

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
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Shri Gurmej Lal, whistle Blower,
NCAG Office, Street NO.5, # H.No.1331-5,
Vishawkarma Bhawan, Down Canal Road,
Simlapuri, Ludhiana.

.....Appellant

Versus

Public Information Officer

O/o Commissioner,
MC, Ludhiana(Zone-C).

First Appellate Authority

O/o Commissioner,
MC, Ludhiana.

...Respondents

AC No. 481 of 2023

**Present: i) Shri Gurmej Lal – Appellant – through cisco webex
ii) Shri Gaurav Kumar, Junior Engineer(B&R), Zone-A, Sh.Rakesh Singla-XEN-Zone-C
and Sh.Rajinder Singh, Landscape Officer O/o MC Ludhiana, – in person.**

ORDER:

1. The RTI application is dated 07.06.2022 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 25.07.2022 and the second appeal was filed in the Commission on 09.01.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The case has been heard today. As per appellant, the PIO has not supplied any information so far.

3. As per respondent Sh.Rajinder Singh, Landscape Officer(Horticulture)-cum-PIO O/o MC Ludhiana, the information relating to point 1,2 & 4 has been provided to the appellant vide letter dated 25.07.2022 through speed post and since the information regarding point 3, 5 & 6 relates to B&R Branch-Zone-A,B,C&D, the RTI application has been transferred to them under section 4(5) and 5(4) of the RTI Act. vide letter dated 25.07.2022. The Commission has also received a copy of information relating to point 1,2 & 4 on 13.03.2023 which has been taken on record.

4. As per respondents present from the B&R Branch, Zone-A &C, the information relating to point 3, 5 & 6 is voluminous and not specific and it involves multiple PIOs. Further the information has to be created which will disproportionately divert the resources of the public authority.

5. The Bench further observes that the information asked for by the appellant has to be collected, collated and compiled, thereby resulting in wastage of time of multiple PIOs involved. 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.

6. 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 information on point 1,2 & 4 stands provided. Regarding information on point 3, 5 & 6, 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.

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

Chandigarh
16.03.2023

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