

**PUNJAB STATE INFORMATION COMMISSION**  
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.  
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Sh. Harish Kumar S/o Sh.Tilak Raj  
H.No.34, Street No.1, Valmik Mohalla,  
Hathi Gate, Batala.  
District Gurdaspur.

... Appellant

Versus

**Public Information Officer,**  
Xen, Water Supply & Sanitation Div.No.1,  
Batala, Distt.Gurdaspur

**First Appellate Authority,**  
S.E., Water Supply & Sanitation,  
Circle, Gurdaspur.

..Respondent

**Appeal Case No. 610 of 2020**

**PRESENT:**           **None for the Appellant**  
                          **None for the Respondent**

**ORDER:**           This order should be read in continuation to the previous order.

The case was first heard on 05.08.2020. The appellant claimed that the PIO has not provided the information. The respondent present pleaded that the action was being taken on the medical bill of the appellant. Having gone through the record, the Commission observed that there has been an enormous delay of more than 11 months in attending to the RTI application. The PIO was issued a **show cause notice 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 to the appellant within 15days.

On the date of next hearing on **14.09.2020**, the Commission received a letter diary No.11359 on 04.09.2020 from the appellant stating that despite order of the Commission, the PIO has not provided the information.

The respondent was absent nor had filed any reply to the show cause notice issued on 05.08.2020 as well as not provided the information.

To secure an erring PIO's presence before the Commission, a **ailable Warrant of the PIO-Xen Water Supply & Sanitation Division No.1, Batala** was issued under section 18(3) through Senior Superintendent of Police, Gurdaspur for his presence before the Commission on **21.10.2020**, which date was postponed to 01.12.2020. **The PIO** was also directed to provide information to the appellant within 10 days of the receipt of this order. The First Appellate Authority, S.E.Water Supply & Sanitation Circle, Gurdaspur was also directed to ensure compliance of this order.

The case last came up for hearing on 01.12.2020 through video conferencing at DAC Gurdaspur. Due to technical reason, the hearing could not take place.

The commission received an email from Sh.Sukhdeep Singh Dhaliwal, Xen Water Supply & Sanitation Division No.1, Batala stating that the reply has been sent to the appellant. The case was adjourned.

**Appeal Case No. 610 of 2020**

**Hearing dated 15.03.2021**

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

On the date of hearing on 14.09.2020, the appellant vide letter received in the Commission on 04.09.2020 informed that the PIO has not provided the information.

Since the PIO was absent nor had filed reply to the show cause notice, to secure an erring PIO's presence before the Commission, a bailable warrant of PIO-Xen Water Supply & Sanitation Division No.1, Batala was issued under section 18(3) of the RTI Act through SSP Gurdaspur for his presence before the Commission on 21.10.2020 which date was postponed to 01.12.2020 and again for 15.03.2021.

The PIO- Xen Water Supply & Sanitation Division No.1 Batala is absent. The PIO is given one last opportunity to appear before the Commission on the next date of hearing along with the reply to the show cause notice.

A copy of the order is being sent again to **Senior Superintendent of Police Gurdaspur** to ensure the appearance of the PIO- Xen Water Supply & Sanitation Division No.1 Batala before the Commission on **20.04.2021 at 11.00 AM at Red Cross Building, Sector 16, Madhya Marg, Chandigarh**. A copy of the bailable warrant of production dated 14.09.2020 is enclosed for reference.

The First Appellate Authority is also directed to ensure compliance of this order.

To come up for further hearing on **20.04.2021 at 11.00 AM**. The appellant to appear through video conferencing at DAC Pathankot.

**Chandigarh**  
**Dated: 15.03.2021**

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

- CC to :**
- 1. Senior Superintendent of Police, Gurdaspur**
  - 2. The First Appellate Authority-cum-S.E.Water Supply & Sanitation, Circle, Gurdaspur**



Sh. Hardeep Singh. S/o  
ShTarsemlal, R/o Village  
Nurpur, Block Aur,  
Tehsil Banga, Distt SBS Nagar.

