

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A No.424 of 2016

Kailash Chandra Panda

....

Appellant

M/s. K.K. Rout, Advocate and associates

-versus-

***Central Information Commission and
others***

....

Respondents

Mr. K.C. Kar, Advocate for Respondent No.1

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

ORDER

11.10.2022

Order No.

04.

1. The challenge in the present appeal is to an order dated 19th August 2016, passed by the learned Single Judge dismissing W.P.(C) No.17197 of 2015 filed by the Appellant. In the said writ petition, the Appellant had challenged an order dated 13th February 2015 of the Central Information Commission (CIC) holding that the information sought by the Appellant was not in larger public interest and therefore cannot be provided.

2. *Inter alia*, the information sought by the Appellant, who happens to be an employee of the Bharat Sanchar Nigam Limited (BSNL), was regarding the total number of the pre-paid mobile connections in Odisha Circle as of 31st December 2013, the number of pre-paid connections, particulars of activation of 'Hello Tune' on pre paid mobiles in October 2013, the stay particulars of all the staff working in GM (CMTS) Unit. The CIC noted that providing the above information would warrant a directive to the BSNL to collect

and compile information at the cost of diverting their own resources from day-to-day work. The stand of BSNL has been that the information sought by the Appellant is huge and voluminous containing several files and without disproportionately diverting the resources of the public authority, it is simply not possible to provide the information.

3. The learned Single Judge has found merit in the above contention and has concurred in the view that the information sought is vague and vexatious and unrelated to transparency and accountability in the functioning of public authority.

4. The Court further notes that the information sought for a period after 31st December 2013 and despite filing the present appeal in 2016, no attempt has been made by the Appellant to have the appeal listed early.

5. The only inference that the Court can draw is that the Appellant has not been diligent in pursuing the matter. For all of the aforementioned reasons, the Court finds no ground to interfere with the impugned order of the learned Single Judge. The writ appeal is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge