
(2013) 01 DEL CK 0135
In the Delhi High Court
Case No : LPA No. 785 of 2012

Hansi Rawat and Another

APPELLANT

Vs

Punjab National Bank and Others

RESPONDENT

Date of Decision : 11-01-2013

Acts Referred:

Citation : (2013) 198 DLT 666 : (2013) 2 SLJ 412

Hon'ble Judges : D. Murugesan, C.J.;Rajiv Sahai Endlaw, J

Bench : Division Bench

Advocate : Divya Jyoti Jaipurkar, for the Appellant;

Final Decision : Dismissed

Judgement

Rajiv Sahai Endlaw, J.—This intra-court appeal impugns the order dated 15.10.2012 of the learned Single Judge of dismissal of W.P.(C) No. 6556/2012 preferred by the appellants. The said writ petition was preferred challenging the order dated 30.08.2012 of the Central Information Commission (CIC) dismissing the Second Appeal preferred by the appellants against the order dated 21.05.2011 of the First Appellate Authority. The First Appellate Authority had dismissed the appeal preferred by the appellants against the information dated 18.03.2011 provided by the Public Information Officer (PIO) of the respondent Bank in response to the application dated 19.02.2011 of the appellants under the provisions of the Right to Information Act (RTI), 2005. The First Appellate Authority in its order dated 21.05.2011 held that though information sought by the appellants had been provided to the appellants, the grievance of the appellants was that the information supplied was misleading and wrong. The First Appellate Authority held that information in possession of the respondent Bank had already been provided and no opinion as sought in the application could be provided. The First Appellate Authority also did not find any discrepancy in the information provided.

2. The CIC in its order noted, that the appellant No. 2 had been removed from

service of the respondent Bank; that the appellants had sought information on 39 points; that the grievance of the appellants was that misleading and vague information had been provided on the points raised in the RTI application; that the appellants had filed 50 to 60 RTI applications in their names, separately, together as well as in the names of their friends and also through some advocates, on the same subject and on the same questions; that the appellants are misusing the RTI Act needlessly. The CIC further, on examination of the record did not find any reason to interfere with the decision of the PIO and the First Appellate Authority of the respondent Bank.

3. Before the learned Single Judge also, the contention of the appellants was that the information given is not correct. The learned Single Judge went through the RTI application of the appellants and the response thereto and found that the information sought had already been furnished. The learned Single Judge has further observed that the only obligation of the respondent Bank, from which information had been sought, under the RTI Act, was to give information available and no further and the said obligation had been fulfilled.

4. The counsel for the appellants does not controvert the factum of a number of RTI applications having been filed by the appellants themselves or through other persons to the PIO of the respondent Bank. He has however drawn attention to the information sought at serial Nos. 11 to 14 and 26 of the RTI application and the response thereto and on the basis thereof has contended that information has not been provided and / or the information provided is incorrect.

5. The proceedings under the RTI Act do not entail detailed adjudication of the said aspects. The dispute relating to dismissal of the appellant No. 2 from the employment of the respondent Bank is admittedly pending consideration before the appropriate fora. The purport of the RTI Act is to enable the appellants to effectively pursue the said dispute. The question, as to what inference if any is to be drawn from the response of the PIO of the respondent Bank to the RTI application of the appellants, is to be drawn in the said proceedings and as aforesaid the proceedings under the RTI Act cannot be converted into proceedings for adjudication of disputes as to the correctness of the information furnished. Moreover, there is a categorical finding of the CIC, of the appellants misusing the RTI Act, as is also evident from the plethora of RTI applications filed by the appellants. In view of the said factual findings of the CIC and which is not interfered by the learned Single Judge, we are not inclined to interfere with the order of the learned Single Judge. We do not find any merit in the appeal which is dismissed.

No order as to costs.