

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



Shri Manjinder Singh, (98720 15069)

R/o # 2469, Sunny Enclave,
Sector-125, Kharar,
District S.A.S Nagar-140301

....Appellant

Versus

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Amritsar.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Amritsar.

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Bathinda.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Bathinda.

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Faridkot.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Faridkot.

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Ferozepur.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Ferozepur.

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Public Information Officer,
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Regional Transport Authority,
Gurdaspur.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Gurdaspur.

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Hoshiarpur.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Hoshiarpur.

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Jalandhar.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Jalandhar.

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Ludhiana.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Ludhiana.

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Patiala.

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First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Patiala.

Public Information Officer,
O/o Secretary,
Regional Transport Authority,
Sangrur.

First Appellate Authority,
O/o Secretary,
Regional Transport Authority,
Sangrur.

....Respondents

AC:2035/2022	AC:4361/2022	AC:0242/2022	AC:2520/2023	AC:1627/2023
AC:2668/2022	AC:4704/2022	AC:0243/2022	AC:1628/2023	AC:2180/2022
AC:4363/2022	AC:5750/2023	AC:0712/2023	AC:5749/2023	AC:1099/2022
AC:0393/2023	AC:5802/2022	AC:1325/2022	AC:0574/2023	AC:1267/2023
AC:1631/2023	AC:1207/2023	AC:2346/2022	AC:2522/2023	AC:2924/2022
AC:1832/2022	AC:1633/2023	AC:3388/2022	AC:0013/2022	AC:3016/2022
AC:2525/2023	AC:1210/2023	AC:4359/2022	AC:1632/2023	AC:3386/2022
AC:5754/2023	AC:1990/2023	AC:4697/2022	AC:0572/2023	AC:3910/2022
AC:3723/2022	AC:2348/2022	AC:5752/2023	AC:1206/2023	AC:4698/2022
AC:0012/2022	AC:2519/2023	AC:5753/2023	AC:1629/2023	AC:0872/2022
AC:0392/2023	AC:2670/2022	AC:5809/2023	AC:2521/2023	AC:0240/2022
AC:0573/2023	AC:0015/2023	AC:5810/2023	AC:0570/2023	AC:3143/2022
AC:1991/2023	AC:3387/2022	AC:0711/2023	AC:1630/2023	AC:1831/2022
AC:2524/2023	AC:3545/2022	AC:2518/2023	AC:2523/2023	AC:1061/2019

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The above-mentioned cases were kept reserved by the undersigned bench on their respective dates of hearing and have been taken up today for final decision after reviewing the documents available in the above-mentioned case files.

ORDER

Background:

1. The appellant, **Shri Manjinder Singh**, has filed numerous Second Appeals under the RTI Act seeking a wide range of information from various RTAs across Punjab, which are pending adjudication before different coordinate Benches of this Commission. Out of all the cases filed by the appellant, seventy (70) have been listed before this Bench and are being taken up together and disposed of by way of the present common judgment. The details of these cases are mentioned above.

2. The appellant has mainly sought information regarding:

- The speed governors installed in the passenger buses,
- The number of applications received for NOCs,
- The National permits of the vehicles,
- The registration numbers of these vehicles,
- The serial numbers and photocopies of the insurance certificates,
- Fitness certificates of the vehicles, etc.

3. The information was requested month-wise and year-wise separately from the PIO of Secretary, RTA Punjab, from different districts of Punjab.

4. Upon review, these applications have been found to be vague, repetitive, and burdensome for the department, placing unnecessary strain on public resources.

5. The Commission has also received complaints and letters from various Regional Transport Authorities (RTAs) across Punjab alleging that the appellant engages in activities consistent with professional blackmail, including demands for money from employees under the pretext of exposing corruption. These actions have harassed the department and wasted the valuable time and resources of the Commission.

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6. Currently, over 200 cases filed by this appellant are pending before the **Punjab State Information Commission**. Despite repeated opportunities, the appellant has not produced any evidence to substantiate the use of the information obtained or demonstrated any genuine public interest in his applications. The appellant claims to be investigating corruption within the **Regional Transport Offices (RTOs)** in Punjab, but his methods do not align with the correct and lawful means of addressing administrative grievances.

