

**PUNJAB STATE INFORMATION COMMISSION**  
**Red Cross Building, Near Rose Garden,**  
**Sector 16, Chandigarh.**  
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**Sh. Jaswant Singh (94654-77771)**  
S/o Sh. Darbari Lal Sarpal  
#2220/2, Gali Arian I/s Mahan Singh Gate,  
Amritsar

Appellant

Versus

**Public Information Officer/APIO**  
O/o Commissioner, Municipal Corporation,  
Amritsar

**First Appellate Authority**  
O/o Commissioner, Municipal Corporation,  
Amritsar

**Sh. Parminderjit Singh (PIO-Cum-ATP),**  
O/o MTP, Municipal Corporation,  
Amritsar

Respondent

**Appeal Case No.: 2203, 2204 of 2018**

**Present:** Sh. Jaswant Sarpal, the appellant in person.  
Nobody on behalf of the respondent.

**ORDER**

1. The Above mentioned case was last heard by the bench of Ld. SIC, Dr. Pawan Kumar Singla and this case file was sent to the Deputy Registrar to place it before the Hon'ble Chief Information Commissioner to constitute a Division/Larger Bench to hear and decided this case.
2. The Hon'ble Chief Information Commissioner, Sh. Suresh Arora Vide Office Order dated 02.08.2019 has re-allocated the above mentioned case to the bench of Ld. SIC, Dr. Pawan Kumar Singla for hearing by Division Bench consisting of Ld. SIC, Dr. Pawan Kumar Singla and Ld. SIC, Sh. Avtar Singh Kaler. Accordingly the case is fixed for hearing today.
3. Appellant, Sh. Jaswant Sarapl orally states that he does not want to pursue his cases before the bench of undersigned.
4. Neither the respondent PIO is present for today's hearing nor did he file reply in this regard.
5. After examining both the case files(AC:2203, 2204 of 2018), it is observed that Show Cause Notice was issued in both the cases by the bench of Ld. SIC, Dr. Pawan Kumar Singla Vide Order Dated 19.11.2018 and compensation amounting Rs. 3,000/- in total (Rs. 1,500/- in each case) was awarded to the appellant Vide Order Dated 04.12.2018 and on the next hearing on 09.01.2019, penalty amounting 20,000/- in total (Rs. 10,000/- in each case) was imposed on the concerned respondent PIO. On the next date of hearing dated 13.02.2019, Bailable Warrant was issued in both cases on the name of Sh. Sanjeev Devgan (ATP, MC, Amritsar) and matter was adjourned for further hearing on 25.03.2019.

On hearing held on 25.03.2019, Sh. Sanjeev Devgan stated that he is new joining in the office and concerned official is the earlier respondent PIO who is, Sh. Parminderjit Singh and a copy of order was sent to Sh. Parminderjit Singh through registered post to appear in person on the next date of hearing. Sh. Sanjeev Devgan also added that AC: 2204 of 2018 not concerned with his office and requested to exempt him in this case. He added that requisite information has already been supplied to the appellant in other cases (AC: 2067, 2101 of 2017), which were decided and closed by the bench of Ld. SIC, Sh. Nidharak Singh Brar but appellant denied and mentioned that requisite information is different in the present cases and other cases decided by the bench of Ld. SIC, Sh. Nidharak Singh Brar. Matter was adjourned for further hearing on 27.05.2019.

On hearing 27.05.2019, Sh. Parminderjit Singh was absent without any intimation to the Commission and Bailable Warrant was issued to him by name in AC: 2203 of 2018 and last opportunity was given to him in AC: 2204 of 2018. Matter was adjourned for further hearing on 22.07.2019.

On 22.07.2019, respondent, Sh. Parminderjit Singh stated that Ms. Krishna Kumari (ATP-Cum-PIO) was the incharge and I requested for the relevant record from the Ms. Krishna Kumari but no record has been handed over by her. He added that as per the office reports and orders passed by the Ld. SIC, Sh. Nidharak Singh Brar in appeal case no. 2067 of 2017, it was clear that record was lying pending with Ms. Krishna Kumari ATP but she denied that record is not with her. He submits a reply signed by him as PIO-Cum-ATP dated nil along with supporting documents, which are taken on record. On this, appellant, Sh. Jaswant Sarpal stated that Sh. Parminderjit Singh is not the concerned PIO.

After hearing both the parties and examining the case file, it is observed that appellant, Sh. Jaswant Sarpal is not satisfied with the proceedings of this bench. Therefore, this case file is sent to the Deputy Registrar to place it before the Hon'ble Chief Information Commissioner to constitute a Division/Larger Bench to hear and decide this case. Accordingly the case is fixed for hearing before the Division Bench today.

