



H. S. Hundal, Advocate,
Chamber No. 203,
Judicial Courts, Sector 76,
S.A.S. Nagar (Mohali) - 160071 (Punjab)
(M.-98785-00082)

....Appellant

V/s

Public Information Officer,
O/o The Hon'ble District and Sessions Judge,
S. A. S. Nagar(Mohali)(Punjab)

First Appellate Authority,
O/o The Hon'ble District and Sessions Judge,
S. A. S. Nagar(Mohali)(Punjab)

...Respondents

Appeal Case No. 4621 of 2022

Present : None on behalf of the appellant.
Sh. Vineet Kumar Arya, Clerk of Court (Senior Division) (M.-9876375647), on
behalf of the respondent.

ORDER

Heard in the Commission.

2. The RTI request is dated 17.05.2022. First appeal is dated 18.06.2022. Second appeal has been received in the Commission on 03.10.2022.

3. The appellant, Sh. H. S. Hundal, Advocate, is not present in today's hearing, but through an e-mail dated 20.11.2022, mentioning therein that

" the appellant visited the office of PIO on several occasions for receiving the information but information was denied on new pretext every time. It is therefore requested that an inspection of record and supply of identified documents may please be ordered. Presence of Appellant be exempted because of an urgent matter at Distt Courts SAS Nagar."

4. Sh. Vineet Kumar Arya, is appearing on behalf of the respondent and states that they have already sent the reply to the appellant as well as to the Commission.

5. After examining the documents placed in the case-file and reply submitted by the representative of the respondent, it emerges that information sought by the appellant through RTI request is huge and voluminous in nature and in the interest of transparency and accountability in the functioning of the public authorities, such a huge information can not be given the appellant.



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The appellant take note that there is the judgment of The Supreme Court of India in Civil Appeal No. 6454 of 2011 Central Board of Secondary Education Vs Aditya Bandopadhyay and ors. has in its judgment dated 09.08.2011 observed as under –

(37 Indiscriminate and impractical demands or directions under 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 counter-productive 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 prioritising 'information furnishing', at the cost of their normal and regular duties.)

6. However, taking a lenient view one last opportunity is given to the appellant to visit the office of the respondent on second week of December during working hours with prior intimation and inspect the relevant official-record.

7. The respondent PIO concerned is directed to facilitate the appellant during his visit to the office. The respondent may take note that third party information cannot be provided to the appellant.

8. To come up on **26th December, 2022 at 12:00 P. M. for hearing for further proceedings in the Commission.** Copies of the orders be sent to the parties.

Date : 21st November, 2022

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