

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.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 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 last 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.

At the last hearing, 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 last 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 provide compensation amount to the appellant as per the order dated 25.06.2021. The PIO is also directed to file a reply to the show-cause notice.

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

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

The time is granted and the case is adjourned.

To come up for further hearing on **08.08.2022 at 11.00 AM.**

**Chandigarh
Dated 14.03.2022**

**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 has already been heard on 25.11.2019, 25.02.2020, 18.06.2020, 10.03.2021, 25.06.2021 & 27.10.2021.

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 last 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.

Hearing dated 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 claims 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 is granted and the case is adjourned.

To come up for further hearing on **08.08.2022 at 11.00 AM.**

Chandigarh
Dated 14.03.2022

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

On the date of the last 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.

Hearing dated 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 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 claims 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 is granted and the case is adjourned.

To come up for further hearing on **08.08.2022 at 11.00 AM.**

Chandigarh
Dated 14.03.2022

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.K.N.S.Sodhi as 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.

On the date of last 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 last 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.

Hearing dated 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 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 claims 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 is granted and the case is adjourned.

To come up for further hearing on **08.08.2022 at 11.00 AM.**

Chandigarh
Dated 14.03.2022

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

On the date of the last 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 last 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.

Hearing dated 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 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 claims 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 is granted and the case is adjourned.

To come up for further hearing on **08.08.2022 at 11.00 AM.**

Chandigarh
Dated 14.03.2022

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.K.N.S.Sodhi as 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.

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 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 the last 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

Hearing dated 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. The PIO is 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 on the matter and the commission will take penal action under section 20 of the RTI Act.

The case is adjourned. To come up for further hearing on **08.08.2022 at 11.00 AM.**

Chandigarh
Dated 14.03.2022

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. 1570 of 2019

PRESENT: Sh.K.N.S.Sodhi as 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.

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 last 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.

Hearing dated 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 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 claims 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 is granted and the case is adjourned.

To come up for further hearing on **08.08.2022 at 11.00 AM.**

Chandigarh
Dated 14.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

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Sh.Ravinder Singh Gill,
986, Near Dev Hotel,
Main Bazar,Moga.

...Appellant

Versus

Public Information Officer,
O/o SDM,
Moga.

First Appellate Authority,
O/o SDM,
Moga.

.... Respondent

Appeal Case No. 1165 of 2020

PRESENT: Sh.Ravinder Singh as the Appellant
None for the Respondent

ORDER:

The appellant through an RTI application dated 23.10.2019 has sought information regarding the status of action taken on the application dated 15.10.2019 relating to cancellation of rapat dated 13.06.2011 and mutation no.69186 & 23095 as per the decision of SDM Moga and other information concerning the office of SDM Moga. The appellant was not provided with the information after which the appellant filed the first appeal before the first appellate authority on 06.12.2019 which took no decision on the appeal.

The case was first heard on 06.10.2020. The respondent present pleaded that the appellant had earlier filed a similar appeal case No.3502/2018 for seeking exactly the same information which was disposed of by Dr.Pawan Kumar Singla, State Information Commissioner on 23.06.2020 since the information was provided and the appellant was satisfied with the reply of the PIO. The Commission also received a reply of the PIO through email which was taken on the file of the Commission.

The appellant was absent and vide letter received in the Commission on 25.09.2020 informed that the information is incomplete since as per the order of the First Appellate Authority, the information from patwari halka Moga Mahil Singh-II has been provided but it is incomplete, however, the information from patwari halka Moga Mahil Singh-I has not been provided.

Having gone through the record, it was found that the appellant had earlier filed a similar appeal case for seeking exactly the same information which was disposed of by the Id bench of Dr.Pawan Kumar Singla on 23.06.2020 whereas, in the certificate submitted to the Commission, the appellant has certified that no appeal or complaint has earlier been filed, pending or decided by any of the State Information Commissioner.

The appellant was directed to personally appear before the Commission on the next date of hearing and plead his case.

On the date of hearing on **28.01.2021**, the appellant informed that as per order/decision of First Appellate Authority-cum-SDM Moga, the information provided by Patwari Halka Mahil Singh-II is incomplete till the information from Patwari Halka Moga Mahil Singh-I is provided.

The Commission also received a letter from the appellant on 21.01.2021 which was taken on the file of the Commission.

Regarding plea of the respondent that the information has already been provided to the appellant in a similar appeal case No.3502/2018 which was disposed of by the SIC Dr.Pawan Kumar Singla, the Commission has gone through the record found that the appellant in this appeal case had sought information regarding action taken on the application dated 15.10.2019 whereas in the appeal case No.3502/2018, the appellant had sought information regarding action taken on his application dated 18.06.2018. Hence the PIO was directed to clarify whether the matter of complainant dated 18.06.2018 in appeal case No.3502/2018 and complaint dated 15.10.2019 in the present case is same or different.

On the date of hearing on **07.05.2021**, the respondent present from the office of SDM Moga informed that the information has to be provided by the Tehsildar Moga. The representative from the office of Tehsildar Moga had not brought the sought information.

The appellant was absent. Having seen the copy of the RTI application and order of Ld.SIC in appeal case No.3502/2018 submitted by the PIO O/o SDM Moga, it was concluded that the information sought in both the cases is different and not the same as claimed by the PIO.

The PIO- Tehsildar Moga was directed to provide complete information to the appellant within ten days and send a compliance report to the Commission.

On the date of the hearing on **10.08.2021**, as per the appellant, the complete information was not provided by the PIO despite the order of the Commission.

The respondent had asked for some clarification regarding the khasra number which the appellant provided during the hearing. The respondent further informed that the information has to be provided by the concerned Patwari.

The respondent was directed to procure the information from the concerned Patwari and provide to the appellant within 10 days and send a compliance report to the Commission.

On the date of last hearing on 14.12.2021, the Commission received a letter from the appellant on 07.12.2021 stating that the information provided by the PIO is incomplete.

The respondent was absent. The case was adjourned.

Hearing dated 14.03.2022:

The case has come up for hearing today through video conferencing at DAC Moga. As per the appellant, the PIO has not supplied the information.

At the hearing on 10.08.2021, Sh.Sandeep Kumar, JA-RTI Branch o/o Tehsildar Moga appeared and informed that the information has to be provided by the concerned patwari. The respondent was directed to procure the information from the concerned patwari and provide it to the appellant.

The respondent is absent nor is represented as well as not complied with the order of the Commission.

I am marking this case to the Deputy Commissioner, Moga with the instruction to reconcile and resolve the matter before the next date of hearing.

To come up for further hearing on **08.08.2022 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Moga.

Chandigarh
Dated: 14.03.2022

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to 1. Deputy Commissioner, Moga

2. Tehsildar-Moga.