



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

(108)

CWP No. 25581 of 2026 (O&M)

Date of Decision: 13.08.2026

Ram Kumar

.....Petitioner

Versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Gaurav Goyal, Advocate
for the petitioner.

KIRTI SINGH, J. (ORAL)

1. The present writ petition has been filed under Articles 226 and 227 of the Constitution of India for issuance of direction upon respondent No. 4 to furnish point-wise information sought by the petitioner vide RTI application dated 07.12.2024 (Annexure P-1). The petitioner further seeks quashing of the order dated 30.07.2025 (Annexure P-4) passed by the Appellate Authority (respondent No. 3) and order dated 22.04.2026 (Annexure P-6) passed by the State Information Commission (respondent No. 2).

2. The brief facts of the case are that the petitioner submitted an application dated 07.12.2024 under the Right to Information Act, 2005 (for short '*the Act*'), seeking information regarding the votes polled and counted in the State Vidhan Sabha Elections, 2024, including the percentage of votes and any difference between the votes polled and counted. Reply to the said application furnished by respondent No. 4. Being dissatisfied therefrom, the petitioner preferred an appeal before the First Appellate Authority, which was rejected vide order dated 30.07.2025. Being aggrieved therefrom, the



petitioner preferred a second appeal before the State Information Commission, which was decided vide order dated 22.04.2026. Hence, the present writ petition by the petitioner.

3. Learned counsel for the petitioner submits that the information sought by the petitioner was required to be furnished in the form in which it was sought and that the Public Information Officer could not discharge his obligation merely by referring the petitioner to various websites. Learned counsel further submits that the First Appellate Authority failed to appreciate the relevant provisions of the Act, as well as the grounds raised by the petitioner in the appeal, and rejected the appeal by observing that the sought for information was available on the website of the ECI. It is further submitted that the State Information Commission also failed to deal with all the points raised by the petitioner in the second appeal, and disposed of the said appeal merely by observing that the sought for information has already been provided to the petitioner. It is, therefore, prayed that the impugned orders be quashed and set aside.

4. Notice of motion to the State-respondents No.1 and 2 only at this stage.

5. On the asking of the Court, Ms. Saumya Ahluwalia, Sr. DAG, Haryana accepts notice on behalf of the State-respondents No. 1 and 2. She submits that the impugned orders have been rightly passed after due consideration of the facts and material available on record.

6. I have heard learned counsel for the petitioner as well as learned State counsel and perused the judicial record with their able assistance.

7. In the present case, the petitioner sought information regarding the 2024 State Vidhan Sabha Elections. The Public Information Officer

furnished the information available with the public authority vide letter



dated 17.6.2025 to the petitioner. However, being not satisfied therefrom, the petitioner availed the statutory remedy of Ist appeal, which came to be considered and decided by the First Appellate Authority vide order dated 30.07.2025. Thereafter, the petitioner preferred a second appeal before the State Information Commission, which was also considered and decided vide order dated 22.04.2026. The State Information Commission, after examining the record, found that the information available with and held by the concerned public authority had already been furnished to the petitioner vide letter dated 17.6.2025. It further noticed that, under the Act, only such information is required to be supplied which is available and existing on record and is held by or under the control of the public authority.

8. The scope of the Right to Information cannot, therefore, be enlarged to require a public authority to create, generate, collate or derive information which is not otherwise available on its record. In the present case, the petitioner has not been able to demonstrate that any information which is available with or held by the concerned public authority has been withheld or remains to be furnished. The grievance of the petitioner, in substance, pertains to the manner in which the information already available has been furnished. Such dissatisfaction, in the absence of any withholding of information available on record, does not constitute a ground for interference with the concurrent findings recorded by the statutory authorities. Learned counsel for the petitioner has consequently failed to point out any illegality, perversity or jurisdictional error in the impugned orders warranting interference by this Court in exercise of its jurisdiction under Articles 226 and 227 of the Constitution of India.

9. Accordingly, keeping in view the totality of the facts and circumstances of the case, no ground is made out for interference with the



impugned order(s).

- 10. Consequently, the present writ petition is dismissed
- 11. Pending miscellaneous application(s), if any, shall also stand disposed of.

(KIRTI SINGH)
JUDGE

August 13th, 2026
Gurpreet Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No