

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.
Ph: 0172-2864114, Email: -psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1564 of 2019

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

ORDER:

The case was first heard on 25.11.2019. The representative appeared on behalf of the appellant informed that the appellant had inspected some of the files produced by the PIO on 01.11.2019 and specified the required documents. The representative, however, sought adjournment for further hearing in the month of Feb.2020. The case was adjourned.

The case was again heard on **25.02.2020**. The appellant informed that he had inspected the record and specified the information to the PIO but the PIO has not provided the information. The respondent was absent. The PIO was directed to provide the information as specified by the appellant within 15 days and send a compliance report to the Commission.

On the date of the hearing on **18.06.2020**, the appellant informed that the PIO has not provided the information.

The respondent was absent nor had complied with the order of the Commission. The PIO was given one more opportunity to comply with the earlier order of the Commission and provide the information within 10 days. The PIO was also directed to appear personally before the Commission on the next date of hearing and explain the reasons for not providing the information within the time prescribed under the RTI Act.

On the date of the last hearing on **10.03.2021**, the appellant claimed that despite the order of the Commission to provide the information within 10 days, the PIO has not provided the correct and complete information.

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit**. The PIO was directed to sort out the matter and provide the complete information to the appellant within 15 days and send a compliance report to the Commission.

A copy of the order was sent to the Administrator, GMADA with the direction to enquire into the matter and ensure that the information is provided to the appellant as per the RTI Act in this case, as well as in appeal cases No.1565/2019, 1566/2019, 1567/2019, 1568/2019, 1569/2019 and 1570/2019 which are lying pending for more than two years. It was also brought to the notice of the Administrator GMADA that the RTI Act is not being implemented with earnestness in the organization and there is a casual approach while dealing with RTI Applications.

Hearing dated 25.06.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. As per the appellant, despite the order of the Commission to provide the information within 15 days, the PIO has not supplied the information.

At the last hearing, the Commission observed that there has been an enormous delay of more than two years in providing the information in this case, as well as in appeal cases No.1565/2019, 1566/2019, 1567/2019, 1568/2019, 1569/2019 and 1570/2019, the PIO was issued a show-cause in all the cases and directed to file reply on an affidavit. The PIO was again directed to sort out the matter and provide complete information within 15 days of the receipt of the order.

The PIO has, however, failed to comply with the order of the Commission since the PIO has neither provided the information nor has filed a reply to the show-cause notice.

The PIO is given one last opportunity to file a reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

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-GMADA Mohali is directed to pay an amount of **Rs.10000/-** via demand draft 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 in the present case as well as in appeal cases No.1565/2019, 1566/2019, 1567/2019, 1568/2019, 1569/2019 and 1570/2019. The PIO is directed to duly inform the commission of the compliance of the order and submit proof of having compensated the appellant.

To settle the matter, which has taken undue delay, the PIO is directed to bring the entire record to the Commission on the next date of hearing (Case nos -No.1565/2019, 1566/2019, 1567/2019, 1568/2019, 1569/2019 and 1570/2019.) PIO to reach Commission's office positively at 9.00 AM along with complete record for inspection of the appellant) The appellant is also directed to reach Commission's office at 9.00 AM to inspect the record. This is also the final opportunity being provided to the appellant to inspect the record.

The case is adjourned. To come up for further hearing on **27.10.2021 at 11.00 AM.**

Chandigarh
Dated 25.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to :The Chief Administrator,
GMADA, Mohali.

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1565 of 2019

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

ORDER: The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020 and 10.03.2021.

On the date of the last hearing on **10.03.2021**, the appellant claimed that despite the order of the Commission to provide the information within 10 days, the PIO has not provided the information. The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there had been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

Hearing dated 25.06.2021:

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

At the last hearing, due to an enormous delay of more than two years in providing the information, the PIO was issued a show-cause notice and directed to file a reply on an affidavit. The PIO was again directed to sort out the matter and provide complete information within 15 days of the receipt of the order.

The PIO has, however, continuously failed to comply with the order of the Commission. The PIO has not provided the information nor has filed a reply to the show-cause notice.

The PIO is given one last opportunity to file a reply to the show cause notice, otherwise it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO is directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with complete record for inspection of the appellant). The appellant is also directed to reach Commission's office at 9.00 AM to inspect the record. This is also the final opportunity being provided to the appellant to inspect the record.

The case is adjourned. To come up for further hearing on **27.10.2021 at 11.00 AM.**

Chandigarh
Dated 25.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1566 of 2019

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

ORDER: The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020 and 10.03.2021.

On the date of the last hearing on **10.03.2021**, the appellant claimed that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there had been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause under Section 20 of the RTI Act 2005 and directed to file a reply on an affidavit.**

Hearing dated 25.06.2021:

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

At the last hearing, due to an enormous delay of more than two years in providing the information, the PIO was issued a show-cause notice and directed to file reply on an affidavit. The PIO was again directed to sort out the matter and provide complete information within 15 days of the receipt of order.

