

OFFICE OF THE REGISTRAR GENERAL

MAHATMA GANDHI ROAD, PANBAZAR, GUWAHATI
[APPELLATE AUTHORITY]

RTI Appeal No. 05/2024-25

Mr. Shishir Chand,
D-50 C, 1st Floor,
Chattarpur Enclave, New Delhi-110074.

--- Appellant.

- VERSUS -

Registrar (Judicial)-cum- PIO,
Gauhati High Court, Guwahati.

--- Respondent.

PRESENT

Sri Sunil Kumar Poddar, AJS.

Registrar General-cum-Appellate Authority under RTI Act.

Date of appeal : 14th September, 2024.
Date of hearing : 30th September, 2024.
Date of order : 05th October, 2024.

:: ORDER ::

The appellant, Mr. Shishir Chand, being aggrieved by the response of the PIO, has preferred the instant appeal.

2. The information sought by the appellant was as follows:

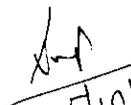
"The names of Judges of the District Judiciary in Assam who were suspended from 01.01.2000 until now (last 25 years)."

3. In reply to the above queries, the PIO, vide his letter dated 11-09-2024, provided the following information:

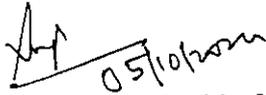
"The matter of suspension of Judicial Officers of the District Judiciary is confidential in nature, and it may be revoked if the charges leveled against him/her were not proven. Hence, the names of Judicial Officers who underwent suspension cannot be disclosed."

4. Heard the appellant in virtual mode. The PIO was represented.

5. During the hearing, the appellant submitted that he needs the information in the public interest as his case is pending on the judicial side in the Hon'ble Supreme Court of India. He also submitted that the information sought by him is required in the interest of justice to justify his stand in the Supreme Court of India during the hearing of his case.


05/10/2024

6. Upon going through the records, it appears that the information sought relates to the name of suspended judicial officers in the District Judiciary of Assam from 01-01-2000, i.e., for last 24 years. In his original application, no specific ground was shown by the appellant that public interest is in any way involved in his prayer in collecting the name of suspended officers of the District Judiciary of Assam since 2000. As such, the submission made by the appellant that he needs the information in the interest of public service or in the interest of justice has no leg to stand. It is further submitted by the appellant that the learned District Judge, Tinsukia, had passed a decree against him and now the matter is under challenge in the Supreme Court, and only to substantiate his case, he needs the information. The above submission of the appellant is apparently not tenable because the suspension of judicial officers in Assam for last 25 years has no connection with any order passed by a judicial officer on the judicial side.
7. The suspension of an officer is an inter-departmental matter with some amount of privacy and confidentiality. It cannot be made public unless any exigency is shown by the applicant/appellant. The information sought by the appellant relates to personal information, which has no relationship to any public interest, and disclosure of the same would cause an unwarranted invasion of the privacy of the individual. Moreover, in service jurisprudence, suspension cannot be treated as punishment. Disclosure of the above information is barred under Section 8 of the RTI Act, 2005.
8. Considering the above, I am of the opinion that the Registrar (Judicial)-cum-PIO has rightly replied that the matter of suspension of judicial officers of the District Judiciary, Assam, is confidential in nature. Thus, the learned PIO has rightly refused to disclose the names of the judicial officers of the District Judiciary of Assam who were placed under suspension since the year 2000 till date.
9. I find no merit in the appeal, and hence, the appeal is accordingly dismissed. No order as to costs.
10. Furnish a free copy of this order to the appellant as well as the learned PIO.


[Sri Sunil Kumar Poddar]
Registrar General-cum-Appellate Authority
under RTI Act,
Gauhati High Court, Guwahati.