... Appellant

Versus

**Public Information Officer,**  
O/o Punjab Pollution Control  
Board, Hoshiarpur.

**First Appellate Authority,**  
O/o Punjab Pollution Control Board,  
Jalandhar

....Respondent

**A ppeal Case No. 2700 of 2019**

**PRESENT: Sh.Hardeep Singh as the Appellant**  
**Sh.Ashwinder Kumar, Agrl.Development Officer and Sh.Shiv Kumar,**  
**Environment Engineer-PPCB for the Respondent**

**ORDER:**

The case was first heard on 16.12.2019. The respondent present informed that the challan books are issued to the team constituted by the District Administration and they are collecting the challan books from the team members and on receipt of the challan books, the information will be provided to the appellant. The appellant was absent. The PIO was directed to provide the information to the appellant before the next date of hearing and send a compliance report to the Commission.

The case was again heard on **21.01.2020**. The respondent present pleaded that the information is available in the custody of the Agriculture officer, Aur who is the Nodal officer of the teams constituted by the District Administration to check the sites of the stubble burning and to find the violators accordingly. The Nodal Officer, Department of Agriculture, Punjab, Block Aur is impleaded in the case and directed to look at the RTI application and provide the information to the appellant. A copy of the RTI application is being attached with the order for the PIO-Nodel Officer, Department of Agriculture Block Aur Distt. Nawanshahar.

The Commission however observed that the Pollution Control Board has not handled the RTI application appropriately since it should have been transferred to the concerned department under section 6(3)of the RTI Act which they did not transfer. The PIO-Pollution Control Board was directed to be present personally on the next date of hearing and explain the reasons for not transferring the RTI application to the concerned department.

On the date of hearing on 23.06.2020, the respondent present from the office of Pollution Control Board pleaded that the information is in the custody of Agriculture Officer, Aur. The PIO-Pollution Control Board was directed to submit a reply in writing on an affidavit for delay in transferring the RTI application to the concerned PIO.

## **Appeal Case No. 2700 of 2019**

The PIO-Department of Agriculture, Block Aur was absent nor had complied with the order of the Commission. The PIO-Nodal Officer, Department of Agriculture,Pb, Block Aur, District Nawanshahar was issued a **show cause notice under Section 20 of the RTI Act and directed to file reply on an affidavit**. The PIO was again directed to provide the information to the appellant within 10 days.

On the date of hearing on **18.08.2020**, the respondent present pleaded that the information has been provided to the appellant. The appellant informed that he has received the information except the information regarding point-3. The respondent informed that the photocopy of the same has been provided to the appellant and the original is with the Pollution Control Board. As per appellant, it was not legible. The PIO-Pollution Control Board was directed to provide legible copy of the information regarding point-3 to the appellant.

The respondent submitted a reply to the show cause notice which was taken on the file of the Commission. Since the reply was not from the PIO, the respondent was directed to submit a reply to the show cause notice from the PIO.

Since the PIO-Pollution Control Board was not present nor did he file a reply for delay in transferring the RTI application to the concerned PIO, the PIO was-Pollution Control Board was directed to appear personally on the next date of hearing along with the reply on an affidavit.

On the date of the last hearing on 23.09.2020, the PIO-Pollution Control Board was present and contended that the original record is not available with them as claimed by the agriculture department. He raised the point that since the said earlier document (which the appellant alleges is illegible) was provided by the agriculture department, it is clear that the original document is in the custody of the Agriculture department only.

The PIO Department of Agriculture, Block Aur was directed to provide a legible copy of the same copy which had been provided to the appellant on 06.07.2020. If it is in the custody of any other section , department or public authority the Block Officer may use this order to procure it from the concerned authority. This will be provided within 15 days of receipt of the order or punitive action will be initiated against the PIO.

The respondent , the Pollution Board, Hoshiarpur submitted a reply regarding delay in transferring the RTI application to the concerned PIO which was taken on the file. Having gone through the reply and facts of the case, the show-cause was dropped and PIO was exempted from future appearance. However should the need arise, the PIO-Pollution Board Hoshiarpur can be impleaded anytime in the future..

### **Hearing dated 15.03.2021:**

The case has come up for hearing today through video conferencing at DAC Nawanshahar. The respondent present from the department of Agriculture informed that the original copy of information relating to point-3 is not available with them whereas the respondent present from pollution control board claims that the original document is in the custody of the Agriculture Department.

The Commission observes that since both the departments have claimed that this particular document is not in their custody, both the respondents are directed to co-ordinate and trace the missing document and provide a copy of the mentioned document to the appellant.

**Appeal Case No. 2700 of 2019**

I am directing and marking this to the PIO-cum-Chief Agriculture Officer, Department of Agriculture Punjab, Nawanshahar as well as PIO Pollution Board, Hoshiarpur to look into the matter immediately and ensure that the missing document is traced and a copy provided to the appellant.

If not traced till the next hearing, I will be constrained to mark this to the appropriate police authority for registration of a FIR regarding the missing document.

To come up for further hearing on **30.06.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, **Nawanshahar**.

**Chandigarh**  
**Dated 15.03.2021**

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

**CC to: 1. PIO-cum-Chief Agriculture Officer,**  
**Department of Agriculture, Pb**  
**SBS Nagar.**

**2. Nodal Officer, Department of Agriculture, Pb**  
**Block Aur, Distt.Nawanshahar.**

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Sh. Hardeep Singh, S/o Sh. Tarsem Lal,  
R/o Village Nupur, Tehsil Banga,  
Distt. SBS Nagar

Appellant

**Vs**

**Public Information Officer,**  
O/o SE, PSPCL, Sub Division-2,  
SBS Nagar, Nawanshahr..

**First Appellate Authority,**  
O/o SE, PSPCL,  
SBS Nagar, Nawanshahr.

...Respondent

**Appeal Case .No. 4560 of 2019**

**PRESENT: Sh. Hardeep Singh as the Complainant**  
**Sh. Ramesh Kailly, SDO for the Respondent**

**ORDER:**

The case was first heard through video conference facility available in the office of Deputy Commissioner Nawanshahr. The appellant claimed that the PIO has not provided the complete information and the information that has been provided was not legible. The respondent present pleaded that the available information has been provided and since the record being very old, was not traceable, the remaining information cannot be provided.

The PIO was directed to conduct an enquiry and submit a complete enquiry report which establishes that the record is missing, FIR has been lodged and suitable action has been taken as per procedure of the department against the person under whose custody the record was found missing. The PIO was also directed to provide legible and certified copies of the information to the appellant.

On the date of next hearing on **18.08.2020**, the respondent present informed that they have conducted enquiry regarding the untraceable record and have written to the higher authority for fixing the responsibility of the person under whose custody the record was found. The PIO was directed to send a complete enquiry report which establishes that the record is missing, FIR has been lodged and suitable action has been taken as per procedure of the department against the person under whose custody the record was found missing.

On the date of last hearing on 23.09.2020, the respondent pleaded that complete information has been provided to the appellant. The appellant was not satisfied with the information regarding points 12 & 22.

Regarding point 12, the respondent informed that no notices were issued and regarding point-22, the electric supply was disconnected on the request of the appellant.

The PIO was directed to remove the discrepancy and reply on both the points on an affidavit.

**Appeal Case .No. 4560 of 2019**

**Hearing dated 15.03.2021:**

The case has come up for hearing today through video conferencing at DAC Nawanshahar. The respondent present pleaded that in compliance of the order of the Commission, an affidavit has been provided to the appellant and the appellant has received the same.

With the above, the information stands provided. However, the respondent has not submitted an enquiry report regarding the untraceable record. The PIO is directed to send the enquiry report regarding missing record to the Commission within 30 days of the receipt of the order.

To come up for further hearing on **30.06.2021 at 11.00 AM** through a video conferencing facility available in the office of Deputy Commissioner, **Nawanshahar**.

**Chandigarh**  
**Dated 15.03.2020**

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



Sh. Sohan Singh, s/o  
Sh. Sucha Singh,  
R/o Village Bara, P.O Pathreri Jattan,  
Tehsil & Distt. Roopnagar.

...Complainant

Versus

**Public Information Officer,**  
O/o SDO, Sub Division,  
PSPCL, Sukhrampur,  
Distt. Ropar

.....Respondent

**Complaint case No. 1003 of 2019**

**PRESENT: Sh.Sohan Singh as the Complainant**  
**Sh.Bawa Singh, SDO-PSPCL Sukhrampur for the Respondent**

**ORDER:**

The complainant through RTI application dated 05.06.2019 has sought information regarding copy of entry register containing the tubewell connections provided in village Pathreri and village Pathreri Jattan and other information concerning the office of SDO Sub Division, PSPCL Sukhrampur. The complainant was not provided the information after which the complainant filed a complaint in the Commission on 22.11.2019.

The case first came up for hearing first on 12.03.2020. The complainant claimed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information within 15 days and send a compliance report to the Commission.

