

**Central Information Commission**

Baba Gang Nath Marg,

Munirka, New Delhi -110067.

CIC/AA/A/2019/321

CICOM/A/2019/60232

CICOM/R/2019/50882

**Name of the appellant:** Shri Jasbir Singh Arora  
85, GF, Jeewan Nagar,  
Bala Sahib Road,  
New Delhi - 110014.

1.	Date of RTI application	05.11.2019 (Online)
2.	Date of reply of the RTI application	22.11.2019
3.	CPIO(s) who furnished reply	Sh. H.P. Sen, CPIO
4.	1 <sup>st</sup> Appeal Date	17.12.2019 (online)
5.	Date of Decision	08.01.2020

**Brief facts of the case:-**

1. In the RTI application, appellant has sought the information :-

“ Please find three Annexure at attachment, one is the decision dated 09.06.2015 in File No. CIC/VS/A/2014/000157, second being judgment of High Court of Delhi, related to this case , as Annexure B and third one is illegal order of the then FAA, as Annexure B and third one is illegal order of the then FAA, as Annexure C. It may be noted that the Commission was duty bound legally to offer the inspection of all the records so that information seeker could visit the public body to find out the records, had the then FAA had issued legal order dated 21.08.2019, as given as Annexure C. Whereas in order dated 21.08.2019 of FAA in three cases relating to online three requests CICOM/R/2019/50526, CICOM/R/2019/50530, and CICOM/R/2019/50535, FAA though has not bother to order making all such records available for inspection to information seeker in line with order of High Court of Delhi, as given as Annexure B. Thus information requested is Offer the records for inspection of all records which were sought vide earlier three requests as mentioned below and are available with both concerned CPIO i.e. Shri Sen as well as CPIO-RTI-Cell CICOM/R/2019/50526, CICOM/R/2019/50530 and CICOM/R/2019/50535.”

2. CPIO replied the RTI applicant as under: -

“With reference to your above RTI applications it may be mentioned that the information sought in the RTI Application is not available in the files and might have been directly linked with the digital files by the Dak Section of CIC. It is also not possible to indicate as to which files those diary nos. are linked to. Moreover, your RTI Applications seek inspection i.r.o. voluminous files which would disproportionately

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diver resources of the public authority. In view of the above, this Registry expresses its inability to give you any inspection of the files/Dy.Nos".

3. RTI applicant filled First Appeal as under :-

"First of all it is mentioned that the reply of CPIO is against RTI Act 2005, as he can not deny inspection at all. Even if he had to apply exemption, he was free Section 8 and Section 9 of RTI Act 2005 only. As far as his confirmation that the communications sent to commission are linked by dak section and he is not aware of to which files these are linked are totally wrong. It is very easy to indicate to which files these have been linked which is given as attached and there are only 23 such files which this CPIO is well aware of but is making excuses to act as master of servant rather than acting as servant to public. Anyway the list of files is attached and hence these files may be offered for inspection".

4. CPIO, Sh. H.P.Sen replied vide letter No. CICOM/R/2019/50963 dated 29.12.2019 mentioning that :-

"With reference to hearing notice issued vide No.CIC/AA/A/2019/321 dated 24.12.2019 in the case of Jasbir Singh Arora vs CIC, it may be mentioned that Shri Jasbir Singh Arora, through a RTI request, sought inspection of considerable number of his documents.

In reply to his RTI Application, the undersigned as CPIO, denied inspection under section 7(9) of the RTI Act as it involved voluminous files which would disproportionately divert resources of the public authority. In fact, this is an repetitive nature of RTI application as the matter was already heard before the FAA on 08.08.2019 and the FAA in his order dated 21.08.2019 has expressed his full satisfaction with the reply submitted by the undersigned (copy enclosed).

(a) In his RTI Application vide RTI Request No.CICOM/R/2019/50882 Shri Arora terms the order of the FAA as illegal and insists on inspection of the same documents which he was denied upon. **Shri Jasbir Singh Arora instead of filing 2<sup>nd</sup> Appeal filed another RTI application seeking the same information/inspection of voluminous documents. Such tactics adopted by Shri Arora goes against the provision of the RTI Act.** The three RTI references (50526, 50530 and 50535) he has given in the above RTI application was to know and inspect the concerned files in which 165 dy. Nos. were linked to. A copy of my earlier reply dated 15.07.2019 is enclosed.

(b) It is pertinent to mention that Shri Jasbir Singh Arora is a habitual/repeated RTI applicant and attending to his RTI applications become impediment in

discharging official duties of the undersigned. Hurling of abusive words over telephone and occasional threats and warning in person go not only against the letter and spirit of the RTI but also reflects unethical and immoral behavior on the part of an information seeker. The undersigned due to mental agony and stress caused by unethical act of the appellant unable to attend to other urgent and important assignments of the registry as such compelled to seek permission to lodge an FIR against the appellant under section 186 of the Indian Penal Code (45 of 1860) for obstruction the public servant in discharging of his public functions, it is, therefore, requested to kindly accord necessary permission in this regard while considering above submission.

### Hearing of Appeal

5. Both, Shri T.B.S.J.Rajappa and Shri H.P. Sen, CPIO were present. For disposal of the appeal, appellant has been contacted over Mobile No. 8826449896 provided by appellant in Appeal application and heard the matter on 06.01.2020.

### Decision

6. On perusal of the Appeal, CPIO's reply and hearing, it is observed that the reply to RTI application provided by CPIO, Sh. H.P. Sen is as per RTI Act, 2005. **Considering repetitive nature and merge resources , no further intervention is required on the part of the FAA, in the matter.**

7. The appeal is being disposed of accordingly.

8. In case the appellant is aggrieved by the decision, he is free to file second appeal, if he so desires, before the Central Information Commission, Baba Gang Nath Marg, Munirka, New Delhi-110067 against this order within 90 days.

Dated the 8<sup>th</sup> January, 2020.

  
(Y. K. Singhal)

First Appellate Authority Tel: 26162290

### Copy to:-

1. CPIO, RTI Cell, CIC, New Delhi.

2. Sh. H.P. Sen, CPIO, CIC, New Delhi.  
09/01/20  
9/1/2020