



APPEAL CASE NO. 49 OF 2024

Sh. Parminder Singh, S/o Late Sh. Harbans Singh,
R/o E-67, First Floor, Vishnu Garden,
New Delhi-110018.
M : 9667705875

Appellant

Versus

Public Information Officer,
O/o Commissioner, MC, Ludhiana.

First Appellate Authority,
O/o Commissioner, MC, Ludhiana.

Respondents

APPEAL CASE NO. 50 OF 2024

Public Information Officer,
O/o Fire Department, MC, Ludhiana.

First Appellate Authority,
O/o Commissioner, MC, Ludhiana.

Respondents

Present :- (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Kartar Singh, FSO (9041204071), Sh. Ricky
Walia, Dispatch,(8054102300) , o/o Fire Department.

ORDER

The RTI applications are dated 21.09.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 12.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. The appellant is absent today. He has not informed the Commission about his absence for today's hearing.

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APPEAL CASE NO. 49 OF 2024

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4. Sh. Kartar Singh, FSO is appearing on behalf of Fire Department and states that the information has already been sent to the appellant by the Building branch, as the information is related with them.

5. After hearing the respondent and going through the case file, it is observed that the Information sought by the appellant from the MC, Ludhiana and Fire Department is similar, so both the cases are clubbed together.

Sh. Kartar Singh, FSO is appearing on behalf of the Fire Department, O/o MC Ludhiana states that the information is related with the Building branch, hence they sent RTI of the appellant to the Building Branch. Further the concerned branch has sent pointwise reply alongwith the information to the appellant. They have also sent copy of the reply to the Commission, which is as under:-

ਦਫਤਰ ਨਗਰ ਨਿਗਮ, ਜੇਨ-ਏ ਲੁਧਿਆਣਾ।

ਵੱਲ:

ਸ਼੍ਰੀ ਪਰਮਿੰਦਰ ਸਿੰਘ ਪੁੱਤਰ ਲੇਟ ਸ਼੍ਰੀ ਹਰਬੰਸ ਸਿੰਘ,
ਆਰ/ਓ ਈ-67, ਡਸਟ ਫਲੋਰ, ਵਿਸ਼ਨੂੰ ਗਾਰਡਨ,
ਨਿਊ ਦਿੱਲੀ।

ਨੰ. 194/RTI/ARTC/20 ਮਿਤੀ 18/3/24

ਵਿਸ਼ਾ: ਅਪੀਲ ਕੇਸ ਨੰਬਰ 50 ਆਫ 2024 ਸਬੰਧੀ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਸ਼੍ਰੀ ਪਰਮਿੰਦਰ ਸਿੰਘ ਪੁੱਤਰ ਲੇਟ ਸ਼੍ਰੀ ਹਰਬੰਸ ਸਿੰਘ, ਵੱਲੋਂ ਆਰ.ਟੀ.ਆਈ ਵਿੱਚ ਮੰਗੀ ਗਈ ਜਾਦਕਾਰੀ ਦਾ ਜਵਾਬ ਪੁਆਇੰਟ ਵਾਇਜ਼ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ:-

