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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/WRIT PETITION (PIL) NO. 170 of 2020

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NEETA DATTATARAYA HARDIKAR

Versus

GUJARAT LAGISLATIVE ASSEMBLY SECRETARIAT

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Appearance:

MR PRAKASH K JANI, SENIOR ADVOCATE WITH MR B S
SOPARKAR(6851) for the Applicant(s) No. 1,2
for the Opponent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE J.B.PARDIWALA
and
HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 21/12/2020

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE J.B.PARDIWALA)

1 We have heard Mr. Prakash Jani, the learned Senior Counsel assisted by Mr. B. S. Soparkar, the learned counsel appearing for the writ applicant.

2 By this writ application filed in public interest, the writ applicants claiming to be public spirited citizen have prayed for the following reliefs;

“(a) Direct the respondent to comply with the obligations cast under Section 4 of the Right to Information Act generally and in particular to disclose on its website in Gujarati and English and regularly update, information relating to (a) the proceedings of the Assembly i.e. live and old telecast and transcripts, the papers to be laid, private member's business, zero-hour, list of question and their answers, text of debates; (b)

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Text of Legislations (including subordinate legislations) as introduced, passed, pending, assented, lapsed, withdrawn and negatived by the assembly; (c) information on the committees of the assembly (house of Committees) summary of their work and reports prepared by them; (d) the rules, regulations, instructions, manuals and records, held by it or under its control or used by the assembly for discharging its functions and (e) copy of documents that are held by it or under its control.

(b) Pending the admission, hearing and final disposal of this petition, direct the respondent to upload as much information as is available with the respondent as mandated by Section 4 of the Right to Information Act and make the telecast of the proceedings of the legislative assembly available on their website for the immediate sessions of the Assembly.”

3 What we have been able to gather from the submissions canvassed by Mr. Jani is that it would be in public interest if the respondent discloses on its website in Gujarati and English and regularly updates the information relating to: (a) The proceedings of the Assembly (i.e. live and old telecast and transcripts, the papers to be laid, private member's business, zero-hour, list of questions and their answers, text of debates), (b) Text of legislations including subordinate legislations as introduced, passed, pending, assented, lapsed, withdrawn and negatived by the Assembly, (c) Information on the Committees on the Assembly (House Committees) – summary of their work and reports prepared by them, (d) The rules, regulations, instructions, manuals and records held by it or under its control or used by the Assembly for discharging its functions, and (e) Copy of documents that are held by it or under its control, which at present, is not disclosing pre-actively on the website of the Gujarat Legislative Assembly. Mr. Jani would submit that it is always open for

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the respondent to claim privilege if it does not want to disclose any particular information in public interest referred to above.

4 We seek the response of the respondent on this writ petition in public interest. Let Notice be issued to the respondent, returnable on 17th February 2021.

