

**ACTION HISTORY OF RTI REQUEST No.FSOID/R/E/23/00076**

**Applicant Name** Kumar Kalbande

**Text of Application** To, Central Public Information Officer Forest Survey of India Please find WRIT PETITION NO. 23695 OF 2022 (GM-RES) in attachment where High Court of Karnataka has made applicant entitled to know materials particulars of service of person(which was denied under the blanket of 8i). Under RTI Act 2005, kindly provide me following information 1) Provide me verified list of all the employees recruited since 20th June 1985 to till date in Forest Survey of India and Its regional Offices, along with their date of joining, place of joining, educational qualification at the time of joining, native place 2) True copies of all the related documents along with Notesheet I am ready legal charges

**Reply of Application** please find attachment for the sought information

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	07/09/2023	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	08/09/2023	Nodal Officer	Forwarded to CPIO(s) : (1) Kamal Pandey
3	REQUEST DISPOSED OF	05/10/2023	Kamal Pandey- (CPIO)	

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**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 22<sup>ND</sup> DAY OF AUGUST, 2023**

**BEFORE**

**THE HON'BLE MR JUSTICE KRISHNA S DIXIT**

**WRIT PETITION NO. 23695 OF 2022 (GM-RES)**

**BETWEEN:**

A S MALLIKARJUNASWAMY,  
S/O LATE S SIDDAPPA,  
AGED ABOUT 46 YEARS,  
LECTURER IN PHYSICS,  
MARIMALLAPPAS PU COLLGE,  
SEETHA VILASA ROAD,  
K R MOHALLA, MYSURU 570 004.

...PETITIONER

(BY SRI. A S MALLIKARJUNASWAMY-PARTY IN PERSON)

**AND:**

1. STATE INFORMATION COMMISSIONER  
KARNATAKA INFORMATION COMMISSION  
MAHITI SOUDHA, DEVARAJ URS ROAD,  
OPPOSITE TO VIDHAN SOUDHA, WEST GATE. 2,  
BENGALURU 560 001.
2. THE DIRECTOR,  
DEPARTMENT OF PRE UNIVERISITY EDUCATION,  
18<sup>TH</sup> CROSS, MALLESHWARAM,  
BENGALURU 560 012.
3. THE JOINTS DIRECTOR  
DEPARTMENT OF PRE UNIVERSITY EDUCATION,  
18<sup>TH</sup> CROSS, MALLESHWARAM,  
BENGALURU 560 112.
4. THE DEPUTY DIRECTOR FOR PRE UNIVERSITY EDUCATION,  
MYSURU DISTRICT, MYSURU 570 004.



Digitally signed  
by SHARADA  
VANI B

Location: HIGH  
COURT OF  
KARNATAKA



5. THE PRINCIPAL,  
MARIMALLAPAS P. U COLLEGE,  
SEETHA VILASA ROAD,  
K R MOHALLA, MYSURU 570 004.

...RESPONDENTS

(BY SRI. SHARATH GOWDA G B.,ADVOCATE FOR R1;  
SRI. KIRAN KUMAR., HCGP FOR R2 TO R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR THE RECORDS AND QUASH THE ORDER OF CASE NO.KIC 15951 APL 2021 FROM THE KARNATAKA INFORMATION COMMISSION, MAHITI SOUDHA, DEVARAJ URS ROAD, OPPOSITE TO VIDHANA SOUDHA, WEST GATE - 2 BENGALURU-560001 AND ETC.,

THIS PETITION COMING ON FOR PRELIMINARY HEARING IN B GROUP THIS DAY, THE COURT MADE THE FOLLOWING:

### **ORDER**

Petitioner a lecturer in Physics in the 5<sup>th</sup> respondent-college is knocking at the doors of writ court for assailing the order dated 01.04.2022 passed by the 1<sup>st</sup> respondent-Commission whereby his RTI application has been negatived quoting the provisions of Sec.8(1)(j) of the Right to Information Act, 2005. The party-in-person argues that he is entitled to know the material particulars of service of the persons indicated in the RTI Application inasmuch as that information provides the substratum for structuring his claims in Service Law such as confirmation,



seniority, promotion & the like. He argues that Sec.8(1)(j) of 2005 Act having been wrongly construed, there is an error apparent on the face of impugned order.

