

Appeal No. 0119/2019-20

**STATE INFORMATION COMMISSION
HIMACHAL PRADESH,
KEONTHAL COMPLEX, SHIMLA-2**



Before: Sh. Sushil Chandra Srivastava, SIC

Date of Institution: 25/06/2019

Date of Decision: 14/11/2019

**Appellant: Shri Ram Lal, Vill. Sharde ki Nali, PO
Kakdhatti, Tehsil & Distt. Solan HP-
173206**

Present

Vs

**Respondent: Shri Hem Chand Thakur,
PIO-cum-Panchayat Secretary, Gram
Panchayat Kakdhatti, Development
Block, Solan, Distt. Solan HP**

Present

ORDER

This is second appeal dated 12.06.2019 vide which the appellant has prayed that he be provided information as sought vide his RTI application dated 16.03.2019. Both the parties are present.

2. During the hearing, the PIO stated that he has received RTI application on its transfer from PIO-cum- Suptd. Gr-II, Development Block Solan under section 6(3) of the RTI Act on 12.04.2019 and

accordingly he sought additional fee from the appellant vide letter dated 30.04.2019 which was not deposited by the appellant and hence the information was not provided. The PIO also stated that there is no record with regard to resolution passed by Panchayat regarding lease of land in favour of Shri Sunder Lal for the year 1975 to 1980 and the copy of Parivar Register was ready and will be provided after realizing the additional fee.

3. The appellant stated that he had already deposited Rs. 50 along with the RTI application but still the information was not provided by the PIO and prayed that the sought for information be provided.

4. After hearing both the parties carefully and perusing the record, the Commission feels that not providing the information by the PIO on the grounds that the additional fee was not paid by the appellant is not correct. The appellant had already made enough payment along with his RTI application which would have covered the requisite additional fee. As such the PIO should have provided the information earlier. Further, the Commission also feels that if the land was given on lease then resolution of Panchayat should be available in record. As such the Commission now directs the PIO to provide the copy of Parivar Register to the appellant

and also an affidavit to the effect that sought for Panchayat Resolution is available on record to the appellant with the copy to the Commission free of cost within seven days and give compliance to the Commission. With these directions and observations, this second appeal is disposed off. Inform the parties accordingly.

(Sushil Chandra Srivastava)
State Information Commissioner,
Himachal Pradesh, Shimla.

Place. Shimla
Dated: 14/11/2019