

Sh.Aman Kumar Jain, S/o Sh.Bhagwan Dass,  
R/o H NO-2164, Lakar Mandi, Abohar,  
Distt.Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Tehsildar, Abohar,  
Distt.Fazilka.

**First Appellate Authority,**  
O/o SDM, Abohar, Distt.Fazilka

...Respondent

**Appeal Case No. 4426 of 2019**

**PRESENT: Sh.Aman Kumar as the Appellant**  
**Sh.Deepak,Clerk for the Respondent**

**ORDER:**

The appellant through RTI application dated 30.08.2019 has sought information regarding attachment and stay of property as per DRT Chandigarh – case No.725 of 2000 – a copy of the register in which the said order was entered and other information concerning the office of Tehsildar Abohar. The appellant was not satisfied with the reply of the PIO dated 03.09.2019 vide which the appellant was asked to clarify the number and date on which the application was submitted in the office of Tehsildar Abohar, after which the appellant filed the first appeal before the First Appellate Authority on 09.10.2019 which took no decision on the appeal.

The case was first heard on 12.03.2020. The appellant pleaded that they have already mentioned the date and number of the application in the RTI application but the PIO has not provided the information. The PIO was directed to relook at the RTI application and provide appropriate information to the appellant within 15 days.

On the date of the hearing on **22.09.2020**, the appellant claimed that the PIO has not provided the information. The respondent stated that the copy of the bank letter is not available in their record and the appellant be asked to provide a copy of that letter. The appellant had provided a copy of the letter to the PIO.

The respondent was assured to provide the information within a week. The respondent said that the appellant may collect the information by hand. The appellant had agreed for the same. The respondent was directed to provide the information within a week and send a compliance report to the Commission. The appellant was directed to collect the information by hand from the office of PIO on any working day.

On the date of the hearing on **10.11.2020**, the respondent informed that the information has been provided. As per appellant, the information was not provided.

The Commission received a copy of the letter from the PIO through email vide which the PIO had sent the following reply to the appellant:

Point-1 - To get the information from the concerned Patwari by depositing the Requisite fee.

- Point-2 - Information will be provided after receipt of verification from the Bank.
- Point-3 - To get the information from the Sewa Kendra by depositing the requisite fee

Since the appellant had asked for information under RTI Act, the PIO was directed to relook at the entire RTI application and provide the information to the clear satisfaction of both the parties under the RTI Act.

On the date of the hearing on **29.01.2021**, the respondent present pleaded that the information has been provided to the appellant vide letter dated 25.01.2021 with a copy to the Commission. The appellant was not satisfied.

Hearing both the parties, the PIO was directed to procure the information on point-2 from the concerned bank and provide it to the appellant. The PIO was also directed to sort out other discrepancies if any.

On the date of the hearing on **17.05.2021**, the appellant claimed that the PIO has not provided the complete information.

The respondent was absent. The appellant was not able to get the information despite various interim orders and continuous assurances by the PIO, which had led to an enormous delay in providing the information regarding point-2.

Since there was a continuous delay in providing the information as well in compliance with Commission's order, The case was marked to the Deputy Commissioner, Fazilka to ensure that the compliance of the order takes place within 15 days of receipt of this order. That the information regarding point-2 is provided as per the available record to the appellant. A copy of the RTI application was attached with the order for the Deputy Commissioner's reference.

On the date of the hearing **24.08.2021**, the respondent present informed that the information after collecting it from the concerned bank, has been supplied to the appellant vide letter dated 23.08.2021 with a copy to the Commission.

Due to an abrupt technical fault with the internet, the hearing could not be concluded and the case was adjourned.

On the date of last hearing on **13.12.2021**, the appellant claimed that the PIO has not supplied the correct information relating to point-2 since the appellant has asked for a copy of that particular Govt order on the basis of which entry of attachment order and stay order has been removed in the record of office of Tehsildar Abohar after 06.10.2009.

Since there was a continuous disagreement between the appellant and the PIO regarding the information provided by the PIO, the case was marked to the Deputy Commissioner Fazilka with the direction to reconcile and provide if such document exists or to file an affidavit that no such document exists in the record.

