To

Supdt. (I.T.),
Dte. of Education,
Old Sectt., Delhi.

Subject :- Regarding uploading a note on the official website of the Department on the RTI applications filed by Mrs. Rajni Maindiratta.

Sir,

Please find enclosed a copy of the note on the abuse of the "Right to Information" by Mrs. Rajni Maindiratta on the directions of Hon'ble CIC. In this regard, it is hereby requested to upload the same on the Departmental website alongwith the order dated 26.06.15 (copy enclosed) issued by Hon'ble CIC for the information please.

This issues with the prior approval of Director of Education vide U.O.No.9123/DE dated 14.09.15.

( DEPUTY DIRECTOR OF EDUCATION )
DISTT. NORTH WEST (B)

Encis. : as above.

No.F.1/PB/DNWB/2015/
Copy to the following:-
1. P.S. to D.E.
3. DDE (Act-I).
4. DDE (Zone XIII).

( DEPUTY DIRECTOR OF EDUCATION )
DISTT. NORTH WEST (B)
NOTE ON THE ABUSE OF THE “RIGHT TO INFORMATION” BY MRS. RAJNI MAINDIRATTA.

The Hon’ble Central Information Commission while disposing off a second appeal filed by Mrs. Rajni Maindiratta (File No.CIC/SA/A/2015/000357 dated 17.03.2015) has made following observations about the RTI queries being raised repeatedly by Mrs. Rajni Maindiratta in their order dated 26.06.15.

The appellant, Mrs. Rajni Maindiratta had filed a number of RTI applications ever since she was removed from the school on the proven anti-school activities. This Commission has adjudicated at 20 appeals filed by her. She has already filed an appeal before the DST against her termination order and she should wait for the final verdict of the Tribunal instead of adopting the RTI route, which is nothing but serious misuse of RTI Act and cannot be encouraged. This Commission has recently admonished her in CIC order No.CIC/SA/A/2014/001772 for using the RTI Act for personal vengeance and total lack of public interest behind her requests for information.

Whereas the said Mrs. Rajni Maindiratta is a terminated teacher, TGT (Arts & Craft), who was working in an Unaided Recognized School (Vidya Bharti School, Sec.15, Rohini, Delhi). She was charge-sheeted under Rule 123 of DSEAR, 1973 for failure to abide by code of conduct as stipulated under the Act and terminated by School Management after completion of disciplinary proceedings and charges found proven as per the decision of Disciplinary Authority.

During the course of hearing in the above mentioned appeal at CIC, School authorities informed the Commission that the appellant was a teacher of that school, who was removed for proven anti-school activities and ever since such action, she started sending numerous complaints and representations and then following the same with the RTI applications, first appeals and thereafter, CIC.
And whereas, in a similar case, the Madras High Court in reference to W.P. No.26781/2013 and M.P.No.1 of 2013, the P.I.O. V/s the CIC (Annexure-II) has recorded the following remarks:

"It cannot be the way to redress his grievance, that he cannot overload a public authority and direct its resources disproportionately while seeking information and then the dispensation of information should not occupy the majority of time and resource of any public authority, as it would be against the larger public interest".

And whereas, all this has resulted in frequent diversion of Govt. staff and resources meant for public service to provide the information in r/o large number of RTI applications and attending to frequent personal hearings by the FAA and CIC.

The Commission noticed personal vengeance and total lack of public interest behind her request for information. The appeal was rejected. The Commission directed the public authority to prepare a note on her RTI applications and put up in the official website alongwith the order. Hence, this note.

( DEPUTY DIRECTOR OF EDUCATION )

DISTT. NORTH WEST (B)

Encls. : as above.
CENTRAL INFORMATION COMMISSION

(Room No.315, B-Wing, August Kranti Bhawan, Bhiqaj Cama Place, New Delhi 110 066)

Prof. M. Sridhar Acharyulu (Madabhushi Sridhar)
Information Commissioner
CIC/SA/A/2015/000357

Rajni Maindiratta Vs. Directorate of Education (North-West-B)

Important Dates and time taken:

|---------------------------|---------------------------|-------------------|

Parties Present:

The appellant is not present. The Public authority is represented by Ms. Shashi Saini, DDE, NW-B.

FACTS:

2. Appellant by his RTI application sought for certified copies of the register pages covering diary number 6589 and 6646 in the office of DDE, etc. PIO replied on 18.12.2014. Being unsatisfied, appellant made first appeal. FAA by his order dated 13.01.2015 directed the PIO to furnish information on point no. 2 and 3. Claiming non-compliance of FAA Order, appellant approached the Commission.

DECISION:
3. The appellant is not present. The Public Authority made their submissions. The Commission has perused the record available in the file. The appellant Rajni Maindiratta had filed a number of RTI applications ever since she was removed from the school on the proven anti-school activities. This Commission had adjudicated at 20 appeals filed by her. She has already filed an appeal before the DST against her termination order and she should wait for the final verdict of the Tribunal instead of adopting the RTI route, which is nothing but serious misuse of RTI Act and cannot be encouraged. This Commission had recently admonished her in CIC order No.CIC/SA/A/2014/001772 for using the RTI Act for personal vengeance and total lack of public interest behind her requests for information.

