

**PUNJAB STATE INFORMATION COMMISSION
RED CROSS BUILDING, NEAR ROSE GARDEN,
SECTOR 16, CHANDIGARH.**

**Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in
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Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)**



Shri Ravi Kumar
R/o # 27-FF, HIG Flats, B-Block,
G.T. Road, New Amritsar.

.....Appellant

Versus

Public Information Officer
O/o Regional Transport Authority,
Patiala.

First Appellate Authority-cum-
O/o Regional Transport Authority,
Patiala.

....Respondents

AC No.2745 of 2020

Present: (i) **Shri Ravi Kumar, Appellant.**
(ii) **None on behalf of PIO O/o Secretary, RTA, Patiala.**

ORDER

(Heard on Mobile Phone)

1. This order may be read with reference to the order dated 19.10.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today. Shri Ravi Kumar, appellant has not come present to attend the hearing in person or through Cisco Webex.
3. Neither the PIO O/o Secretary, R.T.A. Patiala has come present to attend the hearing in person or through Cisco Webex. However, an e.mail dated 25.01.2022 has been received from the PIO stating that the entire staff of R.T.A. Patiala has been deputed on duty in connection with the ensuing elections to the Punjab Legislative Assembly and as such, has requested for adjournment of hearing to another date.
4. The appellant is contacted on mobile phone. On asking of the Bench, he states that in view of the contention as made during the previous hearing that the information being 20 years old, cannot be supplied, he does not expect that the same would be provided to him by the PIO. He further states that it will suffice if an affidavit is obtained from the PIO stating that the record is 20 years old and is in a damaged condition affected by termite and as such, the information sought by the appellant relating to it cannot be supplied.

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AC No.2745/2020

5. In view of the above, the PIO is directed to file an affidavit on a non-judicial stamp paper within twenty one days, duly signed by PIO and attested by the Notary Public stating that the information sought by the appellant in AC No.2745/2020 relates to the record which is 20 years old and is in a damaged condition affected by termite, cannot be supplied and that the information sought by the appellant is also not available on the official website. It be further stated that the statement made is true and correct. The Original copy of affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

6. With the aforesaid directions, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
25.01.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Naresh Kumar
R/o Kothi No.885,
Sector-11, Panchkula (Hry.).

.....Appellant

Versus

Public Information Officer
O/o Greater Mohali Area,
Development Authority(GMADA)
S.A.S. Nagar (Moohali).

First Appellate Authority-cum-
O/o Greater Mohali Area,
Development Authority(GMADA)
S.A.S. Nagar (Moohali).

....Respondents

AC No.99 of 2021

Present: (i) **Appellant - absent.**
(ii) **Shri Jagdish Singh, Superintendent, O/o GMADA, Mohali
on behalf of the PIO.**

ORDER

(Heard through Cisco Webex)

1. This order may be read with reference to the order dated 19.10.2021 passed by this Bench on the previous date of hearing.
2. The case has been heard today through Cisco Webex. Shri Naresh Kumar, appellant has not come present to attend the hearing in person or through cisco webex..
3. Shri Jagdish Singh, Superintendent comes present to attend the hearing through cisco webex. He states that as regards the information at Point No.1, the List of Draws containing names of 129 beneficiaries has been supplied to the appellant vide letter dated 04.01.2022.
4. Since the appellant is absent for today's hearing, he contacted on mobile phone. He states that the information supplied is irrelevant and expresses his dis-satisfaction on the information supplied and further states that he has sought list of persons who have been allotted plots and not the List of Draw beneficiaries.
5. On the asking of the Bench, the representative of PIO clarifies that the List of Draw beneficiaries supplied to the appellant is itself a list of allottees who have been allotted plots. He also states that the information sought on point No.2 of the RTI application is already covered in Point No.3 as regarding point No.3, the appellant has admitted receipt of copy of allotment letter during the previous hearing.

Cont...P-2



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AC No.99/2021

5. In view of the statement of the representative of PIO as well as the position brought out before the Bench in this regard, the Bench directs the PIO to file an affidavit on non-judicial stamp paper within twenty one days duly signed by the PIO and attested by the Notary Public to the effect that the List of Draw containing names of 129 beneficiaries has been supplied to the appellant vide letter dated 04.01.2022 and the List of Draw beneficiaries is same as list of allottees who have been allotted plots and thus, the information as per RTI application stands supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original copy of the affidavit be sent to the appellant and photocopy of the same be sent to the Commission for record.

6 With the aforesaid directions, **the instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
25.01.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Rajinder Kumar,
S/o Shri Mehar Chand,
R/o Ward No.2, Supreme Enclave,
Near Vishvkarma Bhawan,
Link Road, Mansa.

