



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

... Appellant

Versus

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

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

....Respondent

Appeal Case No. 2700 of 2019

PRESENT: Sh.Hardeep Singh as the Appellant
Sh.Ashwinder Kumar, Agrl.Development Officer for the Respondent

ORDER:

The appellant through RTI application dated 22.04.2019 has sought information on 7 points regarding copy of receipt of payment of challan issued by Agriculture officer-cum-officer Punjab Pollution Control Board agriculture plot No.2 in village Nurpur and other information concerning the office of Punjab Pollution Control Board, Hoshiarpur. The appellant was not satisfied with the reply of the PIO dated 23.05.2019 after which the appellant filed a first appeal before the First Appellate Authority on 01.06.2019 which took no decision on the appeal.

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

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

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

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

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

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

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

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

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

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

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

On the date of the last hearing on **15.03.2021**, the respondent present from the Department of Agriculture informed that the original copy of information relating to point-3 is not available with them whereas the respondent present from the pollution control board claims that the original document is in the custody of the Agriculture Department.

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

A copy was marked to the PIO-cum-Chief Agriculture Officer, Department of Agriculture Punjab, Nawahshahar as well as PIO Pollution Board, Hoshiarpur with the direction to look into the matter immediately and ensure that the missing document is traced and a copy provided to the appellant. If not traced till the next hearing, the Commission will be constrained to mark this to the appropriate police authority for registration of an FIR regarding the missing document.

Hearing dated 30.06.2021:

The case has come up for hearing today through video conferencing at DAC Nawanshahar. The respondent present from the office of the department of agriculture pleaded that the information on point-3 has been supplied to the appellant and the appellant has received the same. The respondent has sent an acknowledgement of the appellant having received the information which has been taken on the file of the Commission.

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

**Chandigarh
Dated 30.06.2021**

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

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

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



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

...Complainant

Versus

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

.....Respondent

Complaint case No. 1003 of 2019

PRESENT: None for the Complainant
None for the Respondent

ORDER:

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

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

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

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

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

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

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

Complaint Case No. 1003 of 2019

On the date of hearing on 24.11.2020, the PIO was absent on the 4th consecutive hearing nor had provided the information. The PIO was issued a **show-cause notice under Section 20 of the RTI Act 2005 and directed to file reply on an affidavit.**

On the date of hearing on 01.02.2021, the PIO was again absent, nor has replied to the show-cause notice.

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

On the date of the last hearing on **15.03.2021**, Sh. Bawa Singh, SDO Sub-Division, PSPCL Sukhrampur appeared and submitted a reply to the show cause notice which was taken on the file of the Commission.

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

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

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

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

Hearing dated 30.06.2021:

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

I have gone through the reply to the show cause submitted by the PIO at the last hearing and find no malafide on the part of the PIO in attending to the RTI application since the RTI application was filed on 05.06.2019 and the first reply was dispatched on 03.07.2019. The show cause is dropped.

The earlier order stands.

No further course of action is required. The case is **disposed of and closed.**

Chandigarh
Dated:30.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1504 of 2019

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

ORDER: The appellant through RTI application dated 12.11.2018 has sought information regarding LOI issued, LOI withdrawn and allotment letters issued for 300 sq.yds plots for the period of the commencement of Gateway City Scheme in Mohali and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which he filed first appeal before the First Appellate Authority on 14.01.2019 which took no decision on the appeal.

The case has already been heard on 09.07.2019, 11.09.2019, 10.12.2019, 30.06.2020, 18.08.2020 & 15.03.2021.

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

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

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

On the date of hearing on **30.06.2020**, The appellant informed that the PIO neither provided the information and nor cooperate when he had gone to inspect the record on 23.12.2019 and 14.01.2020 as per the Commission's order dated 10.12.2019.

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

The respondent was directed to comply with the earlier order of the Commission and provide the information to the appellant within a week. Sh. Gulshan Kumar who was the PIO during the duration of these cases was directed to respond to the show cause.

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

Appeal Case No. 1504 of 2019

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

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

On the date of the last hearing on **15.03.2021**, the appellant claimed that the PIO has not provided the information. The respondent who appeared through video conferencing at DAC Mohali brought the information. Since the appellant was present at Chandigarh, the respondents were directed to bring the record to the Commission's office promptly, which they did. This was done to facilitate as early as possible the information to the appellant.

