



Sh. Lajpat Rai, S/o Sh.HarbansLal,
H No-B-3/287, Romana Street,
Jaito, Distt. Faridkot.

... Appellant

Versus

Public Information Officer,
O/o Deputy Director,
Local Audit, Bathinda.

First Appellate Authority,
O/o Deputy Director,
Local Fund, Bathinda.

...Respondent

Appeal Case No. 2646 of 2020

PRESENT: None for the Appellant
Sh.Rakesh Sharma, DCFA for the Respondent

ORDER:

The appellant through RTI application dated 24.01.2020 has sought information regarding a copy of the letter including enquiry report sent by Head office Examiner (Sharanjeet Singh) Local Fund Account Chandigarh-letter No.5 dated 30.01.2019 and 21.02.2020 filed against MC Jaitu and other information as enumerated in the RTI application concerning the office of Deputy Director, Local Audit, Bathinda. The appellant was not satisfied with the reply of the PIO dated 18.02.2020 after which the appellant filed a first appeal before the First Appellate Authority on 20.02.2020 which took no decision on the appeal.

The case was first heard on 23.03.2021. The respondent present sought some more time to provide the information on the plea that some of the information has to be collected from their Head Office and since the head office is closed due to some staff members testing positive for COVID-19, the information has been delayed.

Having gone through the RTI application, the Commission observed that a lot of information that the appellant had asked was merely an allegation of fraud and in question form. Section 2 of the RTI Act clearly defines "information" to include "any material in any form, including records, documents, memos, e-mails, opinions, advice, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force".

The Commission directed the PIO to go through the RTI application and provide only that information, which constitutes the information under the RTI Act. The information will be provided within 15 days with a compliance report to the Commission.

On the date of the hearing on **11.05.2021**, the respondent was absent. The appellant claimed that the PIO has not provided the information. The PIO was directed to comply with the earlier order of the Commission and send the information to the Commission which will be further sent to the appellant.

On the date of last hearing on **18.08.2021**, the appellant claimed that the PIO has not supplied the information.

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The respondent present informed that the information regarding points 1,2,5 & 9 relates to them and other information relates to MC Jaito.

Having gone through the RTI application and hearing both the parties, the following was concluded:

- Point-1 - The PIO to procure the information from the concerned office and provide it to the appellant
- Point-2,4,5,9 - Relates to the audit section, Bathinda. PIO to provide information
- Point-7 - PIO to provide observation and file an appropriate reply
- Point-8 - Appellant to specify the information and the PIO to provide the same.
- Point-3,6&10 - To transfer the RTI application to NC Jaito. PIO-NC, Jaito to provide the information

The PIO was directed to provide information within 15 days and send a compliance report to the Commission. The PIO-NC Jaito was impleaded in the case and directed to provide the information on the points concerning them.

Hearing dated 23.11.2021:

The case has come up for hearing today through video conferencing at DAC Bathinda/Faridkot. The respondent present informed that in compliance with the order of the Commission, the information on points 1, 2,4,5,7 & 9 has been supplied to the appellant vide letter dated 27.08.2021 and regarding information on points 3,6 & 10, the RTI application has been transferred to NC Jaito vide letter dated 18.08.2021. However, since the appellant has not specified point-8, the information has not been provided.

The respondent from NC-Jaito is absent nor is represented.

The appellant is also absent nor has communicated any discrepancies.

Since the information on points 1,2,4,5,7 & 9 has been provided and the for the rest of the points (3,6 & 10) the application has been transferred to PIO -NC Jaito no interference of the Commission is required.

However, the PIO-NC Jaito is directed to provide information to the appellant on points (3,6&10) of the RTI application transferred by the PIO-Regional Dy Director, Local Audit, Bathinda vide letter dated 18.08.2021 with a copy to the Commission.

With the above order, the case is **disposed of and closed**.

Chandigarh
Dated 23.11.2021

Sd/-
(Khushwant Singh)
State Information Commissioner

CC to: PIO-EO, NC Jaito