- 1) ਪੁਆਇੰਟ ਨੰਬਰ 1 ਸਬੰਧੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ ਦਾ ਪੱਤਰ ਨੰਬਰ ਦੱਸਿਆ ਜਾਵੇ ਤਾਂ ਜੋ ਕਿ ਰਿਕਾਰਡ ਅਨੁਸਾਰ ਉਸ ਪੱਤਰ ਤੇ ਕੀਤੀ ਕਾਰਵਾਈ ਦੀ ਜਾਣਕਾਰੀ ਮੁਹਾਇਆ ਕਰਵਾਈ ਜਾ ਸਕੇ। ਕਿਉਂ ਜੋ ਆਰ.ਟੀ.ਆਈ ਪੱਤਰ ਵਿੱਚ ਮੋਜੂਦ ਨੰਬਰ BHR/10354/2023 DT. 24-08-2023. ਨਗਰ ਨਿਗਮ ਦਾ ਪੱਤਰ ਨੰਬਰ ਨਹੀਂ ਹੈ।
- 2) ਪੁਆਇੰਟ ਨੰਬਰ 2 ਇਸ ਸਬੰਧੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਰੋਟਲਾ ਸੰਬੰਧੀ CWP 9234 OF 2018 ਮਾਨਯੋਗ ਹਾਈ ਕੋਰਟ ਵਿੱਚ ਲੰਬੀਤ ਹੈ ਇਸ ਲਈ ਜਦ ਤੱਕ ਇਸ ਕੋਰਟ ਕੇਸ ਦਾ ਫੈਸਲਾ ਨਹੀਂ ਹੋ ਜਾਂਦਾ ਸੂਚਨਾ ਮੁਹਾਇਆ ਨਹੀਂ ਕਰਵਾਈ ਜਾ ਸਕਦੀ।
- 3) ਪੁਆਇੰਟ ਨੰਬਰ 3 ਸਬੰਧੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਦਾ ਜਵਾਬ ਲੜੀ ਨੰਬਰ 2 ਅਨੁਸਾਰ ਹੈ।
- 4) ਪੁਆਇੰਟ ਨੰਬਰ 4 ਸਬੰਧੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਦਾ ਜਵਾਬ ਲੜੀ ਨੰਬਰ 2 ਅਨੁਸਾਰ ਹੈ।
- 5) ਪੁਆਇੰਟ ਨੰਬਰ 5 ਸਬੰਧੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਦਾ ਜਵਾਬ ਲੜੀ ਨੰਬਰ 1 ਅਨੁਸਾਰ ਹੈ।

ਪਬਲਿਕ ਸੂਚਨਾ ਅਫਸਰ-ਕਮ-
ਸਹਾਇਕ ਨਗਰ ਯੋਜਨਾਕਾਰ
ਨਗਰ ਨਿਗਮ, ਜੇਨ-ਏ,
ਲੁਧਿਆਣਾ

ਨੰ. ਮਿਤੀ

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਮਾਨਯੋਗ ਸਟੇਟ ਇੰਨਫਰਮੇਸ਼ਨ ਕਮਿਸ਼ਨਰ ਡਾ. ਫੁਪਿੰਦਰ ਸਿੰਘ ਬਾਬ ਜੀ ਨੂੰ ਸੂਚਨਾ ਪਿੱਤ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ।

ਪਬਲਿਕ ਸੂਚਨਾ ਅਫਸਰ-ਕਮ-
ਸਹਾਇਕ ਨਗਰ ਯੋਜਨਾਕਾਰ
ਨਗਰ ਨਿਗਮ, ਜੇਨ-ਏ,
ਲੁਧਿਆਣਾ

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6. The Commission has examined the reply which adequately addresses the RTI application. After hearing the respondent and going through the reply filed by the respondent, the Commission is of the considered opinion that the Respondent has provided appropriate and permissible reply to the Appellant

7. In view of the foregoing, no cause of action is required, the appeal is therefore **disposed of and closed**. Copies of the order be sent to the parties.

Date :19.03.2025

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Yogesh Mahajan, S/o Late Sh. Kuldip Raj Mahajan,
President of Anti Corruption Council, Opp. Water Tank,
Municipal Market, Mission Road, Pathankot.

Appellant

Versus

Public Information Officer,
O/o XEN, Abohar, Canal Division,
Abohar.

First Appellate Authority,
O/o Superintending Engineer,
Canal Circle, Canal Colony Ferozepur.

Respondents

APPEAL CASE NO. 77 OF 2024

Present :- (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Jaswinder Singh, SDO-cum-APIO (9501200600)

ORDER

The RTI application is dated 01.08.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. Respondent Sh. Jaswinder Singh states that the information has already been sent to the appellant.

