

PUNJAB STATE INFORMATION COMMISSION
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Sh. Tahaf Bains, S/o Sh.Dipender Singh,
1562, Sector-18-D, Chandigarh.

.....Appellant

Versus

Public Information Officer,
O/o Sub Registrar, Jalalabad,
Distt.Fazilka..

First Appellate Authority,
O/oSDM, Jalalabad,
Distt.FAzilka.

...Respondent

Appellant Case No. 3838 of 2018

Present: **Sh.Tahaf Bains as Appellant**
 Sh.Manoj Kumar, Bill Clerk, O/o Sub Registrar, Jalalabad for the
 Respondent

Order:

The case was last heard on 05.03.2019. The order is reproduced hereunder:

“The appellant through RTI application dated 28.12.2017 has sought information on 5 points regarding details of revenue record comprising agreement to sell, sale deed, deed of transfer, conveyance deed, mortgage deed, gift deed or any lien towards the property, mutation of land bearing khata/khatauni/khasra numbers as per RTI application situated in village Aamir Khas, Tehsil Jalalabad, District Fazilka concerning the office of Sub Registrar, Jalalabad. The appellant was not satisfied with the reply of the PIO dated 20.06.2018 vide which the PIO denied the information stating that the information is question form and it cannot be provided. On being denied the information, the appellant filed first appeal before the First Appellate Authority on 28.07.2018 which disposed off the appeal on 20.08.2018 with the order that the information is third party information.

The appellant claims that he being a co-parcener and legal heir as per law, is legally entitled to a share in the coparcenary property of his father and fore-fathers and for implementing that right, he requires details of the property. The respondent is absent. The PIO is directed to appear personally on the next date of hearing and explain the reasons for not providing the information in accordance with the RTI Act.”

Hearing dated 26.03.2019:

The respondent present pleaded that the information sought by the appellant is not specific and is third party information. The respondent further pleaded that the appellant has not provided the vasika number of the property. The appellant has provided only the mutation numbers of the property to the respondent, which makes it difficult for the public authority to trace the sought information.

After having gone through the arguments of the case, I find that both the pleas of the PIO are untenable. Regarding the Vasika numbers being not provided, the Commission finds this a mere tactics to delay the information since enough evidence has been provided to establish the particulars of the property about which the information is sought.

Regarding the PIO's plea that the information sought is third party, the Commission observes that since the appellant is a co-parcener and legal heir in the property, he has every right to access the information. The PIO is directed to provide the information to the appellant as sought in the RTI application before the next date of hearing.

To come up on **24.04.2019 at 11.00 AM** for further hearing.

Chandigarh
Dated: 26.03.2019

(Khushwant Singh)
State Information Commissioner