2. The first respondent-Commission has entered appearance through its Sr. Panel Counsel; Respondents 2, 3 & 4 are represented by learned AGA; however the 5<sup>th</sup> Respondent- Principal of the College has remained unrepresented despite service of notice. Learned Panel Counsel and learned AGA oppose the petition making submission in justification of the impugned order placing reliance on a decision of the Apex Court in **Girish Ramchandra Deshpande vs Central Information Commissioner & Ors, (2013) 1 SCC 212.**

3. Having heard the petitioner-party-in-person and learned Advocates appearing for the Respondents, this court is inclined to grant indulgence in the matter inasmuch as there is no scope for invocation of Sec.8(1)(j) since petitioner is not a stranger to the Respondent-institution, but a Lecturer working therein since years; it



hardly needs to be stated that for working out redressal for the grievances in service, an employee has to have full service particulars of other employees working under the same employer especially when dispute arises relating to confirmation, seniority, promotion or the like. The decision cited by the learned Panel Counsel in GIRISH RAMACHANDRA DESHPANDE *supra* had a different fact matrix and therefore the Apex Court held that personal information cannot be furnished.

4. It hardly needs to be stated that a decision is an authority for the proposition that has been laid down in a given fact matrix of a case and not for all that which logically follows from what has been laid down. Lord Halsbury more than a century ago, in the celebrated case of **Quinn vs. Leathem (1901) A.C. 495, 506** has observed as under:

*“Now before discussing the case of Allen v. Flood, (1898) A.C. 1 and what was decided therein, there are two observations of a general character which I wish to make, and one is to repeat what I have very often said before, that every judgment must be read as applicable to*



*the particular facts proved, or assumed to be proved, since the generality of the expressions which may be found there are not intended to be expositions of the whole law, but governed and qualified by the particular facts of the case in which such expressions are to be found. The other is that a case is only an authority for what it actually decides. I entirely deny that it can be quoted for a proposition that may seem to follow logically from it. Such a mode of reasoning assumes that the law is necessarily a logical Code, whereas every lawyer must acknowledge that the law is not always logical at all."*

5. The petitioner, a party-in-person is justified in contending that unless the service particulars of the persons which he has sought for in the subject RTI application are furnished, he will not be in a position to work out his grievance in the subject service matter. This aspect has not animated the impugned order and therefore there is an error apparent on its face warranting indulgence of this court. He is more than justified in placing reliance on the Government Order dated 02.06.2011 which prescribes certain parameters for granting relaxation of service conditions relating to



reservation. To avail benefit under the said Government Order, the information which the petitioner has sought for, becomes essential. Denying information virtually amounts denying opportunity to the petitioner to avail the benefit of said Government Order.

In view of the above, this petition succeeds; a Writ of Certiorari issues quashing the impugned order of the State Information Commission; petitioner's subject RTI application having been favoured, the 5<sup>th</sup> respondent is directed to furnish service particulars of the persons concerned and copies of records in that connection within a period of three weeks, failing which for the delay of each day, the 5<sup>th</sup> respondent shall pay from his pocket a sum of Rs.1,000/- to the petitioner.

The 5<sup>th</sup> respondent-Principal shall also pay a cost of Rs.5,000/- towards expenses.

**Sd/-  
JUDGE**

Snb/  
List No.: 1 SI No.: 55

संख्या-13-4/2022-प्रशा0(पार्ट) 2499  
भारत सरकार  
भारतीय वन सर्वेक्षण  
पो0ऑ0-आई0पी0ई0, कौलागढ़ मार्ग  
देहरादून-248195

सेवा में,

लोक सूचना अधिकारी  
भारतीय वन सर्वेक्षण  
कौलागढ़ मार्ग, देहरादून।

दिनांक ~~सितम्बर~~ 2023  
4/10

विषय:- RTI under the Right to information Act, 2005.

संदर्भ:- पत्र संख्या:-13-13/2022-आर0टी0आई0-2338 दिनांक 19.09.2023.

महोदय,

उपरोक्त विषय के संदर्भ में सूचित किया जाता है कि Shri Kumar Kalbande, Maharashtra के आर0टी0आई0 आवेदन पत्र संख्या:-Registration No. FSOID/R/E/23/00076 दिनांक 07.09.2023 के द्वारा मांगी गई संबंधित उपलब्ध सूचना प्रशासन अनुभाग द्वारा निम्नानुसार प्रेषित की जा रही है:-

1. प्रशासन अनुभाग में इस प्रकार की कोई सूची उपलब्ध नहीं है। मुख्यालय, कार्यालय में 31 अगस्त, 2023 को कार्यरत कर्मचारियों की सूची संलग्न की जा रही है।
2. उपरोक्त क्रम सं0 01 में निहित है।

*[Handwritten Signature]*  
05/10  
RTI 44

भवदीया,

*[Handwritten Signature]*  
(सविता सेमवाल)  
सहायक निदेशक (का0 एवं प्रशा0)



List of employees working in  
FSI, Hqrs., Dehradun as on 31<sup>st</sup> August, 2023

Sl. No.	Name	Designation	Date of Joining
1.	Miss Anita Bhuwal	Senior Technical Assistant	17.10.2012
2.	Smt. Ekta Singh	Senior Technical Assistant	12.12.2012
3.	Smt. Priti Topwal	Senior Technical Assistant	12.12.2012
4.	Shri Vikash Gusani	Senior Technical Assistant	31.12.2012
5.	Shri Imtijongshi	Senior Technical Assistant	18.11.2013
6.	Shri Durgesh Kumar Nagar	Senior Technical Assistant	04.04.2022
7.	Smt. Garima Sharma	Senior Technical Assistant	06.08.2015
8.	Smt. Sapna Ghai	Senior Technical Assistant	04.09.2015
9.	Shri Prashant Kumar	Junior Technical Assistant	05.10.2018
10.	Shri D.V. Sangolkar	Data Processing Assistant	29.01.1997
11.	Kum. Karuna Saini	Data Processing Assistant	11.11.2016
12.	Shri Yogesh Kumar Bansal	Data Processing Assistant	18.11.2016
13.	Shri Suvikram Prakash	Data Processing Assistant	24.04.2017
14.	Shri Balbir Singh	Data Entry Operator 'D'	29.05.1990
15.	Kum. Geeta	Jr. Translation Officer	06.07.2011
16.	Smt. Pratima Saini	Stenographer-I	15.10.1996
17.	Shri R.K. Rajvanshi	Senior Draftsman	31.10.1991
18.	Shri H. S. Panchpal	Superintendent	11.01.1999
19.	Shri Ravinder Singh Negi	Superintendent	02.11.2020
20.	Smt. Rambha Thapa	Superintendent	06.11.2020
21.	Shri Rahul Chabara	Stenographer- II	19.08.2013
22.	Shri Mukesh Chauhan	Stenographer- II	30.08.2019
23.	Shri Lekhraj Meena	Stenographer- II	30.09.2019
24.	Shri Sajjan Singh	Data Entry Operator 'A'	26.04.2018
25.	Shri. Ashok Kumar Singh	Deputy Ranger	28.04.1997
26.	Kum. Kusha Goel	Deputy Ranger	23.07.2018
27.	Shri Amit Kumar	Upper Division Clerk	26.12.2011
28.	Shri Manoj Brijwasi	Upper Division Clerk	29.12.2011
29.	Shri Vivek Kumar	Lower Division Clerk	23.10.2013
30.	Shri Amol Gupta	Lower Division Clerk	16.08.2018
31.	Shri Navin Kumar Nishad	Lower Division Clerk	24.09.2018
32.	Shri Shubham Kumar, LDC	Lower Division Clerk	05.11.2018
33.	Smt. Preeti Mehta	Lower Division Clerk	01.03.2019
34.	Shri Naveen Kumar	Lower Division Clerk	08.04.2021
35.	Shri Daulat Ram	Driver Special Grade	05.08.1988
36.	Shri Deepak Kumar	Driver-I	11.01.1993
37.	Shri Ajay Pal	Gen. Set & A.C. Operator	18.12.1997
38.	Shri Bal Krishan	Electrician	24.04.2000
39.	Shri Ram Pyare	Multi Tasking Staff	24.08.2000
40.	Shri Hari Chand	Multi Tasking Staff	12.09.1986
41.	Shri Satish Chand	Multi Tasking Staff	24.08.2000
42.	Shri Shri Rakesh Godiyal	Multi Tasking Staff	15.07.2009
43.	Shri Mani Ram	Multi Tasking Staff	24.08.2000
44.	Shri S.P. Giri	Multi Tasking Staff	15.07.1996
45.	Shri Krishan Saini	Multi Tasking Staff	24.09.2014
46.	Shri Ankuj Rana	Multi Tasking Staff	01.08.2014
47.	Shri Tejpal Singh Bisht	Multi Tasking Staff	02.05.2017
48.	Shri Rakesh Singh	Multi Tasking Staff	09.05.2017
49.	Shri Ankit Kumar	Multi Tasking Staff	02.12.2020