

Before Sandeep Kumar (HAS) 1st Appellant Authority ( under RTI Act)-  
cum-Director, Town & Country Planning Deptt., H. P. Shimla-171009.

Appeal No. 1/2014

Date of Decision: 29-05-2014

I.D. Gupta,  
Vill. & P.O. Salogra,  
Teh. & Distt. Solan,  
H.P. Shimla-9. (Appellant).

Vs

PIO-cum-State Town Planner,  
Town & Country Plg, Deptt.,  
H.P. Shimla-9. Respondent

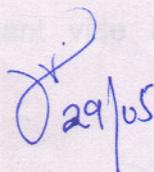
### Order

The present RTI appeal dated 14-04-2014 was diarised in this office on 21-04-2014. The brief contents of appeal are that

The applicant had submitted an application dated 24-01-2014 to the O/o Secretary(UD). The application was forwarded to the PIO O/o the Director(TCP). HP.

The following discrepancies have been alleged in the action of PIO:.

- i) The photostat copies of the circular as sought were not duly authenticated violating sub sec2 of sec.-5 of HP-RTI Rules, 2006.
- ii) The reply for point No-2 of application under RTI has inadvertently been sent . Instead of sending relevant information, the PIO sent the copy of demand letter of requisite fee (already sent on 24-2-2014 to the applicant).

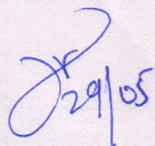
  
29/05

The applicant has sought following relief in appeal.

- i) The authenticated copy of notification dated 21-01-2014 be provided as per Point 1.
- ii) The authenticated copy of circular be provided which was not sent so far as per Point 2.
- iii) The appellant be compensated for harassment (physical, mental and monetary). He had to hire a taxi to visit Shimla (if summoned for hearing) for him and his attendant. The appellant is an old man of 70 years, a chronic patient of atheistic, diabetes and prostate gland Enlargement and tackling frequent mobility.
- iv) The dealing assistant in the PIO's office be warned to be serious at least in RTI matters and to refrain from giving irresponsible and irrelevant replies to information seekers and causing inordinate . Delay in providing information to the public.

The case was listed for hearing on 12-05-2014. But due to the deployment of undersigned as Election Observer in General Election 2014, case could not be heard on aforesaid date. Finally both the parties were heard on 29-05-2014.

It was revealed after examining the record that the appellant had filed an RTI application dated 24-01-2014 before the Secretary (UD) to the Govt. of Himachal Pradesh, Shimla-2. The aforesaid RTI application was transferred to the Director (TCP) vide letter dated 7-02-2014 by Secretary(TCP), which was received in the office of Director(TCP) on dated 15-02-2014. PIO-cum-State Town Planner o/o Director(TCP) Shimla requested to applicant vide letter No. 24-02-2014 to the applicant to deposit additional fee, which was deposited by the applicant vide his letter dated 1-03-2014 which received in the office of

  
29/05

Director(TCP) on dated 7-03-2014. Final information was sent vide letter dated 15-03-2014 to the appellant.

Appellant is aggrieved that information supplied against Point No. 1 is un-authenticated. The scrutiny of record proves this contention of the appellant. Secondly, appellant has submitted that the information supplied against Point No. 2 is irrelevant. The examination of record proves that aforesaid part of information is not as per the record of office as is relevant to information sought vide point No. 2 by the appellant.

Negligence & slackness on the part of PIO is proved. PIO is directed to supply the correct information after due authentication against Point No.1 & 2 as per the original RTI application within a week's time from the date of receipt of this order. If any of the parties is not satisfied with this order, he has a right to prefer an appeal before the State Information Commission, Mazitha House, Shimla-2.

A copy of the order be endorsed to both the parties.

*29/05*  
( Sandeep Kumar)

1st Appellant Authority(RTI Act)  
-cum- Director,  
Town & Country Planning Deptt.,  
H. P. Shimla-171009.

No . HIMITP (RTI) 2014-1389-90 Dated: - 30-05-2014.

- 1) Copy forwarded to Sh. J. D. Gupta, VPO, Salogae, Teh & Distt. Solan (HP) for information, please.
- 2) Copy forwarded to the PIO -cum- State Town Planner, Town & Country Plg. Deptt., H.P. Shimla-9.

*Shah*  
( Vinod Pathania )  
P.A to  
Director,  
Town & Country Plg. Deptt.  
H.P. Shimla-9.