



CGHC010253502026



2026:CGHC:33382

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 199 of 2026

1 - Shri Nitin Singhvi S/o Late N. C. Singhvi Aged About 64 Years R/o Mig 59, Sec 01, Shankar Nagar Raipur, District Raipur Chhattisgarh. (Respondent No. 3 W P C No. 3944 Of 2021)

... Petitioner(s)

versus

1 - Chhattisgarh State Information Commission Through Chief Information Commissioner, Sector 19, North Block, Nava Raipur Atal Nagar, District Raipur 492002 Chhattisgarh. (Respondent No. 1 In Wpc No. 3944 Of 2021)

2 - Chief Executive Officer Janpad Panchayat, Lormi, District Mungeli Chhattisgarh. (Respondent No. 2 Wpc No. 3944 Of 2021)

3 - Shri Shatruhan Lal Dadsena S/o Amal Singh Aged About 52 Years R/o Village Ghanaghat, Thana And Tahsil Lormi, District Mungeli Chhattisgarh. (Petitioner Wpc No. 3944 Of 2121)

... Respondent(s)

For Petitioner(s) : Smt. Surya Kawalkar Dangi and Ms. Priyanka Bajpai, Advocates.

For Respondent No.3 : Ms. Shruti Jha appears on behalf of Shri Anand Shukla, Advocates.

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad
Order on Board

03/08/2026

1. This Review Petition has been filed for review of order dated 13.05.2026 passed in WPC No.3944 of 2021 { Shri Shatruhan Lal Dadsena vs. Chhattisgarh State Information Commission and Others} which was filed by Respondent No.3 herein against the order dated 29.05.2021 passed by the

Chhattisgarh State Information Commission, Raipur in four complaint cases instituted against him viz Complaint Case Nos.C/287/2019, C/288/2019, C/289/2019, C/290/2019.

2. By the order dated 29.05.2021, a fine of Rs.25,000/- in respect of each complaint cases has been imposed upon on Respondent No.3 herein and it has been recommended to take disciplinary action against him on account of non furnishing of information by him within time limit as sought under Right to Information Act, 2005 by Respondent No.3/review petitioner.
3. Facts of the case in short are that Respondent No.3 herein was Secretary of Gram Panchayat, Dongarigardh, District Mungeli Chhattisgarh and under Right to Information Act, 2005¹, he was also the Public Information Officer of the said office. During his tenure as a Secretary of the said Gram Panchayat, review petitioner filed an application seeking information under the RTI Act in respect of grant of Forest Rights lease within the jurisdiction of the panchayat and for that, he filed four different RTI applications dated 21.08.2018. Reliefs prayed for by review petitioner in those four RTI applications are as under:-

First Application :- A copy of the notice published by the Panchayat calling for the applications for objections relating to grant of forest rights leases under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Second Application :- A copy of the documents relating to constitution of Forest Rights Committee and documents relating to the selection of the President and the Secretary of the said committee under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Third Application :- A copy of list of objections sent to the Sub-District Level Committee relating to grant of forest rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

1 The RTI Act

Fourth Application :- A copy of all the Letters received by the Panchayat from the Collector, Tehsildar, Forest Department, ST & SC Department relating to/under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

4. After hearing counsel for the parties, this Court allowed the said case and held that the complaint was entertained without exhaustion of the statutory appellate remedy and there is no conclusive finding that the RTI applications were duly received by the petitioner/Respondent No.3 herein, further no proper inquiry was conducted before imposing penalty and reasonable opportunity of hearing as mandated under Section 20(1) of the Act, 2005 was not meaningfully afforded. However, this Court in paragraph 30 of the said order observed as under:-

30. Moreover, as regards the conduct of Respondent No.3. It seems that Respondent No.3 is a habitual information seeker. It is also noticeable from the record that four separate RTI applications were filed on the same date and bombarded on the PIO seeking information substantially connected with the same subject matter. The information which has been sought by the Respondent No.3 is not having any nexus with being of utmost public importance. Though filing multiple applications is not per se illegal, the surrounding circumstances indicate that the applications were structured in a manner that fragmented a single subject into four proceedings. Further, Respondent No.3 waited for about six months before approaching the Commission and did not avail the statutory remedy of first appeal.

5. The grievance of the review petitioner mainly revolves around this observation as she contends that the Court while observing that “*It seems that Respondent No.3/review petitioner herein is a habitual information*

seeker” has casted an adverse remark against the review petitioner and that the usage of word “bombarded” to describe that the on the same day four different applications were filed before the PIO is morally wrong.

6. Learned counsel for the review petitioner submits that the finding regarding the review petitioner being a habitual information seeker was not an issue arising for determination in the writ petition. The writ petition concerned the legality of the order of the State Information Commission imposing penalty under Section 20 of the Right to Information Act, 2005. The impugned observation was neither necessary for adjudication of the controversy nor based on any evidence, and therefore constitutes an unwarranted adverse remark affecting the reputation and credibility of the review petitioner. The review petitioner respectfully submits that the observation contained in paragraph 30 of the judgment dated 13.05.2026, namely that "it seems that Respondent No.3 is a habitual information seeker", is an apparent error on the face of the record and deserves to be recalled/expunged. The observation is thus founded on conjecture rather than evidence. Merely because four RTI applications were submitted on the same date cannot lead to the inference that the review petitioner is a habitual information seeker. Each application sought distinct categories of information relating to different records maintained under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. Filing separate applications for separate sets of records is neither prohibited under the Right to Information Act, 2005 nor indicative of abuse of the statutory mechanism.
7. Having considered the submissions advanced and upon examining the record, this Court is of the opinion that the expressions "habitual information

seeker" and "bombarded" employed in paragraph 30 were not necessary for intended adverse impression and they were merely observation made by this Court as at the starting of those sentences they had the effect of "it seems" and "it is noticeable", however, in order to maintain neutrality, this Court is of the opinion that substituting the said words would do no harm to the order.

8. Accordingly, the sentence "It seems that Respondent No.3 is a habitual information seeker" in paragraph 30 is directed to be substituted with "It seems that Respondent No.3 is a regular information seeker" and the sentence "It is also noticeable from the record that four separate RTI applications were filed on the same date and bombarded on the PIO seeking information substantially connected with the same subject matter." is substituted with "It is also noticeable from the record that four separate RTI applications were filed on the same date and placed on the PIO seeking information substantially connected with the same subject matter".
9. With the aforesaid modification, the Review Petition stands **disposed of**.
10. Apart from aforesaid modification, order dated 13.05.2026 will remain intact.

Sd/-
(Amitendra Kishore Prasad)
Judge

Avinash