



Sh. Ankit Sehgal, (9888625152)

C/o Bombay Studio, Near Main Post Office Chowk ,
Pathankot.-145001.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Municipal Corporation , Zone-A,
Jalandhar.

.....Respondent

Public Information Officer

O/o Municipal Corporation , Zone-B,
Jalandhar.

Public Information Officer

O/o Municipal Corporation , Zone-C,
Jalandhar.

Public Information Officer

O/o Municipal Corporation , Zone-D,
Jalandhar.

First Appellate Authority

O/o Commissioner, MC,
Jalandhar.

Appeal Case No.841, 842,843 & 844 of 2021
(Cisco Webex Proceedings)

RTI application filed on	:	05-11-2020
PIO replied on	:	17-11-2020
First appeal filed on	:	14-12-2020
First Appellate Authority order	:	28-12-2020

Present: Appellant: Sh. Ankit Sehgal

Respondent: Sh. Manjinder Singh (XEN), 9814422617

ORDER: (Second Hearing)

1. To be read in the continuity of previous order dated 10.05.2021.

Relevant facts emerging during hearing:

2. Respondent, Sh. Manjinder Singh stated that sought information has been supplied to the appellant dated 04.05.2021. A copy of the same is received in the commission dated 11.05.2021 vide diary 10294.
{Meantime the information was emailed to the appellant at the bombaystudio@gmail.com }
3. Appellant, Sh. Ankit Sehgal contended that information so supplied by the respondent authority is not in appropriate form, as it is not clear that it pertains to which Zone. He further added that the respondent authority has also not returned the balance amount, which he had paid to supply the information.
4. On this, the PIO replied that the information sought was not maintained by the authority in the format as desired by the appellant and segregation of the information sought would result in disproportionate diversion of their resources. He further assured the appellant to return the balance amount.

Appeal Case No.841, 842,843 & 844 of 2021
(Cisco Webex Proceedings)

Observation: -

5. 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 segregate or 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 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."***

Decision:-

6. In view of the above observations, the PIO is directed to provide an additional reply to the appellant on all of the points raised in the RTI applications as discussed above. Moreover, the PIO is directed to furnish an affidavit providing therein the factual situation and affirming the position that the information sought by the appellant has been supplied to their best extent. **In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard also to the appellant with a copy to the Commission.**

The PIO is also directed to refund the balance amount which was paid by the appellant as an addition fee for getting the information, with detailed layout.

7. To come up on **22.09.2021** through **Cisco Webex** at **11:00 am**.

{Steps: Install Cisco Webex < Click on Join Meeting< Write Meeting No. – 1581884645}

Chandigarh
Dated: 23.06.2021

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



Sh. Darshan Singh, (9855327734)

S/o Sh. Baldev Singh,
Village Jahangirpur, P.O Paniar,
Distt Gurdaspur-143531.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Addl. Deputy Commissioner (D),
Gurdaspur.

.....Respondent

First Appellate Authority

O/o Director,
Rural Development and Panchayat Department,
S.A.S Nagar.

Appeal Case No.787 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	16-11-2020
PIO replied on	:	-
First appeal filed on	:	19-12-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Darshan Singh
Respondent: Mr. Suleman (Asst.)

ORDER: (Second Hearing)

1. To be read in the continuity of previous order dated 10.05.2021.
2. Respondent, Mr. Suleman pleaded that the sought information as enumerated in the RTI application has been sent to the appellant through ordinary post dated 06.05.2021.
3. Appellant, Sh. Darshan Singh stated that no information has been supplied so far.
4. In the view of above the appellant is advised to send the requisite information to the appellant through registered post again with a copy to the Commission. On other hand the appellant is advised to point out deficiencies, if any, on the receipt of the same. The respondent shall make good the deficiencies, if the same be pointed out by the appellant. In case the partial information is not available in the office record then an undertaking/affidavit may be filled in this regard to the appellant with a copy to the Commission without fail.
5. To come up on **22.09.2021** through **Cisco Webex** at **11:00 am**.
{Steps: Install Cisco Webex < Click on Join Meeting< Write Meeting No. – 1581884645}

NOTE: All documents / information supplied to appellants / complainants must mandatorily be attested as :Information supplied under the RTI Act, 2005, Signature of the PIO, Name of the PIO, Name of the Public Authority, Date.

Chandigarh
Dated: 23.06.2021

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



Sh. Darshan Singh, (9855327734)

S/o Sh. Baldev Singh,
Village Jahangirpur, P.O Paniar,
Distt Gurdaspur-143531.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Deputy Commissioner,
Gurdaspur.

.....Respondent

First Appellate Authority

O/o Deputy Commissioner,
Gurdaspur.

Appeal Case No.875 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	16-11-2020
PIO replied on	:	04-01-2021
First appeal filed on	:	28-12-2020
First Appellate Authority order	:	-

Present: Appellant: Sh. Darshan Singh
Respondent: Absent

ORDER: (Second Hearing)

1. To be read in the continuity of previous order dated 10.05.2021.
2. Written Submission made by respondent authority: An email dated 06.06.2021 is received by the bench of undersigned, relevant portion of which is reproduced below:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲਾ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਨੂੰ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਸ੍ਰੀ ਨਿਰਮਲ ਸਿੰਘ ਜੋ ਕਿ ਸੇਵਾ ਮੁਕਤੀ ਤੋਂ ਬਾਅਦ ਇਸ ਦਫਤਰ ਵਿਖੇ ਕੰਟਰੈਕਟ ਤੇ ਤਾਇਨਾਤ ਹੈ, ਵੱਲੋਂ ਲਿਖਤੀ ਅਰਜ਼ੀ ਦਿੱਤੀ ਗਈ ਹੈ ਕਿ ਪ੍ਰਾਰਥੀ ਸ੍ਰੀ ਦਰਸ਼ਨ ਸਿੰਘ ਪੁੱਤਰ ਬਲਦੇਵ ਸਿੰਘ ਵਾਸੀ ਪਿੰਡ ਜਹਾਂਗੀਰਪੁਰ ਜ਼ਿਲ੍ਹਾ ਗੁਰਦਾਸਪੁਰ ਵਲੋਂ ਉਸ ਦੇ ਖਿਲਾਫ ਪਹਿਲਾ ਹੀ ਕਈ ਝੂਠੀਆਂ ਸਿਕਾਇਤਾਂ ਕੀਤੀਆਂ ਹੋਈਆਂ ਹਨ। ਇਸ ਲਈ ਮੇਰੇ ਨਾਲ ਸਬੰਧਤ ਮੇਰੀ ਕੋਈ ਵੀ ਸੂਚਨਾ ਪ੍ਰਾਰਥੀ(Third Party) ਨੂੰ ਨਾ ਦਿੱਤੀ ਜਾਵੇ। ਜਿਸ ਸਬੰਧੀ ਪ੍ਰਾਰਥੀ ਨੂੰ ਪਹਿਲਾ ਹੀ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰਬਰ ਪੱਤਰ ਨੰਬਰ 4462 ਮਿਤੀ 14.12.2020 ਸੂਚਿਤ ਕਰ ਦਿੱਤਾ ਗਿਆ ਸੀ। ਇਥੇ ਇਹ ਵੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਸੂਚਨਾ ਐਕਟ-2005 ਦੀ ਧਾਰਾ 11(1) ਅਧੀਨ ਕਰਮਚਾਰੀ ਸਬੰਧੀ ਮੰਗੀ ਗਈ ਸੂਚਨਾ (Third Party) ਨਹੀਂ ਦਿੱਤੀ ਜਾ ਸਕਦੀ।

3. Appellant, Sh. Darshan Singh said that the respondent is misleading the court and he is not satisfied with the reply of respondent PIO.
4. In the of above, another opportunity is given to both parties to represent this case on next date of hearing with the directions to respondent PIO the PIO to visit the RTI application afresh and furnish a modified reply to the appellant on all of the points raised in the RTI application. The matter is adjourned for personal hearing at PSIC Chandigarh, 31.08.2021 at 11:30 pm.

