

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

Email: [pcic20@punjabmail.gov.in](mailto:pcic20@punjabmail.gov.in) Visit us: [www.infocommpunjab.com](http://www.infocommpunjab.com)  
Whatsapp No. 6284820189



Sh. Sarbjit Singh, (M 9888490031)  
H.No. S60-35, P 376-1, Street No. 8,  
Maha Singh Nagar, PO DhandarKalan,  
Ludhiana.

..Appellant

Vs

Public Information Officer,  
o/o, Deputy Commissioner,  
Ludhiana.

First Appellate Authority,  
o/o, Deputy Commissioner,  
Ludhiana.

Sh. Ashwani Sahota, Chief Sanitary Inspector  
Public Information Officer  
o/o The Comm., M.C.,  
Ludhiana.

..Respondents

## Appeal Case No. 1175 of 2020

### ORDER

After hearing the parties concerned, this case was reserved on 27.1.2021 to be pronounced later on.

2. The appellant has sought the information related to the grants received in the Municipal Corporation, District Ludhiana in lieu of Swachh Bharat Mission as follows:-  
“ “

3. The appellant showed his satisfaction with the information so supplied by the respondent-Public Information Officer pertaining to Point No. 1 RTI application and requested for the information pertaining to Point No. 2,3 and 4 of the RTI application.

4. Regarding Point No. 2 & 3 of the RTI application the respondents have already filed their response vide No. 6671 dated 15.9.2020 which is as follows:-

”ਸਵੱਛ ਭਾਰਤ ਮਿਸ਼ਨ ਅਧੀਨ ਆਈ.ਐਚ.ਐਚ.ਐਲ ਵਿੱਚ 9775 beneficiaries ਨੂੰ DBT ਰਾਹੀਂ ਸਿੱਧੇ ਤੌਰ ਤੇ ਰਾਸ਼ੀ ਉਹਨਾਂ ਦੇ ਅਕਾਊਂਟ ਵਿੱਚ ਬੈਂਕ ਦੁਆਰਾ ਭੇਜੀ ਜਾ ਚੁੱਕੀ ਹੈ।

ਲੜੀ ਨੰ; 2 ਅਤੇ 3 ਸਬੰਧੀ ਜੋ ਸੂਚਨਾਂ ਆਪ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਹੈ ਇਸ ਦਫਤਰ ਵਿੱਚ ਕੰਪਾਇਲ/ਇਕੱਤਰਿਤ ਕੀਤੀ ਹੋਈ ਨਹੀਂ ਹੈ। ਇਸ ਲਈ ਆਰ.ਟੀ.ਆਈ. ਵਿੱਚ ਕੰਪਾਇਲ ਕਰਕੇ

Contd..P/2

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Appeal Case No. 1175 of 2020

-2-

ਸੂਚਨਾ ਨਹੀਂ ਦਿੱਤੀ ਜਾ ਸਕਦੀ ਹੈ। ਜੇਕਰ ਆਪ ਨੂੰ ਹੋਰ ਵੀ ਸੂਚਨਾ ਚਾਹੀਦੀ ਹੈ ਤਾਂ ਦਫਤਰ ਵਿਖੇ ਕੰਮ ਵਾਲੇ ਦਿਨ ਆ ਕੇ ਰਿਕਾਰਡ ਵੇਖ ਸਕਦੇ ਹੋ।”

4. Regarding Point No. 4 of the RTI application, the respondent again filed an undertaking vide No. 6990 dated 12.1.2021 which is reproduced below:-

”ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਾਵਲੇ ਅਧੀਨ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਪੈਰ ਨੰ: 4 ਸਬੰਧੀ ਸੂਚਨਾ ਇਸ ਦਫਤਰ ਵਿੱਚ ਕੰਪਾਇਲ ਕੀਤੀ ਹੋਈ ਨਹੀਂ ਹੈ। ਇਸ ਕਰਕੇ ਇਹ ਸੂਚਨਾ ਨਹੀਂ ਦਿੱਤੀ ਜਾ ਸਕਦੀ।

5. It is appropriate to mention the decision given by the Supreme Court of India in the matter of Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors (Civil Appeal No.6454 of 2011) reported as 2011(3)RCT(Civil) and circulated by the Ministry of Personnel, Public Grievances & Pensions, Department of Personnel and Training vide No. 1/18/2011-IR dated 16.9.2011 which is as follows:-

*“At this juncture, it is necessary to clear some misconceptions about the RTI Act. The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of ‘information’ and ‘right to information’ under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. 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 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. A public authority is also not required to furnish information which require drawing of inferences and/or making of assumptions. It is also not required to provide ‘advice’ or ‘opinion’ to an applicant, nor required to obtain and furnish any ‘opinion’ or ‘advice’ to an applicant. The reference to ‘opinion’ or ‘advice’ in the definition of ‘information’ in section 2(f) of the Act, only refers to such material available in the records of the public authority. Many public authorities have, as a public relation exercise, provide advice, guidance and opinion to the citizens. But that is purely voluntary and should not be confused with any obligation under the RTI Act.”*

Contd..P/3

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Appeal Case No. 1175 of 2020

-3-

6. Keeping in view the judicial pronouncements, submissions made by the parties and the record available in the case file, the Commission observes, that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

Dated:8.2.2021

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.