

CENTRAL INFORMATION COMMISSION

Room No. – 308, 2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110066.
Website: cic.gov.in

Files No. CIC/KY/A/2016/001061

CIC/KY/A/2016/001062

CIC/KY/A/2016/901063

CIC/KY/A/2016/901064

CIC/KY/A/2016/901065

Appellant : Shri Raghu S.
14 SBI Officers Colony
Basveshawaranagar, Bengaluru-560079

Public Authority : The CPIO
Ministry of Youth Affairs & Sports Authority
Badminton Association of India
BBD UP Badminton Academy, VipinKhand,
Gomti Nagar, Lucknow-226010

The CPIO
M/o. Youth Affairs & Sports
Shastri Bhawan, New Delhi-110001

Date of Hearing : 06.09.2016
Date of Decision : 06.09.2016

Presence:

Appellant : Absent
CPIO : Shri A K Patro, Under Secretary & CPIO

A) FACTS of File No. CIC/KY/A/2016/001061:

- I. Vide RTI application dated **19.09.2015**, the appellant sought information on sole issue.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) was filed on **28.11.2015**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **13.06.2016**, are contained in the Memorandum of Second Appeal.

B) FACTS of File No. CIC/KY/A/2016/001062:

- I. Vide RTI application dated **13.07.2015**, the appellant sought information on sole issue.
- II. CPIO, response is not on record.

- III. The First Appeal (FA) was filed on **26.08.2015**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **13.06.2016**, are contained in the Memorandum of Second Appeal.

C) FACTS of File No. CIC/KY/A/2016/001063:

- I. Vide RTI application dated **13.07.2015**, the appellant sought information on sole issue.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) was filed on **26.08.2015**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **13.06.2016**, are contained in the Memorandum of Second Appeal.

D) FACTS of File No. CIC/KY/A/2016/901064:

- I. Vide RTI application dated **13.07.2015**, the appellant sought information on sole issue.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) was filed on **26.08.2015**, as desired information not provided.
- IV. First Appellate Authority (FAA), is not on record.
- V. Grounds for the Second Appeal filed on **13.06.2016**, are contained in the Memorandum of Second Appeal.

E) FACTS of File No. CIC/KY/A/2016/901065:

- I. Vide RTI application dated **19.09.2015**, the appellant sought information on sole issue.
- II. CPIO, response is not on record.
- III. The First Appeal (FA) was filed on **28.11.2015**, as desired information not provided.
- IV. First Appellate Authority (FAA), order is not on record.
- V. Grounds for the Second Appeal filed on **13.06.2016**, are contained in the Memorandum of Second Appeal.

HEARING

Appellant opted to be absent despite of our due notice to him. Respondents appeared before the Commission personally and made the submissions at length.

DECISION

1. It would be seen here that the appellant, vide his RTI Applications dated **13.07.2015 (3 in nos.) & 19.09.2015 (2 in nos.)**, sought information from the respondents on the issue as contained therein. Respondents, vide their response dated **24.07.2015 (3 in nos.)**, **transferred** the appellant's RTI applications to the concerned Public Authority for taking necessary action. Further, another CPIO vide his response dated **01.09.2016 (3 in nos.)** **furnished** the required information to the appellant. Further, appellant filed his FA on **26.08.2015 (3 in nos.)**, **28.11.2015 (2 in nos.)**, before FAA, who **could not take up** the same for its disposal **for the reasons best known to him**. Hence, a Second Appeal before this Commission.

2. During hearing of the appeals, it is revealed to the Commission that Sh. Raghu S., Appellant, filed his RTI applications not to the public authority concerned, i.e., CPIO of the department concerned, but he has submitted his RTI applications **to the concerned post office of his area**, who in turn, forwarded the same to the concerned public authorities (i.e., CPIO of the department concerned), by using its resources for necessary action in the matter. As such, it is to be seen here that he has not been filing the RTI applications in accordance with the provisions of RTI Act 2005 but **misusing the provisions of RTI Act 2005, for his vested interest**. Thus, the appellant has killed the very object of the RTI Act 2005 for which it was legislated by August Parliament of India.
3. In view of the **position** above and in the **circumstances** of the case, the Commission is of the considered view not to approve such practice adopted by appellant and therefore it is hereby discarded. In view of this, the petitions/appeals, based on such RTI applications, filed by the appellant before this Commission deserve to be **dismissed**. Therefore, these are hereby **dismissed**.
4. Furthermore, by virtue of the above and in the circumstances of the case, the Commission also feels that it would be appropriate and even justified, to accord a liberty to the appellant to file his **RTI application afresh under the provisions of RTI Act 2005, before concerned department directly for seeking information on the issues as contained therein. Thus, a liberty is accorded to the appellant accordingly.**

The appeals are dismissed accordingly.

Sd/-

(M.A. Khan Yusufi)

Information Commissioner

Authenticated true copy

(Krishan Avtar Talwar)
Deputy Secretary

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