



RIGHT TO INFORMATION ACT-2005

## TAMIL NADU INFORMATION COMMISSION

Kamadhenu Co-operative Super Market Building First Floor,  
New No.378, Anna Salai, Teynampet, Chennai – 600018. Phone: 2431 2841

### **Case No.7964/Enquiry/2009**

**Date of Enquiry: 18<sup>th</sup> September 2009 at COIMBATORE**

**Present: Thiru G. RAMAKRISHNAN, I.A.S.,(Retd.),  
State Information Commissioner.**

**Petitioner: Thiru R. Ayyappan, Advocate, B-26, Jothi Nagar,  
T. Colony, Pollachi – 642 001.**

**Public Authority: The Public Information Officer, Office of the  
Executive Officer, Suleswaranpatti Town  
Panchayat, Suleswaranpatti, Pollachi Taluk.**

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Both the parties were present.

The petitioner has made an application under RTI Act on 24-10-2008, for which the public authority has replied on 19-11-2008. Out of the four issues raised by the petitioner, information has not been supplied for issues No.1 and 2. For issue No.1, the public authority replied stating that necessary particulars will be supplied if the cost at Rs.2/- per page is paid. Similarly, for issue No.2, the public authority has replied to the petitioner stating that the said objection letter from the petitioner is very much available with the petitioner and if this is the case why a copy is being asked by the petitioner. However, if the cost at Rs.2/- per page is paid, the information will be supplied.

During the course of the enquiry, the Executive Officer of Suleswaranpatti Town Panchayat, informed the Commission that the objection letter dated 4-8-2008 was not received by him, and that the petitioner has mistaken the letter dated 5-10-2008 as the letter dated 4-8-2008. Apparently, some thing is wrong with the information supplied by the Public Information Officer (viz.) the Executive Officer. The Public Information Officer himself has

committed in his reply dated 19-11-2008 that a copy of the letter dated 4-8-2008 will be supplied if the cost is remitted. Therefore the objection letter from the petitioner dated 4-8-2008 must be available with the public authority. To corroborate the above decision, the Executive Officer has once again sent letter on 18-12-2008 to the petitioner stating that the letter dated 4-8-2008 will be supplied later as he is not having sufficient manpower in his office to trace out the record.

Therefore it is clear that the Public Information Officer has failed to supply the information asked for by the petitioner. Therefore the Commission is of the view that the public authority has refused to supply information and that the Public Information Officer of the Town Panchayat is liable for action under Section 20(1) of the RTI Act and the Commission therefore rules that:

a) the Public Information Officer should explain to the Commission **within 15 days from the date of receipt of this order**, as to why the maximum fine amount of Rs.25,000/- should not be recovered from his salary and remitted to Government account and why his case should not be recommended to higher authorities for taking disciplinary action under Section 20(2) of the RTI Act for gross failure to supply the information asked for.

***State Information Commission***

Orders passed this day 8th October, 2009.  
Under the Orders of the Commission.

Assistant Registrar

**Case No.7964/Enquiry/2009**  
**The Public Information Officer,**  
**Office of the Executive Officer,**  
**Suleswaranpatti Town Panchayat,**  
**Suleswaranpatti, Pollachi Taluk,**  
**Coimbatore District.**

**Case No.7964/Enquiry/2009**  
The Director of Town Panchayats,  
Kuralagam,  
Chennai – 600 108.

**Case No.7964/Enquiry/2009**  
Thiru R. Ayyappan,  
Advocate,  
B-26, Jothi Nagar,  
T. Colony,  
Pollachi – 642 001.