4. The appellant is absent today. He has sent a letter dated 18.03.2025 that he has received the information and is satisfied.

5. Since the appellant is satisfied with the information, no further cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Date : 19.03.2025

Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Yogesh Mahajan, S/o Late Sh. Kuldip Raj Mahajan,
President of Anti Corruption Council, Opp. Water Tank,
Municipal Market, Mission Road, Pathankot.

Appellant

Versus

Public Information Officer,
O/o XEN, Abohar, Canal Division,
Abohar.

First Appellate Authority,
O/o Superintending Engineer,
Canal Circle, Canal Colony Ferozepur.

Respondents

APPEAL CASE NO. 78 OF 2024

Present :- (i) None is present on behalf of the appellant
(ii) For the respondent : Sh. Jaswinder Singh, SDO-cum-APIO (9501200600)

ORDER

The RTI application is dated 01.08.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. Respondent Sh. Jaswinder Singh states that the information has already been sent to the appellant.

4. The appellant is absent today. He has sent a letter dated 18.03.2025 that he has received the information and is satisfied.

5. Since the appellant is satisfied with the information, no further cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties.

Sd/-

Date : 19.03.2025

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Sarabjeet Singh Gill,
H No 376, St No 8, Maha Singh Nagar,
Daba Lohara Road, Ludhiana-141014.
M : 9888098886

Appellant

Versus

Public Information Officer,
O/o XEN, B&R, Zone D-1,
Hambran Road, Fire Station,
MC, Ludhiana.

First Appellate Authority,
O/o Commissioner, MC,
Ludhiana.

Respondents

APPEAL CASE NO. 90 OF 2024

Present :- (i) None for the appellant.
(ii) For the respondent : ShTejinder Singh, JE (8054030020)

ORDER

The RTI application is dated 20.09.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. The Appellant is not present today. However, he has sent an e-mail intimating that he shall not be able to attend the hearing today as he has to appear in person at Local Court of Ludhiana. Copy of the same is taken on record.

4. The respondent states that the information sought by the appellant has not been provided to him as the same is very voluminous and also not available in the form as requested by him. He further adds that the appellant was also asked to visit their office and inspect the record.



APPEAL CASE NO. 90 OF 2024

5. After perusing the case file it is ascertained that the information sought by the appellant is very voluminous. The Supreme Court of India in Civil Appeal No. 6454 of 2011 Central Board of Secondary Education Vs Aditya Bandopadhyay and ors. has in its judgment dated 09.08.2011 observed as under

(37 Indiscriminate and impractical demands or directions under 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 counter-productive 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 prioritising 'information furnishing', at the cost of their normal and regular duties.)

6. Further, 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. The PIO cannot be asked to create 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

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APPEAL CASE NO. 90 OF 2024

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.

Date :19.03.2025

**Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab**

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Sh. Sarabjeet Singh Gill,
H No 376, St No 8, Maha Singh Nagar,
DabaLohara Road, Ludhiana-141014.
M : 9888098886

Appellant

Versus

Public Information Officer,
O/o XEN, B&R, Zone B, MC,
Ludhiana.

First Appellate Authority,
O/o Commissioner, MC,
Ludhiana.

Respondents

APPEAL CASE NO. 89 OF 2024

Present :- (i) None for the appellant.
(ii) For the respondent :Sh Karan Pathak, JE

ORDER

The RTI application is dated 20.09.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. The Appellant is not present today. However, he has sent an e-mail intimating that he shall not be able to attend the hearing today as he has to appear in person at Local Court of Ludhiana. Copy of the same is taken on record.

4. The respondent states that the information sought by the appellant has not been provided to him as the same is very voluminous and also not available in the form as requested by him. He further adds that the appellant was also asked to visit their office and inspect the record.



APPEAL CASE NO. 89 OF 2024

5. After perusing the case file it is ascertained that the information sought by the appellant is very voluminous. The Supreme Court of India in Civil Appeal No. 6454 of 2011 Central Board of Secondary Education Vs Aditya Bandopadhyay and ors. has in its judgment dated 09.08.2011 observed as under

(37 Indiscriminate and impractical demands or directions under 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 counter-productive 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 prioritising 'information furnishing', at the cost of their normal and regular duties.)

6. Further, 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. The PIO cannot be asked to create 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

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APPEAL CASE NO. 89 OF 2024

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.

Date :19.03.2025

**Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab**



Sh. Sarabjeet Singh Gill,
H No 376, St No 8, Maha Singh Nagar,
Daba Lohara Road, Ludhiana-141014.
M : 9888098886

Appellant

Versus

Public Information Officer,
O/o XEN, B&R, Zone A, MC,
Ludhiana.

First Appellate Authority,
O/o Commissioner, MC,
Ludhiana.

Respondents

APPEAL CASE NO. 88 OF 2024

Present :- (i) None for the appellant.
(ii) For the respondent :Sh Karan Pathak, JE

ORDER

The RTI application is dated 20.09.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. The Appellant is not present today. However, he has sent an e-mail intimating that he shall not be able to attend the hearing today as he has to appear in person at Local Court of Ludhiana. Copy of the same is taken on record.

4. The respondent states that the information sought by the appellant has not been provided to him as the same is very voluminous and also not available in the form as requested by him. He further adds that the appellant was also asked to visit their office and inspect the record.



APPEAL CASE NO. 88 OF 2024

5. After perusing the case file it is ascertained that the information sought by the appellant is very voluminous. The Supreme Court of India in Civil Appeal No. 6454 of 2011 Central Board of Secondary Education Vs Aditya Bandopadhyay and ors. has in its judgment dated 09.08.2011 observed as under

(37 Indiscriminate and impractical demands or directions under 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 counter-productive 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 prioritising 'information furnishing', at the cost of their normal and regular duties.)

6. Further, 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. The PIO cannot be asked to create 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

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APPEAL CASE NO. 88 OF 2024

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/-

Date :19.03.2025

**(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab**

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Sh. Sarabjeet Singh Gill,
H No 376, St No 8, Maha Singh Nagar,
DabaLohara Road, Ludhiana-141014.
M : 9888098886

Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council, UrmarTanda,
Distt Hoshiarpur.

First Appellate Authority,
O/o Additional Deputy Commissioner (General),
Hoshiarpur.

Respondents

APPEAL CASE NO. 82 OF 2024

Present :- (i) None for the appellant.
(ii) For the respondent :PIO-Sh Ramparkash, EO (94174-79460) and Sh
Kuldip, AME (9814425877)

ORDER

The RTI application is dated 04.07.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. The Appellant is not present today. However, he has sent an e-mail intimating that he shall not be able to attend the hearing today as he has to appear in person at Local Court of Ludhiana. Copy of the same is taken on record.

4. The respondent states that the appellant has not deposited the documentation fee, as demanded from him hence, the information has not been provided. He also files a copy of the reply sent to the appellant.

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APPEAL CASE NO. 82 OF 2024

5. After perusing the case file, it is ascertained that the appellant has filed RTI with the department on 04.07.2023. Further the respondent has demanded requisite fee on 20.07.2023 within stipulated time as prescribed under the RTI Act 2005, but the appellant has failed to deposit the same. Hence, the information has not been provided.

6. In view of the foregoing, no further cause of action is left , hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties. *However, the appellant is advised to deposit the documentation fee, as demanded by the respondent and obtain the information.*

Date :19.03.2025

**Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab**

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Sh. Sarabjeet Singh Gill,
H No 376, St No 8, Maha Singh Nagar,
DabaLohara Road, Ludhiana-141014.
M : 9888098886

Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council, Urmar Tanda,
DisttHoshiarpur.

First Appellate Authority,
O/o Additional Deputy Commissioner (General),
Hoshiarpur.

Respondents

APPEAL CASE NO. 83 OF 2024

Present :- (i) None for the appellant.
(ii) For the respondent : PIO-Sh. Ramparkash, EO (94174-79460) and Sh
Kuldip, AME (9814425877)

ORDER

The RTI application is dated 04.07.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. The Appellant is not present today. However, he has sent an e-mail intimating that he shall not be able to attend the hearing today as he has to appear in person at Local Court of Ludhiana. Copy of the same is taken on record.



APPEAL CASE NO. 83 OF 2024

4. Respondent states that the information demanded by the appellant does not fall within the definition of information as per Section 2 (f) of the RTI Act 2005.

5. The perusal of the case file shows that the appellant is not present today. The respondent states that the information demanded by the appellant is not available in the form as demanded by the appellant. No public authority is supposed to create or manufacture information for the benefit of the information seeker. This is a crux of the judgment rendered by the Hon'ble Supreme court of India. Further, 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. The PIO cannot be asked to create 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.

Date :19.03.2025

**Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab**

PUNJAB STATE INFORMATION COMMISSION
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Sh. Sarabjeet Singh Gill,
H No 376, St No 8, Maha Singh Nagar,
Daba Lohara Road, Ludhiana-141014.
M : 9888098886

Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council, UrmarTanda,
Distt Hoshiarpur.

First Appellate Authority,
O/o Additional Deputy Commissioner (General),
Hoshiarpur.

Respondents

APPEAL CASE NO. 84 OF 2024

Present :- (i) None for the appellant.
(ii) For the respondent :PIO-Sh Ramparkash, EO (94174-79460) and ShKuldip, AME (9814425877)

ORDER

The RTI application is dated 04.07.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. The Appellant is not present today. However, he has sent an e-mail intimating that he shall not be able to attend the hearing today as he has to appear in person at Local Court of Ludhiana. Copy of the same is taken on record.



APPEAL CASE NO. 84 OF 2024

4. The Respondent-PIO states that the information sought by the appellant has not been provided as the same is not available in their official record in the form as requested by him.

5. The perusal of the case file shows that the appellant is not present today. The respondent states that the information demanded by the appellant is not available in the form as demanded by the appellant. No public authority is supposed to create or manufacture information for the benefit of the information seeker. This is a crux of the judgment rendered by the Hon'ble Supreme court of India. Further, 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. The PIO cannot be asked to create 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/-

Date :19.03.2025

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab

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Sh. Sarabjeet Singh Gill,
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Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council, UrmarTanda,
DisttHoshiarpur.

First Appellate Authority,
O/o Additional Deputy Commissioner (General),
Hoshiarpur.

Respondents

APPEAL CASE NO. 85 OF 2024

Present :- (i) None for the appellant.
(ii) For the respondent :PIO-Sh Ramparkash, EO (94174-79460) and
ShKuldip, AME (9814425877)

ORDER

The RTI application is dated 04.07.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. The Appellant is not present today. However, he has sent an e-mail intimating that he shall not be able to attend the hearing today as he has to appear in person at Local Court of Ludhiana. Copy of the same is taken on record.

4. The respondent states that the appellant has not deposited the documentation fee, as demanded from him hence, the information has not been provided. He also files a copy of the reply sent to the appellant.

PUNJAB STATE INFORMATION COMMISSION

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Sector 16, Chandigarh.

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APPEAL CASE NO. 85 OF 2024

5. After perusing the case file, it is ascertained that the appellant has filed RTI with the department on 04.07.2023. Further the respondent has demanded requisite fee on 20.07.2023 within stipulated time as prescribed under the RTI Act 2005, but the appellant has failed to deposit the same. Hence, the information has not been provided.

