

I/1690150/2023



आयुक्त का कार्यालय
OFFICE OF THE COMMISSIONER
 वस्तु व सेवाकर, वडोदरा -II आयुक्तालय, वडोदरा
CGST, Vadodara – II COMMISSIONERATE, VADODARA,
 Central GST Building, Subhanpura
 सुभानपुरा, वडोदरा - ३९००२३
 Vadodara – 390023, Subhanpura

F.No. GEXCOM/RTI/MISC/601/2023-ADMN

Vadodara, dated 01.12.2023

To,
 Shri Manoj Balakrishna Patil,
 Bungalow No.10,
 East Street Camp,
 Next to Lashkar Police Quarters,
 Pune, 411001

Gentleman,

Sub :- Online RTI applications filed by Shri Manoj B Patil - regarding

This has reference to the following 19 RTI applications filed by you under RTI Act, 2005 through online portal.

Sr.No.	RTI application No.	Date of receipt
1	CCEVD/R/T/23/00245	03.01.2023
2	CCEVD/R/T/23/00244	03.11.2023
3	CCEVD/R/T/23/00243	03.11.2023
4	CCEVD/R/T/23/00247	07.11.2023
5	CCEVD/R/T/23/00248	07.11.2023
6	CCEVD/R/T/23/00249	07.11.2023
7	CCEVD/R/T/23/00254	09.11.2023
8	CCEVD/R/T/23/00257	15.11.2023
9	CCEVD/R/T/23/00258	15.11.2023
10	CCEVD/R/T/23/00259	15.11.2023
11	CCEVD/R/T/23/00261	15.11.2023
12	CCEVD/R/T/23/00262	22.11.2023
13	CCEVD/R/T/23/00264	22.11.2023
14	CCEVD/R/T/23/00266	28.11.2023
15	CCEVD/R/T/23/00267	29.11.2023
16	CCEVD/R/T/23/00269	29.11.2023
17	CCEVD/R/T/23/00270	29.11.2023

18	CCEVD/R/T/23/00271	29.11.2023
19	CCEVD/R/T/23/00268	30.11.2023

2. It is informed that during the period from 01.04.2023 to 30.11.2023 this office has received 123 RTI applications filed by you including the above. Out of 123 applications, 71 applications were transferred to other public authorities under Section 6(3) of RTI Act, 2005 also furnished information either. However, it is noticed that you are filing RTI applications very frequently and it seems you are a habitual filer of Applications under RTI Act with an intention to harass the Public Information Officers concerned and to waste their valuable time. As such, this office is of the opinion that you are filing the RTI applications asking open ended questions with no specific information resulting in most of the questions being circulating to all Commissionerate and thereby straining their resources as well. You appear to do all this as an act of factional achievement with an aim to harass the officers and ultimately drawing vicious pleasure by misusing the RTI Act.

3. Since you are repeatedly & daily filing frivolous applications under RTI Act, it is leading to wastage of public resources, public finance and divert the precious man hours of the public officials. In other words, you are wasting the precious man hours of One TA, One Inspector, One Superintendent and part of one Group A officer daily in multiple Commissionerates who are being paid from the Public Money credited in the form of Taxes. Therefore, this office has proposed to avoid waste of such man hours and to save the Public Money also by rejecting your applications unconditionally & temporarily.

4 It is further informed that as per **Section 7(9) of the RTI Act, 2005** –

".....information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question".

In other words, if the application filed under RTI leads to diversion of resources disproportionately, there is no need of furnishing the information. As you are filing the applications repeatedly and continuously visibly targeting the CPIOs especially, this office has decided to reject all your applications since the resources are being diverted considerably leading to hitch of the regular & other productive work like collection of Revenue and arresting the leakage of revenue. Another reason for rejecting your applications is absence of "public interest" or "larger interest" or "Larger Public interest" in the continuous information sought by you which otherwise appears to be vexatious.

