

Case No. : SIC/KP(M).218/2021  
Complainant/ Appellant : Shri Harinarayan Pathak.  
Respondent : The SPIO/Under Secretary to the Government of  
Assam, Industries & Commerce Department, Dispur,  
Guwahati, PIN Code 781006, Assam.  
Date of Hearing : 13-09-2021  
Complaint/ Second  
Appeal heard by : Shri Samudra G. Kashyap.  
State Information Commissioner, Assam

**O R D E R**  
**13-09-2021**

1. The appellant Shri Harinarayan Pathak is present.
2. Shri Tanu Ram Talukdar, SPIO and Under Secretary, Industries and Commerce Department, Govt. of Assam, is present.
3. The SPIO has also submitted a written statement No. CI.106/2021/90. The petitioner also informed that he has received informations but he is yet to go through the contents.
4. The SPIO in his written statement has informed that the petitioner Shri Harinarayan Pathak has been filing RTI application of similar nature to the AIIDC and the department continuously over a period of time. According to the SPIO, this has caused lot of loss to the Department in terms of manpower, productivity, time, energy etc just to prepare replies to RTI queries of the petitioner along with such large volume of documents. The SPIO has also prayed to the Commission to instruct the petitioner not to file RTI applications of repetitive nature.
5. The petitioner is hereby directed not to create any situation by submitting multiple numbers of RTI petitions in the same Department of allegedly repetitive nature which may lead to loss to the Public Authority in terms of manpower, productivity, time and energy etc. In this connection the Commission would like to quote from the Supreme Court of India order dated 09.08.2011 **(Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors.)**. In the said order the Supreme Court of India had in para 37 observed that **“The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. 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.”**
6. With the above order, this 2<sup>nd</sup> Appeal is hereby disposed of.

Sd/-  
(Samudra G. Kashyap)  
State Information Commissioner,  
Assam.

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).218/2021**

**Dated: 13-09-2021**

Copy to:

1. The SPIO/Under Secretary to the Government of Assam, Industries & Commerce Department, Dispur, Guwahati, PIN Code 781006, Assam, for information and necessary action.
2. The First Appellate Authority/ Secretary to the Government of Assam, Industries & Commerce Department, Dispur, Guwahati, PIN Code 781006,, for information.
3. The petitioner, Shri Harinarayan Pathak, Padumpukhuri, Uzanbazar, PIN Code 781001, Assam, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.



Secretary & Registrar  
Assam Information Commission.