

CENTRAL INFORMATION COMMISSION
Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/A/2011/002886+CIC/SG/A/2011/002090/16553
Appeal No. CIC/SG/A/2011/002886+CIC/SG/A/2011/002090

Relevant Facts emerging from the Appeal

Appellant : Mr. S. P. Goyal,
103A, Krishna Chambers,
59, New Marine Lines,
Mumbai – 400020.

Respondent : Mr. V. C. Ramchandran,
Public Information Officer & DGM ,
Indian Overseas Bank
Central Office:- P.B. No. 3765,
763, Anna Salai, Chennai – 600002.

Relevant Facts emerging during Hearing:

The following were present:

Appellant: Mr. S. P. Goyal on video conference from NIC-Mumbai Studio;

Respondent: Mr. A. K. Mohanthy, Chief Manager on behalf of Mr. V. C. Ramchandran, Public Information Officer & DGM on video conference from NIC-Chennai Studio;

The Appellant has filed an extraordinarily large number of RTI applications and appeals with the Public Authority. A number of inspections have been given and information has also been given at repeated times. The appellant has a number of disputes with the Bank. There are a lot of litigations between the Bank and the appellant. The Commission has during different appellate hearings explained to the Appellant that the Right to Information can only give him access to records and multiple RTI applications and appeals will not give him anything beyond the records that exists. It appears the appellant gets certain information, and then files further RTI applications, questioning some of the answers. He also appears to have filed multiple applications by varying his queries.

The Commission had asked the Bank PIO to submit the list of all the files relating to the appellant which it has done, and the total number of pages in these files comes to about 27000 pages. The Commission offered an inspection of all of these alongwith an affidavit from the Bank PIO that there are no other files relating to the matter for which he is seeking information. The Appellant refuses to accept this offer.

The Commission asked the Appellant how many RTI applications he had filed with the Bank relating to his cases and he states that he has probably filed over 1000 RTI applications. He clarifies that these are with various authorities and the figure he is giving relates to RTI applications in this matter filed with various departments and not just with the Bank. The Commission has been trying to persuade the appellant to take the information that is available and has also offered to get an affidavit from the PIO that no other files or records are available. The Appellant insists that the Bank has tampered with various papers and removed them from the records. If the appellant seriously believes this he should file a FIR with the police. The Commission respects the fact that Right to Information is a fundamental right of citizens but at the same time given the very large number of queries and the fact that the Appellant is pursuing litigation and is not satisfied with access to records, RTI would not be able to satisfy his need. The appellant is pursuing multiple litigations and the various public authorities are being asked to divert

an extraordinarily disproportionate number of resources just to fulfill the wishes of one individual. The Right to Information Act harmonizes the various requirements of democracy. An unreasonable demand by one individual of the resources of the state, to pursue his own whims do not sub-serve the needs of democracy. The Commission is conscious that that poorest man in this country who may be starving to death is paying for its activities. It appears that the appellant does not appear to be wanting information, but wishes to use RTI as a litigation tool. The Commission notes that the Appellant has filed hundreds of appeals with the Commission against various authorities. The Appellant has himself admitted that they all revolve around the same matters.

In view of this the Commission with great reluctance is deciding that entertaining the appellant's appeals in these matters can no longer serve the objectives of the RTI Act and hence the Commission is disposing all the pending appeals of the Appellant. Section 7 (9) cannot be a ground of refusal or rejection of a RTI request, but this is the rare case where the actions of the appellant in various RTI applications and appeals have to be treated together. I have given over 16000 decisions and this is only the second time that I have to come to the conclusion that an appellant is using RTI in a manner which would be unfair and take an extraordinary amount of resource of the Public authority and the Commission. The appellant appears to be pursuing his own commercial disputes with the bank and using RTI not to get information, but as a pressure tool.

The Commission is also disposing appeal no. CIC/SG/A/2011/002090 which has been listed for hearing on 28/12/2011, which seek information from Indian Overseas Bank and have been pending with this Commission.

Decision:

The Appeals are disposed.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi
Information Commissioner
23 December 2011

(In any correspondence on this decision, mention the complete decision number.)(PRE