Chandigarh
Dated: 23.06.2021

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



Sh. Sanjeev Thakur, (9814289764)

Village GurhaKhurd,
P.O Madhopur Cant-145024,
Tehsil Pathankot, Gurdaspur.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Sub Divisional Magistrate,
Pathankot.

.....Respondent

First Appellate Authority

O/o Deputy Commissioner,
Pathankot.

Appeal Case No.807 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	19-10-2020
PIO replied on	:	22-10-2020
First appeal filed on	:	04-12-2020
First Appellate Authority order	:	08-01-2021

Present: Appellant: Absent

Respondent: Sh. Gurdeep Kumar (Sr. Asst.), 9478065644

ORDER: (Second Hearing)

1. To be read in the continuity of previous order dated 10.05.2021.
2. Respondent, Sh. Gurdeep Kumar stated that the with the compliance of the Commission's previous order, he has supplied the sought information to the appellant with a copy to the commission and also had filled an affidavit, the relevant portion of which is reproduced below:-

ਇਹ ਕਿ ਮੈਂ ਤਹਿਸੀਲਦਾਰ-ਕਮ-ਲੋਕ ਸੂਚਨਾ ਅਫਸਰ, ਪਠਾਨਕੋਟ ਵਜੋਂ ਮਿਤੀ 06.05.2021 ਤੋਂ ਕੰਮ ਕਰ ਰਿਹਾ ਹਾਂ।
ਇਹ ਕਿ ਆਰ.ਟੀ.ਆਈ. ਐਕਟ-2005 ਤਹਿਤ ਪ੍ਰਾਰਥੀ ਵੱਲੋਂ ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਉਸਨੂੰ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ: 826 ਮਿਤੀ: 18.06.2021 ਰਾਹੀਂ ਮੁਹੱਈਆ ਕਰਵਾ ਦਿੱਤੀ ਗਈ ਹੈ। ਜਿਸਦੀ ਕਾਪੀ ਮਾਨਯੋਗ ਕਮਿਸ਼ਨ ਜੀ ਨੂੰ ਈ-ਮੇਲ ਰਾਹੀਂ ਭੇਜੀ ਜਾਂਦੀ ਹੈ ਜੀ।
ਇਹ ਕਿ ਇਸ ਵਿੱਚ ਕੋਈ ਤੱਥ ਲੁਕਾ ਛੁਪਾ ਕੇ ਨਹੀਂ ਰੱਖਿਆ ਗਿਆ ਹੈ।

3. An email dated 23.06.2021 from the appellant is received by the bench of undersigned, therein the appellant has raised some deficiencies. The Commission is finding it difficult to understand as the email is grammatically incorrect which making it difficult to evaluate.
4. For redressal of Appellant's grievance and in order to bring the whole controversy to an end both the parties are advised to appear in person on next date of hearing.

Accordingly, **the matter is adjourned to the personal hearing at PSIC, Chandigarh on 31.08.2021, 11:30 am.**

Chandigarh
Dated: 23.06.2021

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



Sh. Ranjit Singh, (9464470413)

S/o Sh. Sudra Singh, Village Maheshpura,
Tehsil Khamanoo, Distt Fatehgarh Sahib.

.....Appellant/Complainant

Versus

Public Information Officer

O/o Panchayat Secretary, Gram Panchayat,
Maheshpura, Distt. Fatehgarh Sahib.

.....Respondent

First Appellate Authority

O/o District Development and Panchayat Officer,
Fatehgarh Sahib.

Appeal Case No.754 of 2021

(Cisco Webex Proceedings)

RTI application filed on	:	11-11-2020
PIO replied on	:	-
First appeal filed on	:	07-01-2021
First Appellate Authority order	:	14-01-2021

Present: Appellant: Sh. Ranjit Singh (In Person)
Respondent: Absent

ORDER: (Second Hearing)

