

केन्द्रीय सूचना आयोग
Central Information Commission
बाबागंगनाथमार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

शिकायत संख्या / Complaint Nos.

1	CIC/PMOIN/C/2019/636254	19	CIC/PMOIN/C/2019/643489
2	CIC/PMOIN/C/2019/636257	20	CIC/PMOIN/C/2019/643494
3	CIC/PMOIN/C/2019/636258	21	CIC/PMOIN/C/2019/643495
4	CIC/PMOIN/C/2019/636271	22	CIC/PMOIN/C/2019/643497
5	CIC/PMOIN/C/2019/636272	23	CIC/PMOIN/C/2019/643500
6	CIC/PMOIN/C/2019/636273	24	CIC/PMOIN/C/2019/643502
7	CIC/PMOIN/C/2019/636274	25	CIC/PMOIN/C/2019/643503
8	CIC/PMOIN/C/2019/636276	26	CIC/PMOIN/C/2019/643504
9	CIC/PMOIN/C/2019/636278	27	CIC/PMOIN/C/2019/643505
10	CIC/PMOIN/C/2019/636280	28	CIC/PMOIN/C/2019/643506
11	CIC/PMOIN/C/2019/636282	29	CIC/PMOIN/C/2019/643508
12	CIC/PMOIN/C/2019/636283	30	CIC/PMOIN/C/2019/643509
13	CIC/PMOIN/C/2019/636285	31	CIC/PMOIN/C/2019/643510
14	CIC/PMOIN/C/2019/636287	32	CIC/PMOIN/C/2019/643511
15	CIC/PMOIN/C/2019/636291	33	CIC/PMOIN/C/2019/643512
16	CIC/PMOIN/C/2019/636294	34	CIC/PMOIN/C/2019/643513
17	CIC/PMOIN/C/2019/636295	35	CIC/PMOIN/C/2019/643514
18	CIC/PMOIN/C/2019/636296		

Shri Radha Raman Tripathy

... शिकायतकर्ता / Complainant

VERSUS/बनाम

CPIO/ Under Secretary, PMO
Prime Minister Office,
New Delhi.

...प्रतिवादीगण / Respondent

Date of Hearing : 29.12.2020

Date of Decision : 31.12.2020

Chief Information Commissioner : Shri Y. K. Sinha

Information sought and background of the case:

Since the queries raised in 34 RTI applications relate to action taken on his complaints, the matters are decided by the Commission by way of a common order. However, since Complaint no. 35 deals with a different set of queries it is decided separately.

The Complainant vide following RTI applications sought information regarding action taken on his various complaints filed before the respondent public authority, the details of which are mentioned below:-

S.No.	Case Nos.	Complaint dated before PMO	RTI dated	CPIO Reply	CIC Complaint Dated
1	636254	20.04.2018	30.01.2019	13.02.2019	16.03.2019
2	636257	28.06.2018	30.01.2019	13.02.2019	16.03.2019
3	636258	17.02.2018	30.01.2019	13.02.2019	16.03.2019
4	636271	05.08.2018	30.01.2019	13.02.2019	16.03.2019
5	636272	03.07.2018	30.01.2019	13.02.2019	16.03.2019
6	636273	07.06.2018	30.01.2019	13.02.2019	16.03.2019
7	636274	01.01.2018	30.01.2019	13.02.2019	16.03.2019
8	636276	20.07.2018	30.01.2019	13.02.2019	16.03.2019
9	636278	04.05.2018	30.01.2019	13.02.2019	16.03.2019
10	636280	19.04.2018	30.01.2019	13.02.2019	16.03.2019
11	636282	04.03.2018	30.01.2019	13.02.2019	16.03.2019
12	636283	18.05.2018	30.01.2019	13.02.2019	16.03.2019
13	636285	11.03.2018	30.01.2019	13.02.2019	16.03.2019
14	636287	04.03.2018	30.01.2019	13.02.2019	16.03.2019
15	636291	21.02.2018	30.01.2019	13.02.2019	16.03.2019
16	636294	01.08.2018	30.01.2019	13.02.2019	16.03.2019
17	636295	03.02.2018	30.01.2019	13.02.2019	16.03.2019
18	636296	12.05.2018	30.01.2019	13.02.2019	16.03.2019
19	643489	12.09.2012	10.05.2019	04.06.2019	19.06.2019
20	643494	19.08.2011	10.05.2019	04.06.2019	19.06.2019
21	643495	04.04.2018	10.05.2019	04.06.2019	19.06.2019
22	643497	05.02.2009	10.05.2019	04.06.2019	19.06.2019
23	643500	04.02.2009	10.05.2019	04.06.2019	19.06.2019
24	643502	06.09.2008	10.05.2019	04.06.2019	19.06.2019
25	643503	05.06.2008	10.05.2019	04.06.2019	19.06.2019
26	643504	23.05.2008	10.05.2019	04.06.2019	19.06.2019
27	643505	13.06.2007	10.05.2019	04.06.2019	19.06.2019

28	643506	21.07.2007	10.05.2019	04.06.2019	19.06.2019
29	643508	25.11.2007	10.05.2019	04.06.2019	19.06.2019
30	643509	13.10.2007	10.05.2019	04.06.2019	19.06.2019
31	643510	02.10.2007	10.05.2019	04.06.2019	19.06.2019
32	643511	18.09.2007	10.05.2019	04.06.2019	19.06.2019
33	643512	05.06.2008	10.05.2019	04.06.2019	19.06.2019
34	643513	12.09.2007	10.05.2019	04.06.2019	19.06.2019

The CPIO/Under Secretary, PMO vide letter dated 04.06.2019 replied as under –

“It has been observed that have filed a large number of RTI Applications with this office. During the current year i.e. 2019 itself, so far 36 Application under RTI Act have been received. A list of these RTI Applications is enclosed herewith. Out of these, response to 18 applications has already been sent. It has been observed that all applications filed by you are on the issue i.e. complaint(s) filed by you in connection with ‘delayed refunds by Officers of ACIT Circle-3, Bokaro Steel City’.....”

.....3. In the light of the above decisions, we have reached to a conclusion to not to respond to your remaining 17 applications under RTI Act. You are also advised not to flood this Public Authority with RTI Applications on the same matter involving no larger public interest.”

Furthermore, The CPIO/Under Secretary, PMO vide another letter dated 13.02.2019 replied as under –

“..... It has been noted that all these RTI applications are of identical/ similar in nature. It is also noted that these RTI applications are on same issues, with slightly altered words/requests.....”

4. In view of the above, it may not be feasible for this office to respond all the abovementioned RTI applications as these are versions of similar set of queries repeated in each with slight variations of expression and phrases only .”

Dissatisfied with the replies received from the CPIO, the Complainant filed the instant Complaints before the Commission seeking penal action against the CPIO.

Facts emerging during the hearing

A written submission has been received from the US and CPIO, PMO dated 21.12.2020 wherein it was stated that responses were given to the Complainant vide their letters dated 13.02.2019, 19.03.2019 and 04.06.2019. In addition it was stated that the status of a grievance can be checked by a citizen on <http://pgportal.gov.in/Status> by using the registration number of his petition. Gist of the action taken by the authorities and the copy of the reply to the applicant is also uploaded on the portal. Further telephonic enquiries relating to the grievances may be made on Public Wing’s facilitation number on working days

and during working hours. Redressal of grievance in such cases is within the purview of the appropriate authority to which the grievance is forwarded. Therefore, the petitioner may seek the details of the follow up action on the petition from the concerned authority in the Ministry/ Department/ State Government to which the grievance has been forwarded. PG Portal (public interface- <http://pgportal.in/Status> also has a provision of display of the details (designation/ phone number. etc) of the concerned authority to which the grievance has been forwarded through CPGRAMS to enable the petitioner to pursue the matter. For other information, the applicant may also refer to the relevant FAQ on website of the office i.e., <http://www.pmindia.gov.in>- Right to Information (from drop down menu)- Frequently Asked Questions- FAQ relating to public grievance. Thus, the status and other details of the petitions are already accessible by the Petitioners on the online PG portal. Sufficient information relating to processing of the petitions received in the office has also been made available on the website of this office in the form of FAQ. Thus, there was no need to seek such information by petitioners through applications under the RTI Act, 2005.

The Commission vide notice dated 08.12.2020 had fixed the hearing in all the matters under consideration herein through video conference. However, vide email dated 28.12.2020, the Complainant authorised Shri Varun Krishna to attend the hearing on his behalf, who vide email dated 28.12.2020 sought an opportunity of hearing over phone as he is not travelling outside due to prevalence of COVID-19. The Commission thus heard both the parties through audio conference.

The Complainant's representative Shri Varun Krishna stated that incorrect and misleading response was provided by the CPIO in all these matters hence penal action should be initiated against him. He further stated that complaints mentioned in each RTI application were different and not on the same issues as mentioned in the replies of CPIO dated 13.02.2019 and 04.06.2019. However, a cyclostyled response denying the information was provided. Furthermore, the decision of the CPIO not to respond to the remaining RTI applications was against the provisions of the RTI Act, 2005. He also stated that contrary to the stand of the CPIO, the issues raised are in the larger public interest as it relates to multiple issues including a bogus IT refunds scam amounting to Rs 30 Crores for the assessment years mentioned in the Complaints filed with PMO.

The Respondent is represented by Shri Praveen Kumar, US, PMO through audio conference. While acknowledging that separate complaints were filed by the information seeker, he stated that the issues raised in all the complaints essentially revolved around the larger issue of delayed refunds processed by the officers of ACIT Circle-3, Bokaro Steel City. He thereafter stated that the matter pertains to redressal of grievance of the Complainant who is seeking action taken on complaints for which the CPGRAMS mechanism is already in existence. The Public Grievance mechanism within the PMO deals with several such complaints periodically and action taken is invariably intimated to all the complainants including the information seeker herein. In this context, he referred to the replies of CPIO dated 07.09.2018, 11.09.2018 and 27.02.2019 provided in reference to the RTI applications dated 27.08.2018, 28.08.2018 and 30.01.2018 respectively,

wherein action taken on the complaints together with the copy of the forwarding note sent by the PMO to the Secretary, D/o Revenue was also provided to the Complainant. Thus, Shri Kumar stated that there is no malafide intention to deny the information and in case the Complainant was not in receipt of the ATR on his offline complaint he should have mentioned the same in the RTI application based on which an appropriate reply would have been provided to him. However, the Complainant resorted to filing multiple RTI applications on similar issues which pertain to the D/o Revenue resulting in disproportionate diversion of the resources of the Public Authority i.e. PMO and that instead of filing multiple applications, he could have filed a consolidated RTI application seeking details of action taken on all the complaints. In order to establish that grievance petitions are thoroughly examined at the appropriate level, Shri Kumar further referred to a response of D/o Revenue dated 14.05.2019 against a grievance petition filed by the Complainant where the details of the report submitted by PCIT Hazaribagh relating to the allegations levelled by the Complainant on the issue of bogus refunds was intimated.

Decision:

1. Keeping in view the facts and the submissions made by both the parties, the Commission is of the considered opinion that no malafide can be attributed to the conduct of the CPIO in the instant cases. The fact that the onus to establish malafide or unreasonable conduct of the CPIO is on the Complainant/ Appellant is no longer res integra. The Hon'ble Delhi High Court in W.P.(C) 11271/2009 Registrar of Companies & Ors v. Dharmendra Kumar Garg & Anr. (delivered on: 01.06.2012) held as under:

“ 61. Even if it were to be assumed for the sake of argument, that the view taken by the learned Central Information Commissioner in the impugned order was correct, and that the PIOs were obliged to provide the information, which was otherwise retrievable by the querist by resort to Section 610 of the Companies Act, it could not be said that the information had been withheld malafide or deliberately without any reasonable cause. It can happen that the PIO may genuinely and bonafidely entertain the belief and hold the view that the information sought by the querist cannot be provided for one or the other reasons. Merely because the CIC eventually finds that the view taken by the PIO was not correct, it cannot automatically lead to issuance of a showcause notice under Section 20 of the RTI Act and the imposition of penalty. The legislature has cautiously provided that only in cases of malafides or unreasonable conduct, i.e., where the PIO, without reasonable cause refuses to receive the application, or provide the information, or knowingly gives incorrect, incomplete or misleading information or destroys the information, that the personal penalty on the PIO can be imposed. This was certainly not one such case. If the CIC starts imposing penalty on the PIOs in every other case, without any justification, it would instill a sense of constant apprehension in those functioning as PIOs in the public authorities, and would put undue pressure on them. They would not be able to ful fill their statutory duties

under the RTI Act with an independent mind and with objectivity. Such consequences would not auger well for the future development and growth of the regime that the RTI Act seeks to bring in, and may lead to skewed and imbalanced decisions by the PIOs Appellate Authorities and the CIC. It may even lead to unreasonable and absurd orders and bring the institutions created by the RTI Act in disrepute.”

2. Similarly, the following observation of the Hon’ble Delhi High Court in *Bhagat Singh v. CIC & Ors.* WP(C) 3114/2007 are pertinent in this matter:

*“17. This Court takes a serious note of the two year delay in releasing information, the lack of adequate reasoning in the orders of the Public Information Officer and the Appellate Authority and the lack of application of mind in relation to the nature of information sought. The materials on record clearly show the lackadaisical approach of the second and third respondent in releasing the information sought. **However, the Petitioner has not been able to demonstrate that they malafidely denied the information sought.** Therefore, a direction to the Central Information Commission to initiate action under [Section 20](#) of the Act, cannot be issued.”*

3. Furthermore, the High Court of Delhi in the decision of Col. Rajendra Singh v. Central Information Commission and Anr. WP (C) 5469 of 2008 dated 20.03.2009 held as under:

“Section 20, no doubt empowers the CIC to take penal action and direct payment of such compensation or penalty as is warranted. Yet the Commission has to be satisfied that the delay occurred was without reasonable cause or the request was denied malafidely.

.....The preceding discussion shows that at least in the opinion of this Court, there are no allegations to establish that the information was withheld malafide or unduly delayed so as to lead to an inference that petitioner was responsible for unreasonably withholding it.”

4. The CPIO in its response dated 13.02.2019 and 04.06.2019 has cited several decisions of Hon’ble Supreme Court, High Court of Delhi and the CIC in *CBSE vs Aditya Bandopadhyay and Ors* Civil Appeal NO 6454/2011 dated 09.08.2011; *ICAI vs Shaunak H Satya* (2011) 8 SCC 781; *Shail Sahni vs Sanjeev Kumar*, WP (C) 845/2014 and *CIC/AD/A/2013/001046-SA* dated 20.06.2014. The Commission agrees with the stand taken by the CPIO and observes that instead of filing multiple RTI applications, the Complainant could have filed a single consolidated application. Nonetheless, as stated by the Respondent there exists an efficacious alternative grievance redressal mechanism within the public authority where the action taken on his grievance would be invariably informed to the Complainant.
5. It is noteworthy that the issues raised by the Complainant pertain to the officers working under the overall jurisdiction of D/o Revenue and not the PMO. The PMO has forwarded his complaints in several matters to the

relevant official/s and informed him about the action taken on his complaints under RTI for issues which do not relate to the PMO.

6. Even if the Commission were to reluctantly acknowledge that this is an attempt on the Complainant's part to fight corruption, the means adopted by him stifles and defeats the very purpose of the RTI Act. In other words, however noble the purpose of this vigorous attempt to bring about probity in the functioning of the revenue authorities viz. D/o Revenue, IT department, Bokaro and Hazaribagh would have been, the fact remains that the means adopted by the Complainant by inundating the PMO with unrelated RTI cases unfortunately only points to the ignorance of the Complainant about the spirit of the RTI Act. As much as a CPIO has a statutory responsibility of complying with the provisions of the RTI Act, it is also expected of the RTI Applicant/s to not undermine the spirit of the RTI Act by clogging the system with such a barrage of RTI applications, merely claiming that these are aimed at combatting corruption.
7. The Supreme Court in **Advocate General, Bihar vs. M.P. Khair Industries**(AIR 1980 SC 946) has termed "...filing of **frivolous and vexatious petitions** as abuse of the RTI process. Some of such abuses specifically mentioned by the Apex Court include initiating or carrying on proceedings which are wanting in bona-fides or which are frivolous, vexatious or oppressive. The Apex Court also observed that in such cases the Court has extensive alternative powers to prevent an abuse of its process by striking out or staying proceedings or by prohibiting taking up further proceedings."
8. Furthermore, it is pertinent to note that the Apex Court had discussed the issue in great detail in the case of Ashok Kumar Pandey vs. The State of West Bengal, (AIR 2003 SC 280 Para 11), where J.Pasayat had held:

".....It is depressing to note that on account of such trumpety proceedings initiated before the Courts, innumerable days are wasted, which time otherwise could have been spent for the disposal of cases of the genuine litigants. Though we spare no efforts in fostering and developing the laudable concept of PIL and extending our long arm of sympathy to the poor, the ignorant, the oppressed and the needy whose fundamental rights are infringed and violated and whose grievances go unnoticed, unrepresented and unheard; yet we cannot avoid but expressing our opinion that while genuine litigants with legitimate grievances relating to civil matters involving properties worth hundreds of millions of rupees and criminal cases in which persons sentenced to death facing gallows under untold agony and persons sentenced to life imprisonment and kept in incarceration for long years, persons suffering from undue delay in service matters, Government or private, persons awaiting the disposal of case... ... etc. etc. are all standing in a long serpentine queue for years with the fond hope of getting into the Courts and having their grievances redressed, the busybodies, meddlesome interlopers, wayfarers or officious interveners having absolutely no public interest except for personal gain or private profit either of themselves or as proxy of others or for any other extraneous motivation or for glare of publicity break the queue muffing their faces by

wearing the mask of public interest litigation and get into the Courts by filing vexatious and frivolous petitions and thus criminally waste the valuable time of the Courts, as a result of which the queue standing outside the doors of the Courts never moves, which piquant situation creates frustration in the minds of the genuine litigants and resultantly they lose faith in the administration of our judicial system.....”

Emphasis supplied

9. The Hon'ble High Court of Madras in the case of Public Information Officer, Registrar (Administration) Vs B Bharathi[WP No. 26781/2013 dated 17.09.2014] has also given its opinion about such vexatious litigation crippling the public authorities and held as follows:

“...The action of the second respondent in sending numerous complaints and representations and then following the same with the RTI applications; that it cannot be the way to redress his grievance; that **he cannot overload a public authority and divert its resources disproportionately while seeking information and that the dispensation of information should not occupy the majority of time and resource of any public authority, as it would be against the larger public interest....**”

Emphasis supplied

10. The Hon'ble Delhi High Court while deciding the case of Shail Sahni vs. Sanjeev Kumar &Ors. [W.P. (C) 845/2014] has observed that:

“.....Consequently, this Court deems it appropriate to refuse to exercise its writ jurisdiction. Accordingly, present petition is dismissed. This Court is also of the view that **misuse of the RTI Act has to be appropriately dealt with, otherwise the public would lose faith and confidence in this “sunshine Act”. A beneficial Statute, when made a tool for mischief and abuse must be checked in accordance with law.**”

Emphasis supplied

11. In the matter of Rajni Maindiratta- Vs Directorate of Education (North West-B) [W.P.(C) No. 7911/2015] the Hon'ble High Court of Delhi, vide its order dated 08.10.2015 has held that:

“8.Though undoubtedly, the reason for seeking the information is not required to be disclosed but when it is found that the process of the law is being abused, the same become relevant. Neither the authorities created under the RTI Act nor the Courts are helpless if witness the provisions of law being abused and owe a duty to immediately put a stop thereto...”

12. The aforesaid dicta essentially prove that the misuse of RTI Act is a well recognized problem and citizens such as the Complainant should take note that their right to information is not absolute.

13. The Apex Court in a vital decision has categorically cautioned thus:

*“...The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of Section 3 and the definitions of 'information' and 'right to information' under Clauses (f) and (j) of Section 2 of the Act. If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in Section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant. The right to information is a fundamental right as enshrined in Article 19 of the Constitution of India. The Hon'ble Supreme Court has declared in a plethora of cases that the most important value for the functioning of a healthy and well-informed democracy is transparency. However it is necessary to make a distinction in regard to information intended to bring transparency, to improve accountability and to reduce corruption, falling under Section 4(1)(b) and (c) and other information which may not have a bearing on accountability or reducing corruption. The competent authorities under the RTI Act will have to maintain a proper balance so that while achieving transparency, **the demand for information does not reach unmanageable proportions affecting other public interests, which include efficient operation of public authorities and government,** preservation of confidentiality of sensitive information and optimum use..”*
(The Institute of Chartered Accountants of India Vs. Shaunak H. Satya and Ors, A.I.R 2011 SC 3336).

Emphasis supplied

14. In the other landmark judgement in the case of Central Board of Secondary Education &Anr. Vs. Aditya Bandopadhyay&Ors., the Apex Court held as follows:

*“...The Act seeks to bring about a balance between two conflicting interests, as harmony between them is essential for preserving democracy. One is to bring about transparency and accountability by providing access to information under the control of public authorities. The other is **to ensure that the revelation of information, in actual practice, does not conflict with other public interests which include efficient operation of the governments, optimum use of limited fiscal resources** and preservation of confidentiality of sensitive information. The preamble to the Act specifically states that the object of the Act is to harmonise these two conflicting interest.*

.....
37. The right to information is a cherished right. Information and right to information are intended to be formidable tools in the hands of

*responsible citizens to fight corruption and to bring in transparency and accountability,..... **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..***

Emphasis supplied

15. In the light of the above discussion and in view of the fact that the Complainant could not establish malafide/ unreasonable conduct on the part of the CPIO, the Complaints are thus dismissed.

Information sought and background of the case:

S.No.	Case Nos.	RTI dated	CPIO Reply	Complaint Dated
35.	643514	27.05.2019	04.06.2019	19.06.2019

(35)CIC/PMOIN/C/2019/643514

The Complainant filed an RTI application seeking copies of 18 RTI applications filed on 31.01.2019 showing therein repetition of facts. This is in order to substantiate that the RTI applications do not deal with the same issue.

The CPIO/Under Secretary, PMO vide letter dated 04.06.2019 replied to the RTI application as under –

“It has been observed that you have filed a large number of RTI Applications with this office. During the current year i.e. 2019 itself, so far 36 Application under RTI Act have been received. A list of these RTI Applications is enclosed herewith. Out of these, response to 18 applications has already been sent. It has been observed that all applications filed by you are on the issue i.e. complaint(s) filed by you in connection with ‘delayed refunds by Officers of ACIT Circle-3, Bokaro Steel City’.....

.....3. In the light of the above decisions, we have reached to a conclusion to not to respond to your remaining 17 applications under RTI Act. You are also advised not to flood this Public Authority with RTI Applications on the same matter involving no larger public interest.”

Dissatisfied with the reply received from the CPIO, the Complainant filed the instant Complaint before the Commission seeking penal action against the CPIO.

Facts emerging during the hearing

The written submission sent by the CPIO and US, PMO dated 21.12.2020 in reference to the above order applies in the instant matter as well.

The Complainant’s representative Shri Varun Krishna participated in the hearing on being contacted on his telephone. He reiterated his contentions in the earlier 34 matters and stated that incorrect and misleading response was provided by the CPIO hence penal action should be initiated against him.

The Respondent is represented by Shri Praveen Kumar, US, PMO through audio conference who also requested the Commission to take into account his submissions in the earlier 34 matters for adjudication of this case.

Decision

Having heard both the parties and on perusal of the available records, the Commission observes that the detailed reasoning provided in Complaint No CIC/PMOIN/C/2019/643514 and others is squarely applicable in this matter as well. Besides, the queries are interrogative / interpretative in nature seeking the opinion of CPIO which is beyond the definition of information and right to information as per the RTI Act, 2005. Moreover, the Complainant is seeking information on his own earlier RTI applications which should be available with him. In this context, the Commission refers to the decision of Hon’ble High Court of Madras in PIO The Registrar Administration High Court of Madras vs CICW.P.No.26781 of 2013 and M.P.No.1 of 2013, the relevant extract of which is as under:

“24. Insofar as query (iv) is concerned, we fail to understand as to how the second respondent is entitled to justify his claim for seeking the copies of his own complaints and appeals. It is needless to say that they are not the information available within the knowledge of the petitioner; on the other hand, admittedly, they are the documents of the second respondent himself, and therefore, if he does not have copies of the same, he has to blame himself and he cannot seek those details as a matter of right, thinking that the High Court will preserve his frivolous applications as treasures/valuable assets. Further, those documents cannot be brought under the definition "information" as defined under Section 2(f) of the RTI Act. Therefore, we reject the contention of the second respondent in this aspect.”

In the light of the abovementioned observations, the instant Complaint stands dismissed accordingly.

Y. K. Sinha (वाई. के. सिन्हा)
Chief Information Commissioner (मुख्य सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. K. Chitkara (एस. के. चिटकारा)
Dy. Registrar (उप-पंजीयक)
011-26186535