Sh.Bawa Singh, respondent appeared late and informed that the appellant was asked vide letter dated 03.07.2019 to specify the period for which the information is required, but the appellant had not clarified. The respondent was directed to get the clarification from the appellant by contacting him on his phone No.9464869183 and provide the information as per the RTI application.

On the date of hearing on **04.08.2020**, the appellant informed that the information provided by the PIO was not legible. The complainant also brought to the notice of the Commission that the record might be available in the computer.

The respondent was absent. The PIO was directed to provide a computer printout of the record to the complainant. The information to be provided within 15 days of the receipt of the order.

On the date of hearing on **16.09.2020**, the complainant informed that the PIO has supplied information of 115 meters as against the electric meters of 148 installed in the village.

The respondent was absent. The complainant was directed to inspect the record by fixing a mutually convenient date and time with the PIO and get the relevant information. The PIO was directed to allow inspection of the record to the complainant and provide the relevant information.



**Complaint Case No. 1003 of 2019**

On the date of last hearing on 24.11.2020, the PIO was absent on 4<sup>th</sup> consecutive hearing nor had provided the information. Having gone through the record, the Commission observed that there has been an enormous delay in providing the information and gross violation of various orders of the Commission as well as the PIO has not appeared on 4<sup>th</sup> consecutive hearing. Taking a serious view on this, the PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

On the date of last hearing on 01.02.2021, the appellant claimed that the PIO has not provided the complete information. The PIO was again absent, nor has replied to the show cause notice.

To secure an erring PIO's presence before the commission the Information Commission, a bailable Warrant of the **PIO-SDO, Sub Division, PSPCL-Sukhrampur u/s 18(3) of the RTI act was** issued through Senior Superintendent of Police, Rupnagar for his presence before the Commission on **15.03.2021**.

**Hearing dated 15.03.2021:**

Sh.Bawa Singh, SDO Sub-Division, PSPCL Sukhrampur is present and has submitted reply to the show cause notice which has been taken on the file of the Commission.

The appellant claims that the PIO has not supplied the complete information.

The matter is under dispute since the PIO has supplied information of 115 meters as against the electric meters of 148 installed in the village as claimed by the appellant.

The respondent states that all the available information has been provided and no further information is available in their record.

Hearing both the parties, the PIO is directed to give in writing on an affidavit that they have the record of only 115 electric meters and the information that has been provided relating to this RTI application is true, complete and no further information is available in their record. The information will be provided within 15 days.

The decision on show cause will be taken on the next date of hearing.

To come up for further hearing on **30.06.2021 at 11.00 AM** through a video conferencing facility available in the office of Deputy Commissioner, Mohali.

**Chandigarh**  
**Dated:15.03.2021**

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

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ShJatinder Singh, S/o Sh.Bakhsish Singh,  
R/o 5777-B, Sector-38 (West),  
Chandigarh.

... Appellant

Versus

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

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

...Respondent

**Appeal Case No. 1504 of 2019**

**PRESENT: Sh.Jatinder Singh as the Appellant**  
**Sh.Gurvinder Singh, PIO - GMADA Mohali for the Respondent**

**ORDER:**

The case was first heard on 09.07.2019. The respondent present pleaded that this case came to his knowledge a day before the hearing only and asked for a copy of the RTI application. The respondent further assured to supply the information within 15 days. A copy of the RTI application was provided to the respondent. The PIO was directed to look at the RTI application and provide the information within 15 days.

The case was again heard on **11.09.2019**. The appellant informed that the PIO has not provided the complete information. The respondent was absent. The PIO was given one more opportunity to relook at the RTI application and provide the complete information as per the RTI application and explain the reasons for not complying with the order of the Commission.

On the next date of hearing on **10.12.2019**, the appellant claimed that the PIO has not provided the information. The appellant was interested to inspect the record.

The respondent was absent. The appellant was directed to visit the office of PIO on **23.12.2019 at 11.00 AM** to inspect the record and get the relevant information. The PIO was directed to allow inspection of the record to the appellant on the given date and time and provide the relevant information as per the RTI application.

There has been an enormous delay of one year in providing the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act and directed to file a reply on an affidavit.**

**On** the last date of hearing on **30.06.2020**, The appellant informed that the PIO has not provided the information and neither did the PIO cooperate when he had gone to inspect the record on 23.12.2019 and 14.01.2020 as per the Commission's order dated 10.12.2019.

