

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/MOSAT/A/2025/120131**
CIC/IITRL/A/2025/626916

Advocate Waseem Alam

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO: CSIR-Indian Institute
of Toxicology Research (M/o.
Science & Technology),
Lucknow, UP

...प्रतिवादीगण/Respondents

Relevant dates emerging from the appeal:

RTI : 26.04.2025	FA : 30.05.2025	SA : 13.06.2025
CPIO : 16.05.2025	FAO : 11.06.2025	Hearing : 02.07.2026

Date of Decision: 06.07.2026

Since both the cases arise out of same/similar/identical RTI Application, they are clubbed together for final hearing and decision.

CORAM:
Hon'ble Commissioner
Shri P R Ramesh
O R D E R

1. The Appellant filed an RTI application dated 26.04.2025 seeking information on the following points:

1. *Kindly provide the details of employees, joined or were given employment under the Persons with Disabilities (PWD) category quota from the period of January 1, 2015 to December 31, 2020 at CSIR-IITR.*
 2. *Kindly provide the details of the post and division in which each of the aforesaid PWD employees was appointed.*
 3. *Kindly provide the date of joining of each of these employees under the PWD category.*
 4. *Kindly provide the extent of disability (in percentage) for which they were considered eligible under the PWD category.*
 5. *Kindly provide the details of the medical authorities who issued the PWD certificates to each of the above-mentioned candidates.*
 6. *Kindly provide true certified copies of the PWD certificates submitted by these candidates at the time of their appointment under the PWD quota during the said period (01/01/2015 to 31/12/2020).*
2. The CPIO replied vide letter dated 16.05.2025 and the same is reproduced as under :-

आपके सूचना के अधिकार अधिनियम-2005 के अंतर्गत सूचना हेतु ऑनलाइन आवेदन संख्या: CIITR/R/E/25/00021 दिनांक 26.04.2025 के संदर्भ में प्रशासन डीमड जन सूचना अधिकारी सूचना के संरक्षक से सहायता की माँग की तथा उनसे प्राप्त सीएसआईआर-आईआईटीआर से संबंधित जानकारी संलग्नक पर उपलब्ध है।
Reference to your online request No. CIITR/R/E/25/00021 dated 26.04.2025 under RTI Act-2005, the help was sought from Administration / deemed PIO/ custodian of information and the reply/information under Section 5(4) of RTI Act-2005 related to CSIR-IITR received from them is placed at Annexure-I.

हमे आपके द्वारा 22 पेजों की फोटोकॉपी के लिए जमा किये गये रु०. 44/- मात्र (@ 2/- प्रति पेज) दिनांक 15.05.2025 को प्राप्त हो गए हैं जिसके लिए हम आपको धन्यवाद देते हैं। *We have received an amount of*

Rs. 44/- (Rupees One Forty four Only) which was sought towards photocopying of 22 pages. We thank you for having deposited the additional fee on 15.05.2025.

तदनुसार, बिन्दुवार उत्तर एवं अभिलेखों में उपलब्ध सूचना (22 पृष्ठ) की फोटोप्रति संलग्न है।

Accordingly, the point wise replies and photocopy of information available on records (22 pages) is enclosed.

3. Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 30.05.2025 alleging that the information provided was incomplete, false and misleading. The FAA vide order dated 11.06.2025 upheld the reply given by the CPIO.

4. Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal dated 13.06.2025

Facts emerging in Course of Hearing:

Appellant: Not present

Respondent: Shri Ankur Goel, Scientist, Dr. K.C. Khulpe, FAA, Shri Krishna Lal.AO-participated in the hearing through video-conference.

5. The Respondent while defending their case *inter alia* submitted that complete information has been provided as per the provision of the RTI Act. They further stated that only the certified copies of PwD certificates were denied under Section 8(1)(j) as they contain sensitive personal and medical information, while verification reports confirming the validity of those certificates were provided instead. The complete 22-page response was dispatched by Speed Post after the appellant deposited the prescribed copying fee, but the postal article was returned undelivered with the remark "No Such Person Found," despite multiple delivery attempts, and remains available in sealed condition. The CPIO contends that there was no malafide intent, that the records are maintained only in physical form making electronic transmission impracticable, and cites

privacy concerns and precedent to justify non-disclosure of the certificates. In an additional submission, the CPIO further alleges that the Appellant attempted to intimidate the Public Authority through an email, has habitually misused the RTI mechanism by repeatedly filing applications while providing an incorrect address resulting in multiple returned postal communications. They added that to ascertain the credentials of the Appellant, the Karnataka State Bar Council was contacted and it was confirmed by the Bar Council that no advocate by the name is registered with it. A written submission dated 29.06.2026 has been received from the CPIO in this regard and same has been taken on record for perusal. The relevant extract whereof is as under:

“..MAY IT PLEASE THE HON'BLE COMMISSION:

The Respondent respectfully submits this written submission in response to the Second Appeal filed by the Appellant. This submission pertains to Query No. 6 of the original RTI application dated 26.04.2025.

