

DELHI URBAN SHELTER IMPROVEMENT BOARD  
GOVT. OF N.C.T. OF DELHI  
(ADMINISTRATION BRANCH)  
F-04, Vikas Kuteer, I.T.O, I.P. Estate, Delhi-110002.

NO: F-256/DIR (JJR)/2020/D-366

Date: 09/7/2020


To,

All PIOs / DUSIB,  
Govt. of NCT of Delhi.

Sir,

I am directed to circulate the copy of decision taken by the Information Commissioner on 26.05.2020 in respect of 2<sup>nd</sup> appeal of Shri Dinesh, Appellant Vs PIO/ Lt. Governor's Office, 6, Raj Niwas Marg, Delhi, Respondents for kind information and necessary action please.

Encl: - As above.

  
Dy. Director (Admn.)

Distribution:

1.  Dy. Director (System) with request to kindly upload on the Department notice board pl.
2. Office Copy.

(LPS)  
Diary No. 155  
Date 10/7/2020  
Computer Division (DUSIB)  
Govt. of NCT of Delhi

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

2/c

द्वितीय अपील संख्या / Second Appeal Nos. CIC/LTGSE/A/2019/107361  
CIC/LTGSE/A/2019/107363  
CIC/LTGSE/A/2019/107364  
CIC/LTGSE/A/2019/107365  
CIC/LTGSE/A/2019/107366  
CIC/LTGSE/A/2019/107368  
CIC/LTGSE/A/2019/107369  
CIC/LTGSE/A/2019/107371  
CIC/LTGSE/A/2019/107374  
CIC/LTGSE/A/2019/107379  
CIC/LTGSE/A/2019/107380  
CIC/LTGSE/A/2019/107382  
CIC/LTGSE/A/2019/107383  
CIC/LTGSE/A/2019/107384  
CIC/LTGSE/A/2019/107386  
CIC/LTGSE/A/2019/107693  
CIC/LTGSE/A/2019/107694  
CIC/LTGSE/A/2019/115667  
CIC/LTGSE/A/2019/115668  
CIC/LTGSE/A/2019/108691  
CIC/LTGSE/A/2019/108719  
CIC/LTGSE/A/2019/115589  
CIC/LTGSE/A/2019/115592  
CIC/LTGSE/A/2019/115596  
CIC/LTGSE/A/2019/115597  
CIC/LTGSE/A/2019/115598  
CIC/LTGSE/A/2019/115600  
CIC/LTGSE/A/2019/115601  
CIC/LTGSE/A/2019/115602  
CIC/LTGSE/A/2019/115604  
CIC/LTGSE/A/2019/115605  
CIC/LTGSE/A/2019/115606  
CIC/LTGSE/A/2019/115607  
CIC/LTGSE/A/2019/115664  
CIC/LTGSE/A/2019/115665  
CIC/LTGSE/A/2019/115666  
CIC/LTGSE/A/2019/115609  
CIC/LTGSE/A/2019/115610  
CIC/LTGSE/A/2019/115611

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CIC/LTGSE/A/2019/115612  
CIC/LTGSE/A/2019/115613  
CIC/LTGSE/A/2019/115615  
CIC/LTGSE/A/2019/115617  
CIC/LTGSE/A/2019/115619  
CIC/LTGSE/A/2019/115632  
CIC/LTGSE/A/2019/115633  
CIC/LTGSE/A/2019/115634  
CIC/LTGSE/A/2019/115637  
CIC/LTGSE/A/2019/115638

Shri Dinesh

... अपीलकर्ता/Appellant

VERSUS/ बनाम

PIO/Lt. Governor's Office,  
6, Raj Niwas Marg, Delhi  
Through: Sh. J P Kothari - PIO  
and Sh. Subhash Chand Agrawal

...प्रतिवादीगण /Respondents

Date of Decision : 26.05.2020

Information Commissioner : Shri Y. K. Sinha

*Since both the parties are same, the above mentioned cases are clubbed together for hearing and disposal.*

Case No.	RTI Filed on	CPIO reply	First appeal	FAO
107361	17.09.2018	Nil	12.12.2018	Nil
107363	17.09.2018	Nil	07.12.2018	Nil
107364	12.09.2018	Nil	07.12.2018	Nil
107365	20.09.2018	Nil	07.12.2018	Nil
107366	20.09.2018	Nil	12.12.2018	Nil
107368	14.09.2018	Nil	12.12.2018	Nil
107369	14.09.2018	Nil	07.12.2018	Nil
107371	14.09.2018	Nil	07.12.2018	Nil
107374	19.09.2018	Nil	07.12.2018	Nil
107379	12.09.2018	Nil	07.12.2018	Nil
107380	20.09.2018	Nil	12.12.2018	Nil
107382	19.09.2018	Nil	07.12.2018	Nil
107383	20.09.2018	Nil	07.12.2018	Nil
107384	19.09.2018	Nil	07.12.2018	Nil
107386	12.09.2018	Nil	07.12.2018	Nil
107387	20.09.2018	Nil	12.12.2018	Nil
107693	19.09.2018	Nil	07.12.2018	Nil

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107694	12.09.2018	Nil	07.12.2018	Nil
115667	19.09.2018	Nil	07.12.2018	Nil
115668	19.09.2018	Nil	12.12.2018	Nil
108691	14.09.2018	Nil	07.12.2018	Nil
108719	20.09.2018	Nil	12.12.2018	Nil
115589	17.09.2018	Nil	10.12.2018	Nil
115592	17.09.2018	Nil	12.12.2018	Nil
115596	01.10.2018	Nil	21.12.2018	Nil
115597	01.10.2018	Nil	21.12.2018	Nil
115598	01.10.2018	Nil	21.12.2018	Nil
115600	01.10.2018	Nil	21.12.2018	Nil
115601	01.10.2018	Nil	21.12.2018	Nil
115602	01.10.2018	Nil	21.12.2018	Nil
115604	01.10.2018	Nil	21.12.2018	Nil
115605	01.10.2018	Nil	21.12.2018	Nil
115606	01.10.2018	Nil	21.12.2018	Nil
115607	01.10.2018	Nil	21.12.2018	Nil
115664	20.09.2018	Nil	12.12.2018	Nil
115665	19.09.2018	Nil	12.12.2018	Nil
115666	20.09.2018	Nil	12.12.2018	Nil
115609	01.10.2018	Nil	21.12.2018	Nil
115610	01.10.2018	Nil	21.12.2018	Nil
115611	01.10.2018	Nil	21.12.2018	Nil
115612	12.10.2018	Nil	21.12.2018	Nil
115613	12.10.2018	Nil	21.12.2018	Nil
115615	08.10.2018	Nil	21.12.2018	Nil
115617	01.10.2018	Nil	21.12.2018	Nil
115619	01.10.2018	Nil	21.12.2018	Nil
115632	19.09.2018	Nil	12.12.2018	Nil
115633	17.09.2018	Nil	12.12.2018	Nil
115634	17.09.2018	Nil	12.12.2018	Nil
115637	20.09.2018	Nil	10.12.2018	Nil
115638	19.09.2018	Nil	10.12.2018	Nil

**Information sought and background of the case:**

**1) CIC/LTGSE/A/2019/107361**

The Appellant filed an RTI application dated 17.09.2018 before the office of the Lt. Governor seeking information on two points, about name and particulars of the actual allottee and current occupant of the double storeyed residential unit at 71, Welcome. He further sought information about the basis on which the said property was transferred, source of fund whereby the said property was purchased, tax saved in the transaction and questioned the legality of the encroachment in front of the said property while seeking legal action to prevent the encroachment including sealing of the property in question.

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The appellant has filed the instant Second Appeal alleging that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

### **2) CIC/LTGSE/A/2019/107363**

The Appellant filed an RTI application dated 17.09.2018 before the office of the Lt. Governor seeking information on four points, about the double storeyed quarters constructed by DDA, at Kabul Nagar, Shahdara in the following manner:

- i. *Which agency is currently responsible for the said area;*
- ii. *Details of the agency which is responsible for allotment of residential commercial units/shops in the said area;*
- iii. *Complete details of the agency of Delhi Govt responsible for monitoring all commercial activity in the said area;*
- iv. *Details of residential unit in the said area, details of allotment of the residential units and copies of the rules adhered while allotting the said residential units.*

The appellant has filed the instant Second Appeal alleging that neither PIO replied to the above RTI application nor was his First Appeal dated 07.12.2018 adjudicated.

### **3) CIC/LTGSE/A/2019/107364**

The Appellant filed an RTI application dated 12.09.2018 before the office of the Lt. Governor seeking information about closing down of a movie theatre named Kalyan on Brahmpuri Main Road and construction of multistoreyed residential flats in the area and whether conversion of land usage was legally permissible.

The appellant has filed the instant Second Appeal alleging that neither PIO replied to the above RTI application nor was his First Appeal dated 07.12.2018 adjudicated.

### **4) CIC/LTGSE/A/2019/107365**

The Appellant filed an RTI application dated 20.09.2018 before the office of the Lt. Governor seeking information about residential unit no. 127 located in the Welcome Seelampur Rehabilitation colony. He questioned the legality of the unauthorizedly constructed double storeyed structure of five shops and sought proof that the construction had been carried out legally alongwith actual current status of the property. Furthermore, the appellant sought to know the particulars of the authority which had approved the leasing/renting of these unauthorized five shops etc.

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It is the appellant's case that he did not receive any reply from the PIO and even his First Appeal dated 07.12.2018 was not adjudicated. Hence, he approached this Commission with the instant Second appeal.

**5) CIC/LTGSE/A/2019/107366**

The Appellant filed an RTI application dated 12.09.2018 before the office of the Lt. Governor seeking information about relocation scheme at Shahdara area. He raised the following queries in this regard:

- i. *Name and location of the colonies which have been developed by DUSIB under relocation scheme in the last five decades;*
- ii. *Actual status of the shop named Gulshan Meat Corner located in the double storeyed residential area called Kabul Nagar established under the relocation scheme and whether the said shop adheres to the statutory requirement.*

The appellant has filed the instant Second Appeal alleging that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

**6) CIC/LTGSE/A/2019/107368**

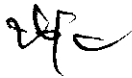
The Appellant filed an RTI application dated 17.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *Whether it was legally permissible to convert the original usage of the quarters number 10-12 located at Welcome double storeyed colony, which falls under the jurisdiction of DUSIB. Reasons for non initiation of any action against the unauthorised construction on these units. Names of allottees of the units number 10 and 12.*
- ii. *On what basis has the ground floor property at unit number 7 been divided into 7 and 7A and 7A been sold to some other person.*
- iii. *Is it legally permissible to have rented out the unit number 7A, supported by relevant documents.*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

**7) CIC/LTGSE/A/2019/107369**

The Appellant filed an RTI application dated 12.09.2018 before the office of the Lt. Governor seeking the following information:

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- i. *Name of works executed by the P-1 and P-2 of the Shahdara North and South Zones of EDMC during 2016-17 and 2017-18;*
  - ii. *Name, office address and mobile numbers of the JE, AE, EE SC and Chief Engineers posted at North and South EDMC.*

Claiming to be aggrieved on account of non-receipt of PIO's reply and non-adjudication of the First Appeal dated 07.12.2018, the appellant has filed the instant Second Appeal.

#### **8) CIC/LTGSE/A/2019/107371**

The Appellant filed an RTI application dated 14.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *Name and address of all the shops/commercial units and residential units wherein sealing action has been taken;*
- ii. *Name, office address and mobile numbers of the JE, AE, EE, SC and technical staff posted at North and South EDMC, Building department. Etc.*

Aggrieved by non-receipt of any response from the PIO and non-adjudication of his First Appeal dated 07.12.2018, the appellant filed the instant Second appeal.

#### **9) CIC/LTGSE/A/2019/107374**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *Name and designation of the employees working in the Control room set up by the DTC to regulate traffic services and the duties assigned to them to improve traffic transmission;*
- iii. *Measures taken by DTC to monitor the unauthorised vehicles entering Delhi from outside and steps taken to regulate and monitor the bus services in Delhi etc.*

Aggrieved by non-receipt of any response from the PIO and non-adjudication of his First Appeal dated 07.12.2018, the appellant filed the instant Second appeal.

#### **10) CIC/LTGSE/A/2019/107379**

The Appellant filed an RTI application dated 12.09.2018 before the office of the Lt. Governor enquiring about the reason for cancellation of license of the Fair Price Shop no. 5826 by the Ministry of Consumer Affairs, Food and Public Distribution. He sought the initial investigation report in this regard and copy of the license cancellation order.

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The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 07.12.2018 adjudicated.

### **11) CIC/LTGSE/A/2019/107380**

The Appellant filed an RTI application dated 20.09.2018 before the office of the Lt. Governor seeking information about the rules and regulations which have been followed while sealing the property no. 2 at Rehabilitation Colony at Welcome on 20.03.2018, without serving Show Cause Notice and in the absence of the occupants. He has also enquired about the other similar double storeyed premises of the same area within one month of sealing of the unit no. 2 and the name and designation of the official under whose orders the unit no. 2 was sealed, copy of the sealing order and the copy of the complaint on the basis of which the property was sealed and such other similar information.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

### **12) CIC/LTGSE/A/2019/107382**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *Details of ownership and legality of the unauthorised shops and residential properties located near the courtyard of Sai Temple in Kabulnagar area;*
- ii. *Number of shops allotted for carrying out commercial activity in the Kabulnagar double storeyed area and the authority which allotted the shops alongwith names of the allottee/s and the shop number.*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 07.12.2018 adjudicated.

### **13) CIC/LTGSE/A/2019/107383**

The Appellant filed an RTI application dated 20.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *How many shops and commercial places located at DUSIB New Seelampur market come under the jurisdiction of DUSIB and details of the allottees thereof;*
- ii. *Whether the rules and regulations of DUSIB provide for construction upon the already existing shops;*



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iii. Information about shops which have been illegally usurped on the basis of power of attorneys from the original allottees; and such other information

Upon non-receipt of reply from the PIO, the Appellant filed a First Appeal dated 07.12.2018 and on non-adjudication thereof approached this Commission.

**14) CIC/LTGSE/A/2019/107384**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking copy of license of eating house named "AapkiRasoi" situated at Mandir Marg, Krishna Nagar.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 07.12.2018 adjudicated.

**15) CIC/LTGSE/A/2019/107386**

The Appellant filed an RTI application dated 12.09.2018 before the office of the Lt. Governor seeking information about illegal encroachment of vacant land near Gokhale Market located adjacent to Tees Hazari Court, current status of the encroachment, the Government agency which has jurisdiction over this area and encroachment over the footpaths leading to Saint Stephen Hospital from Tees Hazari Court.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 07.12.2018 adjudicated.

**16) CIC/LTGSE/A/2019/107387**

The Appellant filed an RTI application dated 20.09.2018 before the office of the Lt. Governor seeking information about approval granted to residential units number P-3 and P-4 for merging the units, located at Welcome Colony. He has further sought sealing of the units alleging the same to be averse to the rules.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

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**17) CIC/LTGSE/A/2019/107693**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking information about name and address/location of shops selling sweets of popular brands in NDMC area; name, designation and mobile number of the competent authority appointed to overlook the operation of the shops selling food items in NDMC area; food samples collected from the popular and well known shops selling sweets in NDMC area, during year 2017-2018 for testing purpose by Food Adulteration department and how many samples failed the test.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 07.12.2018 adjudicated.

**18) CIC/LTGSE/A/2019/107694**

The Appellant filed an RTI application dated 12.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *Whether Paradise restaurant operating at Dilshad Garden area is in a residential area or commercial area and particulars of various litigation/s pending against the restaurant;*
- ii. *Complete current status of shop named Pammi sweets, located at residential area of Dilshad Garden and whether license has been granted by the relevant Govt bodies;*
- iii. *List of all other shops which are operating without license, like Paradise restaurant in the area*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 07.12.2018 adjudicated.

**19) CIC/LTGSE/A/2019/115667**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *Copies of documents indicating work done and completed by the C-1, C-2, C-3, C-4, C-5, C-6 of DUSIB in the past two years;*
- ii. *Name, designation and mobile numbers of the JE, AEE and SC responsible for the planning of operations.*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

W/C

**20) CIC/LTGSE/A/2019/115668**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *Description of actual status of Ahimsa Apartment situated on Loni Road, Shahdara. Further, since DDA has declared the area concerned to be out of their jurisdiction, on what basis has EDMC approved the plan of these multi storeyed apartments;*
- ii. *The grounds around Ahimsa Apartments have been occupied by some anti-social elements and some shops and godowns have been constructed. Reason for inaction of EDMC with respect to the illegal occupants.*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

**21) CIC/LTGSE/A/2019/108691**

The Appellant filed an RTI application dated 14.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *List and name of work undertaken by M-1, M-2, M-3 and M-4 of EDMC during 2016-17 and 2017-18;*
- ii. *Name, office address and mobile numbers of the JE, AE, EE SC and Chief Engineer and technical staff posted at North and South EDMC.*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 07.12.2018 adjudicated.

**22) CIC/LTGSE/A/2019/108719**

The Appellant filed an RTI application dated 20.09.2018 before the office of the Lt. Governor seeking the following information:

- i. *Details of ownership and legality of the unauthorised shops and residential properties located near the courtyard of Sai Temple in Kabalnagar area. He has sought that investigation be carried out to verify whether the shops running in this area are legal or not and a report in this regard be provided to him.*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

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**23) CIC/LTGSE/A/2019/115589**

The Appellant filed an RTI application dated 17.09.2018 before the office of the Lt. Governor seeking the following information:

*Description of current status, site plan and permission granted to Tayal restaurant located at Shivaji Park, main circle to construct and carry out commercial activities from basement of the premises.*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 01.12.2018 adjudicated.

**24) CIC/LTGSE/A/2019/115592**

The Appellant filed an RTI application dated 17.09.2018 before the office of the Lt. Governor seeking the following information:

*Photocopies of orders and relevant documents related to DUSIB's order DD/JR/DUSIB 2017/D-321 dated 11/01/2018.*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

**25) CIC/LTGSE/A/2019/115596**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking the information about list of contractors employed at GTB Hospital responsible for providing civic amenities and such related information.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

**26) CIC/LTGSE/A/2019/115597**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking the following information:

- i. *Building dept, North Zone has 3 JEs, in-charge of 17 wards. Please provide a complete list of number of action taken against unauthorised constructions and number of site plans approved for construction of buildings by these JEs.*
  - ii. *Details of number of illegal constructions demolished in the past three months;*
- and such other information

Upon non-receipt of reply from the PIO, the Appellant filed a First Appeal dated 21.12.2018 and on non-adjudication thereof approached this Commission.

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**27) CIC/LTGSE/A/2019/115598**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking the following information:

- i. *Funds spent during 2016-17 and 9/17 under various heads by the Horticulture Dept., for gardening related works in the area across Yamuna;*
- ii. *The names and mobile numbers of JEs, AEs, SE, Chief Engineer and Commissioner responsible for the various gardens located in the area across Yamuna and such other information*

Upon non-receipt of reply from the PIO, the Appellant filed a First Appeal dated 21.12.2018 and on non-adjudication thereof approached this Commission.

**28) CIC/LTGSE/A/2019/115600**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking the following information:

- i. *Which Govt body or agency is responsible for granting permission for the construction of Ahimsa Apartment, situated on Loni Road, Shahdara;*
- ii. *Please provide details of actual owner of the land on which Ahimsa Apartment is located and it falls within the jurisdiction of which authority, the village and khasra number thereof and the provision of construction of multi storeyed on this land.*

*In the event the information is huge, please provide the same on DVD, do not refer to website.*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

**29) CIC/LTGSE/A/2019/115601**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking information about:

- i. *At what price land was provided to Modern International School, Dilshad Garden whether on leasehold basis or sale-purchase basis and total area of the land, as per DDA Institutional branch;*
- ii. *The office and complete address of DDA Institutional branch which provides land to organisations and name and mobile number of the senior-most official posted at this branch; and such other information*

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*In the event the information is huge, please provide the same on DVD, do not refer to website*

Upon non-receipt of reply from the PIO, the Appellant filed a First Appeal dated 21.12.2018 and on non-adjudication thereof approached this Commission.

**30) CIC/LTGSE/A/2019/115602**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking the following information:

- i. *Copies of documents indicating work done and expenses incurred by EE posted at the C-10, C-11, C-12 of DUSIB during 2015, 2016 and 2017;*
- ii. *Sources of revenue which were utilized to fund the above expenses;*
- iii. *Name, designation and mobile numbers of the JE, AE, EE and SC responsible for the planning of operations.*

*In the event the information is huge, please provide the same on DVD, do not refer to website*

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

**31) CIC/LTGSE/A/2019/115604**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking information about the Bhai Parmanand School, located at Surya Niketan, near Karkardooma, Delhi:

- i. *At what price was land granted to the School, particulars of the said land, duration of the lease, total area of the land and copy of the lease deed;*
- ii. *Number of schools, nursing homes and hospitals in the areas across Yamuna[Yamuna paar] which had been granted land by DDA during last 50 years; at what rates were the land allocated to these institutions and names of the respective institutions and such other information.*

*In the event the information is huge, please provide the same on DVD, do not refer to website*

Upon non-receipt of reply from the PIO, the Appellant filed a First Appeal dated 21.12.2018 and on non-adjudication thereof, he approached this Commission.

18/c

**32) CIC/LTGSE/A/2019/115605**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking information about action taken on complaints dated 28/07/2017, 24/07/2017, 21/07/2017, 13/07/2017, 15/07/2017, 10/07/2017, 26/07/2017, 12/07/2017, 02/08/2017, 20/08/2017, 01/07/2017, 05/08/2017, 09/06/2017, 14/07/2017 and 22/08/2017 filed against DUSIB.

*In the event the information is huge, please provide the same on DVD, do not refer to website.*

Upon non-receipt of reply from the PIO, the Appellant filed a First Appeal dated 21.12.2018 and on non-adjudication thereof, he approached this Commission.

**33) CIC/LTGSE/A/2019/115606**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking the following information:

1. Works which fall under the jurisdiction of former JJ and currently under DUSIB and residential units and shops allotted by such department and whether such units can be leased/rented out by the original allottee, details of the rules and regulations in this regard.
2. Complete detailed information in this regard be collated from DUSIB, without transferring the same to any other branch.

*In the event the information is huge, please provide the same on DVD, do not refer to website*

Upon non-receipt of reply from the PIO, the Appellant filed a First Appeal dated 21.12.2018 and on non-adjudication thereof, he approached this Commission.

**34) CIC/LTGSE/A/2019/115607**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking information in the form of certified copy of approval granted to residential units number N-49 and N-38 for merging the units, located at Welcome Seelampur, Rehabilitation Colony. He has further sought information about the owners of the said premises.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

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**35) CIC/LTGSE/A/2019/115664**

The Appellant filed an RTI application dated 20.09.2018 before the office of the Lt. Governor seeking the following information:

1. The official responsible for providing protection to the shops and commercial activities going on in the residential double storeyed area at Welcome Seelampur Rehabilitation colony.
2. The provision of law which allowed the ground floor properties in Welcome Seelampur area double storeyed area, to be divided into two parts and illegally sold
3. The civic responsibilities of electricity, water etc. have been handed over to EDMC for the Rehabilitation area of Welcome Colony, in that case why is the DUSIB office still functioning and caters to which services? Etc.