## Appeal Case No. 1504 of 2019

The PIO was absent nor had sent any reply to the show cause notice. The respondent present pleaded that the information was ready but the signing authority was on leave. The respondent further informed that since the earlier PIO had been transferred and no fresh PIO was posted. The respondent however, assured to provide the information within a week.

The respondent was directed to comply with the earlier order of the Commission which still stands and provide the information to the appellant within a week.

Sh.Gulshan Kumar who was the PIO during the duration of these cases was directed to respond to the show cause.

On the date of last hearing on **18.08.2020**, the respondent present pleaded that the information exists in the files but it is not available as required by the appellant and has to be created from 103 case files in which LOI were issued. The appellant may inspect the record and get the relevant information.

Since in the present instance, the appellant being 73 years old, a cancer patient and his fear of contacting Covid-19, especially given the his age,, on humanitarian grounds the Commission directed the PIO to gather the information that the appellant has sought which he under normal circumstances would have inspected the record himself and collected it.

Under the powers vested in section 19(8) of the RTI Act, the Commission directed the PIO to provide the information, which should have been handy had the office been functioning more efficiently.

### **Hearing dated 15.03.2021:**

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant is present at Chandigarh and claims that the PIO has not provided the information.

The respondent has appeared through video conferencing at DAC Mohali and brought the information. Since the appellant is present at Chandigarh, the respondents were directed to bring the record to the Commission's office promptly, which they did. This was done to facilitate as early as possible

However, the appellant in spite of his agreeing to wait, chose not to stay for the respondent to arrive and left the premises of the commission before the arrival of the respondents.

The respondent has submitted point-wise information to the Commission. A copy of the submitted information is being sent to the appellant alongwith the order. The appellant is directed to point out the discrepancies if any in writing to the PIO and the PIO is directed to remove the same.

To come up for further hearing on **30.06.2021 at 11.00 AM.**

**Chandigarh**  
**Dated:15.03.2021**

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

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ShJatinder Singh, S/o Sh.Bakhsish Singh,  
R/o 5777-B, Sector-38 (West),  
Chandigarh.

... Appellant

Versus

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

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

...Respondent

**Appeal Case No. 1505 of 2019**

**PRESENT: Sh.Jatinder Singh as the Appellant**  
**Sh.Gurvinder Singh, PIO GMADA Mohali for the Respondent**

**ORDER:**

The case was first heard on 11.09.2019. The appellant claimed that the PIO has given misleading and incorrect information. The respondent was absent. The PIO was directed to relook at the RTI application and provide whatever the document is available as per RTI application. The PIO was directed to bring the entire record at the next date of hearing.

ON the next date of hearing on **10.12.2019**, the appellant claimed that the PIO has not provided the complete information. The respondent was absent. The appellant was interested to inspect the record. The appellant was directed to visit the office of PIO on **23.12.2019 at 11.00 AM** to inspect the record and get the relevant information. The PIO was directed to allow inspection of the record to the appellant and provide the information as per the RTI application.

There has been an enormous delay of one year in providing the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

On the date of last hearing on **30.06.2020**, the PIO was absent nor had sent any reply to the show cause notice. The respondent present brought the information and handed over to the appellant. The appellant was not satisfied with the information on point 4 & point-7. The respondent informed that the information regarding point-7 relates to CTP department. The respondent was directed to procure the information regarding point-7 from CTP and provide to the appellant. The respondent was also directed to provide information on point-4.

Regarding the show cause, Sh.Gulshan Kumar who was the PIO during the duration of these cases was directed to respond to the show cause.

On the date of last hearing on **18.08.2020**, the respondent present pleaded that the information on point-4 has already been provided. The appellant had received the same and was satisfied.

The information stands provided. However, the reply to the show cause has not been received. Sh.Gulshan Kumar who was the PIO during the duration of these cases is given one

last opportunity to file reply to the show cause notice otherwise the Commission will be constrained to take action under section 20 of the RTI Act against the PIO.

**Appeal Case No. 1505 of 2019**

**Hearing dated 15.03.2021:**

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent present pleaded that the information on point-7 has been provided to the appellant. The appellant has received the same. The appellant is present at Chandigarh and claims that the PIO has not provided the information on point-1.