7. Observations:

1. **Repetitive and Vexatious Requests:** The appellant's RTI applications are repetitive and appear designed to harass the public authority rather than serve any genuine public interest.
 - In **Ramesh Chand Jain vs. Delhi Transport Corporation** (CIC/AD/A/2013/001326-SA, dated 25.06.2014), the Central Information Commission ruled that repetition of RTI applications on the same or similar subject amounts to misuse of the RTI Act and can be refused.
2. **Constructive Res Judicata:** The principle of constructive res judicata applies, meaning the appellant is expected to ask for all related information in one go. Filing multiple applications on the same subject is an abuse of the RTI process.
 - In **Prem Prakash Kumar vs. NFL, Panipat** (Decision No. 246/IC/(A)/2006), repeated applications for voluminous and vague information were deemed obstructive to public resources.
3. **Harassment and Malafide Intent:** The letters received from multiple **RTA** offices indicate that the appellant's actions are not in pursuit of transparency but to harass employees and extort money.
 - In **Gopal Soni vs. New India Assurance Co. Ltd.** (F. No. CIC/AT/A/2008/00097, dated 12.06.2008), the CIC ruled that RTI applications filed with malafide motives can be restricted to protect public resources.
4. **Public Resource Protection:** The RTI Act should not be used to disproportionately divert public authority resources.
 - As per Section 7(9) of the RTI Act, information can be refused if it disproportionately diverts the resources of the public authority.
5. **Guidance from Judicial Decisions:**

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- The Hon'ble Supreme Court in its decision dated 09/08/2011 in the matter of **CBSE & Anr. Vs. Aditya Bandopadhyay & Ors.** (C.A. No. 6454 of 2011) observed:
 - “But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant.”
 - “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 public authorities prioritizing information furnishing, at the cost of their normal and regular duties.”
- The Hon'ble Delhi High Court in its decision dated 07/01/2016 (**The Registrar of Supreme Court of India vs Commodore Lokesh K. Batra & Ors.**, LPA 24/2015 & CM No. 965/2015) held:
 - “On a combined reading of Section 4(1)(a) and Section 2(i), it appears to us that the requirement is only to maintain the records in a manner which facilitates the right to information under the Act. As already noticed above, ‘right to information’ under Section 2(j) means only the right to information which is held by any public authority. We do not find any other provision under the Act under which a direction can be issued to the public authority to collate the information in the manner in which it is sought by the applicant.”
- The Hon'ble State Information Commission , Maharashtra (Pune) in its decision dated 24/12/2024 in the matter of **Keshav Sahebrao Raje Nimbalkar Vs. Krishna Khore Irrigation Corporation Pune & Krishna Khore Irrigation Corporation, Sangli** wherein :
 - Ld. Information Commissioner **Sh. Makrand Ranade** dismissed nearly 2955 second appeals submitted by Beed resident **Keshav Nimbalkar**, citing the excessive number of applications as a misuse of the RTI Act intended to harass government agencies.

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- He emphasized that the RTI Act is designed to provide essential information to citizens, particularly the underprivileged, and should not be exploited to disrupt public administration.
 - Higher courts, including the Andhra Pradesh High Court, have similarly noted that while the RTI Act is a powerful tool for promoting transparency, indiscriminate use without a meaningful purpose can strain limited human resources.
6. **Wastage of Public Resources:** Addressing such RTI applications results in significant wastage of time and resources for government departments. This includes costs incurred on postal charges, xerox charges, paper costs, and other administrative expenses at the stages of **PIO** response, first appeal, and second appeal. This strain on public resources detracts from the regular and essential functions of public authorities.

8. Decision:

Given the above facts, the Commission concludes that the appellant's conduct is an abuse of the RTI process. His repetitive and vague applications, combined with allegations of blackmail and bench-hunting, are clear indications of misuse.

Accordingly, the following order is passed:

1. The appellant, **Shri Manjinder Singh**, is **debarred from filing any further RTI applications in the Punjab State Information Commission** for a period of **One years**.
2. All the above-mentioned 70 cases filed by the appellant are hereby **DISMISSED**.
3. All penalties and compensation previously imposed on public authorities in connection with the appellant's cases are dropped.
4. Public authorities are advised to ignore any further RTI applications from the appellant under Section 7(9) of the RTI Act, 2005, if they are found to be repetitive or burdensome.

This order is issued in the interest of protecting public resources and preventing abuse of the RTI process.

(Sandeep Singh Dhaliwal)

State Information Commissioner, Punjab.

Chandigarh

08.01.2025.