**Hearing dated 20.04.2022:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per respondent, the information on point-2 has been provided to the appellant.

The appellant states that the PIO has not supplied the copy of that particular Govt order on the basis of which entry of attachment order and stay order has been removed in the record of office of Tehsildar Abohar after 06.10.2009.

Hearing both the parties, the PIO is directed to provide whatever information is available on record, and if no such notification/document exists, to give in writing on an affidavit clearly mentioning therein the details of document/procedure on the basis of which entry of attachment order and stay order has been removed, and that no other government order or notification is available in the record.

With the above order, the case is **disposed of and closed**.

**Chandigarh**  
**Dated:20.04.2022**

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

**CC to: Deputy Commissioner, Fazilka.**



Sh. Prem Singh, S/o Sh Jaspal Singh,  
VPO Amarpura, Tehsil Abohar,  
Dsitt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o CDPO, Abohar,  
Distt. Fazilka.

**First Appellate Authority,**  
O/o DPO,  
Fazilka.

...Respondent

**Appeal Case No. 274 of 2021**

**PRESENT: None for the Appellant**  
**Ms.Renu Bala O/o CDPO and Sh.Harbhajan Singh Clerk O/o DSSO for the Respondent**

**ORDER:**

The case first came up for hearing on 11.05.2021 through video conferencing at DAC Fazilka. Both the parties were absent.

The Commission received an email from the District Social Security Officer, Fazilka whereby the said officer had attached a letter sent to District Program Officer, Fazilka. In the letter, the District Social Security Officer sent a copy of instructions dated 16.08.2017 of their head office to District Programme Officer, Fazilka and informed the District Programme officer that as per instructions of the head office, the APRs up to the year 20/12 is no longer available in their office.

The reply appeared to be vague, and the PIO CDPO was directed to be present at the next hearing to clarify the contents of the above letter.

The PIO-District Social Security Officer was also impleaded in the case and directed to relook at the RTI application and send an appropriate reply on all points.

On the date of the hearing on **18.08.2021**, both the parties were absent.

The PIO-CDPO Abohar and the PIO-DSSO were given one last opportunity to appear before the commission on the next date of hearing and file an explanation for not complying with the order of the Commission, failure to which would attract action under section 20 of the RTI Act.

On the date of the last hearing on **11.11.2021**, the respondent present from CDPO informed that the sought information is in the custody of the DSSO. The respondent from the DSSO office brought no information,

The PIO-DSSO was directed to appear before the Commission at Chandigarh on the next date of hearing along with the complete record relating to this RTI application. The PIO – CDPO to also appear.

**Hearing dated 20.04.2022:**

The respondent from CDPO and DSSO are present through VC at DAC Fazilka. The respondent present from the office of DSSO Fazilka informed that this office was opened only on 01.12.2014 and since the year 2015, the pension is being disbursed through banks and that the reply has been sent to the appellant.

The appellant is continuously absent on all hearings to pursue his case.

The case is **disposed of and closed** for non-pursuance of the case by the appellant.

**Chandigarh**  
**Dated :20.04.2022**

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

**CC to: PIO-District Social Security Officer,**  
**Fazilka**



Sh Ram Kumar, S/o Sh Lal Singh,  
Village Alamgarh, Tehsil Abohar,  
Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Food Safety Officer,  
O/o Civil Surgeon, Fazilka.

**First Appellate Authority,**  
O/o Food and Drug Administration,  
O/o civil Surgeon, Fazilka.

...Respondent

**Appeal Case No. 901 of 2021**

**PRESENT: Sh.Ram Kumar as the Appellant**  
**Sh.Ishan Bansal, Food Safety Officer Fazilka for the Respondent**

**ORDER:**

The appellant through RTI application dated 05.08.2020 has sought information regarding the copy of rule/circular for collecting samples by the food safety officer – total number of samples collected for milk by Gagandeep Kaur Food safety officer from 22.03.2018 to 24.03.2018 along with the location for taking samples – a copy of notices in form V served on the spot for collecting samples and other information as enumerated in the RTI application concerning the office of Food Safety Officer, Civil Surgeon Fazilka. The appellant was denied the information by the PIO vide letter dated 22.09.2020 stating that the information is 3<sup>rd</sup> party after which the appellant filed a first appeal before the First Appellate Authority on 28.09.2020 which took no decision on the appeal.

The case first came up for hearing on 12.07.2021 through video conferencing at DAC Fazilka. As per the appellant, the PIO had denied the information for point-1 on the ground that it be procured from the Civil Surgeon, Fazilka. Regarding points 2 & 3 the PIO denied the information on the grounds that it is 3<sup>rd</sup> party as well as that it falls under Section 8(h) of the RTI Act.

The respondent was absent.

The Commission observed that the PIO had clearly tried to deny the information. Regarding point 1, the RTI application should have been transferred to the PIO Civil Surgeon, Fazilka under section 6 (3), which the PIO did not.

Regarding points 2 & 3 the Commission observed that while invoking section 8(h) of the RTI Act the PIO denied the information without any speaking order that why section 8 (h) has been invoked. Further to that, the PIO invoked section 11 without following due procedure.

Having gone through the RTI application, the Commission found that there is no part of the information that falls under the exempted category and hence the PIO was directed to provide the information regarding points 2 & 3 to the appellant within 15 days and send a copy to the Commission.

Regarding point-1, the PIO Civil Surgeon, Fazilka was impleaded and directed to provide the information within 15 days.

On the date of the last hearing on **11.11.2021**, the respondent informed that the information has to be provided by Food Safety Officer Faridkot since the record is with the FSO Faridkot and the reply received from them has already been sent to the appellant.

As per the reply, the information was denied based on a letter dated 09.08.2021 of the Govt of India.

Since the order had already been passed to provide information, the PIO-Food Safety Officer, Fazilka, was directed to procure the information from the custody of the relevant officer and provide it to the appellant, failure to which the Commission will be constrained to initiate action against the PIO under the provisions of section 20 of the RTI Act.

**Hearing dated 20.04.2022:**

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

As per the appellant, the information is incomplete.

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

- Point-1 - Available on the website of the department
- Point-2 - As per the respondent, a total of 8 samples were collected, and a copy of the relevant form No.5 has been provided to the appellant. It contains all the sought information- Sufficiently replied
- Point-3 - As per respondent, detail is given in form No.5 - Provided

Since the RTI application has been sufficiently replied to, no further interference from the Commission is required.

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

**Chandigarh**  
**Dated : 20.04.2022**

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

**CC to :1.Civil Surgeon, Fazilka**

**2. District Food Safety Officer, Faridkot**



Sh. Manjit Singh, S/o Sh Jagat Singh,  
Village Kathgarh, Tehsil Jalalabad (East),  
P.O Chak Varoka, Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Drug Inspector,  
Fazilka.

**First Appellate Authority,**  
Civil Surgeon,  
Fazilka.

...Respondent

**Appeal Case No. 1044 of 2021**

**PRESENT: Sh.Manjit Singh as the Appellant**  
**Sh.Anurag Drug Inspector for the Respondent**

**ORDER:**

The appellant, through the RTI application dated 27.11.2020, has sought information regarding action taken on the application dated 27.10.2020 filed for taking legal action and other information as enumerated in the RTI application concerning the office of Drug Inspector Fazilka. The appellant was not satisfied with the reply of the PIO dated 16.12.2020, after which the appellant filed a first appeal before the First Appellate Authority on 28.12.2020, which did not decide on the appeal.

The case first came up for hearing on 12.07.2021 through video conferencing at DAC Fazilka. As per the respondent, the information had been provided.

The appellant was not satisfied and stated that he had asked for action taken on the application along with all the notings/correspondence.

The PIO was directed to provide whatever action has been taken on the appellant's application along with all notings/correspondence. The information be provided within 15 days and send a compliance report to the Commission.

On the date of the last hearing on **11.11.2021**, the respondent informed that the inspection was conducted, and a reply has been sent to the appellant vide letter dated 21.09.2021.

The appellant was not satisfied and claimed that the PIO had not provided the action taken on the application dated 27.10.2020.

The PIO was directed to provide whatever action has been taken on the application dated 27.10.2020 relating to the RTI application.

**Hearing dated 20.04.2022:**

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



**Appeal Case No. 1044 of 2021**

As per the appellant, the PIO has not supplied the action taken on his application dated 27.10.2020.

Earlier order stands. The PIO is given one last opportunity to provide whatever action has been taken on the application dated 27.10.2020, alongwith noting/correspondence as discussed during the hearing.

With the above order, the case is **disposed of and closed**.

**Chandigarh**  
**Dated : 20.04.2022**

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



Sh Satish Kumar, S/o Sh Vijay Kumar,  
Village Kandhwala Haajar Kha,  
Tehsil & Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o DFSC,  
Fazilka.

**First Appellate Authority,**  
O/o Addl, Deputy Commissioner (Development),  
Fazilka.

...Respondent

**Appeal Case No. 1154 of 2021**

**PRESENT: Sh.Satish Kumar as the Appellant**  
**Sh.Arun Babbar, Inspector for the Respondent**

**ORDER:**

The appellant, through an RTI application dated 25.08.2020 has sought information on 07 points regarding the settlement of a complaint filed on 14.08.2019 relating to depot holder – the name of both parties – the place of settlement – persons involved during settlement - and other information as enumerated in the RTI application concerning the office of DFSC Fazilka. The appellant was not provided with the information, after which the appellant filed a first appeal before the First Appellate Authority on 02.10.2020, which did not decide on the appeal.

The case was first heard on 20.07.2021 through video conferencing at DAC Fazilka. As per the appellant, the information was not provided.

The respondent brought the information. The respondent was directed to provide the information to the appellant. The appellant was directed to point out the discrepancies if any to the PIO with a copy to the Commission, and the PIO was directed to remove the same.

Since there had been an enormous delay of more than ten months in attending to the RTI application. 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 the last hearing on 18.08.2021,** the respondent informed that the information has been supplied to the appellant with a copy to the Commission. The Commission received a copy of the letter dated 11.08.2021 from the PIO through email, which was taken on the file of the Commission.

In the letter, it was mentioned that the issue of complaint was settled on the request letter of Sh.Vijay Kumar, father of the appellant whereby Sh. Vijay Kumar informed that he is regularly getting ration from the depot holder and does not want any action against the depot holder. The request letter was duly verified by the Sarpanch of the concerned village.

As per the appellant, the PIO had not supplied the list of cardholders. As per the respondent, the detail is already available on the website of the department.

**Appeal Case No. 1154 of 2021**

Having gone through the RTI application and the reply of the PIO, the Commission found that the RTI application has been suitably replied to, and information has been provided to the best possible extent. However, the PIO had not filed a reply to the show-cause notice.

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

The PIO- District Food Supply Controller, Fazilka was directed to pay an amount of **Rs.2000/-** via demand draft through Govt. Treasury as compensation to the appellant and submit proof of having compensated the appellant.

The decision on show cause was to be taken on the next date of hearing after receipt of reply from the PIO.

On the last hearing date on **11.11.2021**, the respondent informed that the compensation had been provided to the appellant. The Commission received the reply of the PIO along with a copy of the receipt of compensation by way of cash amount of Rs.2000/- by the appellant, which was taken on the file of the Commission.

As per receipt, the PIO had paid compensation by way of cash to the appellant, which is not the correct way of providing compensation since it is clearly mentioned to provide compensation by way of a demand draft. The appellant was directed to return the cash amount to the PIO, and the PIO was directed to pay compensation by way of a demand draft and send a copy of the same to the commission.

Further having gone through the reply, it was concluded that whatever might have been the agreement between Sh.Vijay Kumar, father of the appellant and the department, this agreement cannot be considered an appropriate reply to the RTI application. There is clear dereliction in handling the RTI application, and there has been a delay of more than ten months in providing the information.