The respondent has appeared through video conferencing at DAC Mohali and brought the information. Since the appellant is present at Chandigarh, the respondents were directed to bring the record to the Commission's office promptly, which they did. This was done to facilitate as early as possible

However, the appellant in spite of his agreeing to wait, chose not to stay for the respondent to arrive and left the premises of the commission before the arrival of the respondents.

The respondent has submitted copies of jamabandis/Fard (39 pages) regarding the information relating to point-1, which has been taken on the file of the Commission. A copy of the submitted information is being sent to the appellant alongwith the order.

The case is adjourned. To come up for further hearing on **30.06.2021 at 11.00 AM.**

**Chandigarh**  
**Dated:15.03.2021**

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

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ShJatinder Singh, S/o ShBakhsish Singh,  
R/o 5777-B, Sector-38 (West),  
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... Appellant

Versus

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

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

...Respondent

**Appeal Case No. 1506 of 2019**

**PRESENT: Sh.Jatinder Singh as the Appellant**  
**Sh.Gurvinder Singh, PIO- GMADA Mohali for the Respondent**

**ORDER:**

The case was first heard on **11.09.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. The PIO was also directed to bring entire record at the next date of hearing to the Commission.

The case was again heard on **10.12.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent. The appellant was interested to inspect the record. The appellant was directed to visit the office of PIO on **23.12.2019 at 11.00 AM** to inspect the record and get the relevant information. The PIO was directed to allow inspection of the record to the appellant and provide the information as per the RTI application.

The Commission however, observes that there has been an enormous delay of one year in providing the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

**The case was again heard on 30.06.2020.** The PIO was absent nor had sent any reply to the show cause notice. The respondent present pleaded that the information has been provided to the appellant. The appellant informed that the PIO has not provided the information on point-2. The respondent was directed to provide information on point-2 within a week.

Regarding the show cause, Sh.Gulshan Kumar who was the PIO during the duration of these cases was directed to respond to the show cause.

On the date of last hearing on **18.08.2020**, the respondent present pleaded that the information regarding point-2 is not available in their record and can be provided by the Tehsildar Mohali.

The PIO-GMADA was made as the deemed PIO, and directed to procure the information from Tehsildar Mohali and provide it to the appellant. The Tehsildar Mohali was

directed to provide the information to the PIO-GMADA, enabling them to provide the same to the appellant.

**Appeal Case No. 1506 of 2019**

**Hearing dated 15.03.2021:**

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent present pleaded that they contacted the concerned Tehsildar, who informed that the information can be provided only after the mutation number of the property is supplied by the patwari. However, as per appellant who is present at Chandigarh, the information is available in the concerned file of the department.

The respondent has appeared through video conferencing at DAC Mohali alongwith the record. Since the appellant is present at Chandigarh, the respondents were directed to bring the record to the Commission's office promptly, which they did. This was done to facilitate as early as possible

However, the appellant in spite of his agreeing to wait, chose not to stay for the respondent to arrive and left the premises of the commission before the arrival of the respondents.

The respondent is directed to bring the record to the Commission on the next date of hearing.

The earlier PIO Sh.Gulshan Kumar has not filed reply to the show cause notice. Sh.Gulshan Kumar, earlier PIO-GMADA is given one more opportunity to file reply to the show cause notice, otherwise the Commission will act as per provisions of Section 20 of the RTI Act against the PIO.

The case is adjourned. To come up for further hearing on **30.06.2021 at 11.00 AM.**

**Chandigarh**  
**Dated:15.03.2021**

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

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.**  
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ShJatinder Singh, S/o ShBakhsish Singh,  
R/o 5777-B, Sector-38 (West),  
Chandigarh.

... Appellant

Versus

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

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

...Respondent

**Appeal Case No. 1507 of 2019**

**PRESENT: Sh.Jatinder Singh as the Appellant**  
**Sh.Gurvidner Singh, PIO- GMADA for the Respondent**

**ORDER:**

The case was first heard on **11.09.2019**. The appellant claimed that the PIO has not provided the information. The respondent was absent.

The PIO was directed to provide the information and explain the reasons for not attending to the RTI application within the time prescribed under the RTI Act. The PIO was also directed to bring entire record at the next date of hearing to the Commission.

The case was again heard on **10.12.2019**. The appellant informed that the PIO has provided the partial information. The respondent was absent. The appellant was interested to inspect the record. The appellant was directed to visit the office of PIO on **23.12.2019 at 11.00 AM** to inspect the record and get the relevant information. The PIO was directed to allow inspection of the record to the appellant and provide the information as per the RTI application.

There has been an enormous delay of one year in providing the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

**On** the date of last hearing on **30.06.2020**, the appellant pleaded that despite visiting the office of PIO on 23.12.2019 and again on 14.01.2020, the PIO has not provided the information. The PIO was absent nor had sent any reply to the show cause notice. The respondent present pleaded that the appellant has not specified the information. The respondent further informed that the earlier PIO has been transferred and no fresh PIO has been posted and that the file is in the custody of Sh.Balbir Singh.

The respondent was directed to be present alongwith Sh.Balbir Singh and entire record at the next date of hearing.



Since the appellant being 73 years, the Commission felt that in the given pandemic situation, it was not prudent for the appellant to go to the public authority, and hence directed the respondent to bring the record to the Commission at the next date of hearing.

### **Appeal Case No. 1507 of 2019**

The Commission also observed that the appellant had to suffer undue inconvenience to get the information, the PIO was directed to pay an amount of **Rs.5000/-** via demand draft drawn as compensation to the appellant and submit proof of having compensated the appellant.

On the date of last hearing on **18.08.2020**, the respondent present pleaded that the information has been provided to the appellant. As per appellant, the information was incomplete. The PIO was directed to give in writing on an affidavit, if the information is not available.

As per appellant, the PIO had not paid the compensation. Since the PIO had failed to comply with the order of the Commission, the compensation amount was enhanced from Rs.5000/- to Rs.10000/- and the PIO was directed to duly comply with the order of the Commission and submit proof of having compensated the appellant. The PIO was also directed to file reply to the show cause notice.

#### **Hearing dated 15.03.2021:**

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent present pleaded that the compensation amount of Rs.10000/- has been paid to the appellant vide demand draft No.069918 dated 16.09.2020. The appellant is present at Chandigarh and informed that he has received the compensation amount. The appellant however claims that the PIO has not provided the information.

The respondent has appeared through video conferencing at DAC Mohali and brought the information. Since the appellant is present at Chandigarh, the respondents were directed to bring the record to the Commission's office promptly, which they did. This was done to facilitate as early as possible

However, the appellant in spite of his agreeing to wait, chose not to stay for the respondent to arrive and left the premises of the commission before the arrival of the respondents.

The respondent has submitted information to the Commission which has been taken on the file of the Commission. A copy of the submitted information is being sent to the appellant alongwith the order.

The case is adjourned. To come up for further hearing on **30.06.2021 at 11.00 AM.**

**Chandigarh**  
**Dated:15.03.2021**

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

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... Appellant

Versus

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

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

...Respondent

**Appeal Case No. 1508 of 2019**

**PRESENT: Sh.Jatinder Singh as the Appellant**  
**Sh.Gurvinder Singh, PIO-GMADA for the Respondent**

**ORDER:**

The case was first heard on 11.09.2019. The appellant claimed that the PIO has not provided the information. The appellant further informed that the PIO sought consent of 3<sup>rd</sup> party and the 3<sup>rd</sup> party has already given its consent for disclosure of information, but the PIO had not supplied the information.

The respondent was absent. The PIO was directed to provide the information and explain the reasons for not providing the information within the time prescribed as per the RTI Act. The PIO was also directed to bring entire record at the next date of hearing to the Commission.

The case was again heard on **10.12.2019**. The appellant informed that the PIO has provided the partial information. The respondent was absent. The appellant was interested to inspect the record. The appellant was directed to visit the office of PIO on **23.12.2019 at 11.00 AM** to inspect the record and get the relevant information. The PIO was directed to allow inspection of the record to the appellant and provide the information as per the RTI application.

The Commission however, observed that there has been an enormous delay of one year in providing the information. The PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

On the date of hearing on **30.06.2020**, the appellant informed that the PIO has not provided the information and neither did the PIO cooperate when he had gone to inspect the record on 23.12.2019 and 14.01.2020 as per the Commission's order dated 10.12.2019.

The PIO was absent nor had sent any reply to the show cause notice. The respondent present pleaded that the appellant has not specified the information. The respondent further informed that the earlier PIO has been transferred and no fresh PIO has been posted and that the file is in the custody of Sh.Balbir Singh.