6. In view of the foregoing, no further cause of action is left, hence the above said appeal case filed by the appellant is **disposed of and closed**. Copy of the order be sent to the parties. *However, the appellant is advised to deposit the documentation fee, as demanded by the respondent and obtain the information.*

Date :19.03.2025

**Sd/-
(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab**

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Sh. Sarabjeet Singh Gill,
H No 376, St No 8, Maha Singh Nagar,
DabaLohara Road, Ludhiana-141014.
M : 9888098886

Appellant

Versus

Public Information Officer,
O/o EO, Nagar Council, Urmar Tanda,
Distt Hoshiarpur.

First Appellate Authority,
O/o Additional Deputy Commissioner (General),
Hoshiarpur.

Respondents

APPEAL CASE NO. 87 OF 2024

Present :- (i) None for the appellant.
(ii) For the respondent :PIO-Sh Ramparkash, EO (94174-79460) and
ShKuldip, AME (9814425877)

ORDER

The RTI application is dated 28.07.2023 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellant Authority (hereinafter FAA) and second appeal was filed in the Commission on 13.12.2023 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 19.03.2025 in the Commission i.e. today.

3. The Appellant is not present today. However, he has sent an e-mail intimating that he shall not be able to attend the hearing today as he has to appear in person at Local Court of Ludhiana. Copy of the same is taken on record.

4. The respondent states that the information sought by the appellant does not relate to them. It relates to more than one PIO's of different public authorities. Hence, they had sent their reply regarding the same to the appellant. He also files a copy of the same today as under:-



APPEAL CASE NO. 87 OF 2024

“ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਧੀਨ ਆਪ ਜੀ ਵੱਲੋਂ ਮਿਤੀ 28-7-2023 ਨੂੰ ਸੂਚਨਾ ਮੰਗੀ ਗਈ ਸੀ, ਉਸ ਸਬੰਧੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਨਗਰ ਕੌਂਸਲ ਅਧੀਨ ਸ਼ਾਮਲਾਟ ਜਮੀਨਾਂ ਦਾ ਸਬੰਧ ਪੰਚਾਇਤਾਂ ਨਾਲ ਹੈ। ਪੈਰਾ ਨੰ: 2 ਵਿਚ ਵਕਫ਼ ਬੋਰਡ ਦੀ ਜਮੀਨਾਂ ਦਾ ਸਬੰਧ ਵਕਫ਼ ਬੋਰਡ ਨਾਲ ਹੈ। ਪੈਰਾ ਨੰ: 3 ਪੰਚਾਇਤੀ ਜਮੀਨਾ ਸਬੰਧੀ ਬੀਡੀਪੀ.ਓ. ਦਫਤਰ ਨਾਲ ਸੰਪਰਕ ਕੀਤਾ ਜਾਵੇ”

5. After perusing the case file, it is clear that the information demanded by the information seeker relates to different PIOs. Each of these authorities has also separate PIOs. Under-section 6(1)(a) a person seeking information has to apply to the concerned public authority. It is not the job of one PIO to collect and thereafter collate this information from different PIOs of different Public Authorities and then supply the same to the appellant. Appellant may note that there is a clear mention in the orders of former CIC in CC: 05 of 2010 which is reproduced as under:-

"that this obligation under Section 6 of the Act is to transfer the application to 'that other public authority' and not to public 'authorities'. The expression used in Section 6 is 'authority' and not 'authorities'. Simply put, the PIO is expected to transfer a request which does not relate to him but has nevertheless been received by him, one identifiable authority. He is not expected to transfer such a request if information is held by many or a number of authorities. The rationale is that a PIO is not a post office or a coordinator for forwarding requests from information seekers to various departments. Legislature has merely facilitated the information seekers by empowering PIO who inadvertently receives request pertaining to another PIO to forward it to the concerned PIO".

6. Hence, the appellant is advised to file his RTI application before the concerned public authority and obtain the information. With this the appeal case filed by the appellant is **disposed of and closed**. Copy of the orders be sent to the parties.

Sd/-

Date :19.03.2025

(Dr. Bhupinder S Batth)
State Information Commissioner
Punjab