

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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CWP-2711-2019

Date of decision: 31.01.2019

PARMOD KUMAR

...PETITIONER

VS.

STATE INFORMATION COMMISSION HARYANA AND ORS.

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rajneesh Saini, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court impugning the order dated 01.05.2018 (Annexure P-6) passed by the State Information Commission, Haryana, whereby the petitioner has been penalized an amount of ₹25,000/- for having not supplied the information to respondent No. 6 within the stipulated period under the Right to Information Act and there has been inordinate and unexplained delay on the part of the petitioner.

It is the contention of the learned counsel for the petitioner with reference to the satisfaction, which has been expressed by respondent No. 6 on 07.03.2018, with regard to the information which was available in the office of the petitioner and, therefore, the Commission should not have proceeded to impose penalty upon the petitioner. He further contends that the order, which has been passed by the Commission especially in the light of the fact that respondent No. 6 was satisfied with the information, which has been supplied, cannot sustain and deserves to be set aside.

I have considered the submissions made by the learned counsel for the petitioner and with his assistance, have gone through the impugned

order.

The facts in this case are not disputed. The application under the Right to Information Act for supplying information was submitted on 18.04.2017 by respondent No. 6. The said application remained pending till the information was supplied by the petitioner on 07.03.2018 and on which date, respondent No. 6 had showed his satisfaction with regard to the information relatable to the office of the petitioner. It is also an admitted fact that the petitioner was appointed as the State Public Information Officer on 01.09.2017 and continued up to the passing of the order by the State Information Commission on 01.05.2018 (Annexure P-16). Even if the period is taken into consideration from the date of responsibility having been given to the petitioner of the State Public Information Officer i.e. 01.09.2017 till the date of information supplied by him to the satisfaction of respondent No. 6 i.e. 07.03.2018, the period is much more than as permissible under the Right to Information Act. The State Information Commission, while passing the impugned order, has taken this aspect also into consideration and has rightly proceeded to impose the penalty of ₹25,000/- upon the petitioner. The order, as passed by the State Information Commission, impugned herein, being in accordance with law does not call for any interference by this Court.

The writ petition being devoid of merit stands dismissed.

January 31, 2019

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No