

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5893 OF 2024

Sebastian J. Sequeira

...Petitioner

Versus

The Information Officer Foreigners Regional
Registration Officer And Ors

...Respondents

....

Mr. Rajendra V. Kamble, for the Petitioner.

Mr. Hamid Mulla, A.G.P for the Respondent – State.

Ms. Sakshee P. Chavan, for Respondent No.1-FRRO, Mumbai.

....

CORAM : AVINASH G. GHAROTE, J.

DATE : 10th JULY, 2024

P.C.:

1. Heard learned counsel for the petitioner. The petition questions the order of the Information Commissioner dated 03.03.2022 (page 16), order of the First Appellate Authority dated 21.04.2022 (page 19) and that of the Second Appellate Authority dated 25.04.2023 (page 22), declining to grant information solicited by the petitioner on the ground that the provisions of the Right To Information Act (“RTI Act”) are not applicable to them in view of Section 24 (1) and the Schedule II of the same. It is necessary to note that the respondent No.3,

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from whom the information is sought is the office of the Deputy Director of Intelligence, which is an entity which falls in the IInd Schedule.

2. Learned counsel for the petitioner places his reliance upon the first proviso to Section 24(1) to contend, that information pertaining to allegations of corruption and human rights violation shall not be excluded under this sub-Section on account of which it is contended that the information ought to have been given.

3. The information solicited as is disclosed from application dated 12.01.2022 (page 11) is claimed to be for the purposes of being used in Civil Suit No. 1718 of 2012 filed by the Applicant in this Court. This would clearly indicate, that the information sought does not come within the purview of the first proviso of Section 24(1). Considering this, I do not see any merit in petition. Therefore the petition is dismissed.

(AVINASH G. GHAROTE, J.)