**STATE INFORMATION COMMISSION, PUNJAB**

**RED CORSS BUILDING, SECTOR-16, MADHYA MARG, CHANDIGARH**

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Sh. Ashok Kumar

S/o Sh. Ajmer Gir,

Village Chandpur P.O. Sialba,

Tehsil Kharar, Distt. S.A.S.Nagar. Appellant

Versus

Public Information Officer,

O/o Block Development & Panchayat Officer,

Block Majri P.O. Sialba , Tehsil Kharar,

Dist. S.A.S.Nagar

First Appellate Authority

O/o Block Development & Panchayat Officer,

Block Majri, P.O. Sialba , Tehsil Kharar,

Distt S.A.S.Nagar Respondents

**APPEAL CASE NO.1225/2016**

**Date of RTI Application : 10.02.2017 Date of First Appeal : 10.03.2017**

**Date of Order of FAA : Nil**

**Date of Second Appeal : 04.05.2017**

**Present:** Sh. Ashok Kumar, Appellant in person.

None on behalf of the Respondents.

**ORDER**

The Commission takes a strong exception to the indifferent attitude of the respondents as neither they have filed a written reply on the notice issued by the Commission nor anyone is present.

Another opportunity is afforded to the respondents to provide the information to the appellant under intimation to the Commission.

To come up on **27.07.2017 at 11.30 AM.**

**Sd/-**

**22.06.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Rakesh Kumar

S/o Sh. Sat Sarup

V & P.O Agampur Tehsil Anandpur Sahib.

Dist. Ropar.

Appellant

Versus

Public Information Officer,

O/o Sarpanch, Gram Panchayat,

Agampur Block Anandpur Sahib,

Distt. Ropar.

First Appellate Authority

O/o Block Development & Panchayat Officer,

Anandpur Sahib. Respondents

**APPEAL CASE NO.1226/2016**

**Date of RTI Application : 05.01.2017**

**Date of First Appeal : 13.02.2017**

**Date of Order of FAA : Nil**

**Date of Second Appeal : 18.04.2017**

**Present:** Sh. Rakesh Kumar, Appellant in person.

1. Sh. Kanwar Singh, Panchayat Secretary, Aganpur Block, and

2. Sh. Karnail Singh, Sarpanch, Agampur – for Respondents.

**ORDER**

The appellant had sought the information concerning the various grants having been received by the gram panchayat, Agampur and other allied information regarding the execution of various development works.

The respondents have brought along the information which has been handed over to the appellant on spot. Apparently, the information looks in order. No further intervention of the Commission is called for.

**Disposed.**

**Sd/-**

**22.06.2017 (Yashvir Mahajan)**

**State Information Commissioner**

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Sh. Ramandeep Singh Ahluwalia

Ward No.18, Street No.2, Kartar Nagar, Near Mann Market,

Amloh Road, Khanna. Distt. Ludhiana

Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Municipal. Council, Mandi Gobindgarh

First Appellate Authority

O/o Regional Deputy Director, Urban Local Bodies, 1st Floor,

Mini Sectt. Ferozepur Road, Ludhiana

Respondents

**APPEAL CASE NOs.1230 and 1232 of 2016**

**Date of RTI Application : 15.11.2016/02.12.2016 Date of First Appeal : 26.12.2016/14.01.2017**

**Date of Order of FAA : Nil/ Reply – 30.05.2017**

**Date of Second Appeal : 30.03.2017**

**Present:** None on behalf of the Appellant.

1. Sh. Jatinder Bains, JE, M.C., Mandi Gobindgarh, and

2. Sh. Ajay Kumar, JE, MC, Mandi Gobidngarh – for Respondents.

**ORDER**

Since the appellant, the respondents are the same and the information is also identical, the single order shall dispose of the above appeals.

The appellant had sent a communication to seek an adjournment as he was not aware of the hearing date in these cases. The plea of the appellant does not cut ice as the Commission understands that the notices to the parties are sent under registered cover which are presumed to have been delivered in the absence of any specific intimation from the postal authorities Besides, the cause lists of the cases fixed for hearing in the Commission is flashed on the website significantly in advance. The appellant is computer savvy and normally sends his communications through e.mail. We presume that he should be aware of the hearing date of the cases. As the respondents are present, we do not consider it appropriate to adjourn the cases on flimsy grounds.  *Contd…page…2*

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**APPEAL CASE NOs.1230 and 1232 of 2016**

The matter as such is taken up on the facts as are available on record.

The respondents say tht the information sough is vague, indiscriminate and sweeing. He was asked to seek the specific information.

They add that their communications were never responded by the appellant. We find that the appellant is habitually seeking generalized information by mentioning all the works executed by all the Cooperative Societies and the certified copies of all the documents being maintained by the Public Authority in execution of works.

Such kind of requisition, we presume take a heavy toll on the routine functioning and resources of the Public Authority leaving little time with them to attend to their routine duties. In case the appellant is so keen in assuring the transparency and accountability he should be specific in seeking information rather than running riot in seeking information in stereo-typed cyclo-styled applications from all the public authorities executing any engineering works. We find that such an information entail hundreds nay thousands of documents which we presume are humanly not possible by an individual to examine. Our suggestion to the information seeker to become focused and specific has not yielded any response. The mechanical filing of applications, first appeal and second appeal are a routine. It is in view of such a situation, Hon’ble Supreme Court in CBSE vs. Aditya Bandopadhyay, (2011) 8 SCC 497, explained :--

*“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* Contd…page…3

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**APPEAL CASE NOs.1230 and 1232 of 2016**

*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 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.”*

Having failed to be specific as asked by the Public Authority and in view of the aforesaid ruling of Hon’ble Supreme Court of India we do not find any occasion to intervene in such kind of vexatious applications.

**Disposed.**

**Sd/-**

**22.06.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Ramandeep Singh Ahluwalia,

Ward No.18, Street No.2, Kartar Nagar,Near Mann Market,

Amloh Road, Khanna

Distt. Ludhiana Appellant

Versus

Public Information Officer,

O/o Executive Officer,

Nagar Panchayat, Bhadson.

First Appellate Authority

O/o Regional Dy. Director, Local Bodies, R.No.409, 4th Floor,

A Block, Mini Sectt. Patiala. Respondents

**APPEAL CASE NO.1231/2016**

**Date of RTI Application : 15.11.2016 Date of First Appeal : 26.12.2016**

**Date of Order of FAA : Nil. Reply - 30.05.2017**

**Date of Second Appeal : 30.05.2017**

**Present:** None on behalf of the Appellant.

Sh. Ashok Kumar, E.O., Nagar Panchayat, Bhadson.

**ORDER**

The appellant had sent a communication to seek an adjournment as he was not aware of the hearing date in the case. The plea of the appellant does not cut ice as the Commission understands that the notices to the parties are sent under registered cover which are presumed to have been delivered in the absence of any specific intimation of the postal authority. Besides, the cause lists of the cases fixed for hearing in the Commission is flashed on the website significantly in advance. As the appellant is computer savvy and normally sends his communications through e.mail it can be presumed that he is aware of the hearing date of the case. Thus, his plea of not informing him is rejected.

Contd….page….2

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**APPEAL CASE NO.1231/2016**

The respondent says that the appellant was asked to deposit Rs.158/- as a cost of information. Having failed to do so he is not entitled to get the information. The appellant has not come up with any reasonable argument for having not deposited the cost of information.

In the scenario he is not entitled to get the information as required under Section 7 (3) of the RTI Act.

**Disposed.**

**Sd/-**

**22.06.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Gurcharan Singh

S/o Sh. Gurjeet Singh, Village Goslan,

P.O. Seeho Majra, Tehsil & Distt. Ropar Appellant

Versus

Public Information Officer,

O/o Block Development & Panchayat Officer,

Ropar.

First Appellate Authority

O/o District Development & Panchayat Officer,

Ropar Respondents

**APPEAL CASE NO.1233/2016**

**Date of RTI Application : 09.01.2017**

**Date of First Appeal : Not available**

**Date of Order of FAA : Nil**

**Date of Second Appeal : 06.04.2017**

**Present:** Sh. Gurcharan Singh, Appellant in person.

Sh. Shiv Raj Singh, Panchayat Secretary, O/o BDPO, Ropar – for Respondents.

**ORDER**

The appellant had sought to know the details of grants received by the gram panchayat of village Goslan from 2013 onwards along with the details of the expenses incurred by them on the various development works.

The respondent says that he has been duly informed. However, the perusal of the documents suggests that information supplied is very sketchy and inadequate. The respondent further says that the certified copies of the measurement book of the works being maintained by the J.E. has so far not been completed. Seemingly, the record maintained by the respondents is very slip-shod.

The Block Development and Panchayat Officer, Ropar being the head of the public Contd…page…2

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**APPEAL CASE NO.1233/2016**

authority is directed to look into it and arrange to provide the information point-wise to the appellant within fifteen days from today positively in any case well before the next date of hearing. Any laxity shall be viewed very seriously and invite penal consequences.

To come up on **27.07.2017 at 11.30 AM.**

**Sd/-**

**22.06.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**Cc: The Block Development and Panchayat Officer,**

**Ropar, for n/a.**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Rakesh Kumar Singla,

Voice Organization (Regd.)

Opp. Tehsil Office, Lehragaga -148031

Distt. Sangrur Appellant

Versus

Public Information Officer,

O/o Nagar Council, Lehragaga,

Distt. Sangrur

First Appellate Authority

O/o Regional Dy. Director, Local Bodies,

Mini Sectt. Patiala Respondents

**APPEAL CASE NOs.1240, 1241 and 1246 of 2016**

**Date of RTI Application : 18.03.2016/30.11.2015/30.04.2016 Date of First Appeal : 06.06.2016/20.01.2016/06.06.2016 Date of Order of FAA : 30.08.2016/14.03.2016/31.08.2016**

**Date of Second Appeal : 10.04.2017**

**Present:** None on behalf of the Appellant.

Sh. Surinder Kumar, Accountant, Nagar Council, Lehragaga – for Respondents.

**ORDER**

As the appellant and the respondents are same and the nature of information sought is identical, the single order shall dispose of all the above three appeals.

A wide and varied information concerning the various activities of the Public Authority has been sought. Its perusal suggests that it is quite a voluminous, indiscriminate and covers period from 01.04.2010 onwards.

The respondent says that though the information is very huge and voluminous even though they have dispatched the documents weighing in kilos to him through post as he denied receiving it personally. The appellant is absent. Vide his communication dated 12.06.2017 the appellant has requested for an adjournment as he is going to Shree Amar Nath yatra and the case should be fixed after he is through it in a couple of months.

Contd…page…2

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**APPEAL CASE NOs.1240, 1241 and 1246 of 2016**

The Commission observes that such public issues cannot be adjudicated on the fancies and convenience of a public authority or an appellant. Humongous information concerning all and sundry subjects for a period of seven years have been provided. We cannot see as to how public interest is involved in seeking such a huge and massive information.

The Commission expects an earnestness on the part of the information seeker in case he is asking an information, rather than keeping the public authority and the Commission on tenterhooks. As the information has been delivered, we presume that no useful purpose shall be served in further adjourning the case.

**Disposed.**

**Sd/-**

**22.06.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh. Amit Saini

S/o Sh. Janak Raj,

R/o House No.227/C, Ram Nagar,

Sheetla Mata Mandir, 4 Marla Quarter,

Pathankot. Appellant

Versus

Public Information Officer,

O/o Commissioner,

Municipal Corporation,

Pathankot.

First Appellate Authority

O/o Director, Local Bodies, Punjab,

Plot No.3, Sector-35,

Chandigarh Respondents

**APPEAL CASE NO.1224/2016**

**Date of RTI Application : 28.10.2016**

**Date of First Appeal : 20.12.2016**

**Date of Order of FAA : Nil**

**Date of Second Appeal : 04.03.2017**

**Present:** Adv. Karan Grover, Counsel for the Appellant.

1. Sh. Malkiat Singh, Building Inspector, M.C., Pathankot, and

2. Ms. Navpreet Kaur, Clerk, O/o Director, Local Govt., Punjab – for Respondents.

**ORDER**

The appellant had asked for the site plans of the public parks specifically Saini Complex in the four marla quarter area of Pathankot.

The respondents represented by Sh. Malkiat Singh, Building Inspector submit that the information sought for is not available with them as according to them it has never been maintained. The Commission finds that in case an information does not exist or is not available with the public authority, obviously the same cannot be furnished. The respondents are directed to depose in the shape of an affidavit their aforesaid position, a copy of which they will endorse to the appellant within fifteen days positively from today.

With these observations the case is **closed.**

**Sd/-**

**22.06.2017 (Yashvir Mahajan)**

**State Information Commissioner**

**STATE INFORMATION COMMISSION, PUNJAB**

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Sh.Jagjit Singh,

S/o Sh. Harbans Singh,

# B-32/E -13/216 A Gali No.3,

Backside Gree Land School, Near Jalandhar Bypass

Ludhiana Appellant

Versus

Public Information Officer,

O/o Municipal Corporation,

Zone-A, Ludhiana

First Appellate Authority

O/o Municipal Corporation,

Zone-A, Ludhiana Respondents

**APPEAL CASE NO.1228/2016**

**Date of RTI Application : 10.01.2017**

**Date of First Appeal : 20.02.2017**

**Date of Order of FAA : Nil**

**Date of Second Appeal : 29.03.2017**

**Present:** Sh. Jagjit Singh, Appellant in person.

None.

**ORDER**

The respondent is absent. The case is deferred for the next date of hearing.

The Commission finds that the information concerns a third party. The respondents are directed to follow a procedure as prescribed under Section 11 of the RTI Act and take appropriate action.

To come up on **27.07.2017 at 11.30 AM.**

**Sd/-**

**22.06.2017 (Yashvir Mahajan)**

**State Information Commissioner**