

PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
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Shri Rajinder Kumar, (9646380671),
S/o Shri Mehar Chand,
R/o Ward No. 02, Supreme Enclave,
Near Vishwkarma Bhawan, Link Road, Mansa.

.....Appellant

Versus

Public Information Officer

O/o Director, Local Govt. Punjab,
Chandigarh.

First Appellate Authority

O/o Director, Local Govt. Punjab,
Chandigarh.

....Respondents

AC No. 5029 of 2022

Present: i) Appellant: Absent.
ii) Shri Aman Kumar, Senior Assistant from Establishment Branch, in person.

ORDER:

1. This case may be read with the reference of the previous order dated 26.12.2022.
2. On the previous hearing dated 26.12.2022, following transpired:-

" 2.....Shri Rajinder Kumar, appellant has not come present to attend the hearing in person before the Bench or through cisco webex.

3. Shri Aman Kumar, Senior Assistant, Establishment Branch, O/o Director, Local Govt., Punjab comes present in person before the Bench. He states that the information has been supplied to the appellant vide letters dated 05.08.2022& 17.11.2022 on points No.5 & 6 comprising 13 pages, in addition the information was denied to the appellant on point No.1 to 4, being personal and third party. He further states that the letters mentioned at Point No.3 & 4 have not been received in their office, on which he has sought action taken report and this has been mentioned in the reply. He also states that point wise reply has again been sent to the appellant with a copy to the Hon'ble Commission. The respondent further states that the appellant was called by the First Appellate Authority on 12.10.2022 and 23.11.2022 but the appellant did not attend the hearing in first appeal and as such the first appeal was disposed off by the First Appellate Authority vide order dated 25.11.2022.

4. Shri Rajinder Kumar, appellant is contacted on mobile phone. He is made to talk to representative of PIO who explains to him the position regarding supply of information vide letter dated 05.08.2022 and 17.11.2022. The appellant denies receipt of information on point No.5 & 6. Then the Bench talks to the appellant and clarifies to him the information as supplied by the PIO.

5. Post deliberations, the Bench accepts the contention of PIO regarding point No.1 & 2, being personal and third party information, however, directs the PIO to provide information on point No. 3 to 6 and also ensure to bring along the original record and produce the same before the Bench on the next hearing. The appellant is also advised to come present in person on the next hearing.

6. With the aforesaid directions, the matter is adjourned."

3. Shri Aman Kumar, Senior Assistant states that the reply in relation to point number 3 to 6 has been sent to the appellant through registered post dated 17.01.2023 and further submits a letter dated 17.01.2023 (along with annexures) and another letter 05.08.2022 to the Bench, which is seen and taken on record. He further mentions that information in relation to point number 1 & 2 has been withheld being personal and third party information and this has been discussed in the previous order dated 26.12.2022 also. Information in relation to point number 3 & 4 has not been shared as complaint referred to has not been received by their department and information in relation to point number 5 & 6 has been supplied to the appellant comprising 13 pages in all.

4. The appellant is contacted on mobile but he is not aware of the hearing today as also details of the case

5. Post deliberations, the Bench directs the PIO O/o Director, Local Govt. Punjab, Chandigarh to file an affidavit on e-stamp paper, within 21 (Twenty one) days, duly signed by the notified PIO and attested by the Notary Public to the effect that the information as available in their official records has been supplied to the appellant. It is further clarified that information in relation to point number 1 & 2 has been withheld being personal and third party information. Information in relation to point number 3 & 4 has not been shared as complaint referred to has not been received by their department. Information in relation to point number 5 & 6 has been supplied to the appellant comprising 13 pages in all. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

6. With the aforesaid directions, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
09.02.2023**

Sd/-
**(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**