



Smt Vir Bala,
H No-3935, Sector-47-D,
Chandigarh.

... Appellant

Versus

Public Information Officer,
O/o DC,
Moga.

First Appellate Authority,
O/o DC,
Moga.

..... Respondent

Appeal Case No. 1780 of 2020

PRESENT: None for the Appellant
Sh.Jaskaran Singh, Kanoongo and Sh.Davinder Kumar, Clerk O/o DC
Moga for the Respondent

ORDER:

The appellant through RTI application dated 17.01.2020 has sought information regarding status of request for mutation (duly registered will of her mother late Vidya Wati dated 25.08.2014) submitted with Halka Patwari Ravi Kumar, Kotse Khan, relating to shop No.10 and shops No. 5,6 & 14 and other information from the office of DC Moga. The appellant was not provided the information after which the appellant filed first appeal before the First Appellate Authority on 24.02.2020 which took no decision on the appeal.

The case has come up for hearing today through video conferencing at DAC Moga. The respondent present from the office of DC Moga informed that since the information relates to the Tehsildar Dharamkot, the RTI application was transferred to them on 27.01.2020. Sh.Jaskaran Singh, Kanoongo present on behalf of the Tehsildar Dharamkot informed that complete information has been sent to the appellant on 16.11.2020.

The appellant is absent nor has communicated any discrepancies. The appellant is directed to point out the discrepancies, if any to the PIO and the PIO is directed to remove the same.

Since there is an enormous delay in providing the information, the PIO-Tehsildar Dharamkot is directed to appear personally on the next date of hearing and explain the reasons for delay in providing the information.

The case is adjourned. To come up for further hearing on **28.01.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Moga. Appellant to appear at Chandigarh.

Sd/-

Chandigarh
Dated:09.12.2020

(Khushwant Singh)
State Information Commissioner



Sh.Sandeep Kumar Gupta,
H NO-1722, Sector-14,
Hisar.

...Appellant

Versus

Public Information
Officer, O/o Department
of Local Govt,
Sector-35-A,
Chandigarh.

First Appellate Authority,
O/oDepartment of Local Govt,
Sector-35-A,Chandigarh

Respondent

Appeal Case No. 1018 of 2020

PRESENT: None for the Appellant
Sh.Vikas Kumar, Sr. Assistant O/o Municipal Service Cell of Local Govt.Pb
for the Respondent

ORDER:

The appellant through RTI application dated 28.10.2019 has sought information regarding reply received from employees in response to the notices issued vide letter No.S3/DSS-MSS-2018/73244-253 and letter No.S3/DSS-MSS-2018/73255-262 dated 26.12.2018 and action taken subsequent to receipt to reply and other information concerning the office of Department of Local Govt. Punjab Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 01.12.2019 which took no decision on the appeal. After filing first appeal, the PIO vide letter dated 27.12.2019 denied the information.

On the date of first hearing on 06.10.2020, the respondent present pleaded that since the case is pending in the court, the information cannot be provided. The Commission also received an email from the PIO stating that the information is 3rd party and is exempt u/s 8(1)(j) of the RTI Act.

The Commission was not satisfied with the reply of the PIO since the PIO while applying exemption provisions from Section 8 had not given any reasons why this exemption has been sought. The PIO was directed to submit a detailed reply that how the information is 3rd party and why it cannot be provided, and whether the rules as prescribed in Section 11 regarding third party information were applied before denying the information?

Hearing dated 09.12.2020:

The case has come up for hearing today through video conferencing at DAC Mohali. The respondent has not brought any reply as per earlier order of the Commission.

The appellant is absent.

The case is adjourned. To come up for further hearing on **10.02.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mohali

Chandigarh
Dated:09.12.2020

Sd/-
(KhushwantSingh)
State InformationCommissioner



Sh.Sandeep Kumar Gupta,
H NO-1722, Sector-14,
Hisar.

...Appellant

Versus

Public Information Officer,
O/o Department of Local Govt,
Sector-35-A,
Chandigarh.

First Appellate Authority,
O/o Department of Local Govt,
Sector-35-A, Chandigarh.

