



केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



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सं./No.....CVC/RTI/MISC/16/006

दिनांक / Dated.....04.02.2022

Circular No. 01/02/2022

Sub.: Clarification in respect of CVC Circular No. 03/03/2017 dated 10.03.2017 (Letter No. CVC/RTI/MISC/16/006) with regard to Order No. CIC/AD/A/2013/001326SA dated 25.06.2014 in the matter of Mr. Ramesh Chandra Jain Vs. Delhi Transport Corporation regarding misuse of RTI Act.

Attention is invited to Central Vigilance Commission's Circular No. 03/03/2017 dated 10.03.2017 relating to "Seeking similar information through repeated RTI Applications – Central Information Commission's decision - regarding".

2. It is clarified that the aforementioned circular was only to inform the organisations about CIC's Order No. CIC/AD/A/2013/001326SA dated 25.06.2014 in the matter of Mr. Ramesh Chandra Jain Vs. Delhi Transport Corporation which contained a number of observations regarding misuse of provisions of RTI Act.
3. The CPIOs/FAAs of the organisations are required to take a considered decision of their own, based on the provisions of RTI Act 2005.
4. All the CVOs are therefore advised that they may bring to the notice of all the CPIOs/Appellate Authorities of their organisations to furnish information to the RTI applicants as per the existing provisions of RTI Act, 2005.


(Bani Brata Roy)
Director

To,

All Chief Vigilance Officers

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सं./No. CVC/RTI/MISC/16/006.....

दिनांक / Dated..... 10.03.2017.....

Circular No. 03/03/2017

Subject: Seeking similar information through repeated RTI Applications-Central Information Commission's decision- regarding.

The attention of the CVOs concerned is drawn to the Central Information Commission's decision dated 25.06.2014 in case No. CIC/AD/A/2013/001326-SA in the case of Shri Ramesh Chand Jain Vs. Delhi Transport Corporation, GNCTD, Delhi, in which the issue of seeking information by the RTI Applicants through repetitive Applications on similar issues/subject has been considered and decided by the Central Information Commission.

2. The Central Information Commission, in its decision, had observed that:-

"The Commission noticed that several applicants seek some information from one wing of the public authority, and based on the responses file a bunch of RTI questions from the same or other wings of same public authority, or from other authority. This will have a continuous harassing effect on the public authority. As the PIOs go on answering, more and more questions are generated out of the same and in the same proportion the number of repeated first appeals and second appeals will be growing."

3. The Commission after considering various aspects of the issue and the provisions of acts of similar nature in other countries, and also the decisions of earlier Information Commissioners has concluded that:-

"(i) Even a single repetition of RTI application would demand the valuable time of the public authority, first appellate authority and if it also reaches second appeal, that of the Commission, which time could have been spent to hear another appeal or answer another application or perform other public duty."

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(ii) *Every repetition of RTI application which was earlier responded will be an obstruction to flow of information and defeats the purpose of the RTI Act.*"

4. The Central Information Commission, vide its decision No. CIC/AD/A/2013/001326-SA dated 25.06.2014 has thus, decided that:-

- "(i) No scope of repeating under RTI Act.*
- (ii) Citizen has no Right to Repeat.*
- (iii) Repetition shall be ground of refusal.*
- (iv) Appeals can be rejected."*

5. The CVOs may bring the above quoted decision of Central Information Commission to the notice of all the CPIOs/Appellate Authorities of their organizations, who may consider the Central Information Commission's decision, while deciding about the RTI Applications seeking similar information through repeated RTI Applications. The complete decision of Central Information Commission, in case No. CIC/AD/A/2013/001326-SA, in the case of Shri Ramesh Chand Jain Vs. Delhi Transport Corporation, GNCTD, Delhi is available on its website, www.cic.gov.in, in downloadable form and can be access from there.



(Rajiv Verma)
Under Secretary & Nodal CPIO

To,

All Chief Vigilance Officers