5. It is in this context, I would like to bring to your notice that in the case of **Jagdish Kumar Koli vs. Department of School Education & Literacy, MHRD, GOI**, the CIC vide its order No. CIC/SA/2015/001849 dated 25.02.2016 held that the appellant has sufficiently used the RTI Act for his self-interest, without any public interest for his personal vengeance against the public authority for denying him promotion/enhanced pay. Therefore, the Commission admonished the appellant for his misuse the RTI Act just for sake of vengeance forcing them to devote all their valuable time energy etc. The appellant has chosen to send e-mail directly to the Commission, after the hearing was over, which was also perused by the Commission and find no merit in the same. The commission, therefore, rejected his appeal, with admonition.

Since you have used the RTI Act sufficiently, more particularly to trouble the officers concerned and they are apparently frivolous, it is proposed to reject all your applications filed under RTI Act, 2005.

6. It is further brought to your notice that in the case of **Ramesh Chand Jain Vs. Delhi Transport Corporation**, the CIC vide its Order No. CIC/AD/A/2013/001326-SA dated 25.06.2014 held that if the applicant seeks the information again and again the PIO, the

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First Appellate Authority and the Commission would be forced to spend their time on this repeated application, and in the process the authorities would lose that much time to address other RTI applications or performing their general duties in their public office. The repeated RTI applications will amount to clog the office of the public authority and CPIO would be justified in refusing the same with intimation of reasons. The repeated RTI applications preventing the officer from performing their general duties attached to their office.

Since your applications are preventing at least two officers continuously from performing their general or assigned productive work, it is proposed to reject all your applications filed under the RTI Act 2005.

7. In addition to the above, it is felt apt to bring to your notice that in the case of **Dr. R.S. Gupta Vs. Govt. of NCTD & Ors**, the Hon'ble High Court of Delhi vide LPA No.20712020 dated 31.8.2020 was held that the disclosure of the information ex-facie has no relationship to any public activity or public interest and pertinently, the appellant was not able to explain or show any nexus between the personal information sought and the public interest involved, for seeking its disclosure. Thus, in absence of even a remote connection with any larger public interest, disclosure of information would be exempted as the same would cause unwarranted invasion of the privacy of the individual under section 8(1) (j) of the RTI Act. Petitioner has thus failed to establish that the information sought for is for any public interest, much less 'larger public interest'.

In terms of the cited decision also, this office has proposed to reject all your applications filed under RTI Act, 2005 as they did not contain any public interest or even a remote connection with any larger public interest.

8. Finally, it is pertinent to bring to your notice that in the case of **Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay** in Civil Appeal No.6454 of 2011 the Hon'ble Supreme Court held that indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritizing 'information furnishing', at the cost of their normal and regular duties.

In terms of the cited Apex Court decision also this office has proposed to reject all your applications since this office is bogged down with the non-productive work of collection and furnishing information as sought by you vide the series of applications filed daily and continuously.

9. More specifically, it is opined that there is no merit asking the various information through different RTI applications by you since the applications filed by you continuously is leading to wastage of public resources, public finance and divert the precious man hours of the public officials. Hence, no information to the above RTI applications would be disclosed as per Section 7(9) of the RTI Act, 2005 as already discussed supra.

10. If you are aggrieved with this information, you may file an Appeal within 30 (thirty) days from the date of receipt of this letter with The Additional Commissioner, First

Appellate Authority, CGST, Vadodara-II, New CGST Bhavan, 1st Floor, Subhanpura, Vadodara – 390023 in terms of Section 19(1) of Right to Information Act, 2005.

Yours faithfully,

Signed by Bipinkumar

Baria

Date: 01-12-2023 13:33:20

Reason: Approved CPIO

Assistant Commissioner(RTI)

CGST, Vadodara-II Commissionerate,
Vadodara.

Copy to –

1. The Assistant Commissioner/CPIO, CGST, CCO, Vadodara for information please.
- ✓ 2. The Superintendent, Systems, CGST, Vadodara-II, i.r.t. OM No. 1/6/2011- IR, dated 15/04/2013, to upload the letter on official website of CGST, Vadodara-II.