.....Appellant

Versus

Public Information Officer

O/o Sr. Superintendent of Police,
Vigilance Bureau, Bathinda.

First Appellate Authority

O/o The Director,
Vigilance Bureau, Punjab, Mohali.

...Respondents

AC No.3770/2020

Present:

- (i) **Shri Rajinder Kumar, Appellant.**
(ii) **DSP Kulwant Singh, Vigilance Bureau, Mansa, on behalf of the PIO/respondent.**

ORDER

(Heard Through Cisco Webex)

1. This appeal case was earlier being heard by the Bench Hon'ble State Information Commissioner, Shri Hem Inder Singh and the same was re-allocated to this Bench vide order dated 25.10.2021.
2. The notice of hearing was issued to the parties for 25.01.2022 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Rajinder Kumar, appellant comes present to attend the hearing through cisco webex.
3. DSP Kulwant Singh, Vigilance Bureau, Mansa, comes present to attend the hearing on behalf of the PIO/respondent also on cisco webex. He states that the requisite information has been supplied to the appellant.
4. On the asking of the Bench, the appellant states that he has been supplied information which he has received in October, 2021. He further states that he is satisfied with the same and also gives his consent to close the case.
5. In view of the above, no further cause of action is left in the matter. **As such, the instant appeal case is disposed off and closed.** Copy of the order be sent to the parties.

**Chandigarh
25.01.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Rajinder Kumar,
S/o Shri Mehar Chand,
R/o Ward No.2, Supreme Enclave,
Near Vishvkarma Bhawan,
Link Road, Mansa.

.....Appellant

Versus

Public Information Officer

O/o Sr. Superintendent of Police,
Vigilance Bureau, Bathinda.

First Appellate Authority

O/o The Director,
Vigilance Bureau, Punjab, Mohali.

...Respondents

AC No.0489/2021

Present: (i) Shri Rajinder Kumar, Appellant.
(ii) DSP Kulwant Singh, Vigilance Bureau, Mansa, on behalf of the PIO/respondent.

ORDER

(Heard Through Cisco Webex)

1. This appeal case was earlier being heard by the Bench Hon'ble State Information Commissioner, Shri Hem Inder Singh and the same was re-allocated to this Bench vide order dated 25.10.2021.
2. The notice of hearing was issued to the parties for 25.01.2022 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Rajinder Kumar, appellant comes present to attend the hearing through cisco webex.
3. DSP Kulwant Singh, Vigilance Bureau, Mansa, comes present to attend the hearing on behalf of the PIO/respondent also on cisco webex. He states that the requisite information has been supplied to the appellant vide letter 16.09.2021 and 08.10.2021.
4. On the asking of the Bench, the appellant states that he has been supplied incomplete information as information on point No.2 of his RTI application has not been supplied. Upon this, on enquiring from the representative of PIO DSP Kulwant Singh, he informs that the information on point no.2 is personal and third party information relating to DSP Manjit Singh and hence, has been denied. Then the appellant states that he has sought the details of basic pay and allowances of one DSP Manjit Singh in the public interest. However, DSP Kulwant Singh states that the said officer had got registered an FIR against the appellant in a case under Prevention of Corruption Act and this RTI application has been filed by the appellant out of retaliation and thus, is not in the public interest.

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AC No.0489/2021

5. After hearing the version of the appellant and the representative of PIO, the Bench observes that adequate information stands supplied. Certain information relating to one DSP Manjit Singh is personal information and has correctly been denied as it serves no public activity or interest. The Bench is, thus, convinced that adequate information has been supplied to the appellant.

6. With the aforesaid observations, the Bench does not feel any need of further intervention in the matter. **The instant appeal case is disposed off and closed.** Copies of the order be sent to the concerned parties.

**Chandigarh
25.01.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

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Shri Prem Kumar Rattan,
R/o H.No.78/8, Park Road,
Navi Mandi, Dhuri,
District Sangrur.

.....Appellant

Versus

Public Information Officer,
O/o Chairman,
Punjab State Power Corporation Ltd.
(PSPCL), Patiala.

First Appellate Authority
O/o Chairman,
Punjab State Power Corporation Ltd.
(PSPCL), Patiala.

...Respondents

AC No.4518/2021

Present: (i) **Shri Prem Kumar Rattan, Appellant.**
(ii) **Shri Som Nath Mahi, Dy.Chief Engineer, North, PSPCL, Jalandhar,**
on behalf of the PIO/respondent.

