

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:   None for the Appellant**  
**Sh.Gurvinder Singh PIO 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 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.

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.

**On the date of** last hearing on **25.06.2021**, as per the appellant, despite the order of the Commission to provide the information within 10 days, the PIO has not supplied the information.

The PIO was absent nor had 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 was 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 as well as repeated defiance of the orders of the Punjab State Information Commission, a penalty of **Rs.10,000/-** was imposed on the PIO-GMADA, and directed to produce a copy of the challan as evidence of depositing the penalty in the Govt Treasury.

The PIO-GMADA Mohali was also 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.

**Hearing dated 27.10.2021:**

**The** respondent present pleaded that in compliance with the order of the Commission, penalty amount of Rs.10000/- has been deposited in the Govt Treasury and a demand draft of Rs.2000/- bearing No.011029 dated 27.10.2021 drawn on IDBI Bank favouring Sh.Pardeep Soni has been got prepared and is being sent to the appellant.

The PIO has sent a copy of the challan and a copy of demand draft to the commission as a proof of having deposited the amount of penalty in the govt treasury as well as compensation being paid to the appellant which has been taken on the file of the Commission.

The appellant is absent nor is represented.

The PIO is directed to send demand draft to the appellant through registered post.

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

**Chandigarh**  
**Dated 27.10.2021**

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



Sh K N Singh, S/o Sh. Raghbir 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 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 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.

On the date of last hearing on **25.06.2021**, as per the appellant, the PIO had not provided the complete information.

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

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

**Hearing dated 27.10.2021:**

The respondent pleaded that the discrepancies as pointed out by the appellant has been sorted out and the remaining information has been provided to the appellant vide letter dated 22.10.2021 with a copy to the Commission through email.

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 of and closed**.

**Chandigarh**  
**Dated 27.10.2021**

**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 appellant through RTI application dated 12.07.2019 has sought information regarding maintenance of fund account of Purab Premium Apartment Mohali – purpose of maintenance, funds collected, bank statement and other information concerning the office of GMADA Mohali. The appellant was not satisfied with the reply of the PIO dated 02.08.2019 after which the appellant filed first appeal before the First Appellate Authority on 04.09.2019 which disposed off the appeal on 07.10.2019

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 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 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.

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.

On the date of last hearing on **25.06.2021**, as per the respondent, the information has already been provided to the appellant on 06.08.2020.

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

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

**Hearing dated 27.10.2021:**

The respondent present pleaded the information has already been provided to the appellant. The Commission has also received reply to the show cause notice which has been taken on the file of the Commission.

The PIO has stated in the reply that RTI application was transferred to concerned Superintendent-Estate officer(Housing) and Suptd.(Policy) u/s 5(4) and 6(3) on 28.11.2019 followed by reminders. Thereafter the information has been supplied to the appellant by Suptd.Estate Officer (Housing)GMADA on 06.08.2020.

I accept the plea of the PIO and drop the show cause.

Information stands provided. No further course of action is required.

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

**Chandigarh**  
**Dated 27.10.2021**

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