

(2018) 09 UK CK 0027

In the Uttarakhand High Court

Case No : Writ Petition No.304 of 2011 (M/S)

Uttarakhand Public Service Commission and another

APPELLANT

Vs

Yugjeet Chandra Semwal and another

RESPONDENT

Date of Decision : 07-09-2018

Acts Referred:

Right to Information Act, 2005 — Section 18(2), 19

Citation : (2018) 09 UK CK 0027

Hon'ble Judges : Alok Singh, J

Bench : Single Bench

Advocate : B. D. Kandpal, Akshay Kumar, Navnish Negi

Final Decision : Allowed

Judgement

Alok Singh, J.

1) By means of present writ petition, petitioners seek to issue a writ of certiorari quashing the impugned order dated 27.12.2012 (Annexure no.1 to the

writ petition) passed by the Information Commissioner, Dehradun in complaint no.3811/C-18(2)/2010 Yugjeet Chandra Semwal vs. Public Information

Officer & others.

2) Brief facts of the case are that on 19.05.2010, respondent no.1-Yugjeet Chandra Semwal sought certain information under the Right to Information

Act, 2005 regarding combined seniority list of Lecturers in different subjects (Male & Female both categories) selected in 2005-2006 in the specific

format prepared by him. Pursuant to this, the Public Information Officer (petitioner no.2 herein) vide letter dated 25.06.2010 supplied the seniority list

of Lecturers (Male category) selected in 2005-2006 in its existing format as available with the Public Information Officer.

3) Being dissatisfied with the information supplied by the Public Information Officer, respondent no.1 filed an appeal under Section 19 of the Right to

Information Act before the appellate authority, who, in turn, allowed the same and directed the Public Information Officer to supply the copy of the

seniority list of Lecturers (Female category) to the appellant (respondent no.1 herein). Vide order dated 12.08.2010, the Public Information Officer

informed the respondent no.1 that since the Uttarakhand Public Service Commission has not prepared the seniority list of Lecturers (Female

category), hence, the same cannot be supplied to him.

4) Feeling aggrieved, the respondent no.1 filed a complaint under Section 18(2) of the Right to Information Act before the Information Commissioner,

Dehradun, who, in turn, directed the Public Information Officer to supply the desired information regarding seniority list of Lecturers of Both

categories to the complainant (respondent no.1 herein).

5) After careful consideration of the impugned order as well as of the documents brought on record, this Court is of the opinion that since the

Uttarakhand Public Service Commission has not prepared the seniority list of Lecturers (Female category), hence, the same cannot be supplied to

respondent no.1. Moreover, there is no provision to supply any information in a particular format. The respondent no.1 sought the information in a

particular format, which is not available with the Public Information Officer. The PIO has supplied the information in its existing format available with

him and the Right to Information Act nowhere provides that the information sought by a person shall be supplied in a particular format. Therefore, the

impugned order is totally against the provisions of law.

6) In view of above, the writ petition is allowed. The impugned order is hereby quashed. No order as to costs.