

Appeal No. 0121/2019-20

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



Before: Sh. Sushil Chandra Srivastava, SIC

Date of Institution: 25/06/2019

Date of Decision: 22/11/2019

**Appellant: Shri Baldev Dass Moudgil, VPO Ukhil,
Tehsil & Distt. Hamirpur HP-176042**

Present

Vs

**Respondent:1. Shri Ramesh Chand,
PIO-cum- Panchayat Secretary, GP
Ukhli Development Block, Bhoranj,
Distt. Hamirpur HP**

Present

ORDER

This is second appeal dated 17.06.2019 in reference to the RTI application dated 26.02.2019 vide which the information on 6 points was sought. The PIO responded to the RTI application vide letter dated 25.03.2019. Not satisfied with the information provided, the appellant filed first appeal dated 08.04.2019 which was decided on 14.05.2019. Still aggrieved, he filed the present second appeal on 17.06.2019.

2. During the hearing, the appellant stated that he has not been provided information with regard to point number 1, 2 & 3 of his RTI application which is as under:---

- “Copy of letter number nil dated 07.02.2014.
- Copies of Four letters received by Panchayat as mentioned in this letter.
- Copy of my letter dated 18.08.2016 vide which the information was submitted in Feb. 2016.”

He further exhibited copy of the letter dated 07.02.2014 & 22.04.2014 which were written by the Pradhan of GP Ukhli, Development Block Bhoranj, Distt. Hamirpur copy of which he was seeking from the PIO. The PIO stated that the said letter are not in his record and the 4 letters as mentioned in letter dated 07.02.2014 are also not available in his office. He further added that the letter which the appellant has exhibited were probably given directly to the appellant by the then Pradhan of GP Okhli and there is no record of the said letters in his office.

3. After hearing both the parties in detail and perusing the case file, the Commission feels that the two letters that were exhibited by the appellant at the time of hearing appear to be official documents and as such the copy of the same should be available

in the office record. The Commission, therefore, directs the PIO to either provide the copy of the said letter or to give an affidavit to the appellant to the effect that the same are not available in records and the copy of the affidavit be given to the Commission as well. The Compliance as above be given within ten days.

4. Further, the matter with regard to non maintenance of proper record by the PIO-cum-Panchayat Secty. Ukhli is brought to the notice of Deputy Commissioner Hamirpur for appropriate action. The appellant can also take up the matter of missing letters administratively with the appropriate authorities. With these observations and directions, the case is disposed off. Inform the parties accordingly.

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

Place. Shimla
Dated: 22/11/2019