1. Brief Background & Response to Query No. 6

Through Query No. 6, the Appellant sought "true certified copies of the PwD certificates submitted by candidates at the time of their appointment under the PwD quota during the period 01/01/2015 to 31/12/2020." The Respondent highlights that the PwD certificates contain personal, medical, and family details. Therefore, the copies of the certificates were denied under Section 8(1)(j) of the RTI Act, 2005. However, demonstrating complete transparency and bona fide intent, the Respondent provided the Appellant with the official verification letters/reports received from the respective issuing authorities certifying the vi validity of those PwD certificates.

*2. Dispatch of information by Speed Post and its non-delivery
Years of Impa*

The total compiled information across all queries of the original RTI application comprised of 24 pages, out of which 22 pages pertained directly to Queries 1 to 6 of the original RTI, while the remaining 2 pages consisted

of a covering letter and Annexure-I. In order to provide these 22 pages a demand for photocopying charges amounting to 44/- (@Rs. 2/- per page) was raised by the CPIO for the 22 pages of information. This fees was promptly deposited by the appellant.

The deposit of photocopying charges by the appellant is itself indicative of the fact that he very well understood that the document would be sent in hard copy format by post and therefore the demand of such document by email/soft-copy should not have arisen.

The Respondent photocopied 22 pages of information as furnished to him by deemed PIO/Custodian of Records, securely packed them, and dispatched via Speed Post to the exact postal address explicitly provided by the Appellant himself in his RTI application. The other two pages were uploaded onto the online portal- the first being the RTI covering letter detailing the 22 pages of information, and the second being Annexure-I. The RTI application was disposed of The Indian Post returned the said packet to the office of the Respondent with the remark: "No such person at this address, hence return to sender." It may be noted that the India post attempted delivery on four (4) consecutive occasion i.e., on 19th, 20th, 21th and 22nd May, 2025 and did enquiry in the chamber 32 before returning it back to the sender. (The front and the back of the aforesaid postal cover are enclosed as Annexure-1).

The parcel remains in a sealed, intact, and tamper-proof condition in the custody of the Respondent and is available for production before the Hon'ble Commission.

3. Absence of malafide intent of the Respondent

The Respondent submits that there has been absolutely no intention to withhold, delay, or deny information. As evidence of clean hands and a uniform approach, the exact same information regarding the verification of the PwD issuing authority (in respect of one of the two employees) was provided dispatched and delivered to another RTI applicant based in

Prayagraj in October 2025 Ref: [Application No.CIITR/R/T/25/00007 dated 15.09.2025]. This is itself indicates that the RTI cell at CSIR-IITR has functioned without any malafide intent.

4. Justification for invoking section 8(1)(j)

In our humble understanding, a PwD certificate or an associated medical board report contains sensitive personal data, including the nature of physical/medical infirmity, names of siblings, parents, and clinical evaluations that are personal to the individual. Disclosing copies of such certificates to a third party violates the right to privacy.

The Respondent placed reliance on the legal principles upheld in the matter of Samiksha Pathak v. Indian Institute of Management (IIM), Kozhikode (CIC/SA/A/2016/000589/MP), wherein it was recognized that personal documents and individual records submitted to an institution are protected under Section 8(1)(j) unless a larger public interest is established. No such larger public interest was demonstrated by the Appellant except frivolous allegations.

By providing the authentic verification details of the certificates instead of the personal PwD certificates, the Respondent successfully balanced transparency with the statutory duty to protect privacy.

5. Technical feasibility of electronic supply & suo motu disclosure

categories The Appellant has contended that the information should have been emailed or sent electronically. In compliance with Section 4 of the RTI Act, CSIR-IITR has specified under its suo motu disclosure on its website the categories of information are maintained in electronic formats. The records related to recruitment files including PwD certificates as requested by the Appellant are not maintained in an electronic format. They are maintained manually as physical files. It is also informed that due to the technical limitation of the RTI Portal, which permits a maximum file upload size of only 1 MB, it was not feasible to upload the entire 22-page document

electronically while maintaining its legibility and readability Furthermore, as the document contains highly sensitive information, utilizing third-party applications or online tools for file compression is strictly strictly restricted to prevent any potential data breach or compromise of confidentiality. Consequently, to ensure both compliance and data security, the complete set of 22 pages was dispatched to Appellant by Speed Post.

