



Sh.Rajiv Diwan, # 83, Golden City
Near APJ School, Mundi Kharar- 140301

.....Appellant

Versus

Public Information Officer
O/o DC, Mohali

First Appellate Authority
o/o ADC(G), Mohali

.....Respondent

APPEAL CASE NO.2694 OF 2021
Through CISCO WEBEX

Present: (i) Shri Rajiv Diwan the appellant (in the Commission office)
(ii) For the respondent : Smt. Amandeep Kaur, Clerk (9501608983)
through CISCO Webex

ORDER

The RTI application is dated 16.12.2020 vide which the appellant has sought information i.e. *Beating/Thrashing report of Kedar Nath was submitted vide your office order dated 07.12.2017. Please supply of Medical report of Kedar Nath. In your above said order it was reported to pay Rs. 6.00 Lakh. Please provide the copy of that payment.* On not receiving the information, the appellant has filed first appeal with the First Appellate Authority (hereinafter FAA) on 19.02.2021 and second appeal was filed in the Commission on 09.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 08.09.2021 through CISCO Webex.
3. The appellant states that no information has been given to him so far.
4. The respondent states that she has sent her reply to the commission office.
5. After hearing both the parties and going through the case file, it is observed that the information demanded by the appellant is third party information, hence cannot be provided. The appellant may take note that there is the decision dated 13.11.2019 of Hon'ble Supreme Court of India, in Civil appeal No. 10044 of 2010 titled as Central Public Information Officer, Supreme Court of India vs Subhash Chandra Aggarwal, the same is as under:

"Reading of the aforesaid judicial precedents, in our opinion , would indicate that personal records, including name, address , Physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification , performance , evaluation reports, ACRs, disciplinary proceedings, eetc. Are all personal



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information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded. Including that of the family members, information, relating to assets, liabilities, Income tax returns, details of the investments, lending and borrowing etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive."

6. Therefore, keeping the above decision the personal information in the instant case has not been made with due bona fides and in larger public interest. The furnishing of the information asked for, if provided, would cause unwarranted invasion of privacy of the individual under Section 8(1)(j) of the RTI Act.

7. In the light of above, the appeal case is hereby **disposed of and closed**. Announced in the Court. Copy of the order be sent to the parties.

Chandigarh
Dated : 08-09-2021

Sd/-
(Amrit Partap Singh Sekhon)
State Information Commissioner
Punjab