PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864120
Email: psic25@punjabmail.gov.in Visit us:www.infocommpunjab.com

Sh.Balwinder Singh, S/o
Sh. Nihal Singh, VPO Baghana
Tehsil Phagwara, Distt. Kapurthala

Appellant

Versus

Public Information Officer,
O/o BDPO, Phagwara,
Distt. Kapurthala

First Appellate Authority
O/o DDPO, Kapurthala

Respondents

APPEAL CASE NO. 4342 OF 2025

Present :- (i) Sh. Balwinder Singh the appellant
(ii) For the respondent: Sh. Satish Kumar, Panchayat Secretary (9814553642) and Sh. Baljinder Kumar, Sarpanch (9878288723)

ORDER

1. The RTI application is dated 02.05.2025 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 25.07.2025 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.02.2026 in the Commission.

3. The appellant states that no information has been given to him so far.

4. Respondent states that the reply has already been sent to the appellant.

5. After hearing both the parties and going through the case file it is observed that the appellant has not demanded specific information. The appellant may take note that if the information is not available in the particular form as requested it does not have to be created, and information under Section 2(f) includes information in any form available with the public authority and accessible.

It is settled legal position that information that can be provided under the RTI Act is that which is already on record of the Public Authority. The PIO cannot be asked to create

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864120
Email: psic25@punjabmail.gov.in Visit us:www.infocommpunjab.com

any record for answering the RTI questions. As per the Supreme Court decision in **Khanapuram Gandaiah vs Administrative Officer & Ors on 4 January, 2010 in** SPECIAL LEAVE PETITION (CIVIL) NO.34868 OF 2009 the definition of information as given under Section 2(f) of the RTI Act 2005, shows that an applicant under Section 6 of the RTI Act can get any information which is already in existence and accessible to the public authority under law. Of course, under the RTI Act an applicant is entitled to get copy of the opinions, advices, circulars, orders, etc., but he cannot ask for any information as to why such opinions, advices, circulars, orders, etc. have been passed. Hence, the information sought by him cannot be supplied. The appeal is, therefore **dismissed**. Copies of the order be sent to the parties.

sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :04.02.2026

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864120
Email: psic25@punjabmail.gov.in Visit us:www.infocommpunjab.com

Sh.Jaspal Singh Mann,
S/o Sh.Sukhdev Singh,
157,Village Sehna Khera, Tehsil Malout
Distt. Sri Mukatsar Sahib- 152214

Appellant

Versus

Public Information Officer,
O/o XEN, National Highway,
Ferozepur

First Appellate Authority
O/o Chief Engineer, PWD B&R,
Patiala

Respondents

APPEAL CASE NO. 4407 OF 2025

Present :- (i) None for the appellant
(ii) For the respondent: Sh. Arvinder Singh, JE (9988812883)

ORDER

The RTI application is dated 07.07.2025 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) and second appeal was filed in the Commission on 29.07.2025 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 04.02.2026 in the Commission.

3. The appellant is absent today. An email has been received from the appellant wherein he has requested that his hearing shall be conducted through online mode.

4. Respondent states that the reply has already been sent to the appellant. He further states that the information demanded by the appellant cannot be provided as the same is third party information.

5. After hearing the respondent and examining the case file, it is ascertained that the appellant demanded information of Sh.Inderjeet Singh, SE on 07.07.2025 through online. Further the respondent has given reply to the appellant on 18.07.2025 (through online) that the information demanded by the appellant is third party hence cannot be provided

PUNJAB STATE INFORMATION COMMISSION
Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.
Ph: 0172-2864120
Email: psic25@punjabmail.gov.in Visit us:www.infocommpunjab.com

within stipulated time as prescribed under the RTI Act 2005. This objection of the respondent is upheld.

The appellant may take note that there is the judgment of the Hon'ble Supreme Court of India in SLP no. 27734 of 2012 titled Girish Ramchandra Deshpande Vs Cen. Information Commr. & Ors and another in its order on 03.10.2012 has held as under:-

> *(13. We are in agreement with the CIC and the courts below that the details called for by the petitioner i.e. copies of all memos issued to the third respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right).*

6. Hence, the information seeks personal information of Sh.Inderjeet Singh, SE, which cannot be provided to him as per above said law/directions of the Hon'ble Supreme Court of India. Therefore the present appeal filed by the applicant stands **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

Date :04.02.2026