

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CIVIL WRIT PETITION NO.20174 of 2019
DATE OF DECISION: JULY 24, 2019

Sandhya Suman

.....Petitioner

VERSUS

State of Haryana and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Ms. Tarunpreet Kaur, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this writ petition is to the order dated 24.06.2019 (Annexure P-17) passed by the State Information Commission, Haryana-respondent No.2, whereby penalty of ₹25,000/- has been imposed upon the petitioner for having not forwarded the application to the concerned SPIO for furnishing information as sought for by applicant-respondent No.4-Ajay Kumar on the points.

Perusal of the facts indicate that an application under the Right to Information Act, 2005 (for short, “the 2005 Act”) was submitted on 24.06.2018, which was initially replied by the petitioner on 21.07.2018, stating therein that being Principal of the Government Girls Senior Secondary School, Meham, Rohtak, she could not supply the information which is not available with her. However, for the points, which did not relate to her office, as per the provisions of the 2005 Act, she, on receipt of the application on 24.06.2018, was mandated to transfer the same to the concerned SPIO, who in the present case is the District Education Officer,

Rohtak, for furnishing information on those points. The petitioner, however, has failed to do so, resulting in inordinate delay in supplying the information to respondent No.4, as it is apparent that the application was transferred by the petitioner on 31.10.2018. The delay of more than three months clearly indicates inaction and non-compliance of the strict provisions of the 2005 Act. The punishment as imposed by the State Information Commissioner, Haryana, is in consonance with the provisions of the 2005 Act, which do not call for any interference by this Court.

The writ petition, therefore, stands dismissed.

July 24, 2019
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(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No