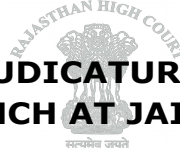




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 2911/2026

Jagdish Prasad Meena S/o Shri Ladu Lal Meena, Aged About 37
Years, R/o Deva Ka Kheda, Basni, District Bundi (Raj.)-323025.

----Petitioner

Versus

1. The State Of Rajasthan, Through The Principal Secretary, Department Of School Education, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan 302005.
2. The Director, Elementary Education, Bikaner, Rajasthan-334001.
3. The Rajasthan State Information Commission, Jaipur, Through Its Chief Information Commissioner, Rajasthan State Information Commission, Yojana Bhawan Campus, Tilak Marg, C-Scheme, Jaipur, Rajasthan 302005.
4. The Public Information Officer-Cum Joint Director, School Education Ajmer Range, Ajmer, Rajasthan 305001.
5. The District Education Officer (Headquarters), Elementary Education Office Of District Education Officer (Elementary), Nagaur, Rajasthan 341001.
6. The Public Information Officer-Cum Principal Government Senior Secondary School, Village Gagrana, Block Merta City, District Nagaur, Rajasthan 341510.

----Respondents

For Petitioner(s) : Mr. Avinash Dhanju,
Mr. Vishal Soni

For Respondent(s) :

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

19/02/2026

1. The present writ petition has been filed by the petitioner under Article 226 of the Constitution of India against order dated 28.07.2025 passed by the respondent



No. 3 – the learned Rajasthan State Information Commission, Jaipur and also against the compliance order dated 31.12.2025 whereby the inspection-only approach was upheld and the supply of information sought under the application filed on 10.03.2025 under the Right to Information Act, 2005 (for short, 'the Act of 2005') was treated as complied with.

2. The succinct facts of the case are that the petitioner filed an online application before the respondent No. 4 – the Public Information Officer cum Joint Director, School Education Ajmer Range, Ajmer on 10.03.2025 under the Act of 2005 seeking certified copies of the attendance registers and other connected records of the Government Senior Secondary School, Gagrana along with all investigation documents with respect to the letters dated 09.12.2024 and 15.01.2025. The said application was transferred by respondent No. 4 to respondent No. 6 – the Public Information Officer cum Principal Government Senior Secondary School, Village Gagrana, District Nagaur on 20.03.2025. The petitioner then filed a written request on 21.03.2025 praying that instead of the registered post mode, information be provided to him through electronic means at his email address. Pursuant to this, the respondent No. 6 filed a reply on 15.04.2025 directing the petitioner to personally visit the school premises for inspection of records.

The petitioner preferred the first appeal before the respondent No. 2 – the Director, Elementary Education Bikaner, Rajasthan on 15.04.2025 and subsequently, a



second appeal was filed by the petitioner under Section 19(3) of the Act of 2005 before the respondent No. 3 on 10.06.2025 which finally came to be decided on 28.07.2025. During the pendency of the said second appeal, a reply dated 17.06.2025 was filed by the respondent No. 6 before respondent No. 5 – the District Education Officer, Nagaur.

Following this, a compliance application was filed by the petitioner before the respondent No. 3 on 21.08.2025 which came to be disposed on 31.12.2025. The respondent No. 5 informed the petitioner vide letter dated 13.11.2025 that the information sought by him was already supplied to him through email.

3. The case of the learned counsel for petitioner proceeds on the assertion of facts that as per Section 7(9) of the Act of 2005, the information should be supplied in the form as has been sought in the RTI application unless a statutory exemption under Sections 8 or 9 of the Act of 2005 applies. He further submits that the information supplied to him belonged to an entirely different case and was irrelevant to the RTI application.

4. Considered the submissions made at Bar and also perused the material made available on record.

5. In the light of the submissions made by learned counsel for the petitioner and the facts on record, the substantial question which arose for consideration is: "Whether the impugned orders are liable to be set aside when the respondents have made sufficient efforts to comply with



the positive duty cast upon them under Section 7(9) of the Act of 2005?"

6. Section 7(9) of the Act of 2005 casts a positive duty upon on the authorities to provide the information in the very form it is sought. The relevant provision reads as under:-

"(9) An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question."

7. Having regard to the relevant provision quoted above, and also taking into consideration the factual matrix of the case and prayer made in this petition, the Court is is not inclined to interfere with the impugned orders. In the present case, the information sought by the petitioner in points 1 and 2 of his RTI application is with regards to the attendance register of all the staff working in the school from 2017 to 2024. The requested information, in light of the decision passed by the Division Bench of the learned Delhi High Court in LPA 207/2020 dated 31.08.2020 which has been relied upon by respondent No. 3 while passing the impugned order dated 21.08.2025, falls under the category of 'personal information'. Despite this, the respondents emailed and sent the information to the petitioner by post but the same was returned.



It is worth to mention that the petitioner was also invited to inspect the records for the year 2022-2024 vide letters dated 19.08.2025 and 25.08.2025, however, he did not appear for the same. With regards to the remaining information in points 3 and 4 of the RTI application, the petitioner was informed about the unavailability of the requested documents with the local school and was accordingly directed to contact the Appointing Officer's office.

Looking at the peculiar facts of the case, it appears to the Court that sufficient efforts were made by the respondents to provide the requested information in the form as has been sought by the petitioner in his RTI application, however, when the same was not possible, an alternate opportunity was further provided to the petitioner to personally visit the school premises for inspection of the requested records. Meaning thereby, the respondents made adequate efforts in discharging their burden under Section 7(9) of the Act of 2005.

8. In view of the foregoing discussion, the writ petition filed by the petitioner, being *sans* merit, is dismissed.

(GANESH RAM MEENA),J