Even though the RTI had been suitably reply as discussed in the earlier order, the reply was sent to the appellant after the Commission's order dated 20.07.2021 i.e. with a delay of more than ten months.

Since the responsibility to ensure the timely transmission of the information to the appellant lies on the PIO, Sh.Arun Kumar-PIO-DFSC Fazilka was held guilty of not providing the information on time as prescribed under section 7, a penalty of **Rs.10,000/-** was imposed on Sh.Arun Kumar-PIO- DFSC, Fazilka and directed to produce a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

**Hearing dated 20.04.2022:**

The case has come up for hearing today through video conferencing at DAC Fazilka. As per the respondent, the penalty has been deposited in the Govt treasury vide challan receipt No.2023136 dated 31.03.2022 and a copy of the challan sent to the Commission. The commission has received a copy of the challan, taken on record.

The appellant has also received the compensation amount.

Since the penalty has been deposited and the compensation has been paid to the appellant, no further course of action is required.

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

**Chandigarh**  
**Dated: 20.04.2022**

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



Sh. Manjit Singh, S/o Sh. Jagat Singh,  
Village Kathgarh, P.O Chak Varoka,  
Tehsil Jalalabad, (East), Distt Fazilka.

... Appellant

Versus

**Public Information Officer,**  
O/o Civil Surgeon,  
Fazilka.

**First Appellate Authority,**  
O/o Food and Drugs Administration Deptt,  
Family Welfare. Guru Teg bahadur Nagar,  
Kharar.

...Respondent

**Appeal Case No. 3947 of 2020**

**PRESENT: Sh.Manjit Singh as the Appellant**  
**Sh.Anurag, Drug Inspector for the Respondent**

**ORDER:**

The appellant through an RTI application dated 08.09.2020 has sought information regarding action taken on the application dated 01.06.2020 filed against Vinod Kumar s/o Babu Ram and Rubinder Kumar s/o Subhash Chander and other information as enumerated in the RTI application concerning the office of Civil Surgeon Fazilka. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 08.10.2020 which took no decision on the appeal.

The case last came up for hearing on 09.08.2021 through video conferencing at DAC Fazilka. The respondent present pleaded that the reply has already been sent to the appellant vide letter dated 28.12.2020 and again on 01.03.2021

The appellant was not satisfied with the information provided and wanted the full details of the action taken on his application of 01.06.2020.

The PIO was directed to provide whatever action has been taken on the application dated 01.06.2020 (along with noting/correspondence) to the appellant within ten days and send a compliance report to the Commission.

On the date of last hearing on **13.12.2021**, the respondent pleaded that the inspection has been conducted and a report has been sent to the competent authority for further action.

The appellant claimed that the PIO has not supplied the action taken on his application dated 01.06.2020.

The PIO was given one last opportunity to appear personally before the Commission on the next date of hearing and file an appropriate reply.

**Hearing dated 20.04.2022:**

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

**Appeal Case No. 3947 of 2020**

As per appellant, the PIO has not supplied the action taken on his application dated 27.10.2020.

Earlier order stands. The PIO is given one last opportunity to provide whatever action has been taken on the application dated 27.10.2020 alongwith noting/correspondence as discussed during the hearing.

With the above order, the case is **disposed of and closed**.

**Chandigarh**  
**Dated : 20.04.2022**

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



Sh. Rajinder Sofat,  
H. No.463/3-A, Sector-53,  
Mohali.

.....Appellant

**Vs**

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

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

.....Respondent

**Appeal case No.50 of 2020**

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

**ORDER:**

The case was first heard on 16.09.2020. The respondent present pleaded that information has been supplied to the appellant vide letter dated 23.03.2020 with a copy submitted to the Commission. The Commission had received a copy of the reply on 27.05.2020.

The appellant was absent nor had communicated any discrepancies. The appellant was directed to point out the discrepancies if any to the PIO with a copy to the Commission and the PIO was directed to relook at the RTI application and remove the discrepancies.

On the date of the next hearing on 24.11.2020, the respondent present pleaded that the information has been provided to the appellant. The appellant informed that he has received the information but with a delay of more than one year.

