

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9834 OF 2018

LAXMAN NARSAYYA BURA
VERSUS
THE FIRST APPELLATE OFFICER AND ANOTHER

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Advocate for Petitioner : Shri Bora R.C.
AGP for Respondents : Shri Patil K.S.
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CORAM : RAVINDRA V. GHUGE, J.
Dated: August 29, 2018
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PER COURT :-

1. The petitioner is aggrieved by the order dated 22.1.2016 passed by the first appellate authority under the Right to Information Act, the order dated 26.2.2016 passed by the second appellate authority and the order dated 19.1.2018 passed by the Commissioner, State Information Commission, Nasik.

2. I have heard the learned counsel for the petitioner. With his assistance, I have considered the eight grounds formulated by him in the memo of the petition and have gone through the petition paper book.

3. The petitioner moved application dated 19.1.2016, seeking the following information from the Public Information Officer, office of the Deputy Registrar, Cooperative Societies, Ahmednagar:-

- (a) CCTV footage through a pen drive or CD or DVD.
- (b) Movement Register and Attendance Register for the period 1.1.2016 to 25.1.2016.

4. It is explained in the RTI Application by the petitioner that he wants information as to the period for which the CCTV footage can be preserved, the capacity of the Hard Disk installed for preserving such footage and how much memory has been consumed earlier, the remainder memory, and how much memory would be consumed for the duration for which he has sought information and the entire recording in the said Hard Disk.

5. The Information Officer submitted the information by stating that the CCTV camera do not have a storage system and no such record is available. In so far as the Movement Register and Attendance Register is concerned, it is informed that an officer in Class II of the said Department has raised an objection and hence, the copies of the Movement Register and Attendance Register is not supplied.

6. The first appellate authority considered the submissions of the respective sides and rejected the first appeal. The second appellate

authority has also considered the case once again and has rejected the second appeal. The State Information Commissioner, Bench at Nasik has also revisited the case and has rejected the said proceedings.

7. I find this to be a classic case of a misuse or abuse of the Right to Information Act.

8. Learned counsel for the petitioner is unable to disclose as to whether the said information is sought to be utilized for any constructive activity or whether it is required for any purpose which will serve the society. The petitioner claims to be an RTI Activist. His three petitions are before this Court out of which Writ Petition No.9833 of 2018 has been withdrawn. It appears that he is seeking information practically in every area of the office of the Deputy Director, Cooperative Societies, Ahmednagar.

9. In so far as the Movement Register and Attendance Register is concerned, an officer by name Shri A.A.Shaikh, Cooperative Officer, Class II, has relied upon the Circular dated 17.10.2014 issued by the General Administration Department, State of Maharashtra and has raised a specific objection against supplying information with regard to the Movement Register and the Attendance Register. The petitioner could have explained as to why he requires the said information and

whether the objection can be overruled. There is no contention in the petition as to why the objection of Shri Shaikh deserves to be overruled.

10. Considering the above, this petition being devoid of merits is dismissed with costs of Rs.10,000/-.

11. At this juncture, learned counsel for the petitioner submits that the petitioner desires to withdraw this petition and costs may not be imposed.

12. In view of the above, Writ Petition No. 9834 of 2018 is disposed off as withdrawn with no order as to costs.

(RAVINDRA V. GHUGE, J.)

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akl/d

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Kishanrao
Losarwar

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signed by Ajay
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