In the event the information is huge, please provide the same on DVD, do not refer to website

It is the appellant's case that he did not receive any reply from the PIO and even his First Appeal dated 12.12.2018 was not adjudicated. Hence, he approached this Commission with the instant Second appeal.

**36) CIC/LTGSE/A/2019/115665**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking the following information:

- i. Copies of documents indicating work done and duration of jobs and completed by the C-7, C-8, C-9, C-10, C-11, C-12 of DUSIB in the past two years;
- ii. Name, designation and mobile numbers of the JE, AEE and SC responsible for the planning of operations.

In the event the information is huge, please provide the same on DVD, do not refer to website

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

**37) CIC/LTGSE/A/2019/115666**

The Appellant filed an RTI application dated 20.09.2018 before the office of the Lt. Governor seeking the following information:

1. Details of properties sealed in other parts of Delhi, in the same way as the quarter number 2, at double storeyed area of Welcome Seelampur, Delhi;
2. Number of total original allottees at Welcome Seelampur, Delhi, quarter numbers, names and addresses to be made available;



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3. In how many of such quarters people are residing/occupants on the basis of power of attorney, list of such occupants with their name/s and addresses thereof be provided
  4. Copy of rules/regulations which allow sealing of quarters built for the purpose of rehabilitation and such other similar information.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

**38) CIC/LTGSE/A/2019/115609**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking the following information:

- i. Copies of documents indicating work done, place where work was done including work order and expenditure incurred in completion of such projects by the Executive Engineers of C-1, C-2, C-3, posted at Raja Garden, DUSIB during 2015, 2016 and 2017;
- ii. Amount spent on the above projects and the source of funds for the same;
- iii. Name, designation and mobile numbers of the number of JE, AE, EE and SC responsible for the above operations.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

**39) CIC/LTGSE/A/2019/115610**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking the following information:

- i. Is the vacant land located between Gopalpur village, Delhi -9 and Gandhi Vihar, F Block- Delhi-9 owned by the DDA. If yes, since when has DDA been the owner and on what basis.
- ii. The khasra and khatauni numbers which fall within the ambit of the aforementioned piece of land;
- iii. Can the aforementioned land be put to any social use? If yes, in what manner and on what basis?

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

**40) CIC/LTGSE/A/2019/115611**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking the information about list of contractors with their address/es and Mobile number/s, employed at DUSIB for providing civic

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amenities and complete description of the jobs assigned to the contractors who are currently employed.

The appellant has filed the instant Second Appeal claiming that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

**41) CIC/LTGSE/A/2019/115612**

The Appellant filed an RTI application dated 12.10.2018 before the office of the Lt. Governor seeking the information about status of 75 under construction buildings (*list enclosed*) in Laxmi Nagar area of Shahdara South, with respect to the approval/permission granted by EDMC, enclosing copy of the permission granted in each case.

While filing the instant Second Appeal, appellant has stated that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

**42)CIC/LTGSE/A/2019/115613**

The Appellant filed an RTI application dated 12.10.2018 before the office of the Lt. Governor seeking information about residential units no. 191, 192, 193 and 194 located in the Welcome Seelampur, Delhi - 53. He sought to know as to who had permitted to operate business activity from these premises, including the name and designation of the DUSIB official who had permitted such activity.

It is the appellant's case that he did not receive any reply from the PIO and even his First Appeal dated 21.12.2018 was not adjudicated. Hence, he approached this Commission with the instant Second appeal.

**43) CIC/LTGSE/A/2019/115615**

The Appellant filed an RTI application dated 08.10.2018 before the office of the Lt. Governor seeking complete description of the commercial space on Babarpur road, used as showroom of e-rickshaw, located adjacent to Hanuman Mandir, situated on G T Road, Shahdara Main. He sought to know whether the said parcel of land belongs to the Delhi Government or any other Government agency.

While filing the instant Second Appeal, appellant has stated that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

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**44) CIC/LTGSE/A/2019/115617**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking information as to what quality control measures were adopted with respect to the unauthorised sale of various cold plastic bottles sold by different names in various shops of various markets in Delhi and also of the eatables sold in the roadside stalls. He further sought information about steps taken to regulate these roadside food stalls.

While filing the instant Second Appeal, appellant has claimed that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

**45) CIC/LTGSE/A/2019/115619**

The Appellant filed an RTI application dated 01.10.2018 before the office of the Lt. Governor seeking information as to what quality control measures were adopted with respect to the sale of adulterated *mawa* during the festivals, steps taken for collection of samples from *Mawa* from the Mawa market at Mori gate and such other information including the outcome of the quality tests of eatables sold in shops in Delhi, names of sweet shops which have been granted license to operate across Yamuna etc.

While filing the instant Second Appeal, appellant has claimed that neither PIO replied to the above RTI application nor was his First Appeal dated 21.12.2018 adjudicated.

**46) CIC/LTGSE/A/2019/115632**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking information about original allottee, ownership and actual current occupant of unit no. 89, double storey of Welcome, Seelampur.

While filing the instant Second Appeal, appellant has claimed that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

**47) CIC/LTGSE/A/2019/115633**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking information about number of EEs of DUSIB, their name, posting, their posting in the past three years, projects on which they have worked, list of all these officials and similar information.

While filing the instant Second Appeal, appellant has claimed that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

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**48) CIC/LTGSE/A/2019/115634**

The Appellant filed an RTI application dated 17.09.2018 before the office of the Lt. Governor seeking information about names of original allottees of shop numbers 68 to 82 allotted by DUSIB in Nehru Market, Main Market Seelampur area and some other similar information.

While filing the instant Second Appeal, appellant has claimed that neither PIO replied to the above RTI application nor was his First Appeal dated 12.12.2018 adjudicated.

**49) CIC/LTGSE/A/2019/115637**

The Appellant filed an RTI application dated 20.09.2018 before the office of the Lt. Governor seeking information about a complaint dated 30.05.2017 sent to Delhi Co operative Department through the LG office and action taken thereupon. The appellant insisted that in the event the information is huge, the same be provided on DVD, without referring to website.

While filing the instant Second Appeal, appellant has claimed that neither PIO replied to the above RTI application nor was his First Appeal dated 10.12.2018 adjudicated.

**50) CIC/LTGSE/A/2019/115638**

The Appellant filed an RTI application dated 19.09.2018 before the office of the Lt. Governor seeking information about the number of sugarcane juice sellers operating without license in the jurisdiction of EDMC at Shahdara South Zone, copy of photograph of the license holder, number of unlicensed shopkeepers against whom sealing have been taken, names of such shopkeepers and other related information about ice cream vendors and water cooling plants etc. operating in the same area.

While filing the instant Second Appeal, appellant has claimed that neither PIO replied to the above RTI application nor was his First Appeal dated 10.12.2018 adjudicated.

**Decision**

1. In the current environment with the outbreak of the pandemic, COVID-19, and with the consequent lockdown the normal functioning of all organisations has been severely impacted. For the Commission, this only adds to the already huge backlog of cases. In such circumstances, there is a pressing need to identify cases such as the ones under reference for cumulative disposal in order to facilitate expeditious

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adjudication of cases of genuine information seekers. In other words, the Commission seeks to strike a balance between the interests of genuine RTI information seekers, while keeping the menace of frivolous and vexatious RTI applications under check.

2. While adjudicating the aforementioned fifty [50] Second Appeals filed by the Appellant before the Office of the Lieutenant Governor of Delhi raising various unrelated queries pertaining to various public authorities functioning under the Government of NCT of Delhi, it is noted that the appellant has consistently stated that he has not received any information from the PIO or the FAA and yet he incessantly kept filing all the RTI applications in the LG's office. Response/s received from the Respondent, however reveals a different story. The PIO/LG has averred before the Commission that:

*"In this regard it is to submit that the aforesaid appellant files numerous applications under RTI Act in LG Sectt. The said applications are replied or transferred to the concerned authorities under intimation to him. He files appeals in LG Secretariat in spite of that and rarely attend the proceedings before FAA ever after due notices issued and these appeals are disposed of by FAA on the basis of submission in the appeal."*

3. It is thus noteworthy that the PIO, LG's office has forwarded the RTI applications to the relevant official/s, though they were under no obligation to do so as per the DoPT OMs/circular Nos. 10/2/2008-IR dated 12.06.2008, particularly in view of the sheer volume of his RTI applications which do not relate to information pertaining to the LG's office.

4. Perhaps with a view to addressing such a situation, at the very formative stage of the RTI Act, the entire scope of Section 6 of the Act had been discussed and interpreted threadbare by a Full Bench of this Commission, comprising Information Commissioners-Sh. Wajahat Habibullah, Sh. A N Tiwari and Sh. Shailesh Gandhi, in a decision dated 22.09.2009 while deciding case no. CIC/AT/A/2008/01280 titled Kantilal Modi vs Central Board of Excise and Customs holding:

*"48. ....reasoning that an application for information will have to first stand the test of Section 6(1) in order to be validly accepted by the CPIO concerned for processing for disclosure of information. In case the application is not filed before the 'concerned public authority'/CPIO, it shall not qualify to be a valid request for information.*

*49. The expression "concerned public authority" implies that that public authority should be holding the information which the petitioner sought as per Section 2(j) of the RTI Act, which states*

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that right to information means "the right to information accessible under this Act which is held by or under the control of any public authority...". Section 6(1) -its expression 'concerned public authority' -becomes clearer when read in conjunction with Section 2(j) of the Act.

53. It follows from it that when a petitioner is aware of the location of a given information vis-à-vis public authority, it is not open to him to file his RTI application before any other public authority in the expectation that this latter public authority would act under Section 6(3) to transfer his application to where the information was known to be held. As in this particular case, it is quite obvious that the appellant was fully cognizant of the fact about the information requested by him being held by Chief Commissionerates and Commissionerates of Central Excise. Yet, rather than approach those public authorities and all these where public authorities in their own rights for the information under Section 6(1), he chose the easy way out of filing his application under Section 6(1) read with Section 6(3) before the CPIO, CBEC, demanding simultaneously that the application be transferred to the Commissioners. Appellant's argument that CBEC was the Apex body or the nodal office, does not help him much because even if CBEC were to be all that appellant says it is nodal office or Apex body, etc. under the RTI Act it is a public authority and its rights and obligations flow from its status as that public authority under Section 2(h) of the Act. A public authority cannot be forced to accept obligations beyond the statutory limit in order to suit a petitioner's convenience.

56. A public authority which does not hold or is not related to an information sought by a petitioner, will not be obliged to provide an answer to the petitioner only for the reason that that public authority was the Apex body or the nodal office of others subordinate public authorities. ..."

**Emphasis supplied**

Based on the above decision of a Full Bench of the Commission, it was held in the decision dated 29.07.2016 in a case titled R S Gupta vs. L G office that:

".....The offices of President, Vice President, Prime Minister, Governors, Lt. Governors and Chief Ministers are not legally obliged under RTI Act to entertain RTI applications seeking information unrelated to it, or not held or controlled by these high offices...."