The respondent claimed that the RTI application was not received in their branch and once they received the notice of the Commission dated 20.02.2020 along with the RTI application, the information was supplied to the appellant vide letter dated 23.03.2020. The respondent was directed to provide an affidavit stating the above-said statement i.e that their office did not receive this particular RTI application, the reason for which it could not be tended to.

The PIO was also directed to investigate if the RTI application was received by the office, and how it failed to land on the desk of the concerned PIO. To file a detailed reply.

On the date of the hearing on **01.02.2021**, the respondent was absent and vide email has sought exemption stating that the maximum staff of GMADA is on election duty. The PIO had also sent a list of persons on election duty which was taken on the file of the Commission.

The case was adjourned.

On the date of the hearing on **12.05.2021**, both the parties were absent.

The information had been provided. However, the PIO did not file a detailed reply on the matter of investigation of the RTI application. The PIO was given one last opportunity and directed to investigate if the RTI application was received by the office, and how it failed to land on the desk of the concerned PIO

On the date of hearing on **23.08.2021**, both the parties are absent. The case was adjourned.

**On the date of** last hearing on **14.12.2021**, both the parties were absent. The case was adjourned.

**Hearing dated 20.04.2022:**

The respondent has submitted his reply taken on record. In the said reply, the PIO mentioned that the RTI application received in their office was sent to the Suptd.-cum-APIO-(Plots) GMADA and SDO(Building)-cum-APIO on 19.09.2019 with the direction to supply the information. However, due to the non-supply of information, the appellant filed the first appeal which was again sent to concerned APIOs. However, the information was not provided, and the appellant filed 2<sup>nd</sup> appeal in the Commission. Thereafter, their RTI branch GMADA received notice of the Commission through e-office, which was sent to the policy branch, and the policy branch supplied the information to the appellant vide letter dated 23.02.2020.

The appellant is absent.

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

Chandigarh  
Dated :20.04.2022

Sd/-  
(Khushwant Singh)  
State Information Commissioner



Sh.Harpal Singh, S/o Late Sh.Bawa Singh  
AliasBaru S/o Sh.Jetha,  
R/o Village Kumbra,  
Tehsil & Dist. Mohali

..... Appellant

Versus

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

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

Respondent

**Appeal case No.410 of 2020**

**PRESENT: Sh.Harpal Singh as the Appellant  
Sh.Gurvinder Singh, PIO for the Respondent**

**ORDER:**

That the appellant, through an RTI application dated 05.09.2019, has sought information regarding providing plots in lieu of land acquired Khasra No.429/2 relating to Sh.Bawa s/o Jethu – letter No.29620 dated 09.08.2018, letter No.26871 dated 18.07.2018, letter No.26919 dated 18.07.2018, letter no.29620 dated 09.08.2018, letter no.41308 dated 15.11.2018 etc. and other information concerning the office of EO-GMADA Mohali. The appellant was not satisfied with the information provided by the PIO vide letter dated 18.10.2019, after which the appellant filed the first appeal before the First Appellate Authority on 11.12.2019, which took no decision on the appeal.

The case was first heard on 16.09.2020. The respondent present pleaded that information had been supplied to the appellant vide letter dated 18.10.2019 with a copy submitted to the Commission.

The appellant stated that the information was not clear. The respondent informed that the information relates to the Estate Officer, GMADA. The appellant was directed to point out the discrepancies in writing to the PIO with a copy to the Commission, and the respondent was directed to remove the same. If the information is not in the custody of EO-GMADA, the respondent was directed to procure it from the concerned PIO and provide it to the appellant.

On the date of the hearing on 24.11.2020, the appellant was absent, and the vide letter received in the Commission on 23.11.2020 informed that the PIO has not provided the information.

As per the respondent, the appellant had pointed out the discrepancies on 20.11.2020. The respondent assured to remove the discrepancies within 15 days. The PIO was directed to remove the discrepancies within 15 days and send a compliance report to the Commission.

