



Sh. R.K Verma,  
# 431-C, Street No-4, Gurbax Colony,  
Patiala.

Complainant.

Versus

**Public Information Officer**

O/o EO, Patiala Urban Planning and Development Authority,  
Patiala.

**First Appellate Authority,**

O/o Addl, Chief Administrator,  
Patiala Urban Planning and Development Authority,  
Patiala.

...Respondent

**Complaint Case No. 1056 of 2018**

**Present: Sh.R.K.Verma as Complainant**

**Sh.Jai Pal Gupta, PIO , O/o PDA Patiala for the Respondent**

**Order:**

The case was last heard on **28.01.2019**. The order is reproduced hereunder:

“The complainant through RTI application dated 06.06.2018 has sought information regarding CWP filed by allottees of PUDA Enclave & Rajpura Colony and copy of written statement of PDA Patiala alongwith other information concerning the office of EO, PUDA Patiala. The complainant was not satisfied with the reply of the PIO dated 11.07.2018 whereby the PIO denied the information stating that since the allottees of PUDA Enclave-2 & Rajpura Colony have filed writ petition in the Hon’ble High Court and the case is sub-judice, the information cannot be provided. On having denied the information the complainant filed first appeal with the First Appellate Authority on 13.07.2018 which disposed off the appeal on 05.07.2018 upholding the decision of the PIO.

The respondent present informed that the information regarding point-1 has been provided to the appellant vide letter dated 23.07.2018.

Regarding point-2, the respondent pleaded that the case is sub-judice in the Hon’ble High Court and since appellant is not a petitioner in the writ petition and the PDA having fiduciary relationship with the allottees as per section 8(1)(e) of the RTI Act, the information cannot be provided. The information regarding point-3 is available on the website of the Hon’ble High Court.

The Commission observes that the exemption sought by the PIO is not in order and hereby directs the PIO to explain in detail the rationale behind taking this exemption since the claim made under section 8(1)(e) is against the plaintiffs(allottees) who have filed a writ petition against the department (PUDA) which is the defendant.”

**Hearing dated 19.03.2019:**

This order should be read in continuation to the earlier order whereby the PIO was directed to explain in detail the rationale behind taking the exemption under section 8(1)(e).

The PIO has submitted a reply stating that there has been an error in the judgment and he be pardoned. The appellant has asked for lenient view and pardon this time. The plea is accepted.

The information on points 1 & 3 has been provided and the information on point-2 is pending. The respondent present pleaded that since the case is sub-judice, the information cannot be provided. The Commission observes that section 8(1)(b) of the RTI Act exempts from disclosure "information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court". From a plain reading of Section 8(1)(b) of the RTI Act, it is clear that it does not include sub-judice matters. So mere pendency of a case cannot become a ground to deny the information. The information be provided within 3 days.

The case is adjourned. To come up for compliance **on 15.05.2019 at 1100 AM.**

**Chandigarh**  
**Dated: 19.03.2019**

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



Smt.Sukhvinder Kaur, W/o Lt. Sh.Baldev Singh,  
VPO HardoJhande, Tehsil Batala.  
Distt.Gurdaspur.

... Appellant

Versus

**Public Information Officer,**  
SDO, PSPCL,  
Batala.

...Respondent

**Complaint Case No. 1143 of 2018**

**Present: Sh.Harvinder Singh, representative for the Complainant**  
**None for the Respondent**

**Order:** The case was last heard on **04.02.2019**. The order is reproduced hereunder:

“The complainant through RTI application dated 02.05.2018 has sought information regarding service book, salary certificate, latest attendance report of her deceased husband Sh.Baldev Singh who was working as work charge employee with PSPCL Batala and other information concerning the office of SDO, PSPCL, Batala. The complainant was not provided the information after which the complainant filed complaint in the Commission on 22.10.2018.

The representative present on behalf of the complainant informed that no information has been provided by the PIO so far.

The respondent is absent without intimation to the Commission and neither has sent any reply to the RTI application in the last 9 months whereas as per section 7(1) of the RTI Act, the information has to be provided within 30 days. 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** and for not appearing before the Commission despite notice of the Commission, he 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 also directed to provide information to the complainant within 10 days of the receipt of order.”

