

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864117, Email: - psic27@punjabmail.gov.in

Visit us: - www.infocommpunjab.com

Helpline No. 0172-2864100



Sh. Kimti Lal Kashyap, S/o Sh. Krishan Lal Kashyap,
R/o House No. 12, Teacher Colony (shanti Nagar)
Nawanshar (7589757100)

..Vs

Public Information Officer,
O/o DC, SBS Nagar

.....Complainant

.....Respondent

CC No. 976 of 2020

CC: 975 of 2020

alongwith

CC: 977 of 2020

Through CISCO-Webex

Present:

(i) Sh. Kimti Lal Kashyap the Complainant
(ii) Sh. Manjit Singh, Suptd-cum-APIO, o/o Punjab Roadways (9417869533),
Sh. Gaurav Kumar, Computer Assistant (9569541234), Sh. Satinderjit Singh,
Clerk (7814564011) Smt, Jasvir Kumari , Sr. Assistant (9872039124), Sh.
Gourav Kumar, Sr. Assistant (9569541234), Sh. KulWaran S Sahota, Naib
Tehsildar (9815968554), Sh. Deepak, Inspector (9814762473), Sh. Satinder
Sharma, Sr. Assistant (8427661975), Sh. Dharam pal, BDPO, Saroya
(9463297096), Sh. Daljit Singh, ASDA, Sh. Kamal Kumar, APIO (988816722),
Sh. KEwal Singh , Supdt. (9814594440), Sh. Daljit Singh, ASDA
(9876318667), Sh. Harvinder Singh, Panchayat Secretary (9417255022), Sh.
Swaran S. DMO, O/o Punjab Mandi Board, SBS Nagar (9888700197) Sh.
Yashpal Singh, APIO (8872940333), Sh. Sharanjit Singh , (9501027909), Smt.,
Jaswinder Kaur, CDPO Saroya (9914822752), Sh. Sanjiv Kumar, DEO(SE)
(9463382190), Sh. Sukhwinder Singh (9855400806), Sh. Chottu Ram,
(9914723900), Sh. Rohan Satnam Singh (9876129120), Sh. Amardeep S ,
Suptd. (9417533155), Sh. Mohan Lal , JE o/o Punjab Mandi Board
(9814888724), Sh. Jaswinder Kumar, Jr. Assistant (9041762008), Sh. Rubi
Anand, Clerk (9465969543), ASI Amarjit Singh, o/o SSP, SBS Nagar
(9855124888), Sh. Maninder Singh, Clerk (8360758913), Sh. Shingara Ram,
RC, Tehsil Balachaur , Sh. Sukhwinder Singh, Junior Assistant (9855400806) ,
Sh. Sham Sunder , Sadar Kanugo (9815586070), Sh. Jatinder Pal , Clerk,
(9915523923)

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ORDER

1. The RTI application is dated 21.10.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 16.02.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 02.03.2021 through CISCO Webex.
3. These are three complaint cases preferred by Sh. Kimti Lal Kashyap against PIO/DC, SBS Nagar. As a common question of law is involved, these have been clubbed together with the consent of the parties.
4. The Complainant Sh. Kimti Lal Kashyap states that no information has been given to him so far.
5. Respondents states that the information, as exists, in the record has been sent to the Complainant.
6. The perusal of the file shows that the complainant Sh. Kimti Lal Kashyap filed his RTIs with the PIO, o/o DC, SBS Nagar. He has sought information on 25 points in CC:977 of 2020, 20 points in CC:976 of 2020 and 65 points in CC: 975 of 2020, all the points relates to different departments. Further, respondent o/o DC, SBS Nagar has transferred the RTI of the Complainant to different department. This shows that the respondent-PIO has no knowledge of RTI Act 2005.
7. From the perusal of the information, it is clear that the information demanded by the information seeker relates to different PIOs. Each of these authorities has also separate PIOs. Under-section 6(1)(a) a person seeking information has to apply to the concerned public authority. It is not the job of one PIO to collect and thereafter collate this information

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from different PIOs of different Public Authorities and then supply the same to the appellant. Appellant may note that there is a clear mention in the orders of former CIC in CC: 05 of 2010 which is reproduced as under:-

"that this obligation under Section 6 of the Act is to transfer the application to 'that other public authority' and not to public 'authorities'. The expression used in Section 6 is 'authority' and not 'authorities'. Simply put, the PIO is expected to transfer a request which does not relate to him but has nevertheless been received by him, one identifiable authority. He is not expected to transfer such a request if information is held by many or a number of authorities. The rationale is that a PIO is not a post office or a coordinator for forwarding requests from information seekers to various departments. Legislature has merely facilitated the information seekers by empowering PIO who inadvertently receives request pertaining to another PIO to forward it to the concerned PIO".

8. The Full Bench of State Information Commission, Punjab in Complaint Case No. 2903 of 2011 had also decided vide its order dated 13.01.2012 as under:-

(We hold that under Section 6(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 holds the information. This obligation does not extend to transfer the request to **multiple public authorities.**)

9. Such kind of applications filed by the complainant is sheer wastage of the time of Public Authority as well as the Commission. Moreover, the information demanded by the complainant is very voluminous information. The complainant may 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 –

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(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.).

10. It has also been seen and observed that this particular Complaint is an attempt to make use of the different provisions of the Act to have access to the personal information of the officials which smacks of its use not for any public cause. The nature of information sought is mainly the information which has the relevance and governance of the relationship of the employer and the employee and not between this official and the complainant. Accordingly from the perusal of this RTI application it has become abundantly clear that the purpose of the Complainant in seeking this kind of information does not involve any larger public interest.

11. In view of above, it is ascertained that the complaint is devoid of merit and as such the instant Complaint Case is hereby **disposed of and closed**. Copy of the order be sent to the parties.

Dated : 02.03.2021

Sd/-
(Preety Chawla)
State Information Commissioner
Punjab

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Sh. Harbhajan Singh Bajwa, Advocate (M-98145-25098)

#98, Sector 10 A, Chandigarh

.....Complainant

..Vs

Public Information Officer,

O/o SSP, Mohali

.....Respondent

CC No. 951 of 2020
(Through CISCO-Webex)

Present: (i) None for the Appellan

(ii) for the Respondent: ASI, Sh. Gurnam Singh, O/o SSP, Mohali (9465657651)

ORDER

1. The RTI application is dated 09.11.2020 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 14.12.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. Notice was issued to the parties for hearing for 02.03.2021 through CISCO-Webex (Video Conferencing application)
3. The Complainant is not present today.
4. The Respondent states that the information has been sent to the Complainant. He has also sent a copy of the receiving given by the Complainant in lieu of receiving the information via e-mail. Copy of the same is taken on record.
5. Since the information has been provided to the Complainant therefore, no further cause of action is left. Hence, the complaint case filed by the Complainant is **disposed off and closed**. Copy of the orders be sent to the parties.

Sd/-

Dated: 02.03.2021

(Preety Chawla)

State Information Commissioner
Punjab