

PUNJAB STATE INFORMATION COMMISSION

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

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Email: pcic20@punjabmail.gov.in Visit us: www.infocommpunjab.com

Whatsapp No. 62848-20189



Sh. Ajay Kumar,
S/o Sh. Ram Rakha,
R/o House No A-1346, Street No 1,
Radha Swami Colony,
Fazilka.M : 8146548104

Appellant
Vs

Public Information Officer,
O/o DEO (EE),
Fazilka.

First Appellate Authority
O/o DEO (EE),
Fazilka.

Respondents

Appeal Case No. 3558/2022

Present:- None on behalf of the appellant.

Sh. Sukhvir Singh, D.E.O.(EE), 9464410206 on behalf of the respondents.

ORDER

The RTI application is dated 16.3.2022 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 16.4.2022 and second appeal was filed in the Commission on 3.8.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant has sought the following information as per his RTI application:-

ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦਾ ਵਿਵਰਨ

1. ਆਪ ਜੀ ਦੇ ਦਫ਼ਤਰ ਵਿਖੇ ਸ੍ਰੀ ਰਾਜੇਸ਼ ਕੁਮਾਰ ਸੀਨੀਅਰ ਸਹਾਇਕ ਜੋ ਮਿਤੀ 31/01/2022 ਨੂੰ ਆਪਣੀ ਡਿਊਟੀ ਤੋਂ ਸੇਵਾਮੁਕਤ ਹੋਏ ਹਨ। ਸਬੰਧਤ ਕਰਮਚਾਰੀ ਦੀ ਮਿਤੀ 01/08/2021 ਤੋਂ 31/01/2022 ਤੱਕ ਤਨਖਾਹ ਬਿਲ/ਰਜਿਸਟਰ ਦੀਆਂ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਮੁਹੱਈਆ ਕਰਵਾਈਆਂ ਜਾਣ।
2. ਆਪ ਜੀ ਦੇ ਦਫ਼ਤਰ ਵਿਖੇ ਸ੍ਰੀ ਰਾਜੇਸ਼ ਕੁਮਾਰ ਸੀਨੀਅਰ ਸਹਾਇਕ ਜੋ ਮਿਤੀ 31/01/2022 ਨੂੰ ਆਪਣੀ ਡਿਊਟੀ ਤੋਂ ਸੇਵਾਮੁਕਤ ਹੋਏ ਹਨ। ਸਬੰਧਤ ਕਰਮਚਾਰੀ ਦੀ ਮਿਤੀ 01/08/2021 ਤੋਂ 31/01/2022 ਤੱਕ ਜੀ.ਆਈ.ਐਸ. ਜ਼ਮ੍ਹਾਂ ਕਰਵਾਏ ਗਏ ਸਬੂਤ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇ।
3. ਆਪ ਜੀ ਦੇ ਦਫ਼ਤਰ ਵਿਖੇ ਸ੍ਰੀ ਰਾਜੇਸ਼ ਕੁਮਾਰ ਸੀਨੀਅਰ ਸਹਾਇਕ ਜੋ ਮਿਤੀ 31/01/2022 ਨੂੰ ਆਪਣੀ ਡਿਊਟੀ ਤੋਂ ਸੇਵਾਮੁਕਤ ਹੋਏ ਹਨ। ਸਬੰਧਤ ਕਰਮਚਾਰੀ ਦੀ ਮਿਤੀ 01/08/2021 ਤੋਂ 31/01/2022 ਤੱਕ ਲਈ ਗਈ ਲੀਵ ਇਨਕੈਸਟ੍ਰਮੈਂਟ ਬਾਰੇ ਤਸਦੀਕਸ਼ੁਦਾ ਕਾਪੀ ਮੁਹੱਈਆ ਕਰਵਾਈ ਜਾਵੇ।

3. The appellant is absent without intimation. However, the respondent submits that the complete information as available on record has already been supplied to the appellant. He further submits that nothing more is available on record which could be supplied to the appellant in this case and requested to close the case. He has also sent the information through email, which is taken on record.

4. Keeping in view the submissions made by the respondent and going through the information so supplied by the respondent, the Commission is of the view that no further action is required to be taken in this case. A copy of the information supplied by the respondent is **being sent** to the appellant along with this order.

5. Accordingly, the case is disposed of and closed.

Dated:13.9.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

PUNJAB STATE INFORMATION COMMISSION

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ShriSurjit Singh,
S/o Sh. Gokal Singh,
VPO Jarg, Tehsil Payal,
District Ludhiana.

Appellant

V/s.

Public Information Officer,
O/o Director Public Instructions (Elementary),
(DPI) Punjab, VidhyaBhawan,
PSEB Complex, Sector 62,
SAS Nagar, Mohali(Punjab)

First Appellate Authority,
O/o Secretary, Punjab School Education Board,
VidhyaBhawan, PSEB Complex,
Sector 68, SAS Nagar (Punjab)
Respondent

Appeal Case No. 5669 of 2021.

Present:- ShriSurjit Singh, appellant.
Ms SukhwinderKaur and Sh. Mohinder Singh on behalf of the
respondents

ORDER

This order may be read with reference to the previous order dated 6.4.2022 vide which the case was adjourned for 13.7.2022 but due to administrative reasons the case was further adjourned for today. The case was earlier heard by the bench of Sh. SanjivGarg, SIC but due to administrative reasons the case was reallocated to this bench.

2. The appellant has sought the following information as per his RTI application:-

5. Particulars of the information solicited

a) Subject Matter of information (**) *ਮੇਰੀ ਮਾਸਿਕ ਵਰਤੋਂ ਕਰਵਾਉਣ ਦੀ ਮੰਗ*

b) the period to which information relates(***) *ਮਾਰਚ 1997 ਤੋਂ ਮਈ 2005 ਤੱਕ*

c) specific Details of information required (***) *1. ਇਹ ਕਿ ਮਾਸਿਕ ਵਰਤੋਂ ਕਰਵਾਉਣ ਵਾਲੇ ਡਾਕਟਰਾਂ ਨੂੰ ਕਿਸਦੇ ਨੇ ਨਿਯੁਕਤ ਕੀਤਾ ਹੈ।
2. ਮਾਰਚ 1997 ਤੋਂ ਮਈ 2005 ਤੱਕ ਮੇਰੇ ਮਾਸਿਕ ਵਰਤੋਂ ਕਰਵਾਉਣ ਵਾਲੇ ਡਾਕਟਰਾਂ ਦੇ ਨਾਮਾਂ ਦੀ ਸੂਚੀ।
3. ਮੇਰੇ ਮਾਸਿਕ ਵਰਤੋਂ ਕਰਵਾਉਣ ਵਾਲੇ ਡਾਕਟਰਾਂ ਦੇ ਨਾਮਾਂ ਦੀ ਸੂਚੀ।
4. ਮੇਰੇ ਮਾਸਿਕ ਵਰਤੋਂ ਕਰਵਾਉਣ ਵਾਲੇ ਡਾਕਟਰਾਂ ਦੇ ਨਾਮਾਂ ਦੀ ਸੂਚੀ।*

d) Whether information is required by post or in person (the actual postal fee shall be included in additional fee on providing the information)

e) in case by post (ordinary/registered or speed post)

f) Is this information not made available by public authority under voluntary disclosure?

g) Do you agree to pay the required fee?

h) Have you deposited application fee? (if yes, detail of such deposit)

3. The appellant submits that the directions may be issued to the respondent- Public Information Officer to supply the complete information. However, the representative of the respondents submits that the complete information as available on record regarding the fixation of pay and seniority related issues have already been supplied to the appellant in various cases. He further submits that the appellant is insisting to the public authority to create the information which is not available on record.

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Appeal Case No. 5699 of 2021

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4. Also the RTI application has been considered in terms of the orders issued by the Punjab State Information Commission in CC No. 2177 of 2010 (DOD 2.8.2010) in which it has

been mentioned that the information to be collected, collated, tabulated and rearranged is not within the purview of the RTI Act. Subsequently, the office memorandum issued by the

Department of Personnel and Training, Government of India vide no. 1/18/2011-IR dated 16.9.2011 in which it has been mentioned that:-

“only such information can be supplied under the Act which already exists and is held by the public authority or held by the public authority or held under the control of the public authority. The Public Information Officer is not supposed to create information or to interpret information or to solve the problems raised by the applicant or to furnish the replies to hypothetical questions”.

5. The RTI application of appellant was also considered in terms of office memorandum issued by the Department of Personnel & Training, Government of India vide No. 11/2/2008-IR dated 10.7.2008 in which it has been stated that the Public Information Officer has to supply the ‘material’ in the form as held by the public authority and it is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

6. It is also 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

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Appeal Case No. 5669 of 2021

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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."

7. Keeping in view the above, the submissions made by the respondent are accepted and the Commission is of the view that no further directions can be given to the respondent authority in this case. Hence, the case is disposed of and closed.

Dated:13.9.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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ShriSurjit Singh,
S/o Sh. Gokal Singh,
VPO Jarg, Tehsil Payal,
District Ludhiana.

Appellant

V/s.

Public Information Officer,
O/o District Education Officer (Elem.),
Sri Fatehgarh sahib (Punjab)

First Appellate Authority,
O/o Director Public Instructions (Elementary),
(DPI) Punjab, VidhyaBhawan,
PSEB Complex, Sector 62,
SAS Nagar , Mohali(Punjab)

..Respondent

Appeal Case No. 3769 of 2021.

Present:- Sh. Surjit Singh, appellant.

Sh. Tejveer Singh, Sr. Asstt 9501311800 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 6.1.2022 vide which the case was adjourned for 30.3.2022 but due to administrative reasons the case was further adjourned for 13.7.2022 and then for 12.10.2022. The case was earlier heard by the bench of Sh. SanjivGarg, SIC but due to administrative reasons the case was reallocated to this bench.

2. The appellant has sought the following information as per his RTI application:-

Handwritten RTI application form with details in Gurmukhi script. The form includes fields for personal details, the information sought, and a declaration. The date is 24-05-21. The form is signed by the appellant.

3. The appellant submits that the directions may be issued to the respondent-Public Information Officer to supply the complete information. However, the representative of the respondents submits that the complete information as available on record regarding the fixation of pay and seniority related issues have already been supplied to the appellant in various cases. He further submits that the appellant is insisting to the public authority to create the information which is not available on record.

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Appeal Case No. 3769 of 2021

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4. Also the RTI application has been considered in terms of the orders issued by the Punjab State Information Commission in CC No. 2177 of 2010 (DOD 2.8.2010) in which it has

been mentioned that the information to be collected, collated, tabulated and rearranged is not within the purview of the RTI Act. Subsequently, the office memorandum issued by the

Department of Personnel and Training, Government of India vide no. 1/18/2011-IR dated 16.9.2011 in which it has been mentioned that:-

“only such information can be supplied under the Act which already exists and is held by the public authority or held by the public authority or held under the control of the public authority. The Public Information Officer is not supposed to create information or to interpret information or to solve the problems raised by the applicant or to furnish the replies to hypothetical questions”.

5. The RTI application of appellant was also considered in terms of office memorandum issued by the Department of Personnel & Training, Government of India vide No. 11/2/2008-IR dated 10.7.2008 in which it has been stated that the Public Information Officer has to supply the ‘material’ in the form as held by the public authority and it is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

6. It is also 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

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Appeal Case No. 3769 of 2021

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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."

7. Keeping in view the above, the submissions made by the respondent are accepted and the Commission is of the view that no further directions can be given to the respondent authority in this case. Hence, the case is disposed of and closed.

Dated:13.9.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

Whatsapp No. 62848-20189



Appellant

V/s.

First Appellate Authority,
O/o The Secretary to Govt. of Punjab,
Department of Education,
5th Floor, E- Block,
VidhyaBhawan, PSEB Complex,
Phase -8, Sector 62, SAS Nagar (Mo

Respondent

Appeal Case No. 3332 of 2021

Present:- ShriSurjit Singh, appellant.
Ms SukhwinderKaur and Sh. Mohinder Singh on behalf of the respondents

This order may be read with reference to the previous order dated 22.3.2022 vide which the case was adjourned for 13.7.2022 but due to administrative reasons the case was further adjourned for today. The case was earlier heard by the bench of Sh. Sanjiv Garg, SIC but due to administrative reasons the case was reallocated to this bench.

2. The appellant has sought the following information as per his RTI application:-

[illegible]

3. The appellant submits that the directions may be issued to the respondent-Public Information Officer to supply the complete information. However, the representative of the respondents submits that the complete information as available on record regarding the fixation of pay and seniority related issues have already been supplied to the appellant in various cases. He further submits that the appellant is insisting to the public authority to create the information which is not available on record.

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Appeal Case No. 3332 of 2021

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4. Also the RTI application has been considered in terms of the orders issued by the Punjab State Information Commission in CC No. 2177 of 2010 (DOD 2.8.2010) in which it has

been mentioned that the information to be collected, collated, tabulated and rearranged is not within the purview of the RTI Act. Subsequently, the office memorandum issued by the

Department of Personnel and Training, Government of India vide no. 1/18/2011-IR dated 16.9.2011 in which it has been mentioned that:-

“only such information can be supplied under the Act which already exists and is held by the public authority or held by the public authority or held under the control of the public authority. The Public Information Officer is not supposed to create information or to interpret information or to solve the problems raised by the applicant or to furnish the replies to hypothetical questions”.

5. The RTI application of appellant was also considered in terms of office memorandum issued by the Department of Personnel & Training, Government of India vide No. 11/2/2008-IR dated 10.7.2008 in which it has been stated that the Public Information Officer has to supply the ‘material’ in the form as held by the public authority and it is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

6. It is also 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

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Appeal Case No. 3332 of 2021

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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."

7. Keeping in view the above, the submissions made by the respondent are accepted and the Commission is of the view that no further directions can be given to the respondent authority in this case. Hence, the case is disposed of and closed.

Dated:13.9.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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ShriSurjit Singh
S/o Sh. Gokul Singh,
V.P.O. – Jarg,
Tehsil – Payal,
Distt. - Ludhiana(Punjab)
....Appellant

V/s

Public Information Officer,
O/o Director,Public Instructions (Elem.) Pb.,
VidyaBhawan, P.S.E.B. Complex,
Sector 62, S.A.S. Nagar (Mohali) (Punjab)

First Appellate Authority,
O/o His Excellency,
Governor of Punjab,
Punjab Raj Bhawan,
Chandigarh

...Respondents

Appeal Case No. 912 of 2022.

Present:- ShriSurjit Singh, appellant.
Ms SukhwinderKaur and Sh. Mohinder Singh on behalf of the
respondents

ORDER

This order may be read with reference to the previous order dated 4.7.2022 vide which the case was adjourned for 31.10.2022. The case was earlier heard by the bench of Sh. SanjivGarg, SIC but due to administrative reasons the case was reallocated to this bench and fixed for hearing today.

2. The appellant has sought the information related implementation of COCP 2670 of 2019 in LPA No. 2465 of 2016 as per his RTI application.

3. The representative of the respondents submits that the complete information as available on record has already been supplied to the appellant. Also the appellant submits that he has received the complete information and is satisfied with the same.

4. Keeping in view the above, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

Dated:13.9.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Surjit Singh
s/o Sh. Gokul Singh
VPO Jang,
Tehsil Payal,
Ludhiana 141415-9855900321

..complainant

Vs

Public Information Officer
o/o D.E.O. (EE),
Fatehgarh Sahib.

First Appellate Authority
o/o Secretary, Education Department, (Schools)
Punjab Civil Secretariat-2, Chandigarh

..Respondents

Appeal Case No. 2604 of 2022
(Video Conference Proceedings)

Present:- Sh. Surjit Singh, appellant.
Sh. Tejveer Singh, Sr. Asstt 9501311800 on behalf of the
respondents.

ORDER

This order may be read with reference to the previous order dated
29.8.2022

2. The appellant has sought the information related to 62 teachers i.e. date of joining, name of school and the name of the district from whom they transferred to Fatehgarh Sahib.

3. The appellant submits that the directions may be issued to the respondent- Public Information Officer to supply the information concerning the 62 teachers as has been sought by him. However, the representative of the respondents submits that the appellant may be directed to supply the list of 62 teachers and he will identify the name of the Block Primary Education Officer concerned. He further submits that every Block Primary Education Officer office has its own Public Information Officer and he is the custodian of the record. The respondent further submits that there are 8 Block Primary Education Officers in the district.

4. Accordingly, the appellant is directed to provide the list of 62 teachers and the respondent is directed to identify the name of the concerned Block Primary Education Officer of 62 teachers in case the list is supplied by the appellant.

5. Keeping in view the above, no further directions can be given to the respondent in this case and the Commission is of the view that no further action is required to be taken in this case.

Dated: 13.9.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

The logo of the Punjab State Information Commission (PSIC) is a circular emblem. It features the text 'ਪੰਜਾਬ ਰਾਜ ਸੂਚਨਾ ਕਮਿਸ਼ਨ' (Punjab Raj Soochana Kamishan) in Gurmukhi script at the top and 'Punjab State Information Commission' in English at the bottom. In the center, the acronym 'PSIC' is written in a bold, green, sans-serif font.

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Appeal Case No. 5671 of 2021

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4. Also the RTI application has been considered in terms of the orders issued by the Punjab State Information Commission in CC No. 2177 of 2010 (DOD 2.8.2010) in which it has

been mentioned that the information to be collected, collated, tabulated and rearranged is not within the purview of the RTI Act. Subsequently, the office memorandum issued by the

Department of Personnel and Training, Government of India vide no. 1/18/2011-IR dated 16.9.2011 in which it has been mentioned that:-

“only such information can be supplied under the Act which already exists and is held by the public authority or held by the public authority or held under the control of the public authority. The Public Information Officer is not supposed to create information or to interpret information or to solve the problems raised by the applicant or to furnish the replies to hypothetical questions”.

5. The RTI application of appellant was also considered in terms of office memorandum issued by the Department of Personnel & Training, Government of India vide No. 11/2/2008-IR dated 10.7.2008 in which it has been stated that the Public Information Officer has to supply the ‘material’ in the form as held by the public authority and it is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

6. It is also 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

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Appeal Case No. 5671 of 2021

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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."

7. Keeping in view the above, the submissions made by the respondent are accepted and the Commission is of the view that no further directions can be given to the respondent authority in this case. Hence, the case is disposed of and closed.

Dated:13.9.2022

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Surjit Singh
s/o Sh. Gokul Singh
VPO Jang,
Tehsil Payal,
Ludhiana 141415-9855900321

..complainant

Vs

Public Information Officer
o/o D.E.O. (EE),
Fatehgarh Sahib.

First Appellate Authority
o/o Director, Public Instructions (Elem)
Sector 62, Mohali.

..Respondents

Appeal Case No. 5629 of 2021
(Video Conference Proceedings)

Present:- Sh. Surjit Singh, appellant.
Sh. Sukhwinder Kaur, Sh. Tejveer Singh, Sr. Asstt 9501311800 on
behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 26.4.2022 vide which the case was adjourned for 13.7.2022 but due to administrative reasons the case was further adjourned for 12.10.2022. The case was earlier heard by the bench of Sh. Sanjiv Garg, SIC but due the case was reallocated to this bench.

2. The appellant has sought the following information as per his RTI application:-

3. The appellant submits that the directions may be issued to the respondent-Public Information Officer to supply the complete information. However, the representative of the respondents submits that the complete information as available on record regarding the fixation of pay and seniority related issues has already been supplied to the appellant in various cases. He further submits that the appellant is insisting to the public authority to create the information which is not available on record.

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Appeal Case No. 5629 of 2021

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4. Also the RTI application has been considered in terms of the orders issued by the Punjab State Information Commission in CC No. 2177 of 2010 (DOD 2.8.2010) in which it has

been mentioned that the information to be collected, collated, tabulated and rearranged is not within the purview of the RTI Act. Subsequently, the office memorandum issued by the

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5. The RTI application of appellant was also considered in terms of office memorandum issued by the Department of Personnel & Training, Government of India vide No. 11/2/2008-IR dated 10.7.2008 in which it has been stated that the Public Information Officer has to supply the ‘material’ in the form as held by the public authority and it is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

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Appeal Case No. 5629 of 2021

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7. Keeping in view the above, the submissions made by the respondent are accepted and the Commission is of the view that no further directions can be given to the respondent authority in this case. Hence, the case is disposed of and closed.

Dated:13.9.2022

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Appeal Case No. 3477 of 2021

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Appeal Case No. 3477 of 2021

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Dated: 13.9.2022

(Suresh Arora)
Chief Information Commissioner,
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