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

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

The case has come up for **hearing today**. The appellant is absent nor has communicated any discrepancies in the information that were submitted by the PIO in the Commission at the last hearing, a copy of which was sent to the appellant.

From the above-stated facts, it is concluded that the Commission has tried its best to help the appellant to procure all the information that the appellant had sought in the RTI application . The Commission in its effort to help the appellant procure all the information that had been sought allowed inspection of all the files, creation of information through various files on humanitarian grounds, ordered twice for the files to be brought to the commission, as well as issued a show-cause notice to bring to justice the concerned official if the commission felt that the information was being stalled malafidely or intentionally.

Since sufficient opportunity to provide information to the appellant has been provided but the appellant is absent on two occasions, I do not see any purpose in keeping this case open and calling the public authority again and again with the files to the Commission for inspection.

Given the above, the case is disposed of and closed.

The Commission has received reply from the PIO through email which has been taken on the file of the Commission. Having gone through the reply, and given the sequence of the events, I feel that the delay is caused by continuous disagreement between the appellant and the respondents regarding the exact nature of the information, for which the commission made every effort to bridge that gap. Hence I see no reason for action on the show-cause and the show cause is dropped in this case.

The case is **closed**.

Chandigarh
Dated:30.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1505 of 2019

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

ORDER:

The appellant through RTI application dated 10.11.2018 has sought information regarding Gateway City Scheme, Sector 118-119 SAS Nagar comprising landowner name, address, MOU with GMADA and other information concerning the office of GMADA Mohali. The appellant was not satisfied with the information provided by the PIO vide letter dated 17.12.2018 stating that they have not granted approval to Gateway CityScheme plan after which the appellant filed first appeal before the First Appellate Authority on 12.01.2019 which took no decision on the appeal.

The case has already been heard on 11.09.2019, 10.12.2019, 30.06.2020, 18.08.2020 & 15.03.2021.

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

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

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

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

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

The information had been provided. However, the reply to the show cause was not received. Sh.Gulshan Kumar who was the PIO during the duration of these cases was given one last opportunity to file reply to the show cause notice.

On the date of last hearing on **15.03.2021**, the respondent present pleaded that the information on point-7 has been provided to the appellant. The appellant had received the same. The appellant was present at Chandigarh and claimed that the PIO has not provided the information on point-1.

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

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

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

The case has come up for **hearing today**. The appellant is absent nor has communicated any discrepancies in the information that were submitted by the PIO in the Commission at the last hearing and a copy of which was sent to the appellant.

From the above-stated facts, it is concluded that the Commission has tried its best to help the appellant to procure all the information that the appellant had sought in the RTI application. The Commission in its effort to help the appellant procure all the information that had been sought allowed inspection of all the files, creation of information through various files on humanitarian grounds, ordered twice for the files to be brought to the commission, as well as issued a show-cause notice to bring to justice the concerned official if the commission felt that the information was being stalled malafidely or intentionally.

Since sufficient opportunity to provide information to the appellant has been provided but the appellant is absent on two occasions, I do not see any purpose in keeping this case open and calling the public authority again and again with the files to the Commission for inspection.

Given the above, the case is **disposed of and closed**.

The Commission has received reply from the PIO through email which has been taken on the file of the Commission. Having gone through the reply, and given the sequence of the events, I feel that the delay is caused by continuous disagreement between the appellant and the respondents regarding the exact nature of the information, for which the commission made every effort to bridge that gap. Hence I see no reason for action on the show-cause and the show cause is dropped in this case.

The case is **closed**.

Chandigarh
Dated:30.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1506 of 2019

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

ORDER:

The appellant through RTI application dated 13.11.2018 has sought information regarding ownership details of Gateway City Scheme, Sector 118-119 SAS Nagar comprising land ownership, registration of all land, mutation of land other information concerning the office of GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 15.01.2019 which took no decision on the appeal.

The case has already been heard on **11.09.2019, 10.12.2019, 30.06.2020, 18.08.2020 & 15.03.2021.**

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

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

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

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

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

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

Appeal Case No. 1506 of 2019

On the date of last hearing on **15.03.2021**, the respondent present pleaded that they contacted the concerned Tehsildar, who informed that the information can be provided only after the mutation number of the property is supplied by the patwari. However, as per appellant who was present at Chandigarh, the information was available in the concerned file of the department.