1. To be read in the continuity of previous order dated 10.05.2021.
2. Appellant, Sh. Ranjit Singh stated that no information has been provided so far the respondent authority.
3. Respondent is absent for second time, without any intimation to the Commission.
4. Viewing the absence and non-implementation of the order of the commission O/o , Panchayat Secretary, Gram Panchayat, Maheshpura, Distt. Fatehgarh Sahib seriously, the PIO(by name) is thus issued a **show cause notice (u/s 20 of the RTI Act 2005)** in writing the reason for not appearing before the Commission and for not furnishing information to the appellant, within the stipulated time period from the date of receipt of this order. A final opportunity is given to respondent PIO to submit a written reply and to be present the case in person, before initiation of penal proceedings against him/her.
5. NOTE: The PIO Panchayat Secretary, Gram Panchayat, Maheshpura, Distt. Fatehgarh Sahib (By Name) has to be present on next date of hearing.
6. To come up on **22.09.2021** through **Cisco Webex** at **11:00 am**.
{Steps: Install Cisco Webex < Click on Join Meeting< Write Meeting No. – 1581884645}

Chandigarh
Dated: 23.06.2021

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



Sh. Aman Singh, (9876000015)

House No 123, Block-A,
Sarabha Nagar, Ludhiana.

Versus

Public Information Officer

O/o MC, Zone-D,
Ludhiana

Public Information Officer

O/o MC, Zone-B,
Ludhiana.

First Appellate Authority

O/o Commissioner, MC,
Zone-D, Ludhiana.

.....Appellant/Complainant

.....Respondent

Appeal Case No. 349 of 2021
(Cisco Webex Proceedings)

Present: Appellant: Sh. Amardeep Singh on behalf of appellant Sh. Aman Singh
Respondent: Absent

ORDER:

1. To be read in the continuity of previous order dated 10.05.2021.
2. Appellant's representative, Sh. Amardeep Singh stated that only information **point no.2** of RTI application has not been provided by the respondent authority so far.
3. In the view of above, the Commission directs the respondent PIO, to file a reply / supply information before the next date of hearing without fail.
4. In case the partial information is not available in the office record then an affidavit may be filled in this regard to the appellant with a copy to the Commission therein mentioning the reasons for its non-availability.
5. To come up on **22.09.2021** through **Cisco Webex** at **11:00 am**.
{Steps: Install Cisco Webex < Click on Join Meeting< Write Meeting No. – 1581884645}

Chandigarh
Dated: 23.06.2021

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



Sh. Parveen Kumar Sayal,
Partner, Syal & Co, Octroi Contractor,
Sirhind-140406.

.....Appellant/Complainant

Versus

Public Information Officer
O/o Director, Local Govt, Punjab,
Sector-35 A, Chandigarh.

.....Respondent

First Appellate Authority
O/o Director, Local Govt, Punjab,
Sector-35 A, Chandigarh.

Appeal Case No.353 of 2021
(Cisco Webex Proceedings)

Present: Appellant: Sh. Parveen Kumar Sayal,
Respondent: Ms. Sunita Sharma (Supt.) along with
Sh. Rajinder (Sr. Assitt.) 9872550275

ORDER:

1. To be read in the continuity of previous order dated 06.04.2021 vide which the case was disposed of and further after Consideration of the grievance made by the appellant via email dated 25-04-2021, the commission has decided to rehear the above said case on 22-06-2021, i.e. today.
2. Appellant, Sh. Parveen Kumar Sayal stated that he is not satisfied with information so supplied by the respondent authority. He further added that incorrect and misleading information has been provided so far and therefore he has pointed out deficiencies in written in the aforesaid case.
3. Respondent, Ms. Sunita Sharma stated that COMPLETE and CORRECT information has been furnished to the appellant.
4. **The Commission directs the PIO to furnish an affidavit providing therein the factual situation (as discussed above) and affirming the position that the information sought by the appellant has been supplied to best extent. In case the partial information is not available in the office record then an affidavit may be filled in this regard to the appellant with a copy to the Commission.**
5. For redressal of Appellant's grievance and in order to bring the whole controversy to an end both the parties are advised to appear in person on next date of hearing.
Accordingly, **the matter is adjourned to the personal hearing at PSIC, Chandigarh on 31.08.2021, 11:30 am.**

Chandigarh
Dated: 23.06.2021

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