

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,

Sector 16, Chandigarh.

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Whatsapp No. 62848-20189



Ms Promila Sharma,
W/o Sh. Rajinder Kumar,
R/o House No 166,
Street No 1/B, Shalimar Nagar,
Hoshiarpur-146001

Appellant

Vs

Public Information Officer,
O/o DEO (SE), Hoshiarpur.

First Appellate Authority,
O/o DEO (SE), Hoshiarpur.

Respondents

Appeal Case No. 4173/2022
(Video Conference Proceeding)

Present: None on behalf of the appellant.
Sh. Dhiraj Vashisth, APIO.

Order

The RTI Application is dated 2.6.2022 vide which the appellant has sought information as enumerated in his RTI Application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 8.7.2022 and Second Appeal was filed in the Commission on 7.9.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today i.e. 20.10.2022.

2. The appellant has sent a letter through email showing her inability to attend the hearing due to some urgent work and informed the Commission that she has received the information pertaining to point no. 1 and 3. She has further written that the respondent has sent the inquiry report but concerned documents have not been sent along with the inquiry report pertaining to point no. 2. She has requested to direct the PIO to supply her complete information pertaining to point no. 2. The email sent by the appellant to the Commission is taken on record.

3. The APIO states that information has been provided to the appellant. The APIO states that the appellant has not clarified regarding the documents sought by her along with the Inquiry report. The APIO assures the Commission that requisite documents, if any will be sent to the appellant after clarifying from her within 10 days pertaining to point no. 2.

4. In view of the above, the respondent PIO is hereby, directed to supply the sought documents enclosed with the Inquiry report pertaining to point no. 2 of the RTI application of the appellant by applying section 10 of RTI Act, 2005 which is reproduced as below:

" 10 (1) Where a request for access to information is rejected on the ground that it is in relation to information which is exempt from disclosure, then, notwithstanding anything contained in this Act, access may be provided to that part of the record which does not contain any information which is exempt from disclosure under this Act and which can reasonably be severed from any part that contains exempt information.

(2) Where access is granted to a part of the record under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall give a notice to the applicant, informing—

(a) that only part of the record requested, after severance of the record containing information which is exempt from disclosure, is being provided;

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(b) the reasons for the decision, including any findings on any material question of fact, referring to the material on which those findings were based;
(c) the name and designation of the person giving the decision;
(d) the details of the fees calculated by him or her and the amount of fee which the applicant is required to deposit; and
(e) his or her rights with respect to review of the decision regarding non-disclosure of part of the information, the amount of fee charged or the form of access provided, including the particulars of the senior officer specified under sub-section (1) of section 19 or the Central Information Commission or the State Information Commission, as the case may be, time limit, process and any other form of access. "

5. That no more cause of action remains left in this case. Hence this case is disposed of and closed. However, the appellant is at liberty to contact the Commission within two weeks from issue of this order if she does not receive the requisite documents from the APIO pertaining to point no. 2.

Dated 20.10.2022

@s

(Suresh Arora)

Chief information Commissioner, Punjab