

PUNJAB STATE INFORMATION COMMISSION
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Sh. Ranjit Singh,
S/o Sh. Rewal Singh,
R/o #63, Phase-3B-1,
SAS Nagar. 160059.

Appellant

Versus

Public Information Officer,
O/o Block Development and Panchayat Officer,
Block Nadala,
Distt. Kapurthala.

First Appellate Authority,
O/o District Development and Panchayat Officer,
Distt. Kapurthala.

Respondents

Appeal Case Nos.647,885, 886,887,888, 889 and 1112/2019

Date of RTI Application	Date of Reply, if any of SPIO	Date of First Appeal made, if any	Date of order, if any of FAA	Date of Second Appeal/ Complaint
08.10.2018, 07.12.2018, 15.12.2018, 11.12.2018, 10.12.2018, 14.12.2018, 04.12.2018	Nil	09.11.2018, 10.01.2019, 16.01.2019, 16.01.2019, 16.01.2019, 15.01.2019, 29.01.2018	Nil	08.02.2019, 06.03.2019, 18.03.2019, and 04.02.2019

Present: Sh. Ranjit Singh, Appellant in person.
Sh. Yousaf Masih, Panchayat Secretary is present for Respondents.

ORDER

The following order was passed on 25.06.2019:

04.042019

"The appellant had sought information about the resolutions passed, the streets and drains constructed from a grant of Rs. 8 lakh received by the gram panchayat of Village Saintpur, Block Nadala, District Kapurthala and other connected information.

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Sh. Yusuf Masih, Panchayat Secretary appearing on behalf of the respondents, denies having received any such grant. The appellant refutes his contention. He has produced a document duly attested by the BDPO, Nadala which refers to a grant of Rs. 8 lakh in respect of the aforesaid village. However, in what context this figure appears, is not clear. The respondents allude it to a demand forwarded to the Government which as yet has not fructified. They are advised to file a written reply in this regard.

The Commission feels that in case no grant has been received obviously the rest of the information sought is redundant and cannot be provided. The appellant may like to advert in writing on the submissions made by the respondents before the next date of hearing”.

16.05.2019

The case is again being considered today.

The respondents are absent. The Commission believes that they are deployed on election duty. However, it takes a strong exception against the respondents for having failed to file a written reply. They are directed to do the same well before the next date of hearing and come present along with the original record on the issue.

25.06.2019

The case has again come up today. After hearing the parties, the order is reserved.”

The parties were heard. The appellant has submitted a rejoinder; wherein he has questioned the procedures adopted in execution of the works and has pointed out some infirmities in the functioning of the Gram Panchayat. The respondents, on the other hand, has brought to the notice of the Commissions that Sh. Ranjit Singh, is habitually filing the applications under RTI Act in malice

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and vengeance against the Sarpanch from the year 2013 onwards.. The information sought by and large relates to the resolutions passed, the income having accrued to the panchayat, the copies of the estimates, the work executed, the details of the bills and vouchers and virtually every activity of the gram panchayat, which they are regularly supplying to him. The respondents have provided the Commission a list of about 20 appeals filed by him and his brother, who allegedly is acting as his proxy, which have been decided by different benches of the Commission during the year 2016 and 2017 only. These have been decided by the different benches of Punjab State Information Commission by arranging to provide him the available information. This has been taken on record. They further submit that his exercise in filing vexatious and harassing applications started in the year 2013 and continues. Taking the above facts in view, the appeals mentioned in the title have been clubbed so as to decide them with a single order

The Commission has called for the record from the DR of his previous applications. The Commission finds that his applications are repetitive and veer around the same subjects as has been mentioned above. He has drafted a set of application, First Appeals and Second Appeals, and keeps on posts them by signing on the Xerox copies by tangentially changing the contents. The Commission finds that he has been appropriately informed about the activities of the Gram Panchayat of Village Saintpur and Khalil, many times over.

Having taken the cognizance of the above submission of the respondents and pursued the record, the Commission decides to club all the cases fixed today as mentioned in the title to decide with the single order.

This forum while disposing off Appeal Case Nos. 30, 378, 478, 590 of 2017 and etcetera had made the following observation:

“The Commission understands that attending to applications under RTI Act has



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*to be an essential part of the functioning of an office in the interest of transparency and accountability but with the kind of information being sought by this particular appellant it is the common refrain that the Public Authorities are exclusively dealing with his applications only to the disregard and neglect of their normal duties and functions which they are required to perform in public interest. It is in view of such a scenario the **Hon'ble Supreme Court of India in CBSE vs. Aditya Bandopadhyay, (2011) 8 SCC 497, observed:-***

"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

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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 Hon’ble Delhi High Court in Shail Sahni Vs. Sanjeev Kumar and Ors. {W.P.

(C) 845/2014 } with regard to the misuse of the RTI Act had observed as follows :

“10. ... This Court is also of the view that misuse of the RTI Act has to be appropriately dealt with, otherwise the public would lose faith and confidence in this “sunshine Act”. A beneficent Statute, when made a tool for mischief and abuse must be checked in accordance with law. A copy of this order is directed to be sent by the Registry to Defence and Law Ministry, so that they may examine the aspect of misuse of this Act, which confers very important and valuable rights upon a citizen.”

In an order passed by the Commission on 05.04.2017 it has observed :

“The Commission finds that it is the duty of the Commission to see that such a blatant misuse of RTI Act should not be allowed. It needs to be appropriately dealt with to secure the faith of the public in this ‘Sun Shine Act’ and remove obstacles in functioning of public authority which would eventually prevent it from focusing on transparency.”

The Commission holds the same view in respect of these appeals as well. He is confining his applications only to the Panchayat of two villages namely Saintpur and Khalil. More than a couple of scores of appeals have already been dealt with in the Commission. It feels that he has already been sufficiently informed. The Commission cannot be an instrument for him to



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pursue his personal vengeful agenda against the panchayat as well as employees of Department of Rural Development and Panchayat who are being pushed to attend to his repetitive requisitions at the cost of the neglect of their regular duties. RTI is being misused by him and is getting counter-productive to public interest.

The appeals in contention are dismissed with the direction to the Deputy Registrar not to entertain any appeal/complaint filed with reference to the above village by him or his proxy, Sh. Gurmej Singh.

Disposed.

08.08.2019

**Sd/-
(Yashvir Mahajan)
State Information Commissioner**

CC: Deputy Registrar, O/o State Information Commission.