

MOST IMMEDIATE

8378

No.9/8/1-IH(I)-2014/6999
Chandigarh Administration
Home Department

Chandigarh, dated the 17-4-2014

To

All the Administrative Secretaries/
Heads of Departments,
Chandigarh Administration

RTI cell
12

1269

Subject: Order dated 20.11.2013 of the High Court of Kolkata in Writ
Petition No. 33290 of 2013 in the case of Mr Avishek Goenka
Vs. Union of India regarding personal details of RTI applicants-
circulation of

Sir/Madam,

I am directed to address you on the subject noted above and to
enclose herewith a copy of letter No.1/31/2013-IR, dated 8.1.2014 received
from the Director, Govt. of India, Ministry of Personnel, PG & Pensions,
Department of Personnel Training, New Delhi, which- is self explanatory for
information and necessary action.

2. You are requested to bring the contents of the orders of the
High Court of Kolkata to the notice of all PIOs and Appellate Authorities
and other authorities for strict compliance.

Yours faithfully,

Amal Bawa
Superintendent Home-I
for Home Secretary,
Chandigarh Administration.



GOVERNMENT MEDICAL COLLEGE & HOSPITAL, CHANDIGARH

(Block 'D', Sector 32, Chandigarh, ☎ 0172-2665253-60 ☎: 0172-2609360)

(website : gmch.nic.in) (email ID: cpiogmch32@gmail.com)

RTI CELL
CIRCULAR

16859-64

1 MAY 2014

Endst. No. GMCH-RTI-CELL/RA/14(15)RTI-CIR/2014/

Dated, Chandigarh the,

A copy alongwith its enclosure is forwarded to the following for information & necessary
action please :-

1. The Medical Superintendent, GMCH-32, Chandigarh.
2. All the Central Public Information Officers of GMCH -32, Chandigarh.
3. The Computer Programmer, GMCH, Chandigarh. He is requested to e-circulate the same
to all the HODs/Branch Incharges.
4. PA to DP for the kind information of Director Principal-cum- Appellate Authority.
5. PA to AD(A) for the kind information of Additional Director (Admn.)-cum-Transparency
Officer.
6. Spare Copy for master file.

Shullas
15/14
Lao Officer-cum-
cum-Co-ordinator RTI CELL

No. 1/31/2013-IR
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi,

Dated the 6th January, 2014

OFFICE MEMORANDUM

Subject : Order dated 20.11.2013 of the High Court of Kolkata in Writ Petition No. 33290 of 2013 in the case of Mr. Avishek Goenka Vs Union of India regarding personal details of RTI applicants - circulation of.

In compliance of the directions of the Hon'ble High Court of Kolkata in its said order, a copy of the judgement (order) is enclosed herewith for appropriate action.

2. This may be brought to the notice of all concerned.

1. All Ministries / Departments of the Government of India
2. Union Public Service Commission / Lok Sabha Sectt. / Rajya Saha Sectt. / Cabinet Sectt. / Central Vigilance Commission / President's Secretariat / Vice President's Sectt. / Prime Minister's Office / Planning Commission / Election Commission
3. Central Information Commission / State Information Commissions
4. Staff Selection Commission, CGO Complex, New Delhi.
5. Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
6. All Officers/Desks/Sections/Department of Personnel & Training, the Department of Administrative Reforms and Department of Pension & Pensioners' Welfare.

Copy to: Chief Secretaries of all the States/UTs.

(Sandeep Jain)
Director
Tel: 23092755

प्रमाणित मूद्रा-9 मूद्रा
दिनांक 18/01/2014/587
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2013

W.P. 33290(W) of 2013

Mr. Avishek Goenka petitioner (in person).

Mr. Asish Kumar Roy,
Ms. Gargi Mukherjee For the respondents.

The petitioner is appearing in person.

The writ petitioner claiming to be an activist in the field of right to information, has approached us by filing the present writ petition with the prayer, the authority should not insist upon the detailed address of the applicant as and when any application is made under the Right to Information Act. He apprehends, the interested parties would cause a threat to the activist and in fact there had been past incidents of unnatural deaths of activist in the field, presumably by the interested persons having vested interest to conceal the information that is asked for by the activist.

The petitioner submits, the authority may not insist upon the detailed address particularly when the applicant would provide a particular post box number that would automatically conceal their identity to the public at large.

We have considered the relevant provisions of the statute. Section 6(2) of the Right to Information Act, 2005 would clearly provide, an applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him.

Looking to the said provision, we find logic in the submission of the petitioner. When the legislature thought it fit, the applicant need not disclose any personal detail, the authority should not insist upon his

detailed whereabouts particularly when post box number is provided for that would establish contact with him and the authority.

In case, the authority would find any difficulty with the post box number, they may insist upon personal details. However, in such case, it would be the solemn duty of the authority to hide such information and particularly from their website so that people at large would not know of the details.

We thus dispose of this writ petition by making the observations as above. The Secretary, Ministry of Personnel should circulate the copy of this order to all concerned so that the authority can take appropriate measure to hide information with regard to personal details of the activist to avoid any harassment by the persons having vested interest.

The writ petition is disposed of without any order as to costs.

Urgent certified copy of this order, if applied for, be given to the parties, on priority basis.

(Banerjee, Acting Chief Justice)

(Debangsu Basak, J.)