

Appeal No. 0008/2019-20

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



Before: Sh. Sushil Chandra Srivastava, SIC

Date of Institution: 04/04/2019

Date of Decision: 07/08/2019

**Appellant: Shri Sunil Kumar, S/o Shri Kanshi Ram,
Village Shilidhar, PO Tandi, Sub Tehsil
Nither, Distt. Kullu, HP**

Present

Vs

**Respondent: Shri Raj Kumar,
PIO-cum-Panchayat Secretary,
Gram Panchayat Palehi, Development
Block Anni, Distt. Kullu, HP**

Present

ORDER

Case called. Both the parties are present. The reply to the notice has been given, which is taken on record. The RTI application was filed on 12.03.2018 which was received on 21.03.2018. The PIO responded to the RTI application vide letter dated 28.03.2018. Aggrieved with the response of the PIO, the appellant filed first appeal with the First Appellate Authority on 07.07.2018. The first appeal was decided on 31.07.2018. Still aggrieved, the appellant filed the present appeal.

2. During the hearing the appellant stated that he has not been provided any information or the

orders of the First Appellate Authority. The PIO stated that the RTI application was responded vide letter dated 28.03.2018, which was received by the appellant's wife. The PIO also stated that as the information sought for was voluminous, the appellant was asked to inspect the record vide letter dated 23.08.2018, which was sent through ordinary post. He further added that as no response was received from the appellant, the said letter was again sent to the appellant through a registered post on 28.12.2018. The appellant responded to this by stating that he has not received letter dated 28.03.2018 and 23.08.2018, but subsequently got letter dated 23.08.2018 on 03.01.2019 when the same was sent through registered post. The PIO stated that the appellant had sought information on different subjects and for different years vide his single RTI application and accordingly, he was asked to file separate applications on each subject and for each year to which the information relates, as provided, in Rule 3(2), of the HP RTI Rules, 2006. He further added that the first appeal was heard, but the orders on the same have not been conveyed to the parties.

3. After hearing both the parties in detail and examining the case file, it is observed that the appellant was responded by the PIO, within stipulated period as provided in the Act. Further, the

Commission feels that the appellant was rightly asked by the PIO to apply separately on each subject and for each year to which the information pertains, which the appellant failed to comply with. The Commission also feels that the PIO should have provided atleast information with regard to one subject and for one year in the first instance which the PIO did not do. The PIO has erred to that effect and is cautioned to be careful in future. Further, the Commission also feels that apparently the PIO had informed the appellant about inspection of record and also about filing separate applications which the appellant has not done. The Commission now directs the PIO to provide information with regard to point No.1 of his RTI application, for one year within one week from the date of receipt of this order, free of cost, and send compliance to the Commission. Further, if the appellant desires to have information with regard to point No.2 of his RTI application, which is of different subject, then he can file fresh RTI application with the appropriate authority. With these observation and directions, the case is being disposed off. Inform both the parties accordingly.

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

Place. Shimla
Dated: 07/08/2019