Respondent

Appeal Case No. 1025 of 2020

PRESENT: None for the Appellant
Sh.Vikas Kumar, Sr. Assistant O/o Municipal Service Cell of Local Govt.Pb
for the Respondent

ORDER: The appellant through RTI application dated 28.10.2019 has sought information regarding action taken on the directions of the High Court in CWP 1640 of 2008 and Supreme Court in CA No.17902-17905/2017 – names of the persons having diploma/degrees suspended by the directions of the high court and supreme court – action taken against the person found to be having diploma/degrees declared suspended by the courts and other information concerning the office of Department of Local Govt. Punjab Chandigarh. The appellant was not provided the information after which the appellant filed first appeal before the first appellate authority on 04.12.2019 which took no decision on the appeal. After filing first appeal, the PIO vide letter dated 27.12.2019 denied the information.

On the date of first hearing on 06.10.2020, the respondent present pleaded that since the case is pending in the court, the information cannot be provided.

Having gone through the record, the Commission observed that the PIO in his reply dated 27.12.2019 had denied the information stating that the information is 3rd party.

The Commission was not satisfied with the reply of the PIO since the PIO had not applied his mind and has denied the information without giving any reasons. The PIO was directed to relook at the RTI application and provide the information to the appellant as per the RTI application and send a compliance report to the Commission.

Hearing dated 09.12.2020:

The case has come up for hearing today through video conferencing at Mohali. The respondent present has submitted a copy of reply being sent to the appellant which has been taken on the file of the Commission.

The appellant is absent. A copy of the reply is sent to the appellant alongwith the order. The appellant is directed to point out the discrepancies in writing to the PIO with a copy to the Commission, otherwise the case will be decided ex-parte.

The case is adjourned. To come up for further hearing on **10.02.2021 at 11.00 AM.** through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated:09.12.2020

Sd/-
(Khushwant Singh)
State Information Commission

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden, Sector 16, Chandigarh.Ph:
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Sh. Arvinder Singh Bedi,
H No-593,Phas3B-1,Mohali.

...Appellant

Vs

Public Information Officer,
O/o PUDA,
Mohali.

First Appellate Authority
O/o PUDA,
Mohali.

...Respondent

Appeal Case .No. 4253 of 2019

PRESENT: Sh.Arvinder Singh Bedi as the Appellant
Sh.Gurvinder Singh, PIO-GMADA for the Respondent

ORDER:

This order should be read in continuation to the previous order.

On the date of first hearing on 11.03.2020, the appellant claimed that the PIO has not provided the information. The respondent informed that the information relates to the PIO-GMADA. The respondent had brought some information on behalf of the PIO-GMADA. However, the appellant was not satisfied with this information.

Since the GMADA was not being represented for a couple of months, the Commission directed the First Appellate Authority, GMADA to appoint a fresh PIO who can represent the organization on various hearings. A copy of the order was sent to the First Appellate Authority with the direction to ensure that this order is being complied with and the information is provided to the appellant as per RTI application.

On the date of hearing on **30.06.2020**, the appellant claimed that the PIO has not provided the information. The respondent present pleaded that the information was ready but the signing authority was on leave. The respondent however, assured to provide the information within a week.

On the date of last hearing on **07.09.2020**, the respondent present pleaded that since the earlier PIO had been transferred and he had joined as PIO recently as well as the information being voluminous, the appellant be asked to inspect the record and get the relevant information. The counsel for the appellant had agreed for the same. The appellant was directed to inspect the record by visiting the office of PIO on 17.09.2020 at 11.00 AM and get the relevant information. The PIO was directed to allow inspection of the record to the appellant and provide the relevant information as per the RTI Act.

On the date of last hearing dated 06.10.2020, due to shut down of the VC, the hearing could not take place. The case was adjourned.

Appeal Case .No. 4253 of 2019

Hearing dated 09.12.2020:

The case has come up for hearing today through video conferencing at DAC Mohali. As per appellant, the record was inspected but the information supplied is not as per the RTI application. As per respondent, the available information has been provided and no further information is available in the record.

Hearing both the parties, the PIO is directed to provide whatever information is available on record, and if no other information than the provided one is available, to give in writing on an affidavit that the information that has been provided is true, complete and no further information is available on the record. The information be provided within 15 days.

To come up for further hearing on **10.02.2021 at 11.00 AM** through video conference facility available in the office of Deputy Commissioner, Mohali.

Chandigarh
Dated:09.12.2020

Sd/-
(KhushwantSingh)
State Information Commissioner

CC to: PIO-GMADA,Mohali