

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 41255 OF 2021

Sri Budhua Kindo

....

Petitioner

Mr. Niranjana Singh, Advocate

-versus-

Central Chief Information

....

Opp. Parties

Commissioner, New Delhi and others

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

25.08.2022

Order No.

6. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition seeks to assail the order dated 18th June, 2021 passed by the Central Information Commission in Second Appeal No.132371 of 2021.
3. It is submitted by Mr. Singh, learned counsel for the Petitioner that an application in Form-A under Section 6 of the Right to Information Act, 2005 (for short 'the Act') was submitted before the Public Information Officer, Rourkela Steel Plant, Rourkela to provide information about the time of joining of Natia Kindo. From the information supplied to the Petitioner, he came to light that the Additional District Magistrate, Rourkela has sponsored the name of Suraj Kindo as displaced person in respect of Khata No.6 situated in Mouza Kadammunda, which belongs to the father of the present Petitioner. On getting such information, the Petitioner again submitted another application before the Public Information Officer, Rourkela Steel Plant, Rourkela seeking complete information about the joining of Natia Kindo. Said application

was rejected on the ground that the same being personal information is exempted from disclosure under Section 8(1) (j) of the Act. Assailing the same, the Petitioner preferred First Appeal, which was also dismissed against which he preferred the Second Appeal. The Central Information Commission scrutinizing the materials on record held that the information sought for by the Appellant is personal information of 3rd party, which is exempted from disclosure under Section 8 (1) (j) of the Act. As such, the Second Appeal was disposed of with advice to the Petitioner to approach the concerned State Government or appropriate forum to obtain the information. Assailing the same, this writ petition has been filed.

4. Mr. Singh, learned counsel for the Petitioner further submits that the authority ought to have taken into consideration that by submitting fraudulent documents, said Suraj Kindo gets appointment. Said information though personal but it is necessary to disclose the fraud committed by said Suraj Kindo in getting an appointment as displaced person. The Commission without considering the same has passed the impugned order, which is not sustainable in the eyes of law.

5. None appears for the Central Chief Information Commission at the time of call.

6. Taking into consideration the submission made by learned counsel for the Petitioner and on perusal of the record, it is crystal clear that the Petitioner has sought for certain information about the time of joining of one Natia Kindo, who got appointment as a displaced person. On perusal of the application as at Annexure-1 series, it does not appear that the

Petitioner has sought for any information about Suraj Kindo. However, learned counsel for the Petitioner harps on getting personal information about said Suraj Kindo, which appears to have not been complied with. Information about the time of joining of Natia Kindo being personal information, is exempted under Section 8(1) (j) of the Act. Thus, the authorities under the Act have committed no error in rejecting the application of the Petitioner filed under Section 6 of the Act as at Annexure-1 series. Further, it appears that the Petitioner has been advised to approach the competent authority under the State Government to get such information.

7. In that view of the matter, this Court is of the considered opinion that the authorities have committed no error in passing the impugned order.

8. Accordingly, this writ petition being devoid of any merit stands dismissed.

(K.R. Mohapatra)
Judge