

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psic30@punjabmail.gov.in
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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.K.N.S.Sodhi as 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 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 last 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 last 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 to the appellant 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.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant claims that despite the order of the Commission to provide the information within 10 days, the PIO has not provided the correct and complete information.

In this instance, the Commission observes that there has been an enormous delay of more than two years in providing the information. The Commission has 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 persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is 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.

Appeal Case No. 1564 of 2019

A copy of the order is being 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 have been lying pending for more than two years. It is 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.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through a video** conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

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

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

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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.K.N.S.Sodhi as 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 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 last 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 last hearing on **18.06.2020**, the appellant informed that the PIO has not provided the information.

The respondent was absent nor had complied 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 to the appellant 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.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant claims that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO is 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.

Appeal Case No. 1565 of 2019

The Commission further observes that there has been an enormous delay of more than two years in providing the information. The Commission has 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 persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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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.K.N.S.Sodhi as 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 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 last 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 to the appellant 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.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant claims that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO is 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.

The Commission further observes that there has been an enormous delay of more than two years in providing the information. The Commission has 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 persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

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.K.N.S.Sodhi as 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 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 last 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 to the appellant 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.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant claims that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO is 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.

The Commission further observes that there has been an enormous delay of more than two years in providing the information. The Commission has 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 persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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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.K.N.S.Sodhi as 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 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 last 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 to the appellant 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.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant claims that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO is 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.

Appeal Case No. 1568 of 2019

The Commission further observes that there has been an enormous delay of more than two years in providing the information. The Commission has 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 persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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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.K.N.S.Sodhi as 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 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 last 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 to the appellant 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.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant claims that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO is 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.

Appeal Case No. 1569 of 2019

The Commission further observes that there has been an enormous delay of more than two years in providing the information. The Commission has 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 persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, Mohali.

**Chandigarh
Dated 10.03.2021**

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



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

Versus

... Appellant

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.K.N.S.Sodhi as 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 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 last 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 to the appellant 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.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant claims that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO is 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.

Appeal Case No. 1570 of 2019

The Commission further observes that there has been an enormous delay of more than two years in providing the information. The Commission has 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 persons of the show cause and direct them to appear before the Commission along with the written replies.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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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. 1625 of 2019

PRESENT: Sh.K.N.S.Sodhi as the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER:

Sh.K.N.S.Sodhi through RTI application dated 21.12.2018 sought information regarding land allotted under Industrial Land Policy to different institutions in sector 70 alongwith Memorandum of Articles, approval of land, site plan etc from the office of GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 19.01.2019 which took no decision on the appeal. After filing the first appeal, the PIO sent a reply to the appellant stating that the information sought is not specific and the appellant was asked to inspect the record and get the relevant information. On not being satisfied with the reply of the PIO, the appellant filed a second appeal in the Commission.

The case came up for hearing on 14.11.2019. Sh.Gulshan Kumar, PIO appeared and pleaded that the appellant has already inspected some of the files and the appellant can inspect the other files. The representative appeared on behalf of the appellant and agreed for the same.

On the next date of hearing on 27.01.2020, the appellant informed that after inspection of record, the appellant had flag marked the information required by him but the PIO had not supplied the information. Since the PIO was absent and the respondent appeared on behalf of the PIO could not reply on the submission of the appellant, the PIO was issued a **show cause notice under section 20 of the RTI Act**. The PIO was directed to file a reply on an affidavit. The PIO was also directed to provide the information to the appellant within 10 days.

On the next date of hearing which was held on **25.02.2020**, the PIO was again absent nor had sent a reply to the show cause notice. The PIO was given one last opportunity to file reply to the show cause notice and provide the information to the appellant.

On the date of last hearing on 18.06.2020, the appellant informed that the PIO has not provided the information. The PIO was absent nor had sent any reply to the show cause notice.

Since the PIO failed to provide the information within the time prescribed under the RTI Act, a penalty of **Rs.10,000/-** was imposed upon the PIO-GMADA, Mohali to be deposited in the Govt. Treasury. The PIO, GMADA was directed to duly inform the Commission of the compliance of the orders by producing a copy of the challan justifying the deposition of the penalty in the Govt Treasury.

