

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

**RTI Appeal No. 03/2023**

**Shri Deshbandhu Arya S/o Shri Madhusudan Arya -----Appellant  
R/o 15, MTH Compound, Central Kotwali,  
District-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 15<sup>th</sup> February 2023)**

This appeal has been preferred u/s. 19 (1) of the RTI Act., 2005 by the appellant Shri Deshbandhu Arya being aggrieved by the facts that complete information as sought by him through his RTI application dated 24.11.2022 has not been supplied to him, 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.

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

Appellant Shri Deshbandhu Arya has sent an RTI application dated 24.11.2022 through Inward Section, High Court of M.P., Bench at Indore addressed to SPIO (**Joint Registrar (M)/ State Public Information Officer, High Court of M.P., Bench at Indore**) requesting therein for providing following information :-

***“Certified copy of video recording of dated 14.11.2022 of mention memo period.”***

24.11.2022



The learned SPIO has not discussed in detailed on the application filed by appellant / applicant under RTI Act and also on report submitted by Additional Superintendant of Police and Chief Security Officer of M.P. High Court, Bench at Indore. The SPIO has provided report filed by Chief Security Officer to the applicant.

The appellant / applicant has submitted that his application under RTI Act, 2005 has been rejected on the basis of report filed by Chief Security Officer in which he has submitted that capacity to restore the recordings of CCTV Cameras is limited to for 30 days and after that it is automatically deleted from the system. It is also submitted that Chief Security Officer has reported that there are 216 cameras installed in compound of M.P. High Court, Bench at Indore and appellant / applicant has not specifically indicated that where the desired camera was installed. Appellant / applicant has requested through his appeal memo that he had specifically requested that he was in need of video recording of mention memo and there is only 2 places where the mention memo is filed, one is mention drop box and other is Hon'ble Board where mention memo is filed. Hence, SPIO was obliged to call the video footage of the camera situated at mention memo drop box and of Hon'ble Board where mention memo is filed. Appellant / applicant has filed his application on 24.11.2022 i.e. only after 10 days from 14.11.2022 and after filing of application under RTI Act, 2005 the recording should have been saved. It is also submitted that in this regard, an application was filed by the counsel of appellant / applicant Mr. Aditya Singh on 28.11.2022 to save the video recording of mention memo of dated 14.11.2022. On the basis of above, it is prayed for that copy of video recording of mention memo of dated 14.11.2022 be provided to appellant / applicant and if mention has been received from Hon'ble Board then video recording of such CCTV Camera be provided to appellant / applicant.

On the basis of above facts, circumstances and discussions of the facts, it is found that Joint Registrar(M) / SPIO has not mentioned any reason as to why the sought information was not provided to appellant / applicant. In this regard, SPIO has filed his reply to appeal memo and submitted that information received from

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Chief Security Officer was provided to appellant / applicant in one page and video recording of CCTV Footage was not available, hence, it could not be provided to appellant / applicant.

After perusal of complete record, it reveals that after receiving the application of appellant / applicant, SPIO Shri Rajesh Kumar Sharma proceeded through a note-sheet dated 24.11.2022 and this note-sheet was continued on 25.11.2022. It also reveals that Court Manager has proposed that "*CCTV In-charge Shri Lokre may be directed to submit a report in the above matter on priority basis.*" But this proposal was not made approved either by OSD/ Registrar or Principal Registrar of High Court of M.P., Bench at Indore and this note-sheet was taken to Chief Security Officer on 22.12.2022 and after perusing the note-sheet dated 25.11.2022, Chief Security Officer gave his report on 22.12.2022. Certainly, 30 days had been elapsed on 22.12.2022 and there was no possibility to make the video recording available to provide the appellant. Chief Security Officer has also reported that there are 216 cameras in the campus and applicant had not specifically mentioned that video recording of which camera is actually needed to applicant/appellant and to provide recording of all 216 cameras was not possible in view of securities as well as technically.

Appellant/ applicant submits that he had filed his RTI application within time and date and place was specifically mentioned in the application and it could be easily ascertained that what information has been sought. In spite of this, SPIO has not provided the information sought. Although, Chief Security Officer has reported that there are 216 CCTV Cameras in the High Court Compound but applicant has specifically requested that he should be provided video recording of mention memo, it means which camera covers the recording of mention memo drop box. But this argument of appellant is not acceptable because he had not mentioned in his RTI application that he was in need of video recording of the camera installed near at mention memo drop box but it is mentioned in RTI application that "*certified copy of video recording of mention period of dated 14.11.2022 be provided.*" Generally mention period through drop box is 10:00 a.m.

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to 11:15 a.m. and after that mention could be filed on board of Hon'ble Division Bench-1. Mention is also dealt by concerning clerk or In-charge. In these circumstances applicant was obliged to mention exact information so that he could be provided the information sought. There is no doubt application was not explicit clear in its meaning.

Appellant / applicant further submitted that before filing the RTI Application, one complaint was filed by his counsel Shri Aditya Singh on 22.11.2022 and another complaint was filed by him on 28.11.2022. The complaint filed by Shri Aditya Singh on 22.11.2022 had to be dealt by Shri Dilip Kumar Verma, Administrative Officer (J) and it was marked towards Mr. Dilip Kumar Verma, A.O. (J) for submission of his comments by the O.S.D./ Registrar on 28.11.2022 but that matter was not dealt by Shri Dilip Kumar Verma.

It is also submitted by the appellant / applicant that through complaint dated 28.11.2022, Mr. Aditya Singh had requested that video footage of mentioning period of dated 14.11.2022 be saved and preserved. This complaint was sent to concerning D.A. of M.Cr.C. Section but no initiation was taken by the concerned D.A. Shri Pradeep Sankariya.

In the above factual circumstances, it seems that no one had taken the requirement of information sought by applicant, seriously. On the other hand, it is also worth mentioning that if both the complaint/applications filed by Mr. Aditya Singh would have been dealt timely even then it was not possible to ascertain the exact information.

At the stage of argument appellant has made clear that actually, he was needed the video recording of the CCTV footage of camera installed near at mention memo drop box and camera installed at the board where mention memo is filed directly on the board. At this stage of appeal, Chief Security Officer was again directed by this Appellate Authority that report be submitted in this regard that whether CCTV Video footage of dated 14.11.2022 installed at mention memo drop box would be retrieved. On this, D.S.P., Security has submitted his report on 10.02.2023 and explained that video recording footage is preserved only for 30

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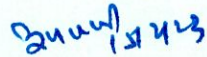


days in CCTV System and after that, it automatically deleted and on today it is not possible to make available the video recording footage of dated 14.11.2022.

Although, in the available circumstances, SPIO has not been able to provide the information sought by applicant and even at this stage of appeal the situation is same and video footage of concerning CCTV Camera of dated 14.11.2022 installed at mention memo is not available and that cannot be provided to appellant / applicant due to non existence of information. In his appeal memo, appellant/ applicant has requested that if it is found mention memo was filed before Hon'ble Court then video recording of CCTV Footage of such Hon'ble Court be provided to applicant but in both cases, the situation is same and information sought is not in existence.

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 / applicant and also to the SPIO for information and necessary action.

As per Section 19(3) of the RTI Act, 2005, appellant / applicant may file an appeal to the Hon'ble Appellate Authority (State Information Commission, Bhopal) within 90 days of the issuance of this order.

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