4. The Commission, therefore, directs the Public Authority to prepare a note on her RTI applications and put up in official website along with this order. The appeal is rejected.

(M Sridhar Acharyulu)
Information Commissioner

Authenticated true copy

(Babu Lal)
Deputy Registrar

Address of parties

1. The PIO under the RTI Act, Government of Delhi
   Directorate of Education, North West-B District,
   FU Block, Pitampura
   New Delhi-110035

2. Ms. Rajni Maindiratta
   H.No.A-42, Khel Gaon
   New Delhi-110049
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.9.2014

CORAM:

THE HONOURABLE MR.JUSTICE N.PAUL VASANTHAKUMAR
AND
THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.26781 of 2013
& M.P.No.1 of 2013

The Public Information Officer,
The Registrar (Administration),
High Court, Madras. .... Petitioner

Vs.

1. The Central Information Commission,
Rep. by its Registrar,
Room No.306, 2nd Floor, "B" Wing,
August Kranti Bhavan,
Bhikaji Cama Place, New Delhi-110 066.

2. Mr.B.Bharathi .... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records in Case No.CIC/SM/C/2012/900378 to 384, CIC/SM/C/2012/000600, 601, 970 to 975, 993 to 1000, 1120 to 1131, 1133, 1134, 1145 to 1152, 1162, 1163, CIC/SM/A/2012/900540, CIC/SM/A/2012/000955, 1558, 1776 to 1778 (53 cases) etc., order dated 23.1.2013 passed by the first respondent and quash the same.

For petitioner : Mr.V.Vijay Shankar
For respondents: R-1 - Central Information Commission
Mr.B.Bharathi - R-2 (party-in-person)

(The Writ Petition was reserved for orders on 1.9.2014)

ORDER
The Public Information Officer (Registrar (Administration)), High Court, Madras is the writ petitioner. This Writ Petition is filed challenging the order passed by the Central Information Commission, New Delhi (first respondent herein), dated 23.1.2013, whereby the first respondent has directed the petitioner to furnish the information as sought for by the second respondent herein, insofar as six appeals are concerned. In respect of other 47 complaints are concerned, the first respondent-Commission directed the petitioner to send statement of particulars regarding those complaints.

2. The case of the petitioner is as follows:

The second respondent, a native of Puducherry, has made several applications/queries under the provisions of the Right to Information Act, 2005 (hereinafter referred to as 'the RTI Act') to the Madras High Court, seeking information on various aspects. Out of several such applications/queries made by the second respondent, the first respondent has directed the petitioner to furnish the information as sought for by the second respondent in respect of the following six applications/queries:

(i) Details of action taken on his complaint, dated 1.6.2011 against the Chief Metropolitan Magistrate, Egmore, Chennai and the details of enquiry conducted thereon;

(ii) Details of recruitment rules for the post of Registrar General of High Court, details of constitution of Selection Committee, recommendation made by individual Judges and other information regarding the selection of various
those material details, we are not in a position to appreciate the order passed by
the first respondent-Commission directing the petitioner to prepare a tabular
statement listing all the complaints and the representations received from the
second respondent being dealt with on the administrative and judicial sides of
this Court and the current status of the action taken thereon. Therefore, we are
of the view that the impugned order of the first respondent is bereft of any
material particulars insofar as those 47 RTI applications referred to in the
impugned order and the direction issued to the petitioner in that regard is also
not sustainable.

30. In fact, the first respondent-Commission itself has deprecated the
practice of the second respondent herein in overloading the Registry of this
Court by making several queries or complaints one after another and following
the same under the RTI Act. Having found that the action of the second
respondent in sending numerous complaints and representations and then
following the same with the RTI applications; that it cannot be the way to redress
his grievance; that he cannot overload a public authority and divert its resources
disproportionately while seeking information and that the dispensation of
information should not occupy the majority of time and resource of any public
authority, as it would be against the larger public interest, the first respondent-
Commission clearly erred in passing the impugned order in this Writ Petition,
directing the petitioner to furnish the details to the second respondent as well as
sending a tabular statement listing all the complaints and representations
received from the second respondent.
31. For the foregoing reasonings, the impugned order of the first respondent-Commission is set aside and the Writ Petition is allowed. No costs. The Miscellaneous Petition is closed.

Index: Yes/no
Internet: Yes/no

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To

1. The Central Information Commission,
   Rep. by its Registrar,
   Room No.306, 2nd Floor, "B" Wing,
   August Kranti Bhavan,
   Bhikaji Cama Place, New Delhi-110 066.

2. The Public Information Officer,
   The Registrar (Administration),
   High Court, Madras.

N.PAUL VASANTHAKUMAR,J
and
K.RAVICHANDRABAABU,J

(N.P.V.J) (K.R.C.B.J)
17.09.2014