

केंद्रीय सूचना आयोग  
CENTRAL INFORMATION COMMISSION  
बाबा गंगानाथ मार्ग  
Baba Gangnath Marg,  
मुनिरका, नईदिल्ली -110067  
Munirka, New Delhi-110067

Decision no.: CIC/JNUND/A/2017/156804/00578  
File no.: CIC/JNUND/A/2017/156804

In the matter of:

Pramod Kumar

... Appellant

VS

Central Public Information Officer  
DR (Legal Cell)  
RTI Cell (Admn Block),  
O/o the CPIO, Room No. 134,  
Jawaharlal Nehru University, New Delhi – 110 067

... Respondent

RTI application filed on	:	05/04/2017
CPIO replied on	:	01/05/2017
First appeal filed on	:	11/07/2017
First Appellate Authority order	:	Not on record
Second Appeal dated	:	16/08/2017
Date of Hearing	:	06/05/2019
Date of Decision	:	06/05/2019

The following were present:

**Appellant:** Present

**Respondent:** Dr Abha Yadav, Deputy Registrar (Legal) and CPIO  
M.K Pachauri, Joint Registrar (Admission II) branch  
and deemed CPIO.

**Information Sought:**

The appellant has sought the following information:

1. Duties and responsibilities of Section Officer with respect to Admission Branch – II, JNU.

2. Duties and responsibilities of Senior Assistant with respect to Admission Branch – II, JNU.
3. Duties and responsibilities of Junior Assistant with respect to Admission Branch – II, JNU.
4. Duties and responsibilities of Computer Operator (Regular/Contractual) with respect to Admission Branch – II, JNU.
5. And other related information.

### **Grounds for Second Appeal**

The CPIO did not provide the desired information.

### **Submissions made by Appellant and Respondent during Hearing:**

The appellant submitted that he is aggrieved with the replies on points no 1 to 5 as same reply was provided in a clubbed manner on all these points. Moreover no reply was provided from Admission II branch.

Dr Abha , CPIO submitted that Shri M.K Pachauri, Joint Registrar (Admission II) is the deemed PIO. On a query by the Commission, Shri Pachauri submitted that the then PIO is now retired. He further submitted that duties and responsibilities of staff are available, designation wise, in general on their website and there is no separate duty chart for the staff of the Admission II branch. Duties are given post wise wherever the employee is posted.

The appellant further contested the reply on point no. 6. Smt Abha Yadav referred to the letter dated 26.09.2017 and submitted that an appropriate reply in respect of points 6 and 7 was provided. The appellant contended that the reply has been given by Admission I branch and not Admission II branch. Smt Yadav on this point submitted that they endeavoured to provide information and submitted a material fact relevant to the case stating that the appellant himself was the only employee of Admission branch II at that time and he was the dealing hand. She further submitted that Smt Meenakshi Bharadwaj, Section Officer, Admission branch II was on leave from 19.04.2017 to 06.07.2017. She further submitted a copy of the letter dated 04.05.2017 sent to Assistant Registrar (Admissions Branch-II) where the appellant as staff of Admission Branch II made the following notings:

*“Being information seeker it is not feasible to provide said information by this end.”*

### **Observations:**

The Commission finds it relevant to rely on the decision of the CIC in the matter of Deshmukh Suresh Bhagwanrao v. C.B.E.C., Department of Revenue, New Delhi where it was held as under:

“12 In this case, the Commission has received petitions from employees of public authorities on such matters as implementation of Court and Tribunal orders, by the public authority; action taken on the petitions in service matters filed by the employee demand for explanation about why an employee was transferred from one post to another; reasons why a public authority started any disciplinary proceeding against the employee; why was an employee not empanelled for promotion; and so on. **Irrespective of the merit of such RTI applications and irrespective of whether these are admissible under the RTI Act, the important point that emerges is that employees of the public authority are using the RTI Act to pressurize, browbeat or harass the public authority in order to force them to take decisions or rescind a decision in respect of a certain employee. Such employees may or may not succeed in their endeavors, but the fact that they use the RTI Act in a given way shows that they are treating the Act as a means to the disciplinary control of their superiors in the public authority. The Right to Information Act was not meant to sub-serve such ends. It shall be a sad day if the provisions of this Act become a plaything in the hands of employees of public authorities.**”

In so far as the reply provided by the CPIO is concerned, the Commission observed that whatever records/ information were available with the respondent was adequately provided to the appellant. Moreover, when duties and responsibilities of staff are already available on the website, there is no requirement of providing any separate reply. The appellant was also advised to contact the respondent office vide letter dated 26.09.2017 for any further information.

**Decision:**

The reply provided to the appellant was found to be appropriate. The Commission advises the appellant to exercise his right to information in a constructive manner and avoid filing frivolous RTI applications and second appeals to harass the public authority.

**The appeal is disposed of accordingly.**

Vanaja N. Sarna (वनजा एन. सरना)

Information Commissioner (सूचना आयुक्त)

Authenticated true copy

(अभिप्रमाणित सत्यापित प्रति)

A.K. Assija (ऐ.के. असीजा)

Dy. Registrar (उप-पंजीयक)

011- 26182594 /

दिनांक / Date