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

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

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

The earlier PIO Sh.Gulshan Kumar had not filed reply to the show cause notice. Sh.Gulshan Kumar, earlier PIO-GMADA was given one more opportunity to file reply to the show cause notice.

The case has come up for **hearing today**. The respondent has brought the record again to the Commission. The appellant is absent.

From the above-stated facts, it is concluded that the Commission has tried its best to help the appellant to procure all the information that the appellant had sought in the RTI application . The Commission in its effort to help the appellant procure all the information that had been sought allowed inspection of all the files, creation of information through various files on humanitarian grounds, ordered twice for the files to be brought to the commission, as well as issued a show-cause notice to bring to justice the concerned official if the commission felt that the information was being stalled malafidely or intentionally.

Since sufficient opportunity to provide information to the appellant has been provided but the appellant is absent on two occasions, I do not see any purpose in keeping this case open and calling the public authority again and again with the files to the Commission for inspection.

Given the above, the case is disposed of and closed.

The Commission has received reply from the PIO through email which has been taken on the file of the Commission. Having gone through the reply, and given the sequence of the events, I feel that the delay is caused by continuous disagreement between the appellant and the respondents regarding the exact nature of the information, for which the commission made every effort to bridge that gap. Hence I see no reason for action on the show-cause and the show cause is dropped in this case.

The case is **closed**.

Chandigarh
Dated:30.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner



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

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1507 of 2019

PRESENT: None for the Appellant
Sh.Gurvidner Singh, PIO- GMADA for the Respondent

ORDER:

The appellant through RTI application dated 16.01.2018 has sought information regarding complete file noting from date of opening office to 16.01.2019 for application form No.9069, Gateway – General plot sixe 331 sq.yds in name of Bikram Singh of Gateway City Scheme Sector 118-119 Mohali and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 22.02.2019 which took no decision on the appeal.

The case has already been heard on **11.09.2019, 10.12.2019, 30.06.2020, 18.08.2020 & 15.03.2021.**

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

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

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

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

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

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

Since the PIO had failed to comply with the order of the Commission, the compensation amount was enhanced from Rs.5000/- to Rs.10000/- and the PIO was directed to duly comply with the order of the Commission and submit proof of having compensated the appellant. The PIO was also directed to file reply to the show cause notice.

On the date of last hearing on **15.03.2021**, the respondent present pleaded that the compensation amount of Rs.10000/- has been paid to the appellant vide demand draft No.069918 dated 16.09.2020. The appellant who was present at Chandigarh informed that he has received the compensation amount. The appellant however claimed that the PIO has not provided the information.

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

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

The respondent submitted information to the Commission which was taken on the file. A copy of submitted information was sent to the appellant alongwith the order.

The case has come up for **hearing today**. The appellant is absent nor has communicated any discrepancies in the information that were submitted by the PIO in the Commission at the last hearing and a copy of which was sent to the appellant.

From the above-stated facts, it is concluded that the Commission has tried its best to help the appellant to procure all the information that the appellant had sought in the RTI application. The Commission in its effort to help the appellant procure all the information that had been sought allowed inspection of all the files, creation of information through various files on humanitarian grounds, ordered twice for the files to be brought to the commission, as well as issued a show-cause notice to bring to justice the concerned official if the commission felt that the information was being stalled malafidely or intentionally.

Since sufficient opportunity to provide information to the appellant has been provided but the appellant is absent on two occasions, I do not see any purpose in keeping this case open and calling the public authority again and again with the files to the Commission for inspection.

Given the above, the case is disposed of and closed.

The Commission has received reply from the PIO through email which has been taken on the file of the Commission. Having gone through the reply, and given the sequence of the events, I feel that the delay is caused by continuous disagreement between the appellant and the respondents regarding the exact nature of the information, for which the commission made every effort to bridge that gap. Hence I see no reason for action on the show-cause and the show cause is dropped in this case.

The case is **closed**.

Chandigarh
Dated:30.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
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Sh.Jatinder Singh, S/o Sh.Bakhsish Singh,
R/o 5777-B, Sector-38 (West),
Chandigarh.