The PIO has, however, continuously failed to comply with the order of the Commission. The PIO has not provided the information nor has filed a reply to the show-cause notice.

The PIO is given one last opportunity to file a reply to the show cause notice, otherwise it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO is directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with complete record for inspection of the appellant). The appellant is also directed to reach Commission's office at 9.00 AM to inspect the record. This is also the final opportunity being provided to the appellant to inspect the record.

The case is adjourned. To come up for further hearing on **27.10.2021 at 11.00 AM.**

Sd/-

Chandigarh
Dated 25.06.2021

(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1567 of 2019

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

ORDER: The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020 and 10.03.2021.

On the date of last hearing on **10.03.2021**, the appellant claimed that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show cause under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

Hearing dated 25.06.2021:

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

At the last hearing, due to an enormous delay of more than two years in providing the information, the PIO was issued a show cause notice and directed to file reply on an affidavit. The PIO was again directed to sort out the matter and provide complete information within 15 days of the receipt of order.

The PIO has, however, continuously failed to comply with the order of the Commission. The PIO has not provided the information nor has filed a reply to the show-cause notice.

The PIO is given one last opportunity to file a reply to the show cause notice, otherwise it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO is directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with complete record for inspection of the appellant). The appellant is also directed to reach Commission's office at 9.00 AM to inspect the record. This is also the final opportunity being provided to the appellant to inspect the record.

The case is adjourned. To come up for further hearing on **27.10.2021 at 11.00 AM.**

Sd/-

Chandigarh
Dated 25.06.2021

(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1568 of 2019

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

ORDER: The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020 and 10.03.2021.

On the date of last hearing on **10.03.2021**, the appellant claimed that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

Hearing dated 25.06.2021:

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

At the last hearing, due to an enormous delay of more than two years in providing the information, the PIO was issued a show cause notice and directed to file reply on an affidavit. The PIO was again directed to sort out the matter and provide complete information within 15 days of the receipt of order.

The PIO has, however, continuously failed to comply with the order of the Commission. The PIO has not provided the information nor has filed a reply to the show-cause notice.

The PIO is given one last opportunity to file a reply to the show cause notice, otherwise it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO is directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with complete record for inspection of the appellant). The appellant is also directed to reach Commission's office at 9.00 AM to inspect the record. This is also the final opportunity being provided to the appellant to inspect the record.

The case is adjourned. To come up for further hearing on **27.10.2021 at 11.00 AM.**

Chandigarh
Dated 25.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1569 of 2019

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

ORDER: The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020 and 10.03.2021.

On the date of last hearing on **10.03.2021**, the appellant claimed that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show cause under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

Hearing dated 25.06.2021:

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

At the last hearing, due to an enormous delay of more than two years in providing the information, the PIO was issued a show cause notice and directed to file reply on an affidavit. The PIO was again directed to sort out the matter and provide complete information within 15 days of the receipt of order.

The PIO has, however, continuously failed to comply with the order of the Commission. The PIO has not provided the information nor has filed a reply to the show-cause notice.

The PIO is given one last opportunity to file a reply to the show cause notice, otherwise it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO is directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with complete record for inspection of the appellant). The appellant is also directed to reach Commission's office at 9.00 AM to inspect the record. This is also the final opportunity being provided to the appellant to inspect the record.

The case is adjourned. To come up for further hearing on **27.10.2021 at 11.00 AM.**

Chandigarh
Dated 25.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1570 of 2019

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

ORDER: The case has already been heard on 25.11.2019, 25.02.2020, 18.06.2020 and 10.03.2021.

On the date of last hearing on **10.03.2021**, the appellant claimed that despite order of the Commission to provide the information within 10 days, the PIO has not provided the information.

The PIO was given one last opportunity to sort out the matter and provide complete information to the appellant within 15 days and send a compliance report to the Commission.

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

Hearing dated 25.06.2021:

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

At the last hearing, due to an enormous delay of more than two years in providing the information, the PIO was issued a show cause notice and directed to file reply on an affidavit. The PIO was again directed to sort out the matter and provide complete information within 15 days of the receipt of order.

The PIO has, however, continuously failed to comply with the order of the Commission. The PIO has not provided the information nor has filed a reply to the show-cause notice.

The PIO is given one last opportunity to file a reply to the show cause notice, otherwise it will be presumed that the PIO has nothing to say in the matter and the commission will act against the PIO as per provisions of section 20 of the RTI Act.

To settle the matter, which has taken undue delay, the PIO is directed to bring the entire record to the Commission on the next date of hearing. (PIO to reach Commission's office positively at 9.00 AM along with complete record for inspection of the appellant). The appellant is also directed to reach Commission's office at 9.00 AM to inspect the record. This is also the final opportunity being provided to the appellant to inspect the record.

The case is adjourned. To come up for further hearing on **27.10.2021 at 11.00 AM.**

Chandigarh
Dated 25.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 2527 of 2019

PRESENT: Sh.Parteek Soni as the Appellant
None for the Respondent

ORDER:

The appellant through RTI application dated 26.11.2018 has sought information regarding a number of allottees to whom possession has been given by GMADA under the scheme for the allotment of 235 plots in IT city Mohali and other information concerning the office of EO-GMADA Mohali. The appellant was not satisfied with the information provided by the PIO on 03.01.2019 after which the appellant filed first appeal before the First Appellate Authority on 17.01.2019 which disposed off the appeal on 27.03.2019 and PIO resent the information to the appellant.

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

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

On the date of hearing on **18.06.2020**, the appellant claimed that the information supplied by the PIO is incomplete. The Commission received a letter from the appellant vide which he had pointed out the discrepancy. A copy of the letter was attached with the order for the PIO and the PIO was directed to sort out the discrepancy. The appellant was also directed to contact the PIO and clarify the information that he exactly seeks. The PIO was directed to provide the information.

On the date of the last hearing on **10.03.2021**, the respondent informed that the information has been provided to the appellant. The appellant was absent and vide letter received in the Commission on 08.09.2020 informed that in spite of having personally met the PIO, the APIO-GMADA had sent a copy of the brochure instead of policy (agenda) framed before the release of the IT city scheme brochure.

Appeal Case No. 2527 of 2019

Since there has been an enormous delay of more than two years in providing the information, the PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.** The PIO was again directed to provide complete information within 10 days of the receipt of order.

Hearing dated 25.06.2021:

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

At the last hearing, due to an enormous delay of more than two years in providing the information, the PIO was issued a show-cause notice and directed to file a reply on an affidavit. The PIO was again directed to provide complete information within 10 days of the receipt of the order.

The PIO is absent nor has complied with the order of the Commission to file a reply to the show cause notice as well as to provide information.

Since the responsibility to ensure the timely transmission of correct information to the appellant lies on the PIO, the PIO-GMADA is hereby held guilty for not providing the information on time as prescribed under section 7, which is within 30 days of the receipt of the request. He is also held guilty of repeated defiance of the orders of the Punjab State Information Commission to provide the information. Moreover, the PIO has chosen not to reply to the show cause, which can be inferred that the PIO has nothing to say on the matter.

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

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-GMADA Mohali is directed to pay an amount of **Rs.2000/-** via demand draft 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.

The case is adjourned. To come up for further hearing on **27.10.2021 at 11.00 AM.**

Chandigarh
Dated 25.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864114, Email: - psicsic30@punjabmail.gov.in
Visit us: - www.infocommpunjab.com



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

... Appellant

Versus

Public Information Officer,
O/o GMADA,
Mohali.

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

...Respondent

Appeal Case No. 3481 of 2019

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

ORDER:

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

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

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

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

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

On the date of the last hearing on **10.03.2021**, the respondent present pleaded that the available information has been provided to the appellant and no other information is available and that as per the order of the Commission, an affidavit has been provided to the appellant. The appellant claimed that the information that has been provided is not as sought in the RTI application.

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

Hearing dated 25.06.2021:

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

The respondent has sought some more time and assured to provide the information within 15 days.

The PIO is given one last opportunity to provide information within 15 days and send a compliance report to the commission.

The case is adjourned. To come up for further hearing on **27.10.2021 at 11.00 AM.**

**Chandigarh
Dated 25.06.2021**

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

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



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

... Appellant

Versus

Public Information Officer,
O/o GMADA,
Mohali.

First Appellate Authority,
O/o GMADA,
Mohali.

...Respondent

Appeal Case No. 3896 of 2019

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

ORDER:

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

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

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

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

On the date of the last hearing on **10.03.2021**, the respondent pleaded that the information has been sent to the appellant on 06.08.2020. The appellant was absent.

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

Appeal Case No. 3896 of 2019

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

Hearing dated 25.06.2021:

The case has come up for hearing today through video conferencing at DAC Mohali. As per the respondent, the information has already been provided to the appellant on 06.08.2020.

The appellant is absent on 2nd consecutive hearing nor has communicated any discrepancies. It is presumed that the appellant has received the information and is satisfied.

However, as per the last order, the PIO has not filed a reply to the show-cause notice. The PIO is given one last opportunity to file a reply to the show cause notice otherwise it will be presumed that the PIO has nothing to say in the matter and the Commission will act against the PIO as per provisions of section 20 of the RTI Act.

To come up for further hearing on **27.10.2021 at 11.00 AM.**

Chandigarh
Dated 25.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner