

**OFFICE OF THE APPELLATE AUTHORITY, under RTI Act,  
HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE**

**RTI Appeal No. 01/2022**

**Pankaj Gupta S/o Shri Gopal Gupta -----Appellant**

**R/o 101, Shri Nagar, Main Indore-452018**

**VS.**

**Shri Rajesh Kumar Sharma, Joint Registrar (M)/**

**State Public Information Officer, High Court of M.P.,**

**Bench at Indore**

**----- Respondent**

**Order**

**(Delivered on 17<sup>th</sup> June 2022)**

1. This appeal has been preferred u/s. 19 (1) of the RTI Act., 2005 by the appellant Shri Pankaj Kumar Gupta being aggrieved by the facts that he has not been supplied the information sought by his RTI application dated 11.04.2022, which should have been provided by Shri Rajesh Kumar Sharma, Joint Registrar (M)/ State Public Information Officer, High Court of M.P., Bench at Indore.

2 The brief facts which lead to file this appeal is as under :-

Appellant Shri Pankaj Gupta has sent an RTI application dated 11.04.2022 through registered post, addressed to SPIO (**Joint Registrar (M)/ State Public Information Officer, High Court of M.P., Bench at Indore**) requesting therein for providing following information :-

*“Whether the Hon’ble High Court of Madhya Pradesh, Bench at Indore through Principal Registrar, Indore was having knowledge about cases related to land bearing Khasra No. 313/1/1 measuring 11.876 hectare situated at Village Bicholi Mardana, Indore was subject matter of W.P. No. 19673/2021, W.A. No. 1078/2021 & W.P. No. 6245/2021 filed before the Hon’ble High Court of Madhya Pradesh, Bench at Indore ? If so, certified copies of all documents relating to such knowledge and any*

*action taken, if any, be provided under the RTI Act.,”*

3. The learned SPIO, after considering all the facts came to the conclusion that applicant /appellant had not specified any point of time for which the information was sought for and therefore, it is not possible to furnish the information as the point of time in the past is not clear.
4. The appellant has submitted that SPIO has wrongly mentioned that no time period has been mentioned. The SPIO has arbitrarily declined to provide the information sought by the appellant whereas there was no bar on providing such information. Refusal by the Joint Registrar (M)/ SPIO for providing such information sought by the appellant, adversely impact the image of institution of the Hon'ble High Court. It is further submitted by appellant that refusing to provide information substantiate apprehension that the process of securing the land bearing Khasra No. 313/1/1 measuring 11.876 hectare suffers from infirmities. The Joint Registrar (M)/ SPIO had deliberately attempted on frivolous grounds to deny to provide information sought.
5. To decide this appeal following points of determination are arise :-
  - (i) Whether appellant is entitled to get information sought by him ?
  - (ii) Whether the order of SPIO is not just and proper ?
6. Before coming to the merits of the case, file regarding allotment of land bearing Khasra No. 313/1/1 measuring 11.876 hectare, kept in Protocol Section of this office has been perused. It reflects from the above file that alongwith Khasra NO. 313/1/1 land of some other Khasra No. was allotted for the use of officials of District Court as well as High Court, Bench at Indore. Appellant has sought his information only in regards to Khasra No. 313/1/1, hence, SPIO was not liable to be provided all the information regarding allotment of land.

As far as, the validity of the order in regard to not providing the information sought is concerned, Joint Registrar (M)/ SPIO has specifically mentioned that applicant has not specified any point of time for which the information is sought. In the period of last one year, there have been three

Principal Registrars in High Court of Madhya Pradesh, Bench at Indore about which appellant has not asked for that at what time knowledge about above 3 cases has been received to Principal Registrar. The Joint Registrar (M)/ SPIO, in his written argument has submitted that the RTI Act does not cost on the Public Authority any obligation to create or cull the information and answer queries, in which a petitioner attempts to elicit answer to the question with pre-fixes, such as, why, what, when and whether. Certainly, the information sought by appellant is not certain and it only depends on the satisfaction of Principal Registrar of the High Court of M.P. Bench at Indore. Under the RTI Act, satisfaction is not to provide but it is the information which is provided under this Act.

The Joint Registrar (M)/ SPIO has orally submitted that on dated 11.04.2022, appellant/applicant has sought different type of information through 6 different applications and by his one application, some information was also provided to the applicant and if it is presumed that information sought by this application was necessary then certainly such information has already been provided to appellant/applicant

On the basis of above facts, circumstances and discussion of the facts, it is found that Joint Registrar (M) / SPIO had rightly not provided the information sought by the appellant. The appellant is not entitled to get information sought under the RTI Act. Therefore, this appeal is without any substance and is liable to be dismissed.

Consequently, this appeal is dismissed. Copy of this order be sent to Principal Registrar, High Court of M.P., Bench at Indore for necessary action and information. A copy of this order be also provided free of cost to the appellant and also to the SPIO for information and necessary action.

  
**(AJAY PRAKASH MISHR)**  
**APPELLATE AUTHORITY**