced before the Bench the original affidavit, which is handed over to the representative of the appellant in the court itself.

Decision:-

Since an affidavit has been filed and all efforts to procure the sought information have been availed, no further interference of the bench is called for. **The case is disposed of and closed.**

Chandigarh
Dated 08.08.2022

Sd/-
(Khushwant Singh)
State Information Commissioner



Ms. Kanchan Bala, D/o sh Pawan Kumar,
B-12/233, Street NO-4, Kamal Colony,
Khanna Road, Samrala, Distt Ludhiana.

... Appellant

Versus

Public Information Officer,
O/o SMO, PHC, Dudansadhan,
Distt Patiala.

First Appellate Authority,
O/o Civil Surgeon,
Patiala.

...Respondent

Appeal Case No. 4755 of 2021

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 02.08.2021 has sought information on 06 points regarding complete salary statements of multipurpose health supervisors for the months 7/2020 to 07.2021 with payroll register and online pay bills sent to the treasury – distance from duty place to residence of health supervisors –rule/circular for leaving the station – complaint of Sh.Vivek Kumar relating HRA claim alongwith letter dated 31.12. and other information as enumerated in the RTI application concerning the office of SMO-PHC Dudhan Sadhan, Distt.Patiala. The appellant was not satisfied with the reply of the PIO dated 16.08.2021 after which the appellant filed the first appeal before the First Appellate Authority on 23.08.2021, which took no decision on the appeal.

The case was last heard on 17.05.2022 through video conferencing at DAC Patiala. As per the respondent, the reply/information had been sent to the appellant.

The appellant was not satisfied with the provided information.

Having gone through the RTI application and hearing both the parties, the PIO was directed to bring the entire record relating to this RTI application to the Commission at Chandigarh on the next date of hearing.

The appellant was also directed to appear at the next hearing at Chandigarh.

Hearing dated 08.08.2022

The case has come up for hearing today through video conferencing at DAC Patiala. Both the parties are absent.

As per the letter dated 06.08.2022 from the appellant received in the Commission wherein the appellant stated that the appellant has received the sought information from the respondent. The appellant further requested that the instant case may kindly be closed. The letter is taken on record.

The information stands provided and no more cause of action is left. Hence the case is **disposed of and closed.**

Chandigarh
Dated: 08.08.2022

Sd/-
(Khushwant Singh)
State Information Commission



Sh Tejinder Singh,
Civil Court, Tehsil Complex,
Backside Sanjh Kender,
Phillaur.

... Appellant

Versus

Public Information Officer,
O/o Asst. Civil Surgeon,
Moga.

First Appellate authority,
O/o Civil Surgeon,
Moga.

...Respondent

Appeal Case No. 5371 of 2021

PRESENT: Sh.Tejinder Singh as the Appellant
Sh.Lovdeep Singh, Food Safety Officer for the Respondent

ORDER:

The appellant through an RTI application dated 19.07.2021 has sought information on 09 points regarding details of RTI applications received from Jan.2018 to 18.07.2021 alongwith fee recovered – Name of branch PIO/APIO – penalty imposed by State Information Commission on Food Safety Officer during that period – RTI applications received in the name of PIO-Civil Surgeon Moga – penalty imposed

on PIO-Civil Surgeon of that time – Details of VIP duties ordered by DHA and Food & Drug Deptt. other information as enumerated in the RTI application concerning the office of Asstt. Civil Surgeon, Moga. The appellant was not provided with the information, after which the appellant filed a first appeal before the first appellate authority on 06.09.2021 which took no decision on the appeal.

The case last came up for hearing 25.05.2022 through video conferencing at DAC Moga/Ludhiana. As per the respondent, the information has already been supplied to the appellant.

The appellant claimed that he received the information only on 13.05.2022 which is incomplete and misleading.

Having gone through the RTI application and hearing both the parties, the following was concluded:

- | | |
|-----------------------|--|
| - Point-1,2, 3,4,5 &8 | - Provided |
| - Point-4(a) | - Relates to Civil Surgeon Office – to provide information |
| - Point-6 | - Rejected |
| - Pont-7 | - Relates to Civil Surgeon Office – to provide information |
| - Point-9 | - Food Branch to provide information as discussed during the hearing |

Since the RTI application was filed in the office of Civil Surgeon, Moga, the Commission marked the case to the Civil Surgeon, Moga as the deemed PIO under section 5(4) with further directions to provide the complete information to the appellant at the earliest.

Hearing dated 08.08.2022

The case has come up for hearing today through video conferencing at DAC Moga/Ludhiana. As per the respondent, the point-wise information has already been supplied to the appellant vide their letter dated 13.05.2022 and 19.05.2022.

The appellant is absent and vide email has informed that incomplete information has been supplied by the PIO. The appellant in the said email has pointed out the discrepancies.

I am sending the discrepancies as pointed out by the appellant to the PIO. The PIO is directed to sort out the discrepancies and supply certified information to the appellant with a copy to the Commission.

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

Chandigarh
Dated: 08.08.2022

Sd/-
(Khushwant Singh)
State Information Commission