... Appellant

Versus

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

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

...Respondent

Appeal Case No. 1508 of 2019

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

ORDER:

The appellant through RTI application dated 11.11.2018 has sought information regarding plot No.673, size 300 sq.yds Gateway City Scheme, Sector 118-119 SAS Nagar comprising original allottee, cancellation of allotment and other information concerning the office of GMADA Mohali. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 13.01.2019 which took no decision on the appeal.

The case has already been heard on 11.09.2019, 10.12.2019, 30.06.2020, 18.08.2020 & 15.03.2021.

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

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

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

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

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

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

On the date of hearing on **18.08.2020**, the respondent present informed that the plot was not allotted earlier and the information does not exist. The PIO was directed to relook at the RTI and send reply on an affidavit. The reply be sent within 15 days.

On the date of last hearing on **15.03.2021**, the appellant was present at Chandigarh and claimed that the PIO has not provided the information/affidavit as per order of the Commission.

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

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

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

The case has come up for **hearing today**. The appellant is absent nor has communicated any discrepancies in the information that were submitted by the PIO in the Commission at the last hearing and a copy of which was sent to the appellant.

From the above-stated facts, it is concluded that the Commission has tried its best to help the appellant to procure all the information that the appellant had sought in the RTI application. The Commission in its effort to help the appellant procure all the information that had been sought allowed inspection of all the files, creation of information through various files on humanitarian grounds, ordered twice for the files to be brought to the commission, as well as issued a show-cause notice to bring to justice the concerned official if the commission felt that the information was being stalled malafidely or intentionally.

Since sufficient opportunity to provide information to the appellant has been provided but the appellant is absent on two occasions, I do not see any purpose in keeping this case open and calling the public authority again and again with the files to the Commission for inspection.

Given the above, the case is disposed of and closed.

The Commission has received reply from the PIO through email which has been taken on the file of the Commission. Having gone through the reply, and given the sequence of the events, I feel that the delay is caused by continuous disagreement between the appellant and the respondents regarding the exact nature of the information, for which the commission made every effort to bridge that gap. Hence I see no reason for action on the show-cause and the show cause is dropped in this case.

The case is **closed**.

Chandigarh
Dated:30.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

PUNJAB STATE INFORMATION COMMISSION
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Smt. Balwinder Kaur,
H No-195/2, Sec-45-A,
Chandigarh.

....Appellant

Vs

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

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

....Respondent

Appeal Case .No. 4700 of 2019

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

ORDER:

The appellant through RTI application dated 27.09.2019 has sought information regarding notification/decision to levy water charges Rs.25058/- which were deposited on 23.01.2018 for basement of plot No.5402 block-F Aerocity Mohali, and other information concerning the office of GMADA Mohali. The appellant was not provided with the information after which the complainant filed first appeal before the First Appellate Authority on 22.10.2019 which took no decision on the appeal. After the first appeal, the PIO sent information to the appellant vide letter dated 04.12.2019. Being not satisfied with the information, the appellant file 2nd appeal in the Commission on 18.12.2019.

On the date of first hearing on 08.06.2020, both the parties were absent. The case was adjourned.

On the date of hearing on **27.07.2020**, due to a problem with the internet, the video conferencing could not take place.

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

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

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

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

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On the date of last hearing on **15.03.2021**, as per respondent, the discrepancies pointed out by the appellant had been sorted out and the complete information had been provided to the appellant.

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

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

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

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

Hearing dated 30.06.2021:

The case has come up for hearing today. The respondent present pleaded that the information has been provided and the appellant has acknowledged having received the information and is satisfied.

The Commission has received an email from the appellant through pointing out the discrepancies, which have been carefully evaluated.

Having gone through the facts of the file and the comments of the appellant while receiving the information from the respondent, I am of the view that the RTI has been sufficiently replied to, and that the appellant has shown satisfaction while receiving the information.

As for point-4 where the respondent has not filed the affidavit that all the orders of PUDA are being implemented by each authority under PUDA including GMADA, and there exists no separate order for the sought information, the PIO is directed to send an affidavit for the same to the appellant within 15 days.

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

Chandigarh
Dated 30.06.2021

Sd/-
(Khushwant Singh)
State Information Commissioner