

20.10.2020
Court No. 19
Item No.10 (DL)
CP

WPA 7346 of 2020
with
CAN 1 of 2020

Biplab Kumar Chowdhury
vs.
The State of West Bengal & ors.

(via video conference)

Mr. Bhaskar Prosad Banerjee,
Mr. Aniket Mitra.

.....for the petitioner.

Mr. Ram Chandra Guchhait.

....for the State.

Mr. Raja Saha,
Mrs. Arpita Saha,

....for the respondent no. 2

The petitioner is aggrieved by an order dated November 8, 2019, passed by the State Chief Information Commissioner, West Bengal.

Being dissatisfied with the fact that the State Public Information Officer (hereafter the SPIO) did not reply to the application under the RTI made by the petitioner, the petitioner preferred a first appeal. Being dissatisfied with the order of the first appellate authority, the petitioner preferred a second appeal before the West Bengal Information Commission. By an order dated November 8, 2019, the State Chief Information Commissioner, West Bengal directed the SPIO to provide a reply on the RTI application made

by the petitioner. It is submitted that the order suffers from illegality, inasmuch as, the State Chief Information Commissioner, West Bengal has already decided that the matter relates to third party information and that the SPIO was under no obligation to provide information sought for which was related to personal information, and infringement of privacy of an individual was not permissible in terms of Section 8(1)(j) of the Right to Information Act, 2005.

Mr. Banerjee, learned advocate for the petitioner, submits that the information sought for does not relate to any personal details of any person but with regard to name and details of the owners of the lands in question, as mentioned in the RTI application and which are available with the authorities as per the land records.

Under such circumstances, I do not find there is any infringement of any privacy in the information sought for. It is made clear that the SPIO shall provide the information restricting to the names of the land owners, the details of the land records of the land owners in respect of the respective plots of land. The said information should be given within a period of six weeks from date of communication of this order.

With the above observation, the writ petition is disposed of. Hence CAN 1 of 2020 is also disposed of. There shall be no order as to costs.

All parties are to act on a server copy of this order on usual undertakings.

(Shampa Sarkar, J.)