**Hearing dated 19.03.2019:**

No information has been provided. According to the complainant, the person about whom the information was sought was allegedly picked up by the Punjab police in 1989 and after which there has been no trace of him. The information is required to set in motion a process of his service benefits to his legal heirs. The PIO is granted last opportunity to explain why the information was not provided and is directed to be present personally on the next date of hearing alongwith a reply to the show cause, on an affidavit.

The case is adjourned. To come up for further hearing on **15.05.2019 at 1100 AM.**

**Chandigarh**  
**Dated: 19.03.2019**

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



Sh.Hakam Singh, S/lo Sh.Darshan Singh,  
R/o Madhir , Tehsil Giderbaha,  
DisttShriMukatsar Sahib.

..... Appellant.

Versus

**Public Information Officer,**  
O/o BDPO, Malout,  
Distt.Shri Mukatsar Sahib.

**First Appellate Authority,**  
O/o DDPO,  
Distt.Shri Mukatsar Sahib.

...Respondent

**Appeal Case No. 1776/ 2018**

**Present: None for the Appellant**  
**Sh.Jaswant Singh, PIO-BDPO Malout and Sh.Swaran Singh, Panchayat**  
**Secretary O/o BDPO Malour for the Respondent**

**ORDER:**

The case was first heard on **14.08.2018**. Since both the parties were absent, the case was adjourned.

The case was again heard on **08.10.2018**. Both the parties were absent. The case was adjourned. The PIO was directed to be present personally on the next date of hearing and explain the reasons for not attending to the RTI application in accordance with the RTI

The case again came up for hearing on **20.11.2018**. The appellant informed that he has not received the information so far.

The respondent was absent on 3<sup>rd</sup> consecutive hearing and did not provide the information to the appellant. The PIO was issued a show cause **under Section 20 of the RTI Act 2005 for not supplying the information within the statutorily prescribed period of time** and the PIO was directed to file an affidavit in this regard, if there are other persons responsible for the delay in providing the information, the PIO was directed to inform such persons of the show cause and direct them to appear before the Commission along with the written replies.

The case was last heard on **05.02.2019**. **The order is reproduced hereunder”**

**“Facts of the Case-**

- 1) That the appellant Sh.Hakam Singh filed an RTI application on 23.01.2018 seeking 7 points information regarding proceeding registers of record of village Dulewale Panchayat with statement of account, grants received and other information.
- 2) That the information was not provided within the stipulated time under section 7 of the RTI Act, after which the appellant filed the first appeal on 12.03.2018 with the First Appellant Authority which took no decision on the appeal.
- 3) That on not getting the information, the appellant filed a second appeal with the State Information Commission, which first came up for hearing on 14.08.2018.

- 4) That on the date of the hearing (14.08.2018), both the parties were absent, the case was adjourned for 08.10.2018.
- 5) That on the date of hearing (08.10.2018), since both the parties were absent, the case was adjourned and the PIO was directed to be present personally on the next date of hearing with explanation for not attending to the RTI application in accordance with the RTI Act.
- 6) That on the next date of hearing, which was held on **20.11.2018** the PIO was absent yet again without intimating the commission. Also, no information had been sent to the appellant, who was present at the hearing. The PIO was '**Show Caused**' under section 20 of the RTI Act as to why a penalty should not be imposed for dereliction in handling this particular RTI application. The PIO was also directed to 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.
- 7) That the case came up for hearing today again on **05.02.2019** through Video Conference facility available in the office of Deputy Commissioner, Sri Mukatsar Sahib. The appellant informed that the information has not been provided. The PIO is absent on 4<sup>th</sup> consecutive hearing and nor has replied to the show cause.
- 8) That the appellant has pleaded that he has been harassed by not providing the information after a lapse of one year, the PIO be panelized and suitable compensation be given to the appellant for unnecessary harassment and delay in providing the information.

**Order.**

Keeping the above facts of the case in mind, this is a fit case to invoke section 20 of the RTI Act and impose a penalty on the PIO. Section 20 reads as follows-

*20.Penalties. – (1) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complain or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect , incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees:*

*Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be give a reasonable opportunity of being heard before any penalty is imposed on him:*

*Provide further that the burden of proving that he acted reasonably and diligently shall be on the Central Information Officer, as the case may be."*

**Appeal Case No. 1776 of 2018**

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, the PIO-BDPO Malout 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, and for repeated and willful defiance of the Punjab State Information Commission's orders.