**Appeal Case No. 1508 of 2019**

The respondent was directed to be present alongwith Sh.Balbir Singh and entire record at the next date of hearing.

Regarding the show cause, Sh.Gulshan Kumar who was the PIO during the duration of these cases was directed to respond to the show cause.

On the date of last hearing on **18.08.2020**, the respondent present informed that the plot was not allotted earlier and the information does not exist.

The PIO was directed to relook at the RTI and send reply on an affidavit. The reply be sent within 15 days.

**Hearing dated 15.03.2021:**

The case has come up for hearing today through video conferencing at DAC Mohali. The appellant is present at Chandigarh and claims that the PIO has not provided the information/affidavit as per order of the Commission.

The respondent has appeared through video conferencing at DAC Mohali and brought the information. Since the appellant is present at Chandigarh, the respondents were directed to bring the record to the Commission's office promptly , which they did. This was done to facilitate as early as possible

However, the appellant in spite of his agreeing to wait, chose not to stay for the respondent to arrive and left the premises of the commission before the arrival of the respondents.

The respondent has submitted point-wise information to the Commission which has been taken on the file of the Commission. A copy of the submitted information is being sent to the appellant alongwith the order. The appellant is directed to point out the discrepancies if any in writing to the PIO and the PIO is directed to remove the same.

The case is adjourned. To come up for further hearing on **30.06.2021 at 11.00 AM.**

**Chandigarh**  
**Dated:15.03.2021**

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



Smt. Balwinder Kaur,  
H No-195/2, Sec-45-A,  
Chandigarh.

....Appellant

**Vs**

**Public Information Officer,**  
O/o Divisional Engineer,  
Public Health-1, GMADA,  
Mohali.

**First Appellate Authority,**  
O/o Divisional Engineer,  
Public Health-1, GMADA,  
Mohali.

....Respondent

**Appeal Case .No. 4700 of 2019**

**PRESENT:** Sh.Krishan Kumar Singla husband of Mrs.Balwinder Kaur for the Appellant  
Sh.Gurvinder Singh, PIO GMADA for the Respondent

**ORDER:**

The case was first heard on 08.06.2020 through video conferencing at DAC, Mohali. Both the parties were absent. The case was adjourned.

The case came up again for hearing on **27.07.2020**. through video conferencing at DAC, Mohali. Due to internet problem, the video conferencing could not take place.

The respondent was present on Whatsapp and informed that the information has been provided to the appellant. Sh.Krishan Kumar Singla representing the appellant informed that the information was incomplete. The appellant was directed to point out the discrepancies to the PIO in writing with a copy to the Commission. The PIO was directed to remove the discrepancies and provide complete information to the appellant within 15 days from the receipt of discrepancies. If the information is not available, the PIO to give in writing on an affidavit.

On the date of last hearing on **18.08.2020**, the respondent who was present at Chandigarh, informed that they have sent reply to the discrepancies pointed out by the appellant vide letter dated 29.07.2020 and a copy of the same submitted to the Commission.

The appellant was present at DAC Mohali. A copy of the reply submitted by the PIO was attached with the order for the appellant.

The PIO was directed to explain the reasons for delay in providing the information

**Hearing dated 15.03.2021:**

The case has come up for hearing today through video conferencing at DAC Mohali. As per respondent, the discrepancies pointed out by the appellant have been sorted out and the complete information has been provided to the appellant.

**Appeal Case .No. 4700 of 2019**

As per appellant, the information is incomplete with respect to point-2 & 4 since the PIO has not provided any decision of GMADA for implementation of order of PUDA and noting portion alongwith other correspondence regarding dealing of the letters of the appellant.

Regarding point-2, the respondent informed that all the orders of the PUDA are being implemented by all authorities under PUDA including GMADA and the reply has already been sent to the appellant. Regarding point-4, no separate noting portion is available in the record.

Hearing both the parties, the PIO is directed to give an affidavit that all the orders of PUDA are being implemented by each authority under PUDA including GMADA.

Regarding point-4, the appellant is directed to inspect the record by fixing a mutually convenient date and time with the PIO and get the relevant information. The PIO is directed to allow inspection of the record and provide relevant information relating to point-4.

To come up for further hearing on **30.06.2021 at 11.00 AM.**

**Chandigarh**  
**Dated 15.03.2021**

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