

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

Civil Writ Petition No.16419 of 2011

Date of Order: 05.09.2011

Randhir Singh Saroha

...Petitioner

Versus

**State Information Commissioner, Haryana
and others**

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA

Present:Mr. Shilak Ram Hooda, Advocate
for the petitioner.

RAJIVE BHALLA, J (Oral)

The petitioner is aggrieved by an order dated 24.01.2011, Annexure P-7, passed by the Chief Information Commissioner, Haryana, failing to impose fine upon respondent nos.3 and 4, for furnishing incomplete information.

Counsel for the petitioner submits that Section 20(1) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') provides that the Chief Information Commissioner “shall impose a penalty” if information is withheld, is not supplied within time or is destroyed etc.. The impugned order should, therefore, be set aside and the Chief Information Commissioner should be directed to impose a penalty.

I have heard counsel for the petitioner, perused the impugned order and find no reason to interfere with the order passed by the Chief Information Commissioner. The Chief Information Commissioner has merely directed the SPIO-cum-Deputy District Education Officer, Sonipat to trace the relevant documents and furnish information on all relevant points to the petitioner. The State Information Commissioner has sought a compliance report by 15.03.2011. The petitioner may, if so advised, approach the State Information Commissioner, Haryana, by way of an appropriate application, with respect to the compliance report and in case a compliance report is not forthcoming, request the State Information Commissioner to proceed, in accordance with law.

Disposed of accordingly.

September 05, 2011
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(RAJIVE BHALLA)
JUDGE