



Sh. Jasveer Singh, (9781599959)

S/o Sh. Joginder Singh,
R/o Village Megha Panj Grain Hithar,
Tehsil Guruharsahai, Distt Ferozepur-152024

.....Appellant/Complainant

Versus

Public Information Officer

O/o District Development and Panchayat Officer,
Ferozepur.

.....Respondent

First Appellate Authority

O/o cum Director,
Rural Development and Panchayat Department, Punjab,
Mohali.

Appeal Case No.755 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	13-10-2020
PIO replied on	:	-
First appeal filed on	:	26-11-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Jasveer Singh

Respondent: Absent

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 02.02.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Jasveer Singh stated that no information has been supplied so far.
3. As nobody is preset on behalf of respondent authority the case is adjourned to date 22.06.2021 through Cisco Webex at 10:30 am with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated. On other hand, the appellant is hereby, directed to revert back to the authorities in case of deficiencies, if any, in the information so supplied by the respondent before the next date of hearing.

In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission therein mentioning the reasons for its non-availability.

{Steps: Install Cisco Webex < Click on Join Meeting< Write Meeting No. – 1581884645 }

NOTE: All documents / information supplied to appellants / complainants must mandatorily be attested as: Information supplied under the RTI Act, 2005, Signature of the PIO, Name of the PIO, Name of the Public Authority, Date.

Chandigarh
Dated: 04.05.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Jasveer Singh, (9781599959)

S/o Sh. Joginder Singh,
R/o Village Megha Panj Grain Hithar,
Tehsil Guruharsahai, Distt Ferozepur-152024

.....Appellant/Complainant

Versus

Public Information Officer

O/o Director,
Rural Development and Panchayat Department, Punjab,
Mohali.

.....Respondent

First Appellate Authority

O/o Director,
Rural Development and Panchayat Department, Punjab,
Mohali.

Appeal Case No.757 of 2021
(Cisco Webex Proceedings)

RTI application filed on	:	08-10-2020
PIO replied on	:	-
First appeal filed on	:	26-11-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Jasveer Singh
Respondent: Absent

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 02.02.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Jasveer Singh stated that no information has been supplied so far.
3. As nobody is preset on behalf of respondent authority the case is adjourned to date 22.06.2021 through Cisco Webex at 10:30 am with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated. On other hand, the appellant is hereby, directed to revert back to the authorities in case of deficiencies, if any, in the information so supplied by the respondent before the next date of hearing.

In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission therein mentioning the reasons for its non-availability.

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NOTE: All documents / information supplied to appellants / complainants must mandatorily be attested as: Information supplied under the RTI Act, 2005, Signature of the PIO, Name of the PIO, Name of the Public Authority, Date.

Chandigarh
Dated: 04.05.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Gurmeet Singh, (9876269776)

S/o Shri Lal Singh,
R/o Village Kikar Khera, Tehsil Abohar,
Distt Fazilka.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Chairman, Panchayat Samiti,
Block Anandana at Munak, Distt Sangrur.

.....Respondent

First Appellate Authority

O/o District Development and Panchayat Officer,
Sangrur.

Appeal Case No.798 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	21-09-2020
PIO replied on	:	-
First appeal filed on	:	17-11-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Gurmeet Singh
Respondent: Absent

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 05.02.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Gurmeet Singh stated that no information has been supplied so far.
3. As nobody is preset on behalf of respondent authority the case is adjourned to date 21.06.2021 through Cisco Webex at 10:30 am with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated. On other hand, the appellant is hereby, directed to revert back to the authorities in case of deficiencies, if any, in the information so supplied by the respondent before the next date of hearing.

In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission therein mentioning the reasons for its non-availability.

{Steps: Install Cisco Webex < Click on Join Meeting< Write Meeting No. – 1581884645 }

NOTE: All documents / information supplied to appellants / complainants must mandatorily be attested as: Information supplied under the RTI Act, 2005, Signature of the PIO, Name of the PIO, Name of the Public Authority, Date.

Chandigarh
Dated: 04.05.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Gurmeet Singh, (9876269776)

S/o Shri Lal Singh,
R/o Village Kikar Khera, Tehsil Abohar,
Distt Fazilka.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Block Development and Panchayat Officer,
Block Ananddana at Munak, Distt Sangrur.

.....Respondent

First Appellate Authority

O/o District Development and Panchayat Officer,
Sangrur.

