

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1352 of 2017

- Brijendra Sharma S/o Late Shri Akshay Kumar Sharma, Aged About 46 Years Presently Working As Administrative Officer At Government Nursing College, District Raipur; R/o Near Balaji Hospital, Shriji Vihar, Mowa District Raipur (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department Mantralya, Naya Raipur, District Raipur (Chhattisgarh).
2. Directorate, Medical Education Old Nurses Hostel, D.K.S. Bhawan Compound, Raipur (Chhattisgarh).
3. Chhattisgarh State Information Commission, Through Its Chief Information Commissioner, Nirmal Chhaya Bhawan, Meera Datar Road, Shankar Nagar, Raipur, District Raipur (Chhattisgarh).
4. Appellate Authority Under Right To Information Act, Office Of Directorate Medical Education, Old Nurse Hostel, D.K.S. Bhawan Compound, Raipur (Chhattisgarh).

---- Respondents

For Petitioner	: Shri Mateen Siddiqui, Advocate
For State	: Shri Sangharsh Pandey, Dy. Govt. Advocate
For Commission	: Shri S.S. Tekchandani, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12/05/2017

1. Heard.
2. The prayer made by the petitioner in this petition is for direction to the Commission not to divulge personal information of the petitioner to any person, who may move application for disclosure of personal information of the petitioner.
3. According to the petitioner, number of applications are being filed against the petitioner in fictitious names to somehow seek disclosure of personal information of the petitioner, which is not permissible under the Right to Information Act. Though, all such applications till date have been rejected, the petitioner apprehends that in future such application may be allowed and

the information may be disclosed. Counsel for the petitioner has placed reliance on the decision in the matter of *Girish Ramchandra Deshpande vs. Central Information Commissioner & Ors*, (2013) 1 SCC 212, *Bihar Public Service Commission v. Saiyed Hussain Abbas Rizwi and another* (2012) 13 SCC 61, *Institute of Chartered Accountants of India v. Shaunak H. Satya and others*, (2011) 8 SCC 781.

4. The petitioner has filed this petition on certain apprehension that personal information which could not be disclosed to any information seeker under Right to Information Act may be disclosed. The apprehension appears to be not founded on any material. The Commission has rejected all the applications, therefore, there should not be any apprehension in the mind of the petitioner. It is always presumed that an authority would act, in accordance with law. In case, the petitioner has any grievance in future against any order, he may always take the appropriate remedy. It will always open for the petitioner to enter appearance before the Commission, in any proceeding in which any personal information of the petitioner is sought by any information seeker, in such matter.
5. Learned counsel for the petitioner has sought relief relying upon the interim order dated 03/02/2017 passed in WP(C) No. 2521 of 2017 '*Mukesh Gupta vs. State of Chhattisgarh*'. That was a matter where the Court restrained from publishing any unsubstantiated, scurrilous or defamatory news article. This case is distinguishable.
6. The authorities which have been relied before this Court may be pressed into service before the forum where any application for seeking personal information of the petitioner is made.
7. The petition is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge