

Telangana State Information Commission

(Under Right to Information Act, 2005)
D.No.5-4-399, Samachara Hakku Bhavan (Old ACB Building),
Mojam-jahi-Market, Hyderabad – 500 001
Phone: 24740666 Fax: 24740592

Appeal No:14662/SIC-MNR/2021

Date: - 08-03-2022

Appellant : Sri Mohammed Ghouse, H.No. 18-204/7/5/1, Shilparamam Colony, Shadnagar, Farooqnagar Mandal, Ranga Reddy District – 509 216.

Respondents : Public Information Officer (U/RTI Act, 2005) O/o the Government Maternity Hospital, Hyderabad.

First Appellate Authority (U/RTI Act, 2005) O/o the Government Maternity Hospital, Hyderabad.

Order

Sri Mohd. Ghouse has filed second appeal dated **12-11-2021** which was received by this Commission on **12-11-2021** for not getting the information sought by him from the Public Information Officer/ O/o the Government Maternity Hospital, Hyderabad and the First Appellate Authority/ O/o the Government Maternity Hospital, Hyderabad.

The brief facts of the case as per the appeal and other records received along with it are that the appellant herein filed an application dated **28-08-2021** before the Public Information Officer requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005 on the following points mentioned:

With reference to the subject cited above I hereby request you to kindly furnish the attested copies of the following

1. KCR Kits DEO's Appointment Letters
2. Authorization of competent agency
3. Invoice of Agency for payment of DEO'S Salaries

Stating that the appellant did not get any response from the Public Information Officer, he filed 1st appeal dated **07-10-2021** before the First Appellate Authority requesting him to furnish the information sought by him u/s 19(1) of the RTI Act, 2005.

Stating that the appellant did not get any response from the First Appellate Authority, he preferred this 2nd appeal before this Commission requesting to arrange to furnish the information sought by him u/s 19(3) of the RTI Act, 2005.

In view of the above, notice is issued to both the parties to attend for hearing on **08-03-2022 at 10.30 AM.**

The case is called on 08-03-2022. The appellant is present and stated that the PIO has not furnished the information. The PIO /Dr. Ch. Prabhakar, CS-RMO, and the First Appellate Authority / Dr. K. Rajyalakshmi, Superintendent O/o the Govt. Maternity Hospital, Hyderabad are present and filed their affidavit stating that the appellant himself is an employee working as Administrative Officer / APIO in the same office and who is the in-charge of all the records. The PIO further stated that the appellant/APIO is repeatedly filing 6(1) applications relating to the administration.

Heard both the parties and perused the material papers available on record. The Commission observed that the appellant has filed 31 applications under RTI Act before the PIO and is seeking information which is under his own control.

P.T.O

The Commission is of the view that even a single repetition of RTI application would demand the valuable time of a Public Authority, First Appellate Authority and if it reaches as second appeal before the Commission, the Commission has also to spare its valuable time to hear the appeal. However the Commission also observed that the appellant is repeatedly filing RTI applications for his personal gain, without any public interest.

In this connection the Commission refers to the Hon'ble Supreme Court of India order issued in Central Board of Secondary Education and Anr. Vs. Aditya Bandopadhyay and Ors in Civil Appeal No. 6454 OF 2011 (arising out of SLP(C) No: 7526/2009) wherein in it is observed that:

“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 the 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 the Public Authorities spends 75% of their time in collecting and furnishing the information to the appellants instead of discharging their regular duties. The treat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of Public Authorities prioritizing ‘information furnishing’ at the cost of their normal duties.”

In this connection the Commission also refers to the Hon'ble Central Information Commission order issued in File No.CIC/AD/A/2013/001326-SA (Mr.Ramesh Chand Jain Vs. DTC) wherein it is observed that:

“Once Information is given, applicant shall not seek the same once again, if the applicant seeks information again and again, the PIO, the First Appellate Authority and the Commission would be forced to spend their time on this repeated application, and in the process the authorities would lose that much time to address the other RTI applications or performing their general duties in their public office. Repeated RTI application amounts to clogging the office of public authority and CPIO would be right in refusing the same with intimation. Because the Repeated RTI application has an effect of clogging the public offices, it would amount to obstructing the free flow of information to deserving the genuine RTI applicants, besides preventing the officers from performing their general duties attached to their office”.

In the circumstances of the case the Commission admonishes the appellant for misuse of RTI Act, just to satisfy his vengeance forcing the officials to devote their valuable time and energy which is against the provisions of the RTI Act 2005.

Hence, the appeal is dismissed.

MYDA NARAYAN REDDY
STATE INFORMATION COMMISSIONER

Authenticated by:

Section Officer
Copy to: SO / SF / OC