ORDER

(Heard Through Cisco Webex)

1. The RTI application is dated 22.07.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 21.08.2021 and the second appeal was filed in the Commission on 05.10.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. The notice of hearing was issued to the parties for 25.01.2022 in Commission's office at Chandigarh. Accordingly, the case has been heard today. Shri Prem Kumar Rattan, appellant comes present to attend the hearing through cisco webex. He states that he has sought information with regard to 8 issues raised in his RTI Application. He states that he has received information on points No.1 & 2 and no information on remaining points has been supplied so far.

3. Shri Som Nath Mahi, Dy. Chief Engineer, North, PSPCL, Jalandhar comes present to attend the hearing through cisco webex and states that the information sought by the appellant regarding cement poles is related to Distribution Unit. He further states that with regard to the information sought by the appellant, Chief Engineer (South), PSPCL, Patiala is the Nodal Officer. Shri Ajay Bansal, Dy.Chief Engineer/Headquarters, South Zone, PSPCL, Patiala/ Nodal Officer also comes present to attend the hearing

Cont..P-2

through cisco webex. He states that complete information, after collecting from 5 Zones of PSPCL and then compiling the same, has been supplied to the appellant.

4. The Bench observes that the information sought by the appellant entails its collection and compilation thereof. On the asking of the Bench, the appellant states that he has sought information from Chairman-cum-Managing Director, PSPCL, Patiala who is the authority to make different policies to be implemented in the PSPCL.

5. The Bench does not agree with the contention of the appellant that he has sought information from the Chairman-cum-Managing Director, PSPCL Patiala, being the authority to issue different policies. The Bench observes that the type of information sought has to be supplied by the implementing authorities in the field and not by the office of CMD, PSPCL, Patiala, as has been stated by the Nodal Officer, Dy. Chief Engineer/HQs, South Zone, PSPCL, Patiala. The Bench also observes that the Bench has received various letters from different offices of PSPCL including letter dated 11.01.2021 from Nodal Officer/RTI Cell, PSPCL, Patiala wherein he has forwarded the RTI application of appellant to PIO-cum-Deputy Chief Engineer/HQs (Nodal Officer), South Zone, PSPCL, Patiala and PIO-cum-Chief Procurement Officer, O/o Chief Engineer/MM, PSPCL, Patiala to attend the hearing. Various other letters have been received from Dy.Chief Engineer, DS Circle, Mohali, Addl.S.E. Distribution Division, Zirakpur, APIO-cum-Senior XEN, Distribution Sub Urban Division, Barnala, Sr. XEN, Operation, Urban West Division (Special), Ludhiana, APIO-cum-Addl.S.E. Distribution Division, Dhuri. From the letter of Nodal Officer/RTI Cell, PSPCL, Patiala as well as various letters received the field offices of PSPCL.

7. From the letters received from different offices of PSPCL as well as the version of Nodal Officer/Dy.Chief Engineer/HQs, South Zone, PSPCL, it is apparent that the information sought by the appellant relates to more than one PIO. The Bench also does not agree with the contention of the appellant that he has sought information from the Chairman-cum-Managing Director, PSPCL Patiala, being the authority to issue different policies. The Bench observes that the type of information sought has to be supplied by the implementing authorities in the field and not by the office of CMD, PSPCL, Patiala. As such, the it involves multiple PIOs from whom the information has been sought.

8. The Bench, as per observations made above, is of the view that the appellant cannot seek information on single RTI application from multiple public authorities. A Full Bench of State Information Commission, Punjab has in Complaint Case No.2903 of 2011 decided on 13.01.2012, ruled as under:-

“We hold that under Section (3) of the Act *ibid*, the legal obligation of a PIO who receives a request for information under Section 6(1) of the Act is limited to transfer this request to only one public authority that hold the information. This obligation does not extend to transfer the request to multiple authorities.

9. The Bench further observes that the Nodal Officer/Dy.Chief Engineer/HQs, South Zone, PSPCL, Patiala has made efforts to collect and compile information from five Zones of PSPCL, but there is no such provision under the RTI Act to collect the information from different offices of a public authority and then to compile and supply to the appellant. The Hon'ble Supreme Court in matter of CBSE vs. Aditya Bandopadhyay, (2011) 8 SCC 497, held as under:-

“67. 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 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.

10. In view of the above, it is does not seem to be appropriate for the appellant to seek information which may entail engaging 75% of the employees of a public authority to collect and compile the information for furnishing the same to the appellant. The Bench advises the appellant to go for seeking information by filing RTI application before a specific public authority who has its separate PIO.

11. In view of the aforesaid observations, **the instant appeal case is disposed off and closed.**

Copy of the order be sent to the parties.

**Chandigarh
25.01.2022**

**Sd/-
(Lt Gen Ajae Kumar Sharma (Retd))
State Information Commissioner, Punjab**