6. As the appellant sent an email dated 25.10.2019 in connection with Appeal Case Numbers 2203 and 2204 of 2018, which are fixed for hearing before the Division Bench today mentioning therein that his cases are disposing without supply of demanded documents and in the interest of Justice the matter should have been placed before the Hon'ble CIC and some other SIC's.

7. It is observed that Appeal Case numbers 2203 and 2204 of 2018 are still pending before the Division Bench of Ld. SICs, Dr. Pawan Kumar Singla and Sh. Avtar Singh Kaler but as per the email of the appellant (dated 25.10.2019) it is clear that the appellant has no faith on the Division Bench.

8. Regarding the wording written by the appellant in an email dated 25.10.2019, in relation to the Commission/Commissioners, it is clarified that the Commission is a constitutional body. It is disgraceful to write without a solid basis/document. Appellant has made some un-charitable comments against the bench alleging it to be vindictive and inimical while deciding other appeals this bench had made very candid and express observations asserting that this bench is bound by an oath of allegiance to the Constitution of India to discharge its duties without fear or favor. The Commission is duty bound morally and ethically to take decisions without bias or ill-will against anyone.

9. The Commission considers it appropriate to underline here that no litigant should be allowed to browbeat or arm-twist an adjudicating body to seek a decision in his favor or to choose one of his choice. It is a matter of routine for this litigant to ask for the change of a bench the moment he senses an adverse decision.

10. Commission has taken serious notice for such false allegations against Commission/Commissioners, Sh. Nidharak Singh Brar, Dr. Pawan Kumar Singla, Sh. Avtar Singh Kaler and Sh. Sanjiv Garg, which is unbearable and the appellant has defamed the Commission by doing so.

11. It is also observed that the appellant is habitually filing harassing and vexatious complaints to the Commission; due to it working of the Commission suffers. So that appellant is strictly advised/prohibited to use such un-charitable, filthy and unbearable language for the Commission as well as for the Commissioners in future.

12. In view of above, **this case file is sent to the Deputy Registrar to place it before the Hon'ble Chief Information Commissioner to allocate this case as well as other cases of the appellant to some other bench.**

13. Announced in the Court, copy of the order to be sent to the parties

**(Sh. Avtar Singh Kaler)**  
**State Information Commissioner**

**(Dr. Pawan Kumar Singla)**  
**State Information Commissioner**

**Chandigarh, Dated: 30.10.2019 (12:00 Noon)**

**Note:** After the hearing was over, respondent, Sh. Parminderjit Singh appeared and he submits reply in both the cases (AC:2203 and 2204 of 2018) signed by him dated 30.10.2019 stating that I

**Appeal Case No.: 2203, 2204 of 2018**

requested the relevant record from the previous PIO, Ms. Krishna Kumari so that I could be able to submit reply before the Hon'ble SIC but no record was made available to me. He added that as per order passed by the bench of Ld. SIC, Sh. Nidharak Singh Brar in Appeal Case 2067 of 2017, record is lying with Ms. Krishna Kumari (ATP). In that reply he requested to call Ms. Krishna Kumari for the clarification in this case. This reply along with supporting documents are taken on record

**(Sh. Avtar Singh Kaler)**  
**State Information Commissioner**

**(Dr. Pawan Kumar Singla)**  
**State Information Commissioner**

**Copy to:**

**The Deputy Registrar**  
**(Alongwith Case files of AC: 2203, 2204 of 2018)**

**Copy to:**

- PS to SIC (ASK) for your kind information.

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**Sh. Rajesh Gupta (7889136823)**

C/o Civil Veterinary Hospital,  
V.P.O. Karoran, Tehsil Kharar,  
District SAS Nagar-160103

Appellant

Versus

**Public Information Officer**

O/o Additional Chief Secretary,  
Animal Husbandry, Punjab,  
Mini Secretariat, Sector-9, Chandigarh

**Public Information Officer**

O/o The Director,  
Animal Husbandry, Punjab,  
Livestock Complex, sector-68,  
Near Army Institute of Law,  
SAS Nagar (Mohali), Punjab

**First Appellate Authority**

O/o Additional Chief Secretary,  
Animal Husbandry, Punjab,  
Mini Secretariat, Sector-9, Chandigarh

**First Appellate Authority**

O/o The Director,  
Animal Husbandry, Punjab,  
Livestock Complex, sector-68,  
Near Army Institute of Law,  
SAS Nagar (Mohali), Punjab

Respondent

**Appeal Case No.: 1144, 1145 of 2019**

**Present:** Sh. Rajesh Gupta, the appellant in person.  
For the respondent: Sh. K.P.S. Pasricha (APIO) along with Sh. Jasvinder Singh (APIO).

