

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

**Ph: 0172-2864116, Email: - psic26@punjabmail.gov.in
Visit us: - www.infocommpunjab.com, Cisco Webex Code:15857-23975
Helpline No.0172-2864100(From 10.00 AM to 04.00 PM on working days)**



Shri Gupinder Singh,
S/o Shri Jinderpal Singh,
Shaheed Baba Deep Singh Nagar,
Street No.1,Near Khalsa School,
Chak Road, Sri Mukatsar Sahib.

.....Appellant

Versus

Public Information Officer
O/o Executive Officer,
Municipal Council,
Sri Mukatsar Sahib.

First Appellate Authority
O/o Deputy Commissioner,
Sri Mukatsar Sahib.

....Respondents

AC No. 4845 of 2022

Present: i) Shri Gupinder Singh, appellant- cisco webex.
ii) Shri Suresh Kumar, Junior Engineer, Municipal Council, Sri Muktsar Sahib,
in person.

ORDER:

1. The RTI application is dated 28.07.2022 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 30.08.2022 and the second appeal was filed in the Commission on 17.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 21.12.2022. Accordingly, the case has been heard today. Shri Gupinder Singh, appellant comes present to attend the hearing through cisco webex.
3. Shri Suresh Kumar, Junior Engineer, Municipal Council, Sri Muktsar Sahib comes present in person before the Bench. He produces before the Bench authority letter to represent the case. He states that the information has been supplied to the appellant by the Executive Engineer, Punjab Mandi Board, Sri Muktsar Sahib vide letter dated 12.12.2022 with a copy to the Hon'ble Commission. He also mentions that point-wise response has been given to the appellant.
4. The appellant admits receipt of information. He, however, expresses dis-satisfaction and states that complete information has not been supplied as information on point No.2 & 3 has not been supplied.

Cont..P-2

5. The respondent explains to the appellant that copy of plan has been provided which covers the information on point No.2 also and regarding information on point No.3, there is no provision to provide information in the format in which the appellant has sought.

6. The Bench is in agreement with the explanation given by the respondent. However, since the appellant expresses dis-satisfaction over the information supplied, the Bench directs the PIO O/o Executive Officer, Municipal Council, Sri Muktsar Sahib to file an affidavit on e-stamp paper, within 21 (Twenty one) days, duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.4845/2022 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

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

Chandigarh
21.12.2022

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

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Shri Gupinder Singh,
S/o Shri Jinderpal Singh,
Shaheed Baba Deep Singh Nagar,
Street No.1,Near Khalsa School
Chak Road, Sri Mukatsar Sahib.

.....Appellant

Versus

Public Information Officer

O/o Executive Officer,
Municipal Council,
Sri Muktsar Sahib.

First Appellate Authority

O/o Deputy Commissioner,
Sri Muktsar Sahib.

....Respondents

AC No. 4847 of 2022

Present: i) Shri Gurbinder Singh, appellant- cisco webex.
ii) Shri Suresh Kumar, Junior Engineer, Municipal Council, Sri Muktsar Sahib,
in person.

ORDER:

1. The RTI application is dated 27.07.2022 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 30.08.2022 and the second appeal was filed in the Commission on 17.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 21.12.2022. Accordingly, the case has been heard today. Shri Gurbinder Singh, appellant comes present to attend the hearing through cisco webex.
3. Shri Suresh Kumar, Junior Engineer, Municipal Council, Sri Muktsar Sahib comes present in person before the Bench. He produces before the Bench authority letter to represent the case. He states that the information has been supplied to the appellant vide letter dated 26.08.2022. He also mentions that point-wise response has been given to the appellant.
4. The appellant admits receipt of information. He, however, expresses dis-satisfaction and states that complete information has not been supplied. as information on point No.5 & 6 has not been supplied.

5. The respondent explains to the appellant that copy of plan has been provided and regarding information on point No.5 & 6, there is no provision to provide information in the format in which the appellant has sought and the information as available in the official records has been supplied.

6. The Bench is in agreement with the explanation given by the respondent. However, since the appellant expresses dis-satisfaction over the information supplied, the Bench directs the PIO O/o Executive Officer, Municipal Council, Sri Muktsar Sahib to file an affidavit on e-stamp paper, within 21 (Twenty one) days, duly signed by the PIO and attested by the Notary Public to the effect that the information as available in the official records in AC No.4847/2022 has been supplied to the appellant. It be further stated that nothing has been concealed therein and the statement made is true and correct. Original affidavit be sent to the appellant and copy of the same be sent to the Commission for record.

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

Chandigarh
21.12.2022

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

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Shri Ashok Kumar Watts,
H.No. B-V-1534, Street No.1,
Lajpat Nagar, Abohar,
Distt:Fazilka.

.....Complainant

Versus

Public Information Officer
O/o Municipal Corporation,
Abohar, District Fazilka.

First Appellate Authority
O/o Commissioner,
O/o Municipal Corporation,
Abohar, District Fazilka.

....Respondents

AC No. 4950 of 2022

- Present:**
- i) **Shri Ashok Kumar Watts, appellant- in person.**
 - ii) **Smt.Reeta Rani, Inspector & Gurwinder Kaur, Pension Clerk, Accounts Branch, Municipal Corporation, Abohar- in person.**
 - iii) **Shri Jaswinder Singh, Sanitary Inspector, Municipal Corporation, Abohar.**
 - iv) **Shri Pankaj, Supervisor (Outsourced), Sale of Land Branch, Municipal Corporation, Abohar- in person.**
- **On behalf of the PIOs O/o Municipal Corporation, Amritsar.**

ORDER:

1. The RTI application is dated 19.07.2022 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 22.08.2022 and the second appeal was filed in the Commission on 20.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 21.12.2022. Accordingly, the case has been heard today. Shri Ashok Kumar Watts, appellant comes present to attend the hearing in person before the Bench and states that he has not been given correct and complete information so far.
3. Smt. Reeta Rani, Inspector and Smt. Gurwinder Kaur, Pension Clerk, Municipal Corporation, Abohar come present in person before the Bench. Smt. Reeta Rani states that information relating to Accounts Branch on point No.1,2,3,4,5,6, 7 & 15 has been supplied to the appellant vide letter dated 17.08.2022.
4. Shri Jaswinder Singh, Sanitation Inspector, M.C. Abohar comes present in person before the Bench and states that information on point No.5,8, & 9 relating to Sanitation Branch has been supplied to the appellant vide letter dated 19.12.2022.
5. Shri Pankaj, Supervisor (O/S), Sale of Land Branch, M.C. Abohar comes present in person before the Bench to attend the hearing on behalf of PIO and states that information on points No.11, 12, 13 & 14 has been supplied to the appellant vide letter dated 28.08.2022. The Chief Sanitary Inspector-cum-PIO has stated that the information asked for by the appellant is voluminous as it involves collection, collating and compilation of information and has also referred to a judgment of Hon'ble Supreme Court of India in Civil Appeal No.6554 of 2011- Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors. wherein it has been held that 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 the applicant instead of discharging their own duties.

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6. After hearing the version of the officials present to attend the hearing on behalf of the PIO, the Bench enquires from them as to how many Branches the present RTI application relates to and it is told by them the same relates to Accounts Branch, Sale of Land Branch, Sanitation Branch and O&M Cell and each one of them has a separate PIO.

7. Post deliberations, it transpires that the information sought by the appellant involves more than one PIO. Further, the Bench observes that the PIOs concerned have made efforts to collect, collate and compile information and thereafter, same has been provided to the appellant vide letters quoted in paras-3,4 & 5 above. However, the appellant in a defiant manner has stated that information is misleading and incomplete. The Bench tries to discuss the issues raised, information provided and multiple PIOs involved. The response of the appellant to this was arrogant and in a manner amounting to contempt of court. The appellant remarks that he will go to Hon'ble Punjab and Haryana High Court and get the order stayed.

8. The Bench is of the view that adequate information stands provided and as per aforesaid discussions, the Bench is also of the view that the appellant cannot seek information in 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 information asked for by the appellant has to be collected, collated and compiled, thereby resulting in wastage of time of multiple PIOs involved. 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 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 separate RTI application before a specific public authority who has its separate PIO. Moreover, in the present appeal case, the information as existing in official records also stands provided to the appellant.

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

**Chandigarh
21.12.2022**

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

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Public Information Officer
O/o Municipal Corporation,
Abohar, District Fazilka.

First Appellate Authority
O/o Commissioner,
O/o Municipal Corporation,
Abohar, District Fazilka.

....Respondents

AC No. 4956 of 2022

Present: i) **Shri Ashok Kumar Watts, appellant- in person.**
ii) **Shri Pankaj, Supervisor (Outsourced), Sale of Land Branch, Municipal Corporation, Abohar on behalf of the PIO- in person.**

ORDER:

1. The RTI application is dated 15.07.2022 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 22.08.2022 and the second appeal was filed in the Commission on 20.10.2022 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).
2. The notice of hearing was issued to the parties for 21.12.2022. Accordingly, the case has been heard today. Shri Ashok Kumar Watts, appellant comes present to attend the hearing in person before the Bench and states that he has not been given correct and complete information so far.
3. Shri Pankaj, Supervisor (O/S), Sale of Land Branch, Municipal Corporation, Abohar comes present in person before the Bench to attend the hearing on behalf of PIO and states that information has been supplied to the appellant vide letter dated 07.09.2022 by registered post.
4. The appellant admits receipt of letter dated 07.09.2022. However, he states that information regarding letter No.37 dated 01.06.2022 has not been provided. On the asking of the Bench, the respondent talks to the official concerned in M.C. Abohar and makes the Bench to talk to him. He apprises the Bench that the same relates to Works Branch which has a separate PIO.
5. Post deliberations, the Bench directs the respondent present on behalf of Sale of Land Branch to ensure that the information on said letter is provided to the appellant on priority. He assures the Bench that he will ensure to provide the requisite information to the appellant on priority.

6. This is also an appeal case which involves multiple PIOs. The appellant is advised to file RTI application involving only one PIO in future. Addressing multiple PIOs in single RTI application results in wastage of time of Public Authority and is not cost effect in terms of man hours involved in collecting and compiling the information.

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

**Chandigarh
21.12.2022**

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