

BEFORE THE FIRST APPELLATE AUTHORITY (RTI ACT) AND  
PRL DISTRICT AND SESSIONS JUDGE  
BENGALURU RURAL DISTRICT, BENGALURU

RTI FIRST APPEAL NO. 2/17

Appellants/s:

/Vs/

Respondent/s

Sri. Sreenath K.S.,  
Kulathanal House,  
Kidangoor P.O.,  
Vengoor, Angamaly,  
Emmavulam District,  
PIN- 683572.

Public Information Officer  
Prl. District & Sessions Court,  
Bengaluru Rural,  
City Civil Court Complex,  
Bengaluru- 560009.

14-11-2017 The appellant filed appeal U/s. 19 of the Right to information Act 2005. The appeal received through RPAD on 10-11-2017.

The appellant sought "Answer to the following Questions".

1. Which is the number of the infamous case which is widely known as "cyanide mallika case" which was pending before this Hon'ble Court?
2. What is the total fee which I need to pay in order to get a copy of Judgment in the infamous "cyanide mallika" case?
3. Which court conducted trial of the infamous "Cyanide Mallika" case?
4. Provide me a copy of Judgment in the infamous "cyanide mallika" case?

The appellant has not furnished criminal case number and name of the court.

RTI application filed by the appellant is rejected for the following reasons :

The applicant has to file a copy application before the concerned Court for certified copies and the Presiding Officers of said court has to consider the said application and pass an appropriate order for grant of certified copies.

As per the decision of the Hon'ble High Court of Karnataka, Bengaluru in W.P. NO.9418/08 (GM-RES), dated 26-8-2009 reported in ILR 2009 Karnataka 3890, the party shall file an application for the certified copies of Judicial proceedings by the following procedures prescribed in High Court Rules.

The subordinate courts follow the Karnataka Criminal Rules of Practice 1968 framed by the Hon'ble High Court of Karnataka, Bengaluru, to issue certified copies in criminal cases.

**Prayer or Relief Sought**

- a) Direct the PIO to supply information within 10 days from the date of decision of the appeal.
- b) Direct PIO to supply full and correct information.
- c) And direct PIO to supply certified copies of information.
- d) Appellant is hailing from State of Kerala. Due to difficulty in traveling this much distance, and also due to the nature of work of the appellant, appellant opts not to be present for hearing of the appeal. Hence appellant prays to consider this appeal on merits and allow the prayer accordingly.

For kind orders.

*notice to both parties by*  
*30-11*  
*[Signature]*  
*14/11*

16.12.2017

ORDER ON THE APPEAL FILED UNDER  
SECTION 19 OF THE RIGHT TO  
INFORMATION ACT, 2005.

I have perused the memorandum of appeal and also the order dated 08.10.2017 of the State Public Information Officer (for short, SPIO), which is appealed against.

2: The appellant has remained absent. I have heard the respondent in person. I have also perused the records. The records disclose that the applicant/appellant has sought for information as follows:

1. *Which is the number of the infamous case which is widely known as "cyanide mallika case" which was pending before this Hon'ble Court?*
2. *What is the total fee which I need to pay in order to get a copy of Judgment in the*

infamous "cyanide mallika"  
case?

3. Which court conducted trial of the infamous "cyanide mallika" case?

3. Provide me a copy of Judgment in the infamous "cyanide mallika" case?

3. The SPIO has rejected the application on the ground that the applicant has to file copy application for getting certified copies before the concerned court and the said court has to consider the application and pass appropriate order for grant of certified copies. He has also placed reliance on the decision of the Hon'ble High Court of Karnataka reported in **ILR 2009 KAR 3890**. He has also referred to the Karnataka Criminal Rules of Practice, 1968 framed by the Hon'ble High Court of Karnataka, Bengaluru for issue of certified copies in criminal cases. Under such circumstances, the reason given by

the SPIO and the order passed is in accordance with law and accordingly, the said order is upheld.

4. Further, the appellant/applicant has mentioned the case as 'Cyanide Mallika Case'. With such meagre reference, it is impossible to furnish even certified copies under the Rules of the Court. The applicant has to give the case number and also cause title and thereafter, make copy application seeking certified copies. On such application being filed, Registry of the court will apprise the copy applicant the requisite application fee that is required to be paid and on tendering such fee, certified copies will be granted, subject to such Rules. In that view of the matter, there is no merit in the above appeal and accordingly, it is liable to be dismissed. Hence, the following: -

(7)

ORDER

The appeal is dismissed.

(P. Krishna Bhat)

First Appellate Authority (RTI Act) &  
Principal District & Sessions Judge,  
Bengaluru Rural District,  
Bengaluru.

16-12-15