Appeal Case No. 1625 of 2019

Further, since the appellant had to suffer undue inconvenience to get the information, the PIO-GMADA Mohali was directed to pay an amount of **Rs.3000/-** via demand draft drawn through Govt. Treasury as compensation to the appellant and submit proof of having compensated the appellant. The PIO was again directed to provide the information within 10 days.

Hearing dated 10.03.2021:

As per respondent, the information has been provided, compensation amount of Rs.3000/- has been paid to the appellant and the penalty amount of Rs.10000/- has been deposited in the Govt Treasury vide challan dated 02.11.2020. The Commission has received a copy of challan as a proof of having deposited the amount of penalty in the Govt Treasury which has been taken on the file of the Commission.

The appellant however, claims that the information provided on 20.07.2020 are incomplete and the demand draft of Rs.3000/- was not correct and has been returned by the bank since the same was issued in the name of K.N.S.Sodhi whereas it should have been purchased in the name of appellant Sh.Kanwal Nain Singh. The demand draft has been returned to the PIO for correction.

Hearing both the parties, the PIO is directed to sort out the matter and provide whatever remaining information is available on record as per the RTI Act and if the information is not available, to give it in writing on an affidavit that no further information is available in the records.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh Prateek Soni, S/o Sh Ashwani Soni,
Kothi No- 534, Phase-1, Sector-55,
Mohali.

... Appellant

Versus

Public Information Officer,
O/o EO, GMADA,
Mohali.

First Appellate Authority,
O/o EO, GMADA,
Mohali

...Respondent

Appeal Case No. 2527 of 2019

PRESENT: None for the Appellant
Sh.Gurvinder Singh, PIO for the Respondent

ORDER:

The case was first heard on 11.12.2019. The respondent present pleaded that the information has already been provided to the appellant. The appellant was not satisfied with the information regarding points 4,5 & 6. Hearing both the parties, the PIO was directed to relook at points 4, 5 & 6 and provide the information to the appellant.

On the next date of hearing on **21.01.2020**, The respondent present pleaded that the information has been provided to the appellant. The appellant said that the PIO has not provided the copy of the policy containing terms & conditions. Hearing both the parties, the PIO was directed to provide a copy of the first policy which was framed before the release of brochure. The information will be provided within 10 days.

On the date of last hearing on **18.06.2020**, the appellant claimed that the information supplied by the PIO is incomplete.

The Commission received a letter from the appellant vide which he had pointed out the discrepancy. A copy of the letter was attached with the order for the PIO and the PIO was directed to sort out the discrepancy. The appellant was also directed to contact the PIO and clarify the information that he exactly seeks. The PIO was directed to provide the information.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. As per respondent, the information has been provided to the appellant.

The appellant is absent and vide letter received in the Commission on 08.09.2020 has informed that in spite of having personally met the PIO, the APIO-GMADA has sent a copy of brochure instead of policy (agenda) framed before the release of IT city scheme brochure.

Appeal Case No. 2527 of 2019

The Commission observes that there has been an enormous delay of more than two years in providing the information. The Commission has 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 persons of the show cause and direct them to appear before the Commission along with the written replies.

The PIO is again directed to provide complete information to the appellant within 10 days of the receipt of this order.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, Mohali.

**Chandigarh
Dated 10.03.2021**

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

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Visit us: - www.infocommpunjab.com



Sh Mohit Bindra,
H No-654, Sector-8,
Panchkula.

... Complainant

Versus

Public Information Officer,
O/o XEN, GMADA, C-1,
Sector-62, Mohali.

First Appellate Authority,
GMADA,
Sector-62, Mohali

...Respondent

Appeal Case No. 2649 of 2019

PRESENT: None for the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER:

The case was first heard on 03.09.2019. The appellant informed that in response to the PIO's letter dated 01.05.2019, he has already specified the information vide letter dated 02.05.2019, but the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information as per the RTI application and send a compliance report to the Commission.

The case was again heard on **25.11.2019**. The respondent present informed that the information has already been provided to the appellant. The appellant was absent nor had pointed out any discrepancy.

On the date of hearing on **21.01.2020**, the respondent present pleaded that the information has been supplied to the appellant. The appellant informed that the PIO has not provided the information but only asked vide letter dated 01.05.2019 to specify the information, which was specified on 02.05.2019. The PIO was directed to relook at the RTI application and provide the information to the appellant within 10 days.