**Emphasis supplied**

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5. Clearly such improper, indiscriminate and mindless filing of RTI applications, disrupts the objective of achieving good governance and is hence discouraged by this Commission and the Courts of Law alike. It is improper and counter productive to file an RTI application before an apex body when the information sought is clearly not held or dealt with in the said office but related to a subordinate office/authority. There is no justification for compelling the Lieutenant Governor's office to transfer such applications and spend time, energy and resources to attend to first and second appeal hearings having little relevance to its work and are a sheer waste of public money and the time of the LG's office as also of this Commission. The representation received from the PIO, LG's office, further corroborates the fact that they are compelled to indulge in totally needless correspondence, write forwarding letters addressed to the actual custodian/s of information, post them to the concerned public authority and intimate the status to the appellant. Moreover, hearings before the First Appellate Authority and before this Commission necessitate that senior officers including the PIO and subordinate official/s are deputed to attend the hearings before the First Appellate Authority and then before the Information Commission. This also involves infructuous and avoidable expenditure and wastage of time of officers including their travel expenses. The very purpose of good and efficient functioning of the government machinery is thus being jeopardised by the abuse of this sunshine legislation which was enacted to spread the power of knowledge by enhancing transparency and timely dissemination of information.
6. While on this subject, the Commission finds it pertinent to note that the queries of the appellant seem to indicate that he wants to carry out a public audit of the operation of the public authorities, particularly the civic authorities, all over Delhi. The subject matter as also the contentions of the appellant are repetitive, containing no new fact nor any fresh thought on the subject matter. The main objective of the appellant seems to be to overwhelm the Public Authority, which does not deal with the appellant's queries. The filing of a huge number of RTI applications before the incorrect public authority defeats even the purpose of the appellant, since he is not able to obtain the desired information and instead has led to this Commission adjudicating a large number of allegedly unanswered appeals on similar matters against the same public authority repeatedly. Be that as it may, in the interest of justice, a reasoned speaking order is being passed with respect to these RTI applications.
7. Even if the Commission were to reluctantly acknowledge that this is an attempt on the Appellant'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 civic authorities viz. MCD, DUSIB, Govt of Delhi etc. would have been, the fact remains that the means adopted

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by the Appellant by inundating the office of the LG with unrelated RTI cases unfortunately only points to the ignorance of the appellant 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.

8. This Commission has in its decision no. CIC/YA/A/2014/001071, 001123,001210 while disposing of a batch of fifteen matters of one Sh. M Danasegar dated 30.06.2015 held as follows:

“.....The Commission finds this case to be a classic instance of blatant misuse of RTI Act by the appellant, who is a disgruntled employee of the same organisation, through relentlessly filing of a series of RTI applications to harass officials of a public authority. The information sought in most of his RTI applications has no public interest at all and veers around the disciplinary proceedings initiated against him. In the process of seeking the same, the appellant has resorted to reckless data mining on a humongous scale. Still, information has been provided by the respondent authorities as per record on some points and the rest denied for the reason that it is either voluminous or not available or relates to clarification/interpretation. The appellant, motivated by personal interest, has clearly sought such information with the vengeful motive to harass the officers through a flurry of RTI applications. The RTI Act cannot be allowed to be misused or abused and to become a tool of oppression or for intimidation of officials striving to do their duty. ...”

**Emphasis supplied**

9. The Commission in its aforesaid decision placed reliance on the following Apex Court decision regarding vexatious and frivolous petitions. 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. ....”



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10. 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 trumpery 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**

11. 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**

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- 12. 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**

- 13. 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..."*

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

- 14. 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***

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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**

15. 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**

16. In view of the settled position of law and the facts of these appeals at hand, it is noted that though the queries raised by the appellant are claimed to be in larger public interest, it cannot be denied that the *modus operandi* of filing such large number of irrelevant and unrelated

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RTI applications before the Office of the Lieutenant Governor of Delhi is neither proper nor acceptable. Since the respondent under question is the LG Office in the above cases, as per RTI Act, its role in respect of these unrelated queries ends with transfer of the RTI application/s to the relevant custodian/s of information, which the respondent claims to have done. No further action is required from the Respondent.

17. Before parting with the decision, the Commission notes that an erstwhile Bench had decided at least 19 such similar cases [CIC/OOCMD/A/2017/173091 and other cases] filed by the Appellant before the CM's office which were decided vide order dated 28.12.2017, wherein the appeals were dismissed and it was observed that the office of the Chief Minister cannot be expected to function like a post office and transfer RTI applications, particularly when the appellant is aware of the concerned actual custodian of information. Furthermore, the Commission had observed that the information sought is so varied and humungous that collating the same would lead to diversion of resources and jeopardise the functioning of public authority for a data mining exercise by the appellant.
18. Thus it is noted that the appellant has time and again followed the same modus operandi of multiplying his queries and seek voluminous information in the form of manifold litigation. And the same pattern continues since 2017, despite observations by erstwhile Bench/es of this Commission. The appellant has thus demonstrated that he is not only a perpetual litigant but relentless in his practice of submerging the normal functioning of the Respondent authority under a deluge of repetitive and irrelevant paperwork, in total defiance of the Commission's directions and observations. This is a gross abuse of the RTI Act and the considering the law of the land, as discussed above, such a practice cannot be allowed by the Commission.
19. It is also pertinent to mention that while adjudicating an earlier batch of 11 cases by the same appellant vide order dated 26.07.2019, this Bench had warned the appellant to be more careful in future and refrain from relentless litigation involving high offices that do not directly deal with the information sought by the appellant. In case such an avalanche of frivolous, vexatious and wasteful litigation is received by the Commission, it will be compelled to dismiss such applications without hearing, on the grounds of them being vexatious and repetitive and as such adjudication will serve no larger public interest.

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In the light of the above discussion, the appeals are thus dismissed and the appellant is advised to strictly refrain in future from seeking information under the RTI Act by repeatedly filing such applications before offices which do not possess the relevant information.

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

Authenticated true copy  
(अभिप्रमाणितसत्यापितप्रति)

Ram Parkash Grover (राम प्रकाश ग्रोवर)  
Dy. Registrar (उप-पंजीयक)/011-26180514

3/C

केन्द्रीय सूचना आयोग  
Central Information Commission  
बाबा गंगनाथ मार्ग, मुनिरका  
Baba Gangnath Marg, Munirka  
नई दिल्ली, New Delhi - 110067

द्वितीय अपील संख्या / Second Appeal Nos. **CIC/LTGSE/A/2019/115616**  
**CIC/LTGSE/A/2019/115620**  
**CIC/LTGSE/A/2019/115636**  
**CIC/LTGSE/A/2019/115639**  
**CIC/LTGSE/A/2019/115640**  
**CIC/LTGSE/A/2019/115643**  
**CIC/LTGSE/A/2019/115644**  
**CIC/LTGSE/A/2019/115645**  
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**CIC/LTGSE/A/2019/108726**  
**CIC/LTGSE/A/2019/108725**  
**CIC/LTGSE/A/2019/108724**  
**CIC/LTGSE/A/2019/108722**  
**CIC/LTGSE/A/2019/108721**  
**CIC/LTGSE/A/2019/108720**  
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**CIC/LTGSE/A/2019/108716**  
**CIC/LTGSE/A/2019/108715**  
**CIC/LTGSE/A/2019/108728**  
**CIC/LTGSE/A/2019/108729**  
**CIC/LTGSE/A/2019/108730**  
**CIC/LTGSE/A/2019/108732**  
**CIC/LTGSE/A/2019/108733**  
**CIC/LTGSE/A/2019/108734**  
**CIC/LTGSE/A/2019/108803**  
**CIC/LTGSE/A/2019/108837**  
**CIC/LTGSE/A/2019/108842**  
**CIC/LTGSE/A/2019/108843**  
**CIC/LTGSE/A/2019/108844**

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CIC/LTGSE/A/2019/109024  
CIC/LTGSE/A/2019/109026  
CIC/LTGSE/A/2019/115621  
CIC/LTGSE/A/2019/115622  
CIC/LTGSE/A/2019/108734

Shri Dinesh

... अपीलकर्ता /Appellant

VERSUS/ बनाम

PIO/Lt. Governor's Office,  
Raj Niwas Marg, Delhi  
Through: Sh. J P Kothari - PIO  
and Sh. Subhash Chand Agrawal

...प्रतिवादीगण / Respondents

Date of Decision : 05.06.2020

Information Commissioner : Shri Y. K. Sinha

***Since both the parties are same, the above mentioned cases are clubbed together for hearing and disposal.***

Case No.	RTI Filed on	CPIO reply	First appeal	FAO
115616	01.10.2018	Nil	21.12.2018	Nil
115620	01.10.2018	Nil	21.12.2018	Nil
115636	17.09.2018	Nil	10.12.2018	Nil
115639	19.09.2018	Nil	10.12.2018	Nil
115640	19.09.2018	Nil	10.12.2018	Nil
115643	19.09.2018	Nil	10.12.2018	Nil
115644	19.09.2018	Nil	10.12.2018	Nil
115645	19.09.2018	Nil	10.12.2018	Nil
115646	20.09.2018	Nil	10.12.2018	Nil
115648	19.09.2018	Nil	10.12.2018	Nil
115649	20.09.2018	Nil	10.12.2018	Nil
115651	20.09.2018	Nil	10.12.2018	Nil
115652	20.09.2018	Nil	10.12.2018	Nil
115654	20.09.2018	Nil	10.12.2018	Nil
115655	20.09.2018	Nil	10.12.2018	Nil
115656	20.09.2018	Nil	10.12.2018	Nil
115661	20.09.2018	Nil	12.12.2018	Nil
115662	19.09.2018	Nil	12.12.2018	Nil
115663	28.09.2018	Nil	12.12.2018	Nil
108727	24.09.2018	Nil	12.12.2018	Nil
108726	17.09.2018	Nil	12.12.2018	Nil
108725	28.09.2018	Nil	07.12.2018	Nil
108724	17.09.2018	Nil	12.12.2018	Nil
108722	20.09.2018	Nil	12.12.2018	Nil
108721	19.09.2018	Nil	12.12.2018	Nil

108720	20.09.2018	Nil	12.12.2018	Nil
108717	17.09.2018	Nil	12.12.2018	Nil
108716	19.09.2018	Nil	12.12.2018	Nil
108715	28.09.2018	Nil	12.12.2018	Nil
108728	19.09.2018	Nil	12.12.2018	Nil
108729	20.09.2018	Nil	12.12.2018	Nil
108730	20.09.2018	Nil	12.12.2018	Nil
108732	28.09.2018	Nil	12.12.2018	Nil
108733	28.09.2018	Nil	12.12.2018	Nil
108734	17.09.2018	Nil	12.12.2018	Nil
108803	31.10.2018	Nil	28.12.2018	Nil
108837	16.10.2018	Nil	28.12.2018	Nil
108842	16.10.2018	Nil	28.12.2018	Nil
108843	16.10.2018	Nil	28.12.2018	Nil
108844	16.10.2018	Nil	28.12.2018	Nil
109024	30.10.2018	Nil	28.12.2018	Nil
109026	20.09.2018	Nil	12.12.2018	Nil
115621	01.10.2018	Nil	21.12.2018	Nil
115622	01.10.2018	Nil	21.12.2018	Nil

**ORDER**

The aforementioned Second Appeals are taken up today on a reference from the Registry of this Bench. Perusal of the Second Appeals reveals that a batch of 50 Second Appeals have been adjudicated by the Commission on **26.05.2020** vide Second Appeal No. **CIC/LTGSE/A/2019/107361& ors.** whereby the same issue has been adjudicated at length.

Accordingly, the present Appeals are decided on the same lines, since the adjudication of these appeals is barred by the principles of *res judicata*. No further direction is required to be passed in the present Appeals.

With the aforesaid observation, these Second Appeals are disposed off.

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

Authenticated true copy  
(अभिप्रमाणितसत्यापितप्रति)

Ram Parkash Grover (राम प्रकाश ग्रोवर)  
Dy. Registrar (उप-पंजीयक)/011-26180514