

# CENTRAL INFORMATION COMMISSION

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**Prof. M. Sridhar Acharyulu (Madabhushi Sridhar)**

Central Information Commissioner

**CIC/BS/C/2015/000144**

**J Rajesh v. PIO, ESIC**

RTI	:	03.10.2013
FAO	:	Nil
Second Appeal	:	25.05.2015
Hearing	:	15.02.2017
Complainant	:	Present
Public authority	:	Mr. A. Sundar, Deputy Director, present
Decided on	:	03.04.2017

## FINAL ORDER

### FACTS:

1. The appellant filed RTI application seeking information regarding number of officials working in ESIC, Puducherry as on 25.09.2013, the names and designations of the officers, whether the office has received any communication on appointment of officers for a period of more than three years for compliance, number of staff recruited for State Medical Commissioner, etc. CPIO provided point-wise information on 29.10.2013. Dissatisfied, the appellant approached the Commission with a second appeal.

### **Decision :**

2. The appellant stated that he is a former employee of the ESIC, Puducherry. He also claimed that he exposed certain irregularities in the office after which he was victimised by the officers of EPFO by initiating disciplinary proceedings against him on false charges.

3. The officer representing the public authority stated that the appellant was dismissed based on a report of the disciplinary committee. The appellant

challenged the termination before CAT which ordered his reinstatement. However, he resigned within a brief period of joining back.

4. The officer submitted that Sh J.Rajesh has filed 12 grievances on CPGRAMS portal with the name as J.Rajesh. In almost all the complaints he has leveled allegations of corruption/malpractice/deviation from guidelines against officers/officials of ESIC RO Puducherry, ESIC Headquarters, Ministry of Labour and Employment, PMO etc. The first few complaints filed by the appellant were investigated through vigilance division and substance was found in it, which was informed to the complainant also. Later on Sh J.Rajesh started filing complaints/representation against the officers who investigated or took decision on the allegations raised by him. This established that the appellant was filing the said complaints and RTI applications before this Commission in order to vent out personal vengeance against the respondent authority and its officers.

5. The CPIO submitted his written submissions along with the status report of 17 complaints and 24 second appeals filed by Mr. J. Rajesh of which 18 appeals are disposed of. The status report of grievances of the appellant produced below:

Latest Position of the Grievances filed on CPGRAMS portal by Sh. J. Rajesh

Sl. No.	Registration No.	Date of receipt	Subject matter	Reply/action taken by ESIC	Date of closure at ESIC
1	<b>PMOPG/E /2016/0 240537</b>	13/07/16	Complaint regarding corruption /malpractices by the officers of Regional office ESIC, Puducherry	The matter has been forwarded to vigilance branch for necessary action. No action can be taken at PG Level.	14/07/16
2	<b>PMOPG/E /2016/0 247194</b>	15/07/16	Taking reference of the reply received from ESIC in grievance no. MOLBR/E/2016/0240 537 he has alleged suppression of	The matter has already been forwarded to vigilance branch HQ for necessary action, if any	19/07/16

			material facts by CVO/vigilance branch and involvement of DG. He has requested to revisit his case.		
3	<b>PMOPG/E /2016/0 253823</b>	25/07/16	Taking reference of the reply received from ESIC in grievance no. MOLBR/E/2016/0240 537 & MOLBR/E/2016/0247 194 he has alleged CVO & DG for helping the corrupt officers. He has also alleged that PMO office PG staff is not going into the core issue and rather doing a postman like job. He has requested to act on his complaint.	The matter has been forwarded to vigilance branch for necessary action. No action can be taken PG Level.	25/07/16
4	<b>PMOPG/E /2016/0 264591</b>	29/07/16	Taking reference of the reply received from ESIC in grievance no. MOLBR/E/2016/0253 823 & MOLBR/E/2016/0240 537 he has requested for an appointment with PM or any other honest officer.	The matter has been forwarded to Vigilance division with a direction to conduct an investigation and take necessary action if any. Further, the matter will not be a matter of PG branch henceforth. Therefore, the complainant may contact Vigilance branch for further details.	31/07/16
5	<b>MOLBR/E /2016/0 2853</b>	29/07/16	Citing his petition no. P/3005160287 dated 30/05/16 to president secretariat he has stated that there is no response from the secretary to the govt. of India of this ministry and has leveled charges of corruption	The matter has been forwarded to Vigilance division with a direction to conduct an investigation and take necessary action if any. Further, the matter will not be a matter of PG branch henceforth.	31/07/16

			and has prayed for suitable action/punishment to the corrupt officers.	Therefore, the complainant may contact Vigilance branch for further details.	
6	<b>MOLBR/E /2016/0 2884</b>	02/08/16	Again citing his petition no. P/3005160287 dt.30/05/2016 to president secretariat he has stated that no response is received therefore sought copy of the correspondence made by the office of the secretary of MOL&E	This is not the platform for providing information.	04/08/16
7	<b>MOLBR/E /2016/0 2887</b>	02/08/16	He has stated that ministry is violating direction of CVC in the matter of rotation of the officer posted in sensitive post he has named Sh. TEVENKATESAN,DD, SOUTH ZONE VIGILANCE & Sh. S THOULATH KHAN, DD and has leveled general charges of corruption/malpractice against these officers	The issue of continuance of Shri T.E.Venkatesan, D.D. in south Zone, Vigilance and Shri S.Thoulath Khan, DD has been taken up with Administration and the cases are under process and action shall be taken shortly. It has however been informed that the acute shortage of officers and exigency of work, sometimes, compel to allow the officer to continue but such continuance is normally not permitted in cases where there are complaints of corruption etc. Complainant is therefore requested to make available the cases of corruption against these officers and his previous complaints on which action has not allegedly been taken by these officers. We assure immediate inquiry/action on the same.	31/08/16

