

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No.7356 Of 2018

Shri Chandrakant S/O Moreshwar Nimje

Vs

The Public Information Officer, Scheduled Tribe Certificate Scrutiny Committee,
Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Ashwin Deshpande, Advocate for the Petitioner
Shri Dubey, AGP for the Respondent-sole/State

CORAM : ANIL S. KILOR, J.

DATED : 07.06.2023

1. Heard.
2. The present petition is arising out of the order dated 22.11.2017 passed by State Information Commissioner Nagpur Bench, rejecting the second appeal preferred by the petitioner.
3. The learned counsel for the petitioner submits that an information sought by the petitioner is very well available with the respondent Public Information Officer, Scheduled Tribe Certificate Scrutiny Committee, Nagpur, however, it was not provided and the second appeal was rejected, ignoring the said fact, on frivolous grounds.
4. On the other hand, the learned AGP strongly opposes the present writ petition.
5. I have perused the record and the impugned order.

6. The application moved by the petitioner for seeking information is in respect of seven different persons, who have been awarded validity certificate by Scheduled Tribe Certificate Scrutiny Committee, Nagpur. In the application names of such persons are mentioned, however, no other details, namely, date of order and the addresses of such persons are provided.

7. Undisputedly, the petitioner is seeking information of third party and therefore, the Section 8(j) r/w Sec.11 of the Right to Information Act, 2005 (for short 'the RTI Act') require no such information can be provided unless such third person permits the authority to disclose such information.

8. In the present matter, as the petitioner has not submitted necessary information about the persons to whom the validity was awarded and the petitioner wants the copies of such validity certificate. It is thus difficult for the Public Information Officer to make correspondence with those persons in compliance of Section 11 of the RTI Act.

9. In the circumstances, I do not find any error committed by the State Information Commissioner, Nagpur Bench in rejecting the application. Accordingly, I pass the following order:

10. The writ petition is **dismissed**.

At this stage, the learned counsel for the petitioner submits that an opportunity may be granted to the petitioner to apply afresh with all necessary information and details.

Liberty is granted as prayed for.

It is needless to mention here that if fresh application is moved, the Public Information Officer may take decision on such application in accordance with law.

[ANIL S. KILOR, J.]