



**Sh. Atul Sharma, (9988115514)**

Jalandhar Breeze Hindi Newspaper (Editor in Chief),  
# NN451, Gopal Nagar, Jalandhar-144008.

.....Appellant/Complainant

**Versus**

**Public Information Officer**

O/o SSP, (Rural),  
Jalandhar.

.....Respondent

**First Appellate Authority**

O/o SSP, (Rural),  
Jalandhar.

**Appeal Case No.797 of 2021**  
**(Cisco Webex Proceedings)**

RTI application filed on	:	27-05-2020
PIO replied on	:	24-06-2020
First appeal filed on	:	30-07-2020
First Appellate Authority order	:	-

The following were present:

Appellant: -

Respondent: Written submissions received 02.08.2021, 26.08.2021

**ORDER:**

**Information Sought:**

A) Details from period (01-01-2010 to 27-05-2020)

- 1) No. of cases registered in each division and district wise of Jalandhar Rural Police under section 154(1) and by 154(3) code of criminal procedure act (crpc) as a cognizable offence.
- 2) No of cases registered in each division and district wise of Jalandhar Rural Police under section 155 code of criminal procedure act (crpc) 1973 as a non cognizable offence in NC Register.
- 3) No of cases registered where magistrate ordered under section 156(3) to register a First Information report in each division and district wise of Jalandhar Rural Police.
- 4) No of cases and detailed report where search by police officer done in each division and district wise of Jalandhar Rural Police under section 165 code of criminal procedure (crpc) 1973.
- 5) No of cases and detailed report where search was done outside jurisdiction and district wise of Jalandhar Rural Police under section 166 code of criminal procedure (crpc) 1973.
- 6) No of cases when accused released by Jalandhar Rural Police of each division due to insufficient evidence under section 169 code of criminal procedure (crpc) 1973.
- 7) No of cases when after completion of investigation a challan or charge sheet produced in front of magistrate under section 173 code of criminal procedure (crpc) 1973.

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- 8) No of cases police enquire and submit report on suicide and unnatural death under section 174 code of criminal procedure (crpc) 1973.
- 9) No of cases registered under Narcotic Drugs and Psychotropic Substance Act 1985 (NDPS ACT).
- 10) No of cases registered in each police division under Arms act 1959.
- 11) Name and mobile numbers of officers posted during above cases registered as a division wise and constituency wise in Jalandhar Rural Police.

**1. To be read in the continuity of previous order dated 30.06.2021 vide which the decision was reserved.**

**Decision announced on 09.08.2021.**

2. On perusal of the RTI application dated 27/05/2020, the Commission noted that the information sought by the Appellant pertained largely to the No. of cases registered in each division and district wise of Jalandhar Rural Police under section 154(1), 154(3), 155, 156(3), 169, 174 crpc and (NDPS ACT) 1985. The Respondent submitted that 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. PIO further added that the sought information is a third party information which is exempted u/s 8.1 (j) of RTI Act 2005. However, if the appellant wanted he could inspect the relevant records and identify the information he needed, said PIO.
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 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**

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**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.”

- 4. In the present case, there is no tangible public purpose** which has been cited by the appellant that would convince the Commission to override the guaranteed exemption under Section 8(1)(j) to the individual.
- 5. The disclosure of such information is not in the public interest as the appellant has asked for the information for promotion of his personal interest.** A mere suspicion cannot constitute the basis for a public interest. Therefore, the PIO is justified in denying the information sought, u/s 8(1)(j) of the Act.

The appeal is disposed of accordingly.

**Chandigarh**  
**Dated: 09.08.2021**

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