8	<b>MOLBR/E /2016/O 2962</b>	05/08/16	Taking reference of the reply received from ESIC in grievance no. MOLBR/E/2016/02884 he has questioned working of pg officers of ESIC and has sought action on his grievance.	Complainant had, vide his email dated 30.05.2016, requested to DG, CVO, ESIC and RD, Puducherry not to give vigilance clearance to DD, Shri Yogananda Rao of RO, Puducherry, which was examined by Vigilance and not found having substance and closed by Competent Authority. As gathered from Vigilance, the complainant have been served with Memorandum/Charge Sheet in 04 cases besides two Show Cause Notices and therefore, he has started such complaints without any evidence to different authorities to thwart the action against him.	31/08/16
9	<b>PMOPG/D /2016/O 215683</b>	12/08/16	Re-submitted the grievance already filed vide no. MOLBR/E/2016/0264591	Complainant has requested for appointment with Honourable PM or any other honest officer to seek their assistance for alleviating corruption from ESIC, apparently not being satisfied with the action taken by ESIC. Hence, no action on part of ESIC as his grievances/complaints have been examined by vigilance in ESIC and found to have no substance.	31/08/16
10	<b>PMOPG/E /2016/O 298053</b>	19/08/16	He has alleged that CVO and DG has not followed the directions of CVC in the matter of rotation of the	The complaint is general in nature and no specific instance of corruption with any evidence, has been given. The complainant had also	31/08/16

			officers posted in sensitive posts and has requested for strict action against these officers.	filed similar complaints earlier, which have been investigated /examined by vigilance and found to have no substance. The complainant talks of orders of transfers issued on 22.07.2016 and non-relieving of officers ordered for transfer, whereas majority of the officers have already been relieved and joined at new places.	
11	<b>PMOPG/E /2016/O 451906</b>	22/11/16	He has alleged that many officers and officials of ESIC Puducherry are coming late in the office. He has filed an RTI application to get Aadhaar based Biometric attendance and is not getting related information.	Complainant's grievance relates to his RTI applications for which remedy exists under RTI Act itself and should not come as PG on this portal. However, details as provided by the concerned authority i.e. Regional Director Puducherry, are attached. There is no action now on part of ESIC.	29/11/16
12	<b>PMOPG/E /2017/O 083340</b>	11/02/17	Taking reference of the reply received from ESIC in grievance no. MOLBR/E/2016/0451 906, he has alleged that PG branch of ESIC Headquarters is not working properly	Your email has already been forwarded to Vigilance Division Hqrs. However, based on your request, the matter was again forwarded to Vigilance Division through UO note dated 22.2.2017 for necessary action if any. As far as PG is concerned, the number cannot be kept open until investigation by Vigilance Branch is completed.	22/2/17

6. The Learned Information Commissioner, Mr. Basant Seth has already disposed of 18 second appeals of this appellant on the same subject-matter. The appellant has filed around 24 second appeals and 17 complaints of which 12 cases are posted before this Commission. The filing of such repetitive RTI applications causes unnecessary harassment to every officer in the public authority and multiplicity of proceedings which cannot be encouraged. Any repetition of RTI application or appeal on the same subject-matter will hamper the core functioning of the public authority and CIC.

7. The Commission records its admonition against the appellant after observing the background of the appellant and repetitive filing of RTI applications and second appeals; therefore advises him not to cause wastage of public time and money. The public authority has every right to reject repetitive RTI applications to facilitate RTI Act to genuine applicants.

8. The Commission directs the public authority and office of this Commission to scrutinise the applications/appeals of this appellant and reject the files in which the subject-matter is related to any of the 24 second appeals and 17 complaints filed earlier.

9. After perusal of files and written submissions of the appellant and CPIO, ESIC, the Commission finds that sufficient information has been furnished, hence, this complaint is disposed of.

Sd/-

(M. Sridhar Acharyulu)  
Central Information Commissioner

Authenticated true copy

(Dinesh Kumar)  
Deputy Registrar

Copy of decision given to the parties free of cost.

Addresses of the parties:

1. The CPIO under RTI,  
Regional Office, Puducherry,  
ESIC, No. 178, Ansari Duraisamy Nagar,  
100 Feet Road, Puducherry-605004.
2. Shri J Rajesh,  
98, II Cross, 2<sup>nd</sup> Main Road,  
Priyadarshini Nagar,  
Puducherry-605006.