

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

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**CIVIL WRIT PETITION NO.37991 OF 2018
DATE OF DECISION: JANUARY 14, 2019**

Sh.Vijay Mohan Siyal

.....Petitioner

VERSUS

Commissioner, State Information Commission, Haryana, Chandigarh and
another

....Respondents

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

Present: Mr. Paramjit Singh Jammu, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASI, J. (ORAL)

Petitioner has approached this Court, challenging the order dated 04.10.2018 (Annexure P-9) passed by the Commissioner, State Information Commission, Haryana-respondent No.1, whereby penalty of ₹25,000/- and compensation of ₹5,000/- has been imposed upon him.

It is the contention of learned counsel for the petitioner that the petitioner had supplied the information to respondent No.2 immediately on receipt of the information from the officials. He further states that there is not much delay on the part of the petitioner in supplying the information. He, with reference to letter dated 01.06.2017 (Annexure P-2), contends that delay on the part of the petitioner, if any, is of only 1 month and 20 days, for which the penalty as well as compensation has been imposed upon him.

That apart, he asserts that respondent No.2 was fully satisfied with the

information supplied to him and in this regard the Deputy Commissioner-cum-Ist Appellate Authority had so observed in his order passed on 13.06.2017 (Annexure P-4) while disposing of the appeal. In support of this contention, he has placed reliance upon the statement of respondent No.2 dated 24.10.2017 (Annexure P-7). Still respondent No.2 has preferred a second appeal before the State Information Commission, Haryana and the said Commission has proceeded to impose a penalty and compensation upon the petitioner as some information was supplied only on 27.10.2017, which was taken as the date of supplying the information to respondent No.2. He, thus, contends that the order passed by the State Information Commission, Haryana, dated 04.10.2018 (Annexure P-9) deserves to be set-aside.

I have considered the submissions made by learned counsel for the petitioner and with his assistance have gone through the records of the case.

As regards the information, Annexure P-2, is concerned, on the last date of hearing, counsel for the petitioner had sought an adjournment to place on record the communication, which was sent to respondent No.2 and receipt thereof. He very fairly states that he has not got any receipt in this regard. With reference to statement given by respondent No.2 before the Appellate Authority, the same would not satisfy the contention as has been raised by counsel for the petitioner. The order passed by the State Information Commission in detail deals with the aspect of delay on the part of the petitioner. The information ultimately, in pursuance to the application submitted by respondent No.2 on 10.03.2017, had been supplied on 27.10.2017, which may be relatable to one of the point i.e. point No.2 of the application. However, that would not make much of the difference as the

complete information was ultimately supplied on 27.10.2017.

In view of the above, this Court does not find any reason to interfere in the order passed by the State Information Commission as there is a delay of more than six months in supplying the complete information as had been sought by respondent No.2.

The writ petition, therefore, stands dismissed.

January 14, 2019
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

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