PRAYER

In light of the facts and circumstances stated above, it is most respectfully prayed that this Hon'ble Commission may be please to accept the submission of the Respondent, that, there has been no delay in furnishing the response and issue appropriate directions or guidelines to discourage the filing of such unwarranted applications, thereby ensuring the smooth functioning of administrative processes and preventing any undue hindrance to public duty... ”

6. Another written submission dated 01.07.2026 has been received from the CPIO and same has been taken on record for perusal. The relevant extract whereof is as under:

“..In continuation of the Written Submission dated 29/06/2026, the Respondent (CPIO) humbly submits this additional statement to bring certain critical facts, subsequent developments, and the conduct of the Appellant before the kind notice of the Hon'ble Commission:

1. Dispatch and Return of Information (Maintained In Hardcopy Only)

It is respectfully reiterated that the information requested by the Appellant is structurally maintained by the Public Authority only in hard copy format. In compliance with the RTI Act, 2005, the Respondent duly compiled and dispatched the requested information in hardcopy by Speed Post. However, the said postal article was returned undelivered to the Respondent with the official postal remark: "No Such Person Found". This conclusively proves that the

Respondent acted with absolute bonafide intent, but delivery failed due to the Appellant's incorrect address.

2. Unauthorized directives by the Appellant

The Respondent wishes to bring to the kind attention of this Hon'ble Commission an objectionable and nefarious communication received from the Appellant. On 30/06/2026, the Appellant sent a direct email to the CPIO(Respondent) stating that:

a) ensure your presence at the hearing along with the complete original records..."

b) "Compliance with these directions would facilitate the effective adjudication of the appeal and help avoid any unnecessary inconvenience, delay, or adverse observations during the proceedings"

It is submitted that the tone and tenor of this communication is intimidating and adversarial, (copy of the aforesaid email is attached herewith).

It is understood that the authority to summon a Public Authority or dictate the terms of a hearing rests solely with the Hon'ble Commission. The Appellant holds no legal position to issue direct mandate to a public servant. Such behavior amounts to unwarranted interference in administrative functioning and an attempt to intimidate the Respondent.

3. Habitual abuse of the RTI Act and diversion of public resources

The Appellant is a habitual RTI applicant whose actions amount to a blanket abuse of the RTI machinery. For the record, during the preceding calendar year (2025), the Appellant filed 8 separate RTI applications and 4 First Appeals apart from the present case.

In each instance, the CPIO/Public Authority punctiliously processed the applications and sent the information. Shockingly, all the past 12 postal dispatches were returned back to the sender with the identical remark: "No such person at this address." (Details of the aforesaid 12 RTI's and Appeals are being attached herewith).

This clearly demonstrates a malicious pattern: the Appellant continuously files voluminous RTIS but deliberately avoids receiving the replies. Without even reviewing the information dispatched to him, he mechanically rushes into the appeal process. Thus, it paralyses the system and leads to an unwarranted diversion of public resources

The compilation of such a voluminous of data repeatedly has severely diverted the scarce resources and manpower of this Public Authority.

PRAYER

In view of the facts stated above, it is most respectfully prayed that this Hon'ble Commission may kindly be pleased to take this additional submission and the conduct of the Appellant on record and dismiss the present Appeal as the CPIO has already made all reasonable efforts to supply the information..."

Decision:

7. The Commission after adverting to the facts and circumstances of the case, hearing the Respondent and perusal of records, observed that an appropriate response as per the provisions of the RTI Act has been furnished by the PIO.
8. It is pertinent to mention that the Appellant Advocate Waseem Alam's application, seeking voluminous information spanning a considerable period, required several officers of CSIR-Indian Institute of Toxicology Research to devote substantial time and effort to collate the record sought.
9. During the hearing, four officers led by Mr Ankur Goyal, who had undertaken the exercise of compiling the information, appeared before the Commission. They placed on record a substantial volume of documents collected in response to the Appellant's application, demonstrating the diligence, time and institutional resource expended in complying with the request.

10. The officers further submitted that, upon verification, they had contacted the Bar Council of Karnataka (Bangalore) to ascertain the credentials of the appellant, who had described himself as “Advocate Waseen Alam”. The Bar Council confirmed that no advocate by the name is registered with it.

11. The Commission places on record its appreciation for the diligence, sincerity, and professionalism demonstrated by the four officers concerned. Despite the disproportionate burden placed upon them, they discharged their statutory obligations conscientiously to protect the integrity of the proceedings.

12. The Commission views with serious concern the Appellant’s conduct in the matter. The RTI Act is a vital instrument of transparency and accountability, intended to empower citizens and strengthen participatory democracy. It is not a vehicle for harassment of public authorities. Misuse of this mechanism will invite serious scrutiny by this Commission, and applicants who engage in such conduct should be under no illusion that it will be treated lightly.

With these observations, the matters are disposed of.

Copy of the decision be provided free of cost to the parties.

Sd/-
(P R Ramesh) (पी. आर. रमेश)
Information Commissioner (सूचना आयुक्त)

Authenticated true copy

Vivek Agarwal (विवेक अग्रवाल)
Dy. Registrar (उप पंजीयक)
011-26107048

Addresses of the parties:

1 The CPIO
CPIO, CSIR-Indian Institute
of Toxicology Research (M/o.
Science & Technology), Vishvigyan
Bhawan, 31-M.G. Marg, Kaiser
Bagh, Lucknow-226001
(Uttar Pradesh).

2 Advocate Waseem Alam



Recomendation(s) to PA under section 25(5) of the RTI Act, 2005:-

Nil