On the date of last hearing on **18.06.2020**, both the parties were absent. The case was adjourned.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant is absent. The respondent present pleaded that some of the information has been provided and assured to provide remaining information within ten days.

The PIO is given one more opportunity to relook at the RTI application and whatever the information is left, should be provided within ten days with a copy to the Commission.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through** video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



Sh K N Singh, S/o Sh. Raghbir Singh,
62, Model Town, Ambala City.

... Appellant

Versus

Public Information Officer,
O/o GMADA,
Mohali.

First Appellate Authority,
O/o EO, GMADA,
Mohali.

...Respondent

Appeal Case No. 3481 of 2019

PRESENT: Sh.K.N.Singh as the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER:

The appellant through RTI application dated 12.06.2019 has sought information regarding allotment of religious sites to religious bodies – Dera Radha Swami Satsang Beas since inception of Mohali and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 25.07.2019 which took no decision on the appeal. Thereafter, the PIO sent partial information to the appellant vide letter dated 25.07.2019.

The case was first heard on 22.01.2020. The respondent present informed that the information has been supplied to the appellant vide letter dated 03.04.2019 and letter dated 19.11.2019 by their policy branch. The appellant was not satisfied and stated that the PIO has not provided the information as per the RTI application.

Hearing both the parties, the PIO was directed to relook at the RTI application and provide the information as per the RTI application. If the information does not exist, to give in writing on an affidavit. The information be provided within 25 days of the issue of the order.

On the date of last hearing on **18.06.2020**, both the parties were absent. The appellant telephonically informed that the PIO has not provided the information.

The PIO was directed to comply with the earlier order of the Commission and provide the information to the appellant.

Hearing dated 10.03.2021:

The respondent present pleaded that the available information has been provided to the appellant and no other information is available and that as per the order of the Commission, an affidavit has been provided to the appellant. The appellant claims that the information that has been provided is not as sought in the RTI application.

Appeal Case No. 3481 of 2019

Having gone through the RTI application and the reply of the PIO, I see a wide discrepancy in the information that has been sought and what has been provided. I am marking this case to the Chief Administrator, GMADA to look into the matter and ensure compliance of the order of the Commission.

The case is adjourned. To come up for further hearing on **21.06.2021 at 11.00 AM through a video** conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :Chief Administrator, GMADA
Mohali.



Sh Kesar Singh,
Flat No-104/B-5, Purab Premium Apartment,
Sec-88, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA,
Mohali.

First Appellate Authority,
O/o GMADA,
Mohali.

...Respondent

Appeal Case No. 3895 of 2019

PRESENT: None for the Appellant
Sh.Gurvinder Singh PIO for the Respondent

ORDER: Facts of the case:-

That the appellant through RTI application dated 15.04.2019 has sought information regarding statement of maintenance account and corpus fund account of Purab Premium Apartment Mohali from 01.07.2016 to 12.04.2019 and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which the appellant filed a first appeal before the first appellate authority on 04.09.2019 which took no decision on the appeal.

That the case came up for hearing first on 19.02.2020. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that the PIO has provided the information only on point-2 and had denied the information on points 1, 3 & 4.

The appellant further stated that the fund collected by the GMADA was meant to be transferred to the society which was never done and they are keen to know how the funds are being utilized and spent. The appellant further stated that as per policy, money has been collected from the public and it is with the public authority and absolutely within their right to access the information as per provisions of the RTI Act. The PIO has denied the information on points 1,3 & 4 on the ground that it pertains to personal information.

The PIO was directed to give detailed reasons why the information has been denied and what section has been invoked to deny the information.

That on the date of the next hearing on **18.06.2020**, the appellant claimed that the PIO has not provided the information. The respondent was absent nor has sent any reasons why the information has been denied and what section had been invoked to deny the information.

Further there has been an enormous delay of one year in providing the information. The PIO was issued a **show cause under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit**. The PIO was again directed to provide the information within 10 days.

Hearing dated 10.03.2021:

That the case has come up for hearing today through video conferencing at DAC Mohali. The respondent pleaded that the information has been sent to the appellant on 06.08.2020. The appellant is absent.