On the date of hearing on 01.02.2021, the respondent pleaded that as per the facts of the case a reply has been sent to the appellant.

The appellant was absent. The case was adjourned.

On the date of hearing on **12.05.2021**, the appellant claimed that the PIO has not supplied the complete information/removed the discrepancies as pointed out on 20.11.2020.



**Appeal case No.410 of 2020**

The respondent was absent nor had complied with the order of the Commission. Since there was a delay of more than one year and eight months in providing the information and the PIO is not complying with the order of the Commission, 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 again directed to remove the discrepancies and provide complete information to the appellant within 10 days of the receipt of this order.

On the date of the last hearing on **23.08.2021**, both the parties were absent. 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 decision will be taken ex-parte.

On the date of last hearing on 14.12.2021, the appellant claimed that the PIO has not removed the discrepancies as pointed out on 20.11.2020.

The respondent was absent nor has sent a reply to the show-cause notice as well as not complied with the order of the Commission to sort out the discrepancies.

Hence, given the above facts a penalty of **Rs.10,000/-** was imposed on Sh.Gurvinder Singh-PIO-EO-GMADA Mohali and directed to produce a copy of the challan as evidence of depositing the penalty in the Govt Treasury. The PIO was again directed to sort out the discrepancies within 10 days of the receipt of the order.

**Hearing dated 20.04.2022:**

The respondent has submitted a copy of challan receipt No.2146900 dated 18.04.2022 as proof of having deposited the penalty in the Govt Treasury, taken on record.

As per the appellant, the PIO has not sorted out the discrepancies.

As per the respondent, the appellant has not specified what document he wants.

The appellant is directed to contact the PIO on his mobile number and specify/send the required document to the PIO. The PIO is directed to sort out the same.

Since the penalty has been deposited, no further interference from the Commission is required. The case is **disposed of and closed.**

Chandigarh  
Dated :20.04.2022

Sd/-  
(Khushwant Singh)  
State Information Commissioner



Sh.Rajeshwar Sharma.  
Kothi No-584, Phase-4,  
Mohali.

...Appellant

Versus

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

First Appellate Authority,  
O/o GMADA,  
Mohali.

..... Respondent

**Appeal case No.3040 of 2019**

**PRESENT: Sh.Rajeshwar Sharma as the Appellant**  
**Sh.Gurvinder Singh for the Respondent**

**ORDER:**

The appellant, through the RTI application dated 15.05.2019 has sought information regarding action taken on his request No.9880 dated 18.03.2019 and other information concerning the office of GMADA Mohali. The appellant was not provided with the information after which the appellant filed a first appeal before the First Appellate Authority on 20.06.2019, which took no decision on the appeal.

The case has already been heard on 08.12.2019, 24.02.2020, 16.09.2020, 24.11.2020, 01.02.2021, 12.05.2021 and 23.08.2021.

On the date of hearing on 24.11.2020, hearing both the parties, the PIO was directed to provide all notings/documents that have been created to arrive at the decision that has been supplied to the appellant. The appellant was directed to visit the office of the PIO by fixing a mutually convenient time and resolving the matter.

On the date of hearing on 01.02.2021 & 12.05.2021, the respondent was absent. The appellant informed that he visited the office of PIO on 16.01.2021 and requested the concerned branch to provide notings/documents created to support the decision provided to the appellant but nothing was provided.

The PIO was given one last opportunity to provide the said document, and if no such document exists, to give an affidavit.

On the date of the hearing on 23.08.2021, both the parties were absent. The case was adjourned.

On the date of the last hearing on 14.12.2021, the appellant claimed that the PIO has not supplied the information.

The respondent was absent on the 4<sup>th</sup> consecutive hearing nor had complied with the order of the Commission.

To secure an erring PIO's presence before the commission, a bailable warrant of PIO-GMADA Mohali was issued under section 18(3) of the RTI Act through Senior Superintendent of Police, Mohali for his presence before the Commission on **23.03.2022 which date was postponed to 12.04.2022.**

**Hearing dated 20.04.2022:**

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

As per the respondent, the action taken on the request of the appellant dated 18.03.2019 alongwith complete noting as available in the record has already been provided and no further information is available.