A penalty of **Rs.15,000/-** is hereby imposed upon the PIO, BDPO, Malout which be deposited in the Govt. Treasury. The PIO,BDPO Malout is 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.

Further, the Commission is of the view that since the appellant has had to suffer undue inconvenience to get the information, it is a fit case for awarding compensation to the appellant u/s 19(8)(b) of the RTI Act.

The PIO is directed to pay an amount of **Rs.5000/-** via demand draft drawn through Govt. Treasury 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. The PIO is directed to duly inform the Commission of the compliance of the order and submit proof of having compensated the appellant.

2) The PIO is directed to provide the information to the appellant within a week and send a compliance report to the Commission. The appellant is exempted for personal appearance. “

**Hearing dated 19.03.2019:**

This order should be read in continuation to the earlier whereby the PIO was imposed a penalty of Rs.15000/- and compensation of Rs.5000/- and the PIO was directed to duly inform the Commission of the compliance of the order.

The respondent has submitted a reply stating that due to implementation of smart village schemes of the State Govt and other additional official workload, the PIO could not appear and reply to the show cause.

The PIO has however, not brought the proof of deposition of penalty amount and money draft of compensation amount. The PIO is directed to comply with the earlier order of the Commission which still stands, and be present personally on the next date of hearing alongwith the proof of having deposited the penalty amount in Govt Treasury, and proof of having compensated the appellant. The PIO is directed to provide the information to the appellant within a week and send a compliance report to the Commission

The case is adjourned. To come up for further hearing on **24.04.2019 at 11.00 AM.**

**Chandigarh**  
**Dated: 19.03.2019**

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



Sh. H.S Hundal,  
# 82, District Court, Sector-76,  
Mohali.

... Appellant

Versus

**Public Information Officer,**  
XEN, PSPCL,  
Sub Urban, Moga.

**First Appellate Authority,**  
CE, (West Zone), PSPCL,  
Bathinda

...Respondent

**Appeal Case No. 2418 of 2018**

**Present: Sh.H.S.Hundal as Appellant**  
**Sh.Sukhdeep Singh, SDO, PSPCL Moga for the Respondent**

**ORDER:**

The case was first heard on **29.10.2018**. The appellant was present. The Commission observed that the appellant filed first appeal on 09.02.2018 but had come to the Commission on 18.07.2018 which is time barred. The appellant in reply pleaded that since his father expired, the appeal had been delayed. The plea was admitted. The PIO was directed to provide the information to the appellant within 15 days and be present on the next date of hearing alongwith explanation for delay in providing the information.

The case was again heard on **04.12.2018**. "The respondent present pleaded that the available information regarding point No.1 has been provided to the appellant and the information regarding point No.2 & 3 is not available in the record since the record of old consumer cases for which the information has been sought by the appellant, stands destroyed in the old building due to rain water.

The appellant was not satisfied and stated that the information provided regarding point 1, is for the change of ownership and he wants the old record from which the ownership was changed. The respondent replied that since the original record stands destroyed in the old building, it cannot be provided. The PIO was directed to ascertain and provide complete enquiry report for the missing record after which the Commission will adjudicate on the same.

The case was last heard on **11.02.2019**. The order is reproduced hereunder:

"The case has come up for hearing today through video conference facility available in the office of the Deputy Commissioner, Moga. The appellant is present at Chandigarh and informed that he has not received the information.

In the last hearing, Sh.Parmod Shukla, Asstt.Engineer was present who pleaded that since the record stands destroyed in the old building, the information cannot be provided. The PIO was directed to ascertain and submit a complete enquiry report for the missing record. The PIO is absent and has not sent any enquiry report for missing record.

The PIO is directed to comply with the earlier order of the Commission which still stands and be present personally on the next date of hearing."

**Hearing dated 19.03.2019:**

This order should be read in continuation to the earlier order whereby the PIO was directed to submit a complete enquiry report for the missing record.

The respondent has brought the enquiry report and provided to the appellant. However, since the issue pertains to a missing record, the Commission directs the department to file an FIR in the matter. A copy of the FIR be provided to the appellant.

With the above observation, the case is **disposed off and closed**.

**Chandigarh**  
**Dated: 19.03.2019**

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





Er. RC Tandon,  
H No-146, Urban Estate, Phagwara,  
P.O Chachoki.

... Appellant

Versus

**Public Information Officer,**  
Jalandhar Development Authority,  
Jalandhar.

**First Appellate Authority,**  
Additional, Chief Administrator,  
Jalandhar Development Authority,  
Jalandhar.

...Respondent

**Appeal Case No. 2428 of 2018**

Present: Sh.R.C.Tandon as Appellant  
Sh.Rakesh Kumar, Asstt.Engineer, (B&E Branch) O/o JDA Jalandhar for the  
Respondent

**ORDER:**

The case was first heard **on 29.10.2018**. The respondent present pleaded that the information has been provided to the appellant on 24.09.2018. The appellant was not satisfied and informed that certain measurements are not mentioned in the dimensional plan. The PIO was directed to provide the complete dimensions and also provide the area allowed to be covered under the Rule as well as copy of said rule to the appellant.

The case was again heard on **04.12.2018**. Sh.Gaurav Mahajan,APIO was present.The respondentpresent pleaded that the information has been sent to the appellant through registered post. The appellant was absent. The appellant was directed to point out the discrepancies, if any to the PIO and be present on the next date of hearing. The PIO iwasdirected to remove the discrepancies.

The case was last heard on **30.01.2019**. The order is reproduced hereunder:

“The appellant is absent and vide email has sought adjournment. The appellant has further informed that it has not received the information that was sent by the PIO through registered letter.

Contrary to the earlier claim that they have sent the information through registered post, the respondent present informed that the information was received by Sh.Sukhjinder Singh on behalf of the appellant. It is a clear case of misleading the court by the APIO claiming at the last hearing, that the information was sent through registered post.

The Commission has taken a serious view on this and directs the APIO to explain on this contrary statement. The Commission also directs the PIO to send the information again through registered post within 2 days of the receipt of the order.

The Commission also observed that the appellant was not satisfied with the information sent on 24.09.2018 with a delay of seven months. The PIO to also explain the reasons for delay in attending to the RTI application.”

**Hearing dated 19.03.2019:**

The respondent present informed that the information has been provided to the appellant. The appellant stated that the documents provided by the PIO are not certified and the PIO has not provided the area allowed to be covered under the Rule as well as copy of said rule as per order of the Commission.

Having gone through the RTI application, the Commission finds that the dimension plan has been provided to the best possible extent. The PIO is however, directed to resend certified copies of the all previous documents which have been sent and to give reply for delay in providing the information.

To come up for further hearing **on 27.05.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 19.03.2019**

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



Sh. Jasbir Singh, S/o Sh.Harbans Singh,  
Jalal Kheri, P.O Sular, Tehsil&Distt Patiala.

... Appellant

Versus

**Public Information Officer,**  
Chief Engineer, Enforcement,  
PSPCL, Patiala.

**First Appellate Authority,**  
Chief Engineer, Enforcement,  
PSPCL, Patiala.

...Respondent

**Appeal Case No. 2634 of 2018**

**Present: Sh.Jasbir Singh as Appellant**  
**None for the Respondent**

**ORDER:**

The case was first heard on **30.10.2018**. Sh.Balbir Singh Sr.Xen PSPCL Khanna was present. The respondent present pleaded that the enquiry is still pending. The appellant sought action taken report on his complaint. The Commission recommended that the PIO Sh.Balbir Singh to complete the enquiry within 30 days and send the enquiry report to the appellant within 7 days of the completion of the enquiry. A copy be sent to the Chief Engineer, Enforcement, PSPCL Patiala for compliance of the orders of the Commission.

The case was again heard on **04.12.2018**. The appellant informed that he has not received the action taken report. The respondent was absent and has not sent any compliance of the orders of the Commission. The PIO was directed to provide the status report of the enquiry to the Commission within 7 days and be present on the next date of hearing with explanation for not complying with the orders of the Commission.

The case was last heard on **30.01.2019**. The order is reproduced hereunder:

“The appellant informed that the information has not been provided. The respondent is absent on 2<sup>nd</sup> consecutive hearing and has not sent any compliance report of the order of the Commission. The Commission has taken a serious note of this and directs the PIO to send status of the enquiry to the Commission within 7 days and be present on the next date of hearing.

A copy of the order is being sent to the Chief Engineer, Enforcement, PSPCL, Patiala with the directions to ensure the presence of the respondent otherwise the Commission will be constrained to take action as per the RTI Act.”

