

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2020

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.NO.6566 OF 2020

Dr.M.Rajaram Narayanan

... Petitioner

Vs.

1.Tamil Nadu State Information Commission  
Rep. By its Registrar  
No.2, Thiyagaraya Road,  
Teynampet, Chennai - 600 019.

2.Appellate Authority and Deputy Registrar (P)  
Anna University  
Chennai - 600 025.

3.Public Information Officer  
Deputy Registrar (S)  
Anna University  
Chennai - 600 025.

4.The Director  
Centre for Affiliation of Institutions  
Anna University  
Chennai - 600 025.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the 3<sup>rd</sup> respondent dated 03.09.2019 in Lr.No.525/PIO/AU-CHENNAI/2019 the consequential proceedings of the 2<sup>nd</sup> respondent dated 10.10.2019 in Lr.No.525/AA-DR(P)/AU-CHENNAI/2019 and the proceedings of the 1<sup>st</sup> respondent dated 28.11.2019 in case No.SA10396/D/2019 quash the same in so far as it relates to denial information sought for by the petitioner in Sl.No.9 of the application dated 14.08.2019 under the Right to Information Act, 2005 and direct the respondents to give information sought for by the petitioner in his application dated 14.08.2019.

For Petitioner :Mr.R.N.Amarnath  
For Respondent-1 :Ms.V.Annalakshmi  
Government Advocate  
For Respondents  
2 to 4 :Mr.L.P.Shanmugasundaram  
Special Government Pleader

O R D E R

The petitioner has filed an application under Right to Information Act, 2005 seeking information about the UG., PG., Ph.D., Degrees with Specialisation in the format given by him along with the Class obtained qualification and year of completion along with the name of the awarding University for all the Faculty Members as uploaded in the University Web Portal by the Affiliated Colleges of the University for the Academic Year 2019-2020; (ii) the details of Ph.D., awarded, thesis title, register number of Ph.D., Degree Certificate of all the Faculty Members as uploaded in the University Web Portal by the affiliated Colleges of the University for the Academic Year 2019-2020; (iii) date of joining in the college or all the Faculty Members as uploaded in the University Web Portal by the affiliated colleges of the University for the academic year 2019-2020 in the enclosed format given by him; (iv) date of relieving (if any) of the Faculty Members as uploaded in the University Web Portal by the affiliated colleges of the University for the academic year 2019-2020 in the enclosed format given by him; (v) details of Aadhar and PAN card numbers for all the Faculty Members as uploaded in the University Web Portal by the affiliated colleges of the University for the academic year 2019-2020 in the enclosed format; (vi) details of scale of pay and gross salary amount for each of the Faculty Members in the list (2019-2020) in enclosed format; (vii) details of Income Tax Deduction (I any) as per data given; (viii) whether the Inspection Committee for affiliation checked the Form 16 of all the Faculty Members working in the colleges in the enclosed format; and (ix) to furnish the photo copies of Ph.D., Degree certificates of all documents as per data given in CD (RTI Lr 33-(2019)).

2. The Public Information Officer/the third respondent has issued a reply in letter No.40/CAI/RTI/2019 dated 28.08.2019. Aggrieved over the information, the petitioner filed an appeal before the second respondent / Appellate Authority in Appeal No.TPCT/RTI-A-C/066 dated 12.09.2019 and the Appellate Authority vide Letter No.525/AA-DR(P)/AU-CHENNAI/2019 dated 10.10.2019 forwarded the reply received from the Director, Centre for Affiliation of Institutions, Anna University, Chennai,

dated 09.10.2019. Against which, the petitioner has approached the Tamil Nadu Information Commission / the first respondent herein. The first respondent State Information Commissioner, by his order dated 28.11.2019 has confirmed the order of the Public Information Officer and instructed the petitioner to submit a detailed complaint to the Vice Chancellor, Anna University directly with a further direction to the Vice Chancellor, Anna University to look into the allegation of some Professors working in different Colleges with bogus certificates. Aggrieved over the same, the petitioner is before this Court.

3. According to the petitioner, the rejection order passed by the State Information Commissioner is illegal as it deprives the right of the citizen from getting information under Right to Information Act, 2005. According to him, it is a simple task of providing information as requested by him in the format prescribed, as it is very well available in the website of the Anna University.

4. The writ petitioner has come out with certain facts that on information given by individual colleges that 17 out of 18 Ph.D., Degree certificates of the Faculty Members provided by the third respondent - Anna University are fabricated. The Faculty Members appointed in Dhanalakshmi College of Engineering, with Ph.D., Degree Certificates issued by Vinayaka Mission University were found to be bogus. In another instance, the appointment given to few individuals in Dhanalakshmi Engineering College with Ph.D., Degree certificates issued by Karunya Institute of Science and Technology, Coimbatore were also found to be bogus. On these examples, the petitioner seeks information from the third respondent. Hence, the learned counsel for the petitioner would submit that the petitioner is justified in asking for the information against the bogus certificate holders which ultimately affects the Society at large.

5. I have considered the submissions.

6. The second and third respondents have sought exemption under Section 8(1) (g) and 8(1)(j) of the Right to Information Act, 2005, as the information sought for is voluminous and it will disproportionately divest the manpower. Further, the information with regard to Aadhar Card, PAN Card, Income Tax details, Form - 16 and the date of joining are irrelevant and salary details are all not available with the University and it pertains to the individual units. The Information Commissioner has accepted the exemption sought for by the Public Information Officer and instructed the petitioner to

approach the Vice Chancellor, Anna University with specific complaints against the Faculty Members for appropriate action. I do find that as stated by the Information Commission, the Faculty Members were running above 800. Collecting all these information as sought for by the petitioner will unnecessarily and disproportionately divert the manpower of the University and it will ultimately affect imparting education to the students of the University. The University is also running classes for different branches of Engineering. In the considered opinion of this Court when the petitioner has an avenue of getting all the information from the individual units, he cannot compel the affiliating body to collect all the information from the individual units which is vast and voluminous. The compilation of such data will disproportionately divert the manpower and resources of the public authority namely the third respondent. In such circumstances, the order passed by the Information Commissioner is justified and the writ petition merits no consideration and accordingly, stands dismissed. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

TK

To

- 1.The Registrar  
Tamil Nadu State Information Commission  
No.2, Thiyagaraya Road,  
Teynampet, Chennai - 600 019.
- 2.Appellate Authority and Deputy Registrar (P)  
Anna University  
Chennai - 600 025.
- 3.Public Information Officer  
Deputy Registrar (S)  
Anna University  
Chennai - 600 025.
- 4.The Director  
Centre for Affiliation of Institutions  
Anna University  
Chennai - 600 025.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.23120

+1cc to Mr.R.N.Amarnath, Advocate, S.R.No.22586

+1cc to Mr.G.R.Associates, Advocate, SR.22390  
+1cc to the Government Pleader, S.R.No.23228

W.P.NO.6566 OF 2020

PP (CO)  
CB (31/07/2020)



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