

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
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Shri Rajnish Bharara,
520, Preet Colony, Zirakpur.
Mohali:9918896100.

Versus

.....Appellant

Public Information Officer
O/o Additional S.E,
PSPCL, Zirakpur, Mohali.

First Appellate Authority
O/o Chief Engineer, (DS),
PSPCL, Patiala.

....Respondents

AC No. 4352 of 2022

Present:

- (i) Appellant-absent.
- (ii) Shri Bawa Singh, SDO, Sub Division, Commercial-2, PSPCL, Mohali, on behalf of PIO/Respondent- in person.
- (iii) Shri Hemant Kumar, SDO, Commercial Sub Division, PSPCL, Zirakpur, District Mohali- in person.

ORDER:

1. The RTI application is dated 24.06.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 30.07.2022 and the second appeal was filed in the Commission on 19.09.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 16.11.2022. Accordingly, the case has been heard today. Shri Rajnish Bharara, appellant has not come present to attend the hearing. An e.mail has been received from the appellant stating that due to health reasons, he is unable to attend the hearing and has prayed for exemption from hearing in person.
4. Shri Bawa Singh, SDO, Sub Division Commercial-2, PSPL Mohali comes present to attend the hearing in person and produces before the Bench authority letter to represent the PIO. He states that information relating to Mohali Circle of PSPCL has been provided to the appellant on 23.08.2022 and produces before the Bench letter dated 15.11.2022 in this regard, which is taken on record.
5. Shri Hemant Kumar, SDO, Commercial Sub Division, PSPCL, Zirakpur comes present in person before the Bench and states that information pertaining to Distribution Division of PSPCL, Zirakpur has been supplied to the appellant vide letter dated 09.08.2022 and thereafter, vide letter dated 14.09.2022. He also produces before the Bench copies of the same.
6. Apart from the above, an e.mail has also been received from Sr.XEN, PSPCL, Lalru, District Mohali stating that the information has been sought by appellant from Distribution Division, PSPCL, Zirakpur and after filing of First Appeal by the appellant to Chief Engineer/Distribution (South), PSPCL, Patiala, the appellant was informed that information cannot be provided under Section 8(d) and 8(j), on the basis of which the First Appeal was disposed off by First Appellate Authority.

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7. The Bench, on perusal of RTI Application contents, prima-facie, finds that in the RTI application, the appellant has sought information relating to all Circles of PSPCL involving multiple PIOs of PSPCL. Moreover, the information being voluminous involves creation, collection and compilation of information which is not permissible under the provision of RTI Act. Besides this, as per version of the respondents present and examination of documents produced before the Bench, the Bench observes that the information entails the collection of information from multiple PIOs as is evident from the endorsement Made by S.E. Distribution Circle, Mohali dated 4.11.2022 and letter dated 09.08.2022 of Addl. S.E. Distribution Division, PSPCL, Zirakpur which shows that there are 21 Circles in Five Zones of PSPCL about which the appellant has sought information.

8. The Bench, as per observations made above, is of the view that the appellant cannot seek information in single RTI application from multiple public authorities. A Full Bench of State Information Commission, Punjab has in Complaint Case No.2903 of 2011 decided on 13.01.2012, ruled as under:-

“We hold that under Section (3) of the Act *ibid*, the legal obligation of a PIO who receives a request for information under Section 6(1) of the Act is limited to transfer this request to only one public authority that hold the information. This obligation does not extend to transfer the request to multiple authorities.

9. The Hon'ble Supreme Court in matter of CBSE vs. Aditya Bandopadhyay, (2011) 8 SCC 497, held as under:-

“67. Indiscriminate and impractical demands or directions under the RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counterproductive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritizing “information furnishing”, at the cost of their normal and regular duties.

10. In view of the above, it does not seem to be appropriate for the appellant to seek information which may entail engaging 75% of the employees of a public authority to collect and compile the information for furnishing the same to the appellant. The Bench advises the appellant to go for seeking information by filing separate RTI application before a specific public authority who has its separate PIO.

11. In view of the aforesaid observations, **the instant appeal case is disposed off and closed.** Copy of the order be sent to the parties.

Chandigarh
16.11.2022

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