Having gone through the record, the Commission observes that following-

- 1) The information which the PIO had denied earlier has now been provided. This clearly indicates that the PIO was either stalling the information or had a casual approach while dealing with this particular RTI application. The respondent also failed to explain the reasons why the information was denied in the first account and what section of the RTI Act was invoked to deny the information.
- 2) The PIO was issued a show cause, but has chosen not to submit a reply to the show cause notice, which means that he has nothing to say on the matter.

Since the responsibility to ensure the timely transmission of correct information to the appellant lies on the PIO, the PIO-GMADA is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. He is also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information.

A penalty of **Rs.10,000/-** is imposed on the PIO-GMADA, which will be deposited in the Govt. Treasury. The PIO is directed to duly inform the Commission about the compliance of the orders by producing a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

To come up for further hearing on **21.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



Sh Kesar Singh,
Flat No-104/B-5, Purab Premium Apartment,
Sec-88, Mohali.

... Appellant

Versus

Public Information Officer,
O/o GMADA,
Mohali.

First Appellate Authority,
O/o GMADA,
Mohali.

...Respondent

Appeal Case No. 3896 of 2019

PRESENT: None for the Appellant
Sh.Gurvinder Singh, PIO for the Respondent

ORDER:

The case was first heard on 19.02.2020. The respondent present pleaded that the information has been provided to the appellant. The appellant was not satisfied and stated that the PIO has provided the information only on point-a & b and had denied the information on other points.

The appellant further stated that the fund collected by the GMADA was meant to be transferred to the society which was never done and they are keen to know how the funds are being utilized and spent. The appellant further stated that as per policy, money has been collected from the public and it is with the public authority. The PIO was directed to give detailed reasons why the information has been denied and what section has been invoked to deny the information.

On the date of last hearing on **18.06.2020**, the appellant claimed that the PIO has not provided the information. The respondent was absent nor has sent any reasons why the information has been denied and what section had been invoked to deny the information.

Further there has been an enormous delay of one year 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**. The PIO was again directed to provide the information within 10 days.

Hearing dated 10.03.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent pleaded that the information has been sent to the appellant on 06.08.2020. The appellant is absent.

Having gone through the record, the Commission observed that the PIO had earlier denied the information and has now provided the same. The PIO has not submitted a reply to the show cause notice. The respondent has also failed to explain the reasons why the information was denied at the first instance and what section had been invoked to deny the information.

Appeal Case No. 3896 of 2019

The PIO is given one last opportunity to file a reply to the show cause notice, failure to which the Commission will act as per provisions of section 20 of the RTI Act against the PIO.

To come up for further hearing on **21.06.2021 at 11.00 AM** through a video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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. Sanjay Garg, S/o Sh Om Parkash Garg,
R/o H NO-301, Sector-7-A,
Chandigarh.

... Appellant

Versus

Public Information Officer,
O/o Joint Director,
Food civil Supplies and Consumer Affairs,
Pb, (Storage Branch),
Chandigarh.

First Appellate Authority,
O/o Director,
Food civil Supplies and Consumer Affairs,
Pb, (Storage Branch),
Chandigarh.

...Respondent

Appeal Case No. 3725 of 2020

PRESENT: None for the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 11.09.2020 has sought information on 20 points regarding tender dated 21.01.2020 floated by Pungrain for construction and hiring of CAP - copy of relevant terms/rules/notification for taking over the CAP from the date of final completion - within what period - relevant rule for not being liable if Pungrain fails to use CAP - complaints received and action taken in last 10 years against T.S.Chopra, Distt.Food & Supplies Controller – contract agreement for labour and cartage, transportation of foodgrains for Sangrur from 2019-20 to 2020-21 and other information as enumerated in the RTI application concerning the office of Joint Director Storage Branch, Food Civil Supplies and Consumer Affairs, Pb Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 23.10.2020 which took no decision on the appeal.

The case has come up for hearing today. Both the parties are absent.

The Commission has received a copy of letter from the PIO on 05.02.2021 vide which the PIO has sent reply/information to the appellant which has been taken on the file of the Commission.

The appellant has not communicated any discrepancies. The appellant is directed to point out the discrepancies, if any to the PIO with a copy to the Commission and the PIO is directed to remove the same.

To come up for further hearing on **19.04.2021 at 11.00 AM.**

Chandigarh
Dated 10.03.2021

Sd/-
(Khushwant Singh)
State Information Commissioner