

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3220 of 2020

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Surendra Bhagat, Son of Ramdeo Bhagat, Resident of Village - Banauli,
Police Station- Simri, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Ministry of Information and Broadcasting, Govt. of Bihar, Patna.
3. The Principal Secretary, General Administration, Govt. of Bihar, Patna.
4. The State Chief Information Commissioner, State Information Commission, Bailey Road, Bihar, Patna.
5. The Appellate Officer-cum-District Public Grievance Redressal Officer, Darbhanga.
6. Public Information-cum-Sub Divisional Public Grievance Redressal Officer, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jay Prakash Singh, Adv.
For the State	:	Mr. Ruchikar Jha, (AC to SC-8)
For the State Information Commission	:	Mr. Binita Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-04-2024 Heard learned counsel for the petitioner, learned counsel for the State Information Commission and learned counsel for the State.

2. The present writ application has been filed for quashing the order dated 26.06.2019 passed by respondent no. 4 in Case No. A7632 of 2018 contained in Memo No. 1769 dated 27.06.2019.

3. Learned counsel for the petitioner submits that the order dated 26.06.2019 has been passed completely without

proper consideration and appreciation of the record and therefore, this order ought to be set aside. He further submits that under the R.T.I. Act, persons are entitled to take the information and this information has been demanded completely in accordance with law. He further submits that *Prapatra-क* which is mentioned in the order-sheet has already been annexed as Annexure-1.

4. Learned counsel for the State Information Commission submits that the said *Prapatra-क* which is annexed as Annexure-1 is vague and nothing specific has been demanded. Under R.T.I., specific information is necessary to be provided.

5. After hearing the argument, it transpires to this Court that under R.T.I. Act, the information may be demanded and the term “information” has been well defined under Section 2(f) of the R.T.I. Act, 2005 (Act No. 22 of 2005) which reads as follows:-

“2(f). "information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body

which can be accessed by a public authority under any other law for the time being in force.”

6. It transpires that in the said *Prapatra-ka*, specific information has not been demanded and therefore, in order dated 26.06.2019, the observation made by the Chief Election Commissioner has correctly been made and no need of any interference in the said order.

7. As such, the present writ application stands dismissed.

(Dr. Anshuman, J)

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