



Sh. Satwinder Singh, (9877212926)
S/o Sh. Sukhwinder Singh,
Village Kalar, P.O Gujjarpura, Tehsil Batala,
Distt. Gurdaspur.

.....Appellant/Complainant

Versus

Public Information Officer
O/o Sub Divisional Magistrate, Batala,
Distt. Gurdaspur.

.....Respondent

First Appellate Authority
O/o Deputy Commissioner,
Gurdaspur.

Appeal Case No.2258 of 2021
(Cisco Webex Proceedings)

RTI application filed on	:	19-11-2020
PIO replied on	:	-
First appeal filed on	:	22-02-2021
First Appellate Authority order	:	-

Present: Appellant: Absent
Respondent: Smt. Rajwinder Kaur (Suptd.), 8556037037

ORDER:

1. The Appellant filed above mentioned appeal case in the Commission dated 11.05.2021. Accordingly, the cases are fixed for today.

Sought Information:

ਇਹ ਦੱਸਿਆ ਜਾਵੇ ਕਿ ਕੈਪਟਨ ਸਾਹਿਬ ਦੀ ਕਰਜਾ ਮਾਫੀ ਸਕੀਮ ਅਤੇ ਹੋਰ ਸਕੀਮਾਂ ਤਹਿਤ ਹੁਣ ਤੱਕ ਅਮਰੀਕ ਸਿੰਘ ਪੁੱਤਰ ਸ੍ਰ ਹਰਬੰਸ ਸਿੰਘ ਵਾਸੀ ਪਿੰਡ ਕਲਾਰ ਦਾ ਕਿੰਨਾ-ਕਿੰਨਾ ਕਿਸ ਪੱਤਰ ਤਹਿਤ ਅਤੇ ਕਿੰਨੀ ਵਾਰ ਕਰਜਾ ਮਾਫ ਹੋਇਆ ਹੈ।

2. Appellant is absent without any intimation.
3. Respondent, Smt. Rajwinder Kaur stated that a reply (dated 16.09.2021 bearing reference no. 4423) pertaining to this RTI application has already been sent to the appellant with a copy to the commission.
4. The commission is in receipt of aforesaid correspondence from the respondent authority vide diary no. 21644 dated 23.09.2021. This correspondence is taken on record with all supporting enclosures.
5. After perusing the RTI application and going through the reply filled by the respondent, the Commission finds that the RTI application has been **suitably replied** and the information has been supplied to the **best extent**. Moreover, **the factual position has been brought to the notice of the appellant by the respondent**.

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Therefore, no cause of action is required in this case. Hence, the instant appeal case is **disposed & closed**. However, the liberty is granted to the appellant to approach the Commission within 30 days from the issue of this order in case of any further submissions.

Chandigarh
Dated: 22.11.2021

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



Sh. Balwinder Singh, (9646176744)

29, Friends Avenue, Manjitha Road,
 Amritsar-143001

.....Appellant/Complainant

Versus

Public Information Officer

O/o BabaFarid University of Health Sciences,
 Faridkot.

.....Respondent

First Appellate Authority

O/o Registrar, Baba Farid University of Health Sciences,
 Faridkot.

Appeal Case No.2378 of 2021
(Cisco Webex Proceedings)

RTI application filed on : 04-03-2021
 PIO replied on : 24-03-2021
 First appeal filed on : 09-04-2021
 First Appellate Authority order : 28-04-2021

Present: Appellant: Sh. Balwinder Singh

Respondent: Sh. Rajnish Garg (Law Officer, PIO), 9815553933

ORDER:

1. The Appellant filed above mentioned appeal case in the Commission dated 17.05.2021.

Accordingly, the cases are fixed for today.

The sought information enumerated in the RTI application is stated below:

Particulars of Information sought:

1. Details required (in the excel sheet) of following applicants whose documents were verified by the document verification panel in the concern counseling dated 26.10.2020

Name of the Post:- Medical Officer (Dental)										
Name	Roll number by BFUHS for recruitment test	10th Class Roll number	10th Passing year	10th class passing Board	In 10th class marks in Punjab	Punjab Dental registration number	Punjab Dental Council Reg Valid Upto	EWS Certificate Number	Date of Issue of EWS Certificate	Name of Issuing Authority/ Tehsildar
Yatin Jain	262638									
Shakun Sharma	261625									
Ria Nayyar	263349									
Avneet Kaur	263293									

2. Both parties are present and heard.

3. The respondents stated 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.

4. 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.

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It is pertinent to mention here, **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 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.”

5. Taking note of the law laid down by the Apex Court in the aforesaid judgments, this Court is of the considered view the PIO is justified in denying the information sought.

The appeal is disposed of accordingly.

Chandigarh
Dated: 22.11.2021

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



Sh. Davinder Singh, (9463019560)

S/o Sh. Kulwant Singh, R/o # 7203,
Street No. 17, New Janta Nagar,
Daba Road, Ludhiana.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Commissioner of Police,
Amritsar.

.....Respondent

Complaint Case No. 410 and 411 of 2020
(Cisco Webex Proceedings)

Present: Appellant: Sh. Davinder Singh
Respondent: Sh. Prem Singh (SI), 9463964161

ORDER:

1. This order may read with the reference of previous order dated 11.10.2021.
2. Both the parties are present and heard.
3. Respondent, Sh. Prem Singh stated that he has supplied the sought information to the appellant dated 18.11.2021 through registered post. On this appellant, Sh. Davinder Singh stated he has not received it.
4. Keeping in view the facts of the case and information supplied by the respondent it is revealed that, once the appellant receives the information supplied by the respondent authority, he is advised to point out discrepancies (in written form) if any in the information so supplied by the respondent, within 20 days from the issue of this order under intimation to the commission. On these points, the PIO is directed to offer inspection of the relevant available records to the appellant at a mutually convenient date and time.
5. The above mentioned cases are remanded to the First Appellate Authority O/o Commissioner of Police, Amritsar and is directed to treat this application of the appellant as first appeal and decide the same within the period prescribed under the provisions of the RTI Act, 2005. He is also directed to pass an appropriate order after hearing both the parties and examining the record. A copy of the RTI application and annexures as has been received from the appellant is being sent to the First Appellate Authority along with this order.
6. With these directions the cases are disposed of and closed. However, the liberty is granted to the complainant to file the 2nd appeal in this case, if he is not satisfied with the decision of the First Appellate Authority.

Chandigarh
Dated: 22.11.2021

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

CC: First Appellant Authority
O/o Commissioner of Police, Amritsar.