**Hearing dated 19.03.2019:**

The appellant claims that the information has not been provided despite order of the Commission. The respondent is absent on 3<sup>rd</sup> consecutive hearing and nor has sent status report of the enquiry. The Commission has taken a serious note 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**

**and for not complying with the orders of the Commission.** He 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-Chief Engineer, Enforcement,PSPCL, Patiala is again directed to provide the information to the appellant within 10 days.

Both the parties to be present on **15.05.2019 at 11.00 AM** for further hearing.

**Chandigarh**  
**Dated: 19.03.2019**

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



Sh. Tejinder Singh,  
Village Bholapur, P.O Ramgarh,  
Chandigarh Road, Ludhiana.

... Appellant

Versus

**Public Information Officer,**  
MC,  
Fazilka.

**First Appellate Authority,**  
Regional Deputy Director,  
Local Bodies, Ferozpur.

...Respondent

**Appeal Case No. 2710 of 2018**

**Present: None for the Appellant**  
**Sh.Gaurav Clerk, O/o MC Fazilka for the Respondent**

**ORDER:**

The case was first heard on 31.10.2018. The respondent was absent. The Commission received a letter diary No.21628 dated 25.10.2018 vide which it was informed by the PIO that the information has been sent to the appellant vide letter dated 23.03.2018. The appellant informed that he has received the information but the information is incomplete.

The PIO was directed to provide the information to the appellant as per RTI application and be present on the next date of hearing.

The case was again heard on **05.12.2018**. Since both the parties were absent, the case was adjourned.

The case was last heard on **30.01.2019**. The appellant was absent and had not intimated whether the complete information had been provided or not. Since the PIO was absent on 3<sup>rd</sup> consecutive hearing and neither sent compliance report of the Commission's order, the PIO was issued a show cause notice under section 20 of the RTI Act and the PIO was directed to file an affidavit in this regard. The PIO was also directed to send compliance report of the Commission's order within 10 days of the receipt of order.

**Hearing dated 19.03.2019:**

The appellant has not pointed out any discrepancies inspite of so many hearings. The respondent present pleaded that the information has been provided to the appellant.

The respondent has submitted a reply to the show cause notice on an affidavit stating that the information has been provided to the appellant. The respondent is seeking exemption on the ground that being a handicapped person, he could not appear before the Commission. The respondent has further stated that the appellant had filed another case which was disposed off, which led to some confusion about this case because of which this case could not be tended to properly.

In the affidavit, the respondent has claimed that the information has been provided. The show cause is hence dropped and the case is **disposed off and closed** with the remarks that the PIO put his house in order and avoid future confusion as mentioned by him.

**Chandigarh**  
**Dated: 19.03.2019**

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



Sh. Naresh Kumar,  
H No-2795, Street No-3,  
Jammu colony, Ludhiana.

Appellant.

Versus

**Public Information Officer**  
O/o Deputy Chief engineer,  
Operational Urban (West) Division,  
PSPCL, Ludhiana.

**First Appellate Authority,**  
O/o Chief Engineer, Central Zone,  
PSPCL, Ludhiana.

...Respondent

**Appeal Case No. 3249 of 2018**

**Present: Sh.Naresh Kumar as Appellant**  
**Sh.Pardeep Kumar, AEE O/o Sr Executive Engineer, City Central**  
**Div/Op.(Spl) PSPCL Ludhiana for the Respondent**

**Order:**

The case was last heard on 28.01.2019. The order is reproduced hereunder:

“The appellant through RTI application dated 18.04.2018 has sought information regarding copy of letter vide which the original record regarding charge sheet No.386 dated 22.12.1992/FIR No.87 of 19.09.1991, was taken over by the department from the police station Div.No.4 Ludhiana and other information concerning the office of Deputy Chief engineer, Operational Urban (West) Division, PSPCL, Ludhiana. . The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 21.05.2018 which disposed off the appeal on 21.06.2018 stating that the handover/takeover report is not available in their record and the concerned police division has been requested to provide the list of handover/takeover report.

The respondent present pleaded that the handover/takeover report is not available in their record. The respondent claims that the concerned Police Division No.4 Ludhiana was asked vide letter dated 21.06.2018 to provide the handover/takeover list. The respondent further pleaded that as per report of the Police Division No.4, the Police Division No.4 has been changed to Police Station Daresi and they have requested the concerned SHO Police Station Daresi vide letter dated 30.07.2018 and again on 30.11.2018 to provide the information but their response is awaited.

