

Central Information Commission, New Delhi
File No.CIC/SM/A/2012/001547, 1548, 1549, 1550 & 1551
Right to Information Act-2005-Under Section (19)

Date of hearing	:	29 April 2013
Date of decision	:	29 April 2013
Name of the Appellant	:	Shri Nitesh Kumar Tripathi, R.No. 159 (O), Brahmputra Hostel, JNU, New Delhi – 110 067.
Name of the Public Authority	:	CPIO, President's Secretariat, RTI Cell, Rashtrapati Bhawan, New Delhi – 110 004.

The Appellant was not present in spite of notice.

On behalf of the Respondent, Shri Saurabh Vijay, Director & CPIO was present.

Chief Information Commissioner : **Shri Satyananda Mishra**

2. We heard the submissions of the Respondent.
3. In all the five cases, the Appellant had sought a variety of information relating to the travels undertaken by the Rashtrapati, gifts given by her/him, the details of the grants given from the discretionary fund, recommendations given by the Rashtrapati in favour of various officers for their promotion, the number of times the Rashtrapati had addressed the nation and the media etc. In all these cases, the CPIO had returned the RTI application along with the

application fee on the ground that it was not an original application but a photocopy of the original. The CPIO had advised him to send the original application, preferably a typed version. Instead of complying with the advice given by the CPIO, the Appellant had preferred an appeal to the Appellate Authority. The Appellate Authority had agreed with the CPIO and had advised the Appellant to send his original RTI applications.

4. During the hearing, the Respondent submitted that this Appellant had the habit of making the same request time and again in various combinations. According to the Respondent, the same information as sought in some of these cases had already been provided to him on several occasions in the past. Most specifically, the Respondent pointed out that the Appellant was in the habit of sending not the original RTI application duly signed by him but a photocopy of the original. He showed us the RTI applications received by his office. Indeed, these are photocopies of the original. Although the Right to Information (RTI) Act or the rules made there under do not clearly require the citizen to make an application in original duly signed by him in ink, it is expected that he would make the request in an application as provided in subsection 1 of section 6 of the Right to Information (RTI) Act duly signed by him in ink. There is no other way for the CPIO to know if the application is genuine or not. However, an RTI application should not be rejected out of hand only because it is not in the original and is just the photocopy. What is important to note in any RTI application is the address of the citizen in which the information could be sent. As long as the RTI application gives the address of the applicant and is accompanied with the prescribed application fee, the CPIO should treat it as a valid RTI application and proceed to provide the information.

5. In the present case, the Respondent contends that some of the information sought had already been provided in the past. We would like him to make a list of the items of information sought in all the five RTI applications and indicate against the queries if the information has already been provided in the past. He must provide the remaining information though. We direct him to do so within 15 working days of receiving this order provided the information is otherwise disclosable under the provisions of the Right to Information (RTI) Act.

6. We would like to advise the Appellant to be careful in future and make all his RTI applications in original with his signature in ink and not send photocopies of such RTI applications. Besides, he must not seek the same information again and again thereby adding to the burdens of the public authority. The Right to Information (RTI) Act gives the right to seek information to every citizen but not to waste public resources by repeatedly seeking the same information under various guise.

7. All the five cases are disposed off accordingly.

8. Copies of this order be given free of cost to the parties.

**(Satyananda Mishra)
Chief Information Commissioner**

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(Vijay Bhalla)

Deputy Registrar