Appeal Case No.799 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	19-09-2020
PIO replied on	:	13-10-2020
First appeal filed on	:	17-11-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Gurmeet Singh
Respondent: Absent

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 05.02.2021. Accordingly, the cases are fixed for today.
2. Appellant, Sh. Gurmeet Singh stated that no information has been supplied so far.
3. As nobody is preset on behalf of respondent authority the case is adjourned to date 21.06.2021 through Cisco Webex at 10:30 am with the directions to respondent PIO, to file a reply / supply information before the next date of hearing. Failing to which action under section 20(1) of RTI act will be initiated.

In case the sought information is concerned with any other department, then **BDPO Sangrur is legally obliged to give the appellant the sought for information after collecting the same from the concerned department, instead of merely forwarding it to the concerned officer.**

On other hand, the appellant is hereby, directed to revert back to the authorities in case of deficiencies, if any, in the information so supplied by the respondent before the next date of hearing.

In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission therein mentioning the reasons for its non-availability.

{Steps: Install Cisco Webex < Click on Join Meeting< Write Meeting No. – 1581884645 }

NOTE: All documents / information supplied to appellants / complainants must mandatorily be attested as: Information supplied under the RTI Act, 2005, Signature of the PIO, Name of the PIO, Name of the Public Authority, Date.

Chandigarh
Dated: 04.05.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.



Sh. Jagshir Singh, (8195800345)

S/o Late Sh. Gian Singh,
9/20, Mandi Mullanpur, Ludhiana-141101.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Sub Divisional Magistrate,
Tarn Taran.

.....Respondent

First Appellate Authority

O/o Deputy Commissioner,
Tarn Taran.

Appeal Case No.832 and 833 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	18-06-2020
PIO replied on	:	-
First appeal filed on	:	13-11-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Jagshir Singh

Respondent: Sh. Shiv Karan Singh (Jr. Asst.), 9781136600

ORDER:

1. The Appellant/Complainant filed above mentioned appeal/complaint cases in the Commission dated 09.02.2021. Accordingly, the cases are fixed for today.

As both the parties are same in above mentioned appeals, therefore these two cases are clubbed together for pronouncement today.

FACTS EMERGING DURING THE HEARING:

2. Both the parties are present. Appellant, Sh. Jagshir Singh stated that no information has been supplied so far in both the cases. The respondent Sh. Shiv Karan Singh stated that the appellant in his RTI application dated 19.06.2020 sought information pertaining to registration of **vehicle no. PB 46 AC 9847** etc. The information sought was not maintained by the authority in the format as desired by the appellant and compilation of the information sought would result in disproportionate diversion of their resources. He added that if the appellant wanted he could inspect the relevant records and identify the information he needed. The **appellant has however, requested for original record inspection in his RTI Applications.**
3. The Commission observes that the PIO, under the RTI Act, is required to furnish information/documents as available on record and is not supposed to collect and collate information in the manner in which it was sought by the appellant. The Hon'ble Supreme Court in decision dated 09/08/2011 in the matter of CBSE & Anr. Vs. Aditya Bandopadhyay & Ors. (C.A. No. 6454 of 2011) held:

"35..... But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or

Appeal Case No.832 and 833 of 2021
(Cisco Webex Proceedings)

the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non- available information and then furnish it to an applicant..... 67..... 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”

The matter has been further clarified by the Division Bench of Hon'ble Delhi High Court in its decision dated 07/01/2016 [LPA 24/2015 & CM No. 965/2015 The Registrar of Supreme Court of India vs Commodore Lokesh K Batra & Ors.] holding as under:

“15. On a combined reading of Section 4(1)(a) and Section 2(i), it appears to us that the requirement is only to maintain the records in a manner which facilitates the right to information under the Act. As already noticed above, “right to information” under Section 2(j) means only the right to information which is held by any public authority. We do not find any other provision under the Act under which a direction can be issued to the public authority to collate the information in the manner in which it is sought by the applicant.”

DECISION:

4. The Commission while upholding the decision of the respondent authority directs the PIO to provide an opportunity to the appellant to see the relevant records and identify the record for getting copies thereof and provide copies of identified records keeping the provisions of the RTI Act, 2005, in view on a mutually convenient date and time within 15 days from the date of receipt of this order, with a copy to the Commission.

In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission therein mentioning the reasons for its non-availability.

5. To come up on **22.06.2021** through **Cisco Webex** at **10:30 am**.
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NOTE: All documents / information supplied to appellants / complainants must mandatorily be attested as: Information supplied under the RTI Act, 2005, Signature of the PIO, Name of the PIO, Name of the Public Authority, Date.

Chandigarh
Dated: 04.05.2021

Sd/-
(Maninder Singh Patti)
State Information Commissioner, Pb.