Decision No.5046/IC(A)/2009  
F. No.CIC/MA/A/2009/000794
Dated, the 15th January, 2010

Name of the Appellant: Shri. C.P. Singh
Name of the Public Authority: Western Railway

Decision: 

1. The appeal was heard in absence of the appellant on 15/1/2010.

2. The CPIO stated that the appellant has grievances regarding transfer posting. In this context, he has been asking for information through various RTI applications, which are in the nature of questioning the administrative decisions of the respondent. So far he has submitted a dozen RTI applications and has also submitted a number of appeals and complaints before the Commission, which have also been disposed of. The respondents have furnished the information and also invited the appellant to inspect the relevant records. The appellant has, however, not availed of the opportunity of inspection of documents.

3. During the hearing, it also emerged that the appellant has been raising issues concerning his grievances regarding service matters, mainly transfers. Even though he has been provided the desired information and also informed that there are no provisions under the Act for redressal of grievances regarding service matters, the appellant is putting up frivolous complaints and appeals resulting in huge cost burden on the public authority, particularly on account of payment of TA-DA paid to the staff of the office of the PIO who attend the hearings in the Commission.

4. Since there is no denial of information u/s 8(1) of the Act and the appellant is habitually misusing the provisions of the Act to harass the staff of the respondent, there is no reason why the expenditure incurred by the respondents in attending the hearing in the Commission should not be recovered from the

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“If you don’t ask, you don’t get.” - Mahatma Gandhi
salary of the appellant, who is like any other public servant, is equally responsible to refrain from abusing the laws.

5. The DRM, Western Railways, Bhavnagar (Gujarat), is, therefore, directed to consider recovery of the expenditure incurred on the officials for attending hearing on 15/1/2010 from the salary of the appellant, who is held responsible for misusing the provisions of the RTI Act by filing frivolous petitions before the Commission even though there are no refusal of information to him. The modalities of recovery of the costs incurred on the officials of the respondent should be decided and determined by the respondent, as per the Service Rules under which the appellant is governed.

6. With these remarks, the appeal is disposed of.

Sd/-

(Prof. M.M. Ansari)

Central Information Commissioner

Authenticated true copy:

(M.C. Sharma)
Deputy Registrar

Name & address of Parties:

1. Shri. C.P. Singh, 23, Dharti Bunglow, Tragad Road, Chandkheda, Ahmedabad – 382 470.

2. Shri. P.K. Gopi Kumar, CPIO, Western Railway, Churchgate, Mumbai – 400 020.

3. The Appellate Authority, Western Railway, Churchgate, Mumbai – 400 020.

4. The DRM, Western Railway, Bhavnagar, Gujarat.

“*All men by nature desire to know.*” - Aristotle