**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. H.S. Hundal,

Chamber No.82, District Courts,

Sector-76, S.A.S. Nagar Appellant

Versus

Public Information Officer,

O/o Asstt. Excise & Taxation Commissioner, (Mobile Wing),

SCO No.9-10, Sector-68, S.A.S. Nagar.

First Appellate Authority

O/o Deputy Excise & Taxation Commissioner, Ropar Respondents

**APPEAL CASE NO.1103 of 2016**

**Date of RTI Application : 04.01.2016**  **Date of First Appeal : 07.02.2016**

**Date of order of FAA : Nil**

**Date of Second Appeal : 16.03.2016**

**Present:** None on behalf of the Appellant.

1. Smt. Kiran Sharma, APIO, O/o AETC, Mobile Wing,

2. Sh. Aman Puri, Excise & Taxation Inspector, Mohali – for Respondents.

**ORDER**

The bench had observed as under on 19.07.2017 :

*“This is a long standing case. Original application was filed on 04.01.2016. Its perusal suggests that the appellant had sought to know the suo-moto actions having been taken by the respondents in pursuit of their mandatory obligations as envisaged under Section 4(b) of the Act.*

*The respondents in their reply have assigned motives to the appellant for seeking such an innocuous information. So much so they allege that information has been asked to settle some scores. This is beyond the comprehension of this bench.*

*Even in his order the First Appellate Authority has simply decided the matter by maintaining that the provisions are being observed meticulously in the office of the Assistant Excise & Taxation Commissioner, Punjab, Chandigarh at Mohali. A separate window for receiving the applications has been provided.*

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*We find that such a wishy-washy observations does not serve their cause. The Act puts an obligation on the respondents to disseminate information at regular intervals through various*

*means of communications so that it is available to the citizens without making any formal application. We believe that the respondents have their website with the requisite information available on it. The respondents are advised to apprise the appellant forthwith of the same under intimation to the Commission. Simultaneously they are directed to ensure that the same is updated.*

*The plea taken by the respondents and the various judgments invoked do not serve their cause as the issue involved is basic i.e. in the implementation of RTI Act in its right earnest.”*

The case has been taken up today. The appellant is absent. The respondents have submitted a written reply which has been taken on record. They have mentioned that the information which they are obliged to make public under Section 4 of the Act, by and large, is available on the website of the Department i.e. [www.pextax.com](http://www.pextax.com) under the icon “RTI ACT”.

Regarding the information sought for in Point B and C of his application the same is not available in the form that is being sought by the appellant. Since it is not available, obviously it cannot be provided to him. They are also not obliged to cull out and collate it as has been observed by Hon’ble Supreme Court of India. They finally submit that no information with reference to his application has been withheld in terms of the RTI Act. They plead to dispose of the appeal accordingly.

The Commission has considered the reply of the respondents and the submission made by the appellant. The appellant instead of arguing on the merits of the case has only questioned the bonafide of the bench which this forum is not obliged to comment upon. He has failed *Contd..page…3*

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to point out any infirmity specifically in the order passed by the First Appellate Authority. We feel from the perusal of the written statement filed by the appellant on 29.08.2017 that available information with the respondents has been provided. The order passed in the first appeal is thus upheld. The second appeal accordingly is **dismissed.**

Sd/- Sd/-/-

**29.08.2017 (Pawan Kumar Singla)**  **(Yashvir Mahajan)**

**S.I.C.** **S.I.C.**

**CC: PS to Sh. Pawan Kumar Singla, Ld. SIC for the kind information of SIC.**