**ORDER**

1. The Above mentioned cases were last heard by the bench of Ld. SIC, Dr. Pawan Kumar Singla dated 06.08.2019 and it was observed that appellant, Sh, Rajesh Gupta has no faith on the bench. Accordingly, these case files were sent to the Deputy Registrar to place it before the Hon'ble Chief Information Commissioner to constitute a Division/Larger Bench to hear and decided this case.
2. The Hon'ble Chief Information Commissioner, Sh. Suresh Arora Vide Office Order dated 26.08.2019 has re-allocated the above mentioned case to the bench of Ld. SIC, Dr. Pawan Kumar Singla for hearing by Division Bench consisting of Ld. SIC, Dr. Pawan Kumar Singla and Ld. SIC, Sh. Avtar Singh Kaler. Accordingly the case is fixed for hearing today.
3. Respondent, Sh. K.P.S. Pasricha added that respondent PIO, Madam is unable to attend today's hearing. He handed over requisite information relates with CSR rules, to the appellant in the shape of a CD (Compact Disc). He added that appellant filing many RTI applications to the department due to it working of the office is suffering because many cases are pending in the Commission and they have to appear before the Commission to represent these cases.
4. On this, appellant, Sh. Rajesh Gupta shows his dissatisfaction and start giving one excuse to other and not pursuing case for the requisite information.

5. After hearing both the parties and examining the case file, we are of the considered view that RTI applications are vague in nature in both the cases because no specific information has been demanded by the appellant in his RTI applications. It is also observed that appellant filed many cases for example: AC: 1874, 3467, 3852 of 2018 and AC: 1144, 1145, 1831 of 2019 which are pending under the bench of Ld. SIC, Dr. Pawan Kumar Singla and many more pending cases in the Commission before the other Ld. Commissioners.

6. It is very much clear in the definition of information U/s 2 (f) of the RTI Act, 2005, which is as follows:

“ ‘Information’ means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force”.

Any citizen of India can sought information from the Public Authority, but the information should be within the ambit of the definition of the ‘information’.

The present RTI applications filed by the appellant transpires that the appellant seeking the vague information and no where he asked any documents/orders in the type of documents from the office of respondent PIO.

It is also observed by the Division Bench that appellant always discuss irrelevant things instead of proceedings of the case concerned with. He is never satisfied in any case even after receiving the complete requisite information.

Thus the Commission finds the appellant to be cantankerous and a continuous trouble maker for the Public Authority and the Commission.

Hon’ble Supreme Court of India in its judgement in CBSE Vs. Aditya Bandopadhyay(2011)8 SCC 497, has explained:-

*“ indiscriminate and impractical demands or directions under the RTI Act for disclosure of all the 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 execute e 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 public authorities prioritizing “information furnishing”, at the cost of their normal and regular duties.”*

7. The Commission finds that it is its duty to see that such blatant misuse of RTI Act should not be allowed further and such a situation needs to be appropriately dealt with to secure faith of the public in this ‘Sun Shine Act’ and remove obstacles in the functioning of public authorities which would eventually prevent public authorities from focusing on transparency. The appellant’s act of running riot with filing repeated applications seeking inane and voluminous information has become counter-productive of public interest, which cannot be allowed. I see his act as a misuse rather abuse of the RTI Act with unsavory motives.

8. Hence, the Commission allows the Public Authorities in the Animal Husbandry, in general, and the Additional Chief Secretary, Animal Husbandry, Punjab, Mini Secretariat, Sector-9, Chandigarh and the Director, Animal Husbandry, Punjab, Livestock Complex, sector-68, Near Army Institute of Law, SAS Nagar (Mohali), Punjab, in particular not to entertain RTI applications filed by the appellant, Sh. Rajesh Gupta in future till he had not explained his Public Interest in seeking the requisite information as he is also a Public servant and he should not waste resources and precious time of the Public Authorities.

9. A copy of this order is forwarded to the Additional Chief Secretary, Animal Husbandry, Punjab, Mini Secretariat, Sector-9, Chandigarh and the Director, Animal Husbandry, Punjab Livestock Complex, sector-68, Near Army Institute of Law, SAS Nagar (Mohali), Punjab by name through **registered post** to issue necessary instructions in this regard to all concerned.

10. In wake of above no further cause of action is left in both appeal cases. Therefore, the instant appeal cases are **disposed of & closed**.

11. Announced in the Court, copy of the order to be sent to the parties

**(Sh. Avtar Singh Kaler)**  
**State Information Commissioner**

**(Dr. Pawan Kumar Singla)**  
**State Information Commissioner**

**Chandigarh, Dated: 30.10.2019 (12:00 Noon)**

**(Regd. Post)**

**Additional Chief Secretary (By Name)**  
Animal Husbandry, Punjab,  
Mini Secretariat, Sector-9, Chandigarh

**The Director (By Name)**  
Animal Husbandry, Punjab,  
Livestock Complex, sector-68,  
Near Army Institute of Law,  
SAS Nagar (Mohali), Punjab

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