The Commission directs the PIO to respond to the RTI application as per facts on an affidavit. The PIO, Police Station, Daresi Ludhiana is also directed to send response.”

**Hearing dated 19.03.2019:**

The respondent present has submitted an affidavit stating that handover/takeover report is not available in their record and the appellant has already been informed vide letter dated 25.05.2018. The respondent further pleaded that the SHO Police Station Daresi has not sent any reply.

The SHO Police Station Daresi Ludhiana is directed to look into the matter and send response as per facts of the case. The PIO Police Station Daresi Ludhiana is also impleaded as a party in the case and directed to appear before the Commission regarding this particular case on the next date of hearing.

To come up for further hearing on **15.05.2019 at 11.00 AM**

**Chandigarh**  
**Dated: 19.03.2019**

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

**CC to :PIO, Police Station, Daresi, Ludhiana**



Sh. Tejinder Singh,  
Village Bholapur, P.O Ramgarh,  
Chandigarh Road, Ludhiana.

Appellant.

Versus

**Public Information Officer**  
O/o GLADA,  
Ludhiana.

**First Appellate Authority,**  
O/o Addl Chief Administrator,  
GLADA, Ludhiana.

...Respondent

**Appeal Case No. 3284 of 2018**

**Present: None for the Appellant**  
**Sh. Santosh Kumar Bains, PIO GLADA Ludhiana for the Respondent**

**Order:** The case was last heard on 28.01.2019. The order is reproduced hereunder:

“The appellant through RTI application dated 27.06.2018 has sought information regarding action taken on the complaint dated 31.05.2018 against Pinky Bakery Jamalpur Ludhiana for illegal encroachment and other information concerning the office of GLADA Amritsar. The appellant was not provided the information after which the appellant filed first appeal with the First Appellate Authority on 28.07.2018 which took no decision on the appeal.

The respondent present informed that the information has been provided to the appellant vide letter dated 13.12.2018.

The appellant is absent and vide email has pointed out discrepancies. The PIO is directed to relook at the RTI application and sort out the discrepancies. The PIO is also directed to explain the reasons for delay in attending to the RTI application. The explanation be given on an affidavit.”

**Hearing dated 19.03.2019:**

The respondent present pleaded that the information has been provided to the appellant and has submitted an acknowledgement of the appellant having received the information to his satisfaction.

The respondent has also submitted an affidavit stating that the RTI application was received in the office during the medical leave of the respondent and during the leave period, the office had forwarded the RTI application to SDE(B&E) for supply of requisite information. The respondent further pleaded that since the concerned file was inadvertently tied up with another file and could not be traced out, the information was delayed. Now the information has been provided to the appellant. The appeal is accepted.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

**Chandigarh**  
**Dated: 19.03.2019**

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





Dr. Ashish Kapoor,  
H No-695, First Floor Annexe,  
Phase-2, Mohali.

Appellant.

Versus

**Public Information Officer,**  
O/o A.E.O, GMADA,  
Mohali.

**First Appellate Authority,**  
O/o E.O, GMADA,  
Mohali.

...Respondent

**Appeal Case No. 3695 of 2018**

**Present: Sh.Ashish Kumar as Appellant**  
**Sh.Gulshan Kumar, PIO GMADA for the Respondent**

**Order:**

The case was last heard on **04.02.2019**. The order is reproduced hereunder:

“The appellant through RTI application dated 07.08.2018 has sought information on 5 points regarding residential plots in sectors 50,60,62, 63, 64 & 65 and other information concerning the office of ADO GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal with the First Appellate Authority on 11.09.2018 which took no decision on the appeal.

The appellant informed that no information has been provided. The respondent present pleaded that the information is not readily available and a lot of documents will have to be sifted through to provide the information. Since the Act is clear that the information is to be provided which is in possession of the public authority and not to be created, the PIO is directed to provide the information only of the following:

1. Total number of residential plots
2. List of total number of residential plots allotted
3. List of vacant plots”

**Hearing dated 19.03.2019:**

The respondent present pleaded that the information has been provided to the appellant. The appellant has received the information and is satisfied.

Since the information has been provided, no further course of action is required. The case is **disposed off and closed**.

**Chandigarh**  
**Dated: 19.03.2019**

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