Hearing both the parties, it is observed that the issue pertains to the refund of the excess amount charged by GMADA as per compounding policy which, however, does not relate to the RTI application.

However, as the appellant has gone through a lot of suffering since he feels that he has been charged an excessive amount as per the compounding policy of GMADA, I am sending this case to the Administrator of GMADA to see if such an occurrence has happened and if this petitioner's case can be reconciled and he may be given due relief.

I am sending a copy of the letter of the appellant dated 29.01.2020 for administrator GMADA's reference.

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

**Chandigarh**  
**Dated :20.04.2022**

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

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



Sh. Pawan Kumar Sharma,  
# 585, Phase-2, Mohali.

... Appellant

Versus

**Public Information Officer,**  
O/o District Food & Civil Supplies Controller,  
Phase-2, Mohali

**First Appellate Authority,**  
O/o District Food & Civil Supplies Controller,  
Phase-2, Mohali

... Respondent

**Appeal Case No. 3887 of 2020**

**PRESENT: None for the Appellant**  
**Ms. Rajdeep Kaur, Food Safety Officer for the Respondent**

**ORDER:**

The appellant through RTI application dated 11.08.2020 has sought information regarding Letter No.237-38/SPS-2 dated 12.09.2019 received from the office of DC Mohali in respect of a complaint against Bikanerwala, A journey of traditional Indian Govt. delight, Connaught Plaza TDI City with noting and decision of all concerned – present status of the case and other information as enumerated in the RTI application from the office of District Food & Civil Supplies Controller, Pb Mohali. The appellant was not provided with the information after which the appellant filed the first appeal before the First Appellate Authority on 07.10.2020, which took no decision on the appeal.

The case first came up for hearing on 06.05.2021 through video conferencing at DAC Mohali. The respondent present pleaded that a complaint dated 01.09.2019 was filed by the appellant in the office of the Deputy Commissioner against eatery Bikanerwala, Journey Traditional Indian Delight SAS Nagar relating to unhygienic food being served in the said restaurant.

As per the respondent present from the office DFSC office, the complaint was forwarded by the DC office to their office and the office of Civil Surgeon, SAS Nagar on 12.09.2019. The respondent further maintained that the information sought in the RTI application does not relate to their office and was inadvertently sent to them. And since the appropriate action taking authority, in this case, was the office of Civil Surgeon, SAS Nagar, it was the office of the Civil surgeon under whose custody this information lies. The PIO- DFSC was exempted.

Since a copy of the RTI application was marked to Civil Surgeon, SAS Nagar Mohali by the DC office, the Civil Surgeon Mohali was directed to provide information as per the RTI Act within 15 days and send a compliance report to the Commission. A copy of the RTI was sent along.

On the date of the last hearing on **03.08.2021**, the respondent present from the office of Civil Surgeon, Mohali, pleaded that the information had been provided to the appellant.

The appellant was absent.

From the perusal of the case, it came to the notice that the PIO has supplied the information relating to another RTI application (16.11.2019) of the same appellant, and has not tended to this particular RTI application as claimed.

The PIO-Civil Surgeon, Mohali was directed to provide information as per the RTI application of 11.08.2020 and file a suitable reply for the negligence in handling the RTI application of 11.08.2020.

**Hearing dated 20.04.2022:**

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent present pleaded that the information has already been provided to the appellant and since the complaint received from the office of the Deputy Commissioner was directly marked by the then Civil Surgeon to the concerned Food Safety officer, there is no record available in their office relating to noting etc. regarding point-1. Further, the action taken report on the complaint was filed in the court of Deputy Commissioner (J), which is under consideration in the said court.

The appellant is absent nor is represented.

Having gone through the RTI application and the reply of the PIO, the Commission finds that the RTI application has been sufficiently replied and no further interference from the Commission is required.

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

**Chandigarh**  
**Dated: 20.04.2022**

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

**CC to PIO-Civil Surgeon,**  
**SAS Nagar, Mohali**