

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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**Appeal No. 207/2020**

Shri Mahesh Kamat,  
CD Seasons Co-op Housing Society,  
Blossom 101,  
Murida, Fatorda Goa.

-----Appellant

**v/s**

Public Information Officer,  
Shri. Sanjay Ghate,  
Kadamba Transport Corp. Ltd.,  
'Paraiso De Goa Building',  
Alto, Porvorim-Goa.

-----Respondent

**Shri Vishwas R. Satarkar** - State Chief Information Commissioner

**Filed on:-07/12/2020**

**Decided on:-17/08/2021**

**FACTS IN BRIEF**

1. The Appellant, Shri. Mahesh Kamat vide application dated 05/03/2020 filed under sec 6(1) of the Right to Information Act, 2005, (Act for short) sought certain information from the Respondent, Public Information Officer (PIO) of Kadamba Transport Corporation Limited, Porvorim Goa (KTCL).
2. The PIO replied vide letter dated 20/04/2020, that the information sought by the Appellant is uploaded on website of KTCL and since information sought is repetitive in nature, information is denied.

Not satisfied with the reply of PIO, Appellant filed first appeal to Managing Director, of KTCL being First Appellate Authority (FAA). The FAA by order dated 21/07/2020, dismissed the said appeal.

3. Appellant has therefore preferred this second appeal under sec 19(3) of the Act, with the prayer that direction be issued to PIO to furnish the information.
4. Notices were issued to the parties, pursuant to which they appeared. The representative of PIO, Shri. Saish Dhond present and filed reply cum written arguments on behalf of PIO, Shri. Sanjay Ghate.

In the said reply cum written arguments it is the contention of PIO that, being court related matter, the information seeker should approach the concerned court who decided the matter and obtain the requisite information and that said information is not available in the records of public authority.

5. Perused the records and considered the submissions and pleadings of the parties. In the present case, Appellant sought the information pertaining to FR 56(J) related to suspension and compulsory retirement and disciplinary proceeding of Appellant, which is already supplied to the Appellant apart from that, said information is also uploaded on the website of KTCL [www.ktclgoa.com](http://www.ktclgoa.com) i.e. available in the public domain.
6. The very fact that the Appellant has been seeking more or less similar information would indicate that he is misusing the beneficial provision of RTI Act, solely with the view to harass the PIO and public authority. The Hon'ble High Court of Punjab and Harayan at Chandigarh in **Karamjit Singh v/s State Information Commission in CWP No. 5456/2011** has held that, once the information is supplied to the applicant, the PIO is not bound to disseminate same information in another RTI application.
7. The modus operandi of the Appellant of filing multiple RTI applications would affect the efficiency of administration and also

result in the executive getting bogged down with non-productive work. The Hon'ble High Court of Delhi in **Hansi Rawat & Anr v/s Punjab National Bank & Ors in LPA 785/2012** has held that, filing plethora of application is nothing but misusing the RTI Act.

8. The issue raised by the Appellant has been deliberated, discussed and decided by this Commission in its various earlier Judgments and therefore the Commission does not find it necessary to discuss the issue again.
9. The Hon'ble High Court of Rajasthan in **Hardev Arya v/s Chief Manager (Public Information Officer) & Ors in SB WP(c) No. 10828/2012** has held that RTI Act is a vital weapon in hands of citizens but should not be allowed to be wielded unlawfully so as to put it to abuse or misuse. Every statute acts and operates within its scope and ambit, duty rests with the Courts to discourage litigious obduracy.
10. This Commission therefore finds that, this RTI application and Appeal filed by the Appellant is nothing but sheer abuse and misuse of RTI Act and has been filed to settle personal scores and mainly with the intention to harass the PIO and public authority.

In view of above discussion, following order is passed:

## **O R D E R**

Appeal is dismissed.

Proceedings closed.

Pronounced in open court.

Notify the Parties.

Sd/-

**